



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Local Government and Social Care Ombudsman Annual Review Letter 2021	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team 17th August 2021	X
	Leader and Deputy Leaders 23 rd August 2021	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group 1 & 2 Sept 2021	X
	Cabinet 13 th Sept 2021	
	Scrutiny Audit and Value for Money Council Services Committee [DATE] / Scrutiny Community Regeneration, Environment and Health and Well Being Committee [DATE]	n/a



Is this an Executive Decision:	YES	Is this a Key Decision:	NO
Is this in the Forward Plan:	YES	Is the Report Confidential:	NO
If so, please state relevant paragraph from Schedule 12A LGA 1972:	[]		

Essential Signatories:

ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE

Monitoring Officer: **Angela Wakefield**

Date Signature

Chief Finance Officer: **Sal Khan**

Date Signature

EAST STAFFORDSHIRE BOROUGH COUNCIL

Report to Cabinet

Date: 13th September 2021

**REPORT TITLE: Local Government and Social Care Ombudsman
Annual Review Letter 2021**

PORTFOLIO: Leader

HEAD OF SERVICE: Sal Khan

CONTACT OFFICER: Andrea Davies Ext. No. x1306

WARD(S) AFFECTED: All

1. Purpose of the Report

- 1.1. To note the contents of the Annual Review Letter showing complaints about East Staffordshire Borough Council dealt with by the Local Government and Social Care Ombudsman (LGO) for the year ended 31st March 2021.

2. Background

- 2.1. The Ombudsman submits an Annual Letter to the Council on all complaints he has received.

3. Contribution to Corporate Priorities

- 3.1. Fully accorded with the corporate priorities of the Council.

4. Report

4.1. Annual Letter 2021

- 4.2. Every year, the LGO produces an annual letter a copy of which is provided at Appendix 1 of the report. The purpose of this letter is to provide an annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about the Council for the year ending 31st March 2021.

4.3. Appendix 1 indicates that 50% of the complaints investigated by the Ombudsman were upheld. It should be noted that this statistic is based on a total of 2 detailed investigations carried out by the Ombudsman for the period 2020/21. Further information on the complaint which was upheld can be found at paragraph 4.6.3 of this report.

4.4. The LGO has also provided a summary of complaints he has received in respect of the Borough Council at Appendix 2 of the report. The data provided by the Ombudsman at Appendix 2 includes the number of complaints and enquiries recorded, about which topics and what decisions the Ombudsman has made. A summary of which is shown at sections 4.5 and 4.6 of the report. A number of complaints/enquiries made to the Ombudsman may have been received and decided in different financial years, which means the number of complaints and enquiries received will not always correspond with the number of decisions made.

4.5. Complaints and Enquiries received about East Staffordshire Borough Council for the period ending 31st March 2021

4.5.1. The complaints and enquiries received about the Council can be categorised under the service areas shown below:

Planning & Development	Environmental Services & Public Protection & Regulation	Benefits & Tax	Total
2	2	1	5

4.6. Decisions made on complaints and enquiries for the period ending 31st March 2021:

4.6.1. Decisions made include where advice was given; the case was closed after initial enquiries; where the complaint was incomplete/invalid; where it was referred back for local resolution and detailed investigations, where complaints were either upheld or not upheld.

No investigation & outcome		Investigation & outcome		Total
Closed After Initial Enquiries/Advice Given	Referred Back for Local Resolution	Upheld	Not Upheld	
4	1*	1**	1	7

4.6.2. * The Ombudsman indicates that he had referred back one complaint for local resolution, to date, the complaint has not been received by the Borough Council. (This may be because the Complainant may have contacted the Council without making reference to their previous contact with the Ombudsman or may have decided not to pursue their complaint with the Council).

4.6.3. **The Ombudsman's report relating to the one complaint which was upheld during the course of the 20/21 financial year can be found by clicking the following [link](#). The Council apologised for the fault identified by the Ombudsman and confirmed that it had introduced new processes on Discretionary Housing Payments.

