

REPORT TITLE: ANNUAL REPORT: LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN 2017/18

15 OCTOBER 2018

REPORT OF PORTFOLIO HOLDER: CLLR GODFREY – PORTFOLIO HOLDER FOR PROFESSIONAL SERVICES

Contact Officer: Joseph Holmes Tel No: 01962 848 220 Email jholmes@winchester.gov.uk

WARD(S): ALL

PURPOSE

This report provides details on the complaints and enquiries received by the Local Government and Social Care Ombudsman (LGSCO) during 2017/18, and the conclusions reached following their investigations.

Information specific to individual authorities, including complaints referred to the Ombudsman, as well as the publication of the Ombudsman decision and decision statements, by category or authority, can be found on the LGSCO website; www.lgo.org.uk.

RECOMMENDATIONS:

1. That the report be noted.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 The Council is focussed on the services that it provides and improving standards so that they can meet the expectations of its customers. Enhanced information and learning from complaints and their causes supports the Council to achieve this core principle underpinning the delivery of the Council Strategy.

2 FINANCIAL IMPLICATIONS

- 2.1 None directly arising from this report.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 None directly in this report

4 WORKFORCE IMPLICATIONS

- 4.1 None directly

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 Feedback from those who use the Council's services is an important part of continual improvement. The Council has a two stage complaints process, where issues may be raised with the relevant Head of Service in the first instance and followed up by the Chief Executive. If the customer is still dissatisfied with the response provided, they may refer the issue to the Local Government and Social Care Ombudsman (LGSCO).

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 None.

8 EQUALITY IMPACT ASSESSEMENT

- 8.1 None.

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 None.

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property - none</i>		
<i>Community Support – significant numbers of complaints can indicate concerns from the community and a lack of community support for the Council.</i>	Regular monitoring and reporting of the types and numbers of complaints the Council receives.	
<i>Timescales – Delays in responding to complaints can lead to adverse publicity and reputational damage.</i>	Regular monitoring of complaints and the time taken to respond ensures that the Council is responsive to the complaints it receives.	Learning from complaints can enable the Council to develop services ensuring that it remains customer focussed
<i>Project Capacity – none.</i>		
<i>Financial / VFM – cost of investigating and responding to complaints.</i>	Proper recording and monitoring of complaints ensures the Council is alerted to trends before they escalate.	Complaints provide the opportunity to develop or enhance services where appropriate
<i>Legal – none</i>		
<i>Innovation - none</i>		
<i>Reputation – significant numbers of complaints can lead to reputational damage and adverse publicity</i>	Regular monitoring and reporting of the types of complaints the Council receives.	
<i>Government Changes - none</i>		

11 SUPPORTING INFORMATION:

Annual Report of the Local Government and Social Care Ombudsman

- 11.1 The Local Government and Social Care Ombudsman are the final stage for complaints about councils', all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services.
- 11.2 Annually, the Ombudsman provides each local authority with an Annual Review Letter and summary of the statistics on the complaints received by the LGSCO about the council.

- 11.3 The tables below show the number of enquiries and complaints made to the LGSCO that were settled during the year ending 31 March 2018. Figures for 2016/17 are shown in brackets alongside the 2017/18 figures.
- 11.4 When considering these figures, it should be noted that in particular the figures include a number of general enquiries to the Ombudsman, some by telephone where the Ombudsman has been able to give advice without the need for any actual investigation. These enquiries are often received and decided or responded to on the same day; however, they are still classified as decisions.
- 11.5 These enquiries are often made to the Ombudsman without the knowledge of the Council and therefore the Council's records do not match those of the Ombudsman. For this reason, it has not been possible to reconcile the two sets of records.
- 11.6 An upheld complaint is one where the Ombudsman decided that an authority has been at fault in how it acted, and that this fault may or may not have caused an injustice to the complainant, or where an authority has accepted that it needs to remedy the complaint before the LGO make a finding on fault. If the Council has decided that there was fault and it caused an injustice to the complainant, usually the Ombudsman will have recommended that the authority take some action to address it.
- 11.7 Complaints and enquiries received by the LGSCO by service area

LGSCO – Local Authority Report – Winchester City Council
For the year ending 31 March 2018 (2016/17 figures in brackets)

Benefits and Tax	Corporate and other services	Highways and transport	Housing	Planning and development	Total
4 (1)	1 (2)	4 (0)	6 (0)	5 (7)	20 (10)

Decisions Made

Detailed investigations carried out						
Upheld	Not Upheld	Advice Given	Closed after initial enquiries	Incomplete / Invalid	Referred back for local resolution	Total
1 (0)	1 (4)	2 (0)	3 (5)	2 (0)	11 (3)	20 (12)

Complaints Remedied

By LGO	Satisfactorily by LA before LGO involvement
1	0

The number of remedied complaints may not equal the number of upheld complaints. This is because, although the LGO may uphold a complaint because they found fault, they may not always find grounds to say that fault caused an injustice that ought to be remedied.

- 11.8 There was one case upheld by the Ombudsman during 2017/18 which related to a complaint where the Council gave a consultee an incorrect date to respond to the consultation on a planning application. This denied the complainant the opportunity to comment on the application and the Council delayed responding to contact from the consultee. To the satisfaction of the LGO, the Council apologised and made a payment of £100 to the complainant.
- 11.9 Although there has been an increase in the number of complaints made to the LGSCO during 2017/18 when compared to 2016/17, this should not be seen as an indication of the quality of the Council's performance. The most significant statistic is the number of upheld complaints and this continues to be very low.
- 11.10 The Council reports regularly on the volume of complaints that it receives as one of the performance measures in the quarterly Finance and Performance report that is presented to this Committee and Cabinet.

12 OTHER OPTIONS CONSIDERED AND REJECTED

12.1 None.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

[OS175](#) – Annual Report Local Government and Social Care Ombudsman 2016-17

Other Background Documents:-

None.

APPENDICES:

Appendix 1 Local Government & Social Care Ombudsman Annual Review Letter 2018