4.6.4. Further details of the individual decisions made by the Ombudsman indicated in the above table can be found on the LGO website, by clicking the following [link](#):

4.7. The Ombudsman has published its annual report on the review of local government complaints for 2020-21, which can be viewed online via the following [link](#). The report highlights that the Ombudsman has upheld a greater proportion of investigations, despite being closed to new complaints at the height of the first Covid-19 lockdown, and registering fewer complaints than in recent years, but still receiving 11,830 complaints and enquiries from members of the public.

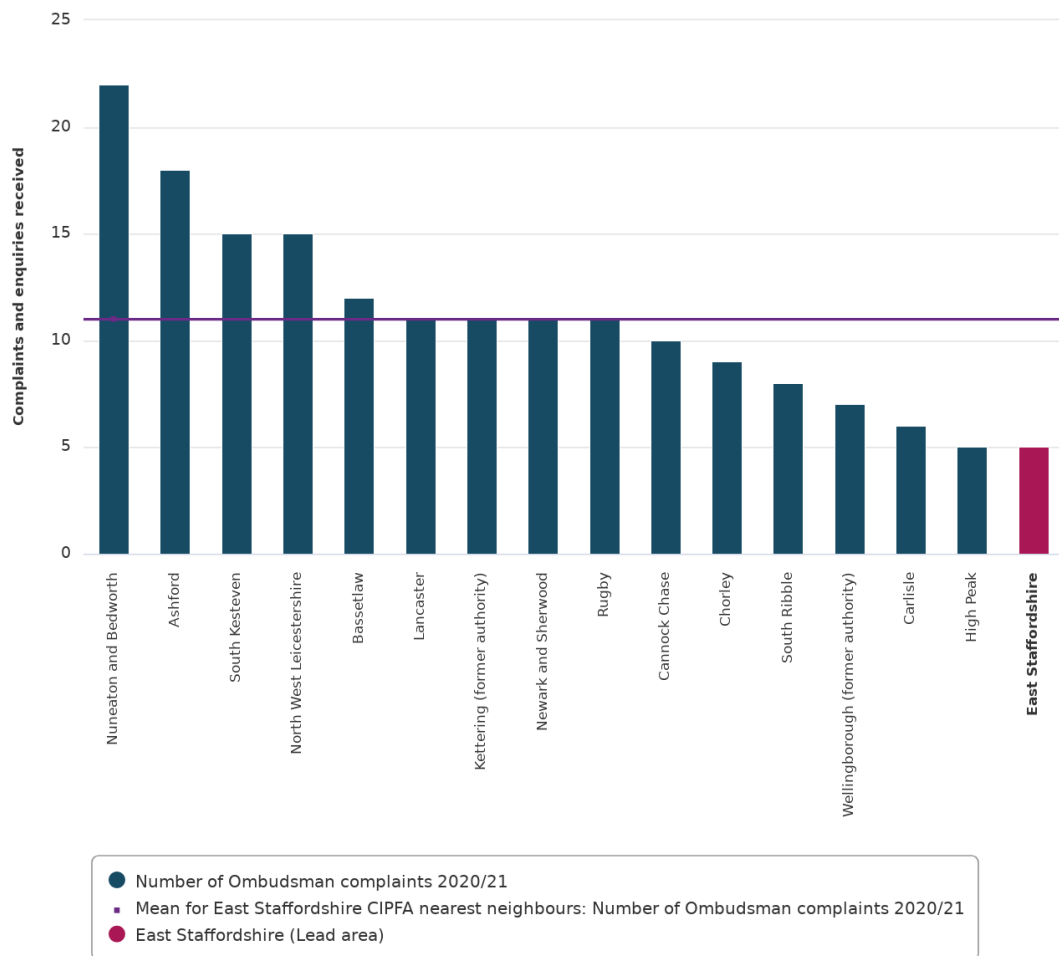
4.8. Performance Information

4.8.1. The LGO publishes Council performance in the form of an interactive map on their website, to place a focus on each authority's compliance with investigations. It is a snapshot of the service improvement recommendations an authority has agreed. The interactive map can be viewed by clicking this [link](#) .

4.8.2. The table below shows the number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2015/16 to 2020/21) for East Staffordshire, compared with CIPFA nearest neighbours

Period	Number of Ombudsman complaints			
	Complaints			
	East Staffordshire	Minimum for East Staffordshire CIPFA nearest neighbours	Mean for East Staffordshire CIPFA nearest neighbours	Maximum for East Staffordshire CIPFA nearest neighbours
2015/16	8	7	13	23
2016/17	9	7	14	24
2017/18	13	6	13	20
2018/19	15	1	12	24
2019/20	8	5	12	31
2020/21	5	5	11	22

4.8.3. The chart below shows the number of complaints and enquiries received by the Local Government & Social Care Ombudsman (2020/21) for East Staffordshire & East Staffordshire CIPFA nearest neighbours.

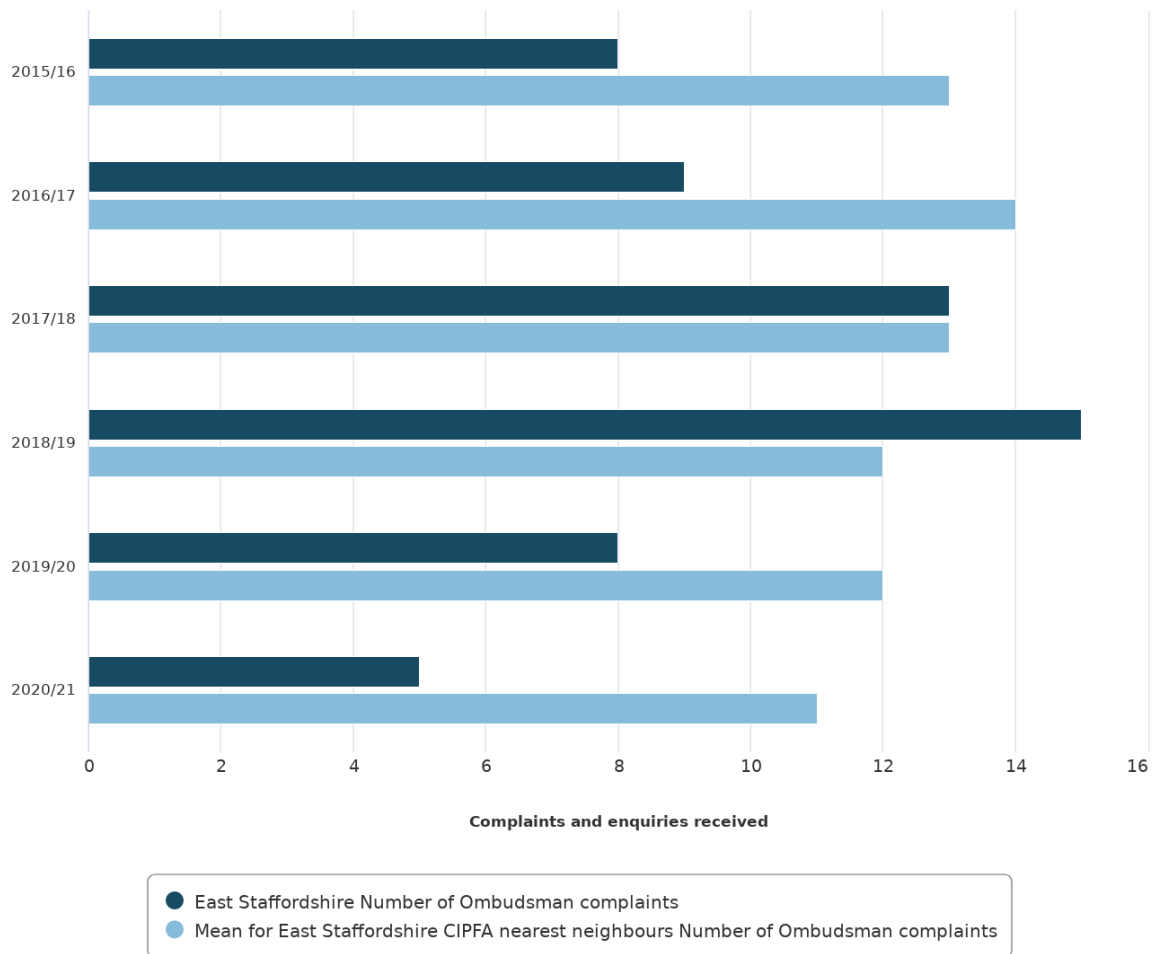


Source:
Local Government & Social Care Ombudsman

Powered by LG Inform

4.8.4. This demonstrates that the Council has had the joint lowest number of complaints referred to the Ombudsman within the nearest neighbour group.

4.8.5. The chart below shows the number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2015/16 to 2020/21) for East Staffordshire.



Source:
Local Government & Social Care Ombudsman

Powered by LG Inform

4.8.6. The chart indicates that the Council is lower than the group average and, in particular, significantly lower in 2020/21.

4.8.7. The table below shows the number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2015/16 to 2020/21) for East Staffordshire & East Staffordshire CIPFA nearest neighbours ranked according to the number of complaints received 2020/21.

Area	Number of Ombudsman complaints					
	Complaints					
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
East Staffordshire	<u>8</u>	<u>9</u>	<u>13</u>	<u>15</u>	<u>8</u>	<u>5</u>
High Peak	<u>11</u>	<u>7</u>	<u>15</u>	<u>7</u>	<u>7</u>	<u>5</u>
Carlisle	<u>12</u>	<u>10</u>	<u>7</u>	<u>1</u>	<u>6</u>	<u>6</u>
Wellingborough	<u>13</u>	<u>10</u>	<u>7</u>	<u>10</u>	<u>9</u>	<u>7</u>
South Ribble	<u>11</u>	<u>16</u>	<u>20</u>	<u>16</u>	<u>6</u>	<u>8</u>
Chorley	<u>11</u>	<u>9</u>	<u>12</u>	<u>10</u>	<u>12</u>	<u>9</u>
Cannock Chase	<u>11</u>	<u>11</u>	<u>11</u>	<u>8</u>	<u>7</u>	<u>10</u>
Kettering	<u>11</u>	<u>14</u>	<u>11</u>	<u>24</u>	<u>15</u>	<u>11</u>
Lancaster	<u>12</u>	<u>15</u>	<u>12</u>	<u>9</u>	<u>5</u>	<u>11</u>
Newark and Sherwood	<u>18</u>	<u>24</u>	<u>20</u>	<u>6</u>	<u>11</u>	<u>11</u>
Rugby	<u>7</u>	<u>14</u>	<u>15</u>	<u>9</u>	<u>14</u>	<u>11</u>
Bassetlaw	<u>20</u>	<u>20</u>	<u>17</u>	<u>14</u>	<u>13</u>	<u>12</u>
North West Leicestershire	<u>12</u>	<u>18</u>	<u>6</u>	<u>11</u>	<u>7</u>	<u>15</u>
South Kesteven	<u>9</u>	<u>13</u>	<u>15</u>	<u>15</u>	<u>14</u>	<u>15</u>
Ashford	<u>23</u>	<u>21</u>	<u>16</u>	<u>19</u>	<u>17</u>	<u>18</u>
Nuneaton and Bedworth	<u>11</u>	<u>12</u>	<u>16</u>	<u>18</u>	<u>31</u>	<u>22</u>

4.8.8. The chart indicates that the Council is lower than the group average and, in particular significantly lower in 2020/21.

4.9. Formal Complaints submitted to the Council

4.9.1. The table below provides a breakdown of the number of formal complaints received during the financial year 20/21 and how they have progressed through the three stages of the Council's formal complaints procedure.

	S1	S2	S3	LGO
Q1	8	0	0	0
Q2	10	3	1	0
Q3	13	5	3	1
Q4	19	1	0	0
TOTAL	50	9	4	1

4.9.2. A total of 50 formal complaints were received during the 2020/21 financial year.

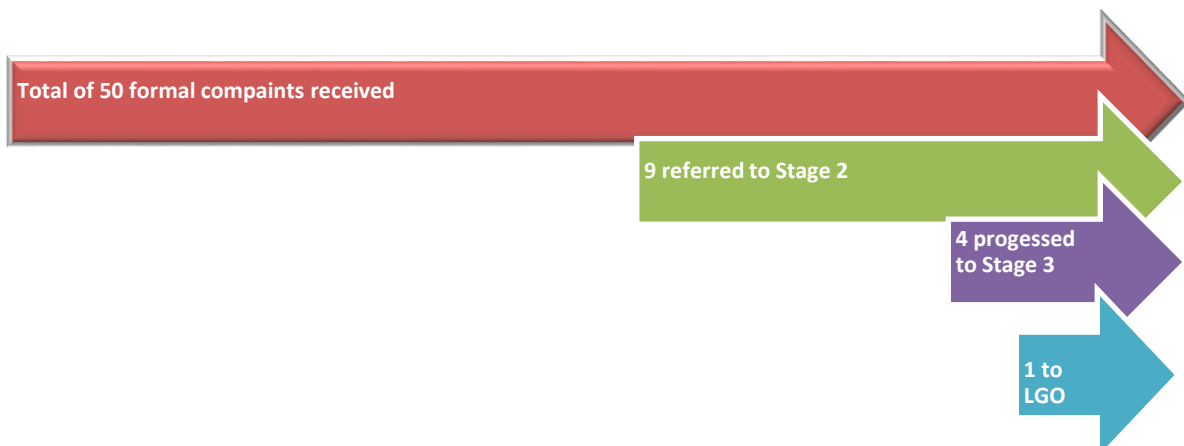
4.9.3. This indicates a small increase in the total number of formal complaints received, compared to the previous financial year total of 44 complaints received.

4.9.4. Of the 50 complaints received, 41 (82%) were completed at stage 1.

4.9.5. 9 (18%) of the 50 complainants remained dissatisfied and progressed their complaint to stage 2 (Head of Service)

4.9.6. 4 (8%) of the 50 complainants progressed their complaint to stage 3 (Chief Executive).

4.9.7. 1 (2%) of the 50 complaints progressed to the Ombudsman.



5. **Financial Considerations**

This section has been approved by the following member of the Financial Management Unit: [Lisa Turner]

- 5.1. There are no financial issues arising from this Report.

6. **Risk Assessment and Management**

- 6.1. The main risks to this Report and the Council achieving its objectives are as follows:

6.2. **Positive** (Opportunities/Benefits):

6.2.1. The Ombudsman's report is positive; insofar that whilst the Council utilises the complaints process as a vital component for organisational learning, the number of complaints received increased slightly from the previous financial year. The vast majority of complaints were resolved at stage 1 of the procedure; very few of the complaints received moved to stage 2 or stage 3 of the procedure. One of the 2 complaints investigated by the LGO was upheld and the Council introduced changes in processes in relation to Discretionary Housing Payments.

6.3. **Negative** (Threats):

6.3.1. None

7. **Legal Considerations**

This section has been approved by the following member of the Legal Team: [Angela Wakefield]

- 7.1. There are no significant legal issues arising from this Report.

8. **Equalities and Health**

- 8.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised.

9. **Human Rights**

- 9.1. There are no Human Rights issues arising from this Report.

10. **Sustainability** (including climate change and change adaptation measures)

- 10.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

11. **Recommendation(s)**

11.1. That the Local Government Ombudsman Annual Review Letter 2021 be received and noted.

12. **Background Papers**

12.1. None.

13. **Appendices**

13.1. Appendix 1: Annual Review Letter 2021

13.2. Appendix 2: Spreadsheet providing additional information on the complaints and enquiries received and decisions made in the period