



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Local Government and Social Care Ombudsman Annual Review Letter 2019	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team 20 th August 2019	X
	Leader and Deputy Leaders 27 th August 2019	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group 4 th & 5 th Sept 2019	X
	Cabinet 16 th Sept 2019	
	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: 16th September 2019

**REPORT TITLE: Local Government and Social Care Ombudsman
Annual Review Letter 2019**

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 for the year ended 31st March 2019 by the Local Government and Social Care Ombudsman (LGO).

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 2019

Every year, the LGO produces an annual letter and a summary of complaints he has received in respect of the Borough Council (detailed at Appendix 1 of the report). The data provided includes the number of complaints and enquiries recorded, about which topics and what decisions the Ombudsman has made.

Complaints and Enquiries received for the period ending 31st March 2019:

Benefits and Tax	Corporate and Other Services	Environment Services	Highways and Transport	Housing	Planning and Development	Total
2	4	3	1	2	3	15

Decisions Made

Referred back for local resolution	Closed After Initial Enquiries	Detailed Investigations Not Upheld	Total
5	11	1	17

Appendix 2 provides an extract from the LGO website, giving clarification of the terms used by the LGO. Further details of the decisions made by the Ombudsman indicated in the above chart can found on the LGO website, by clicking the following [link](#).

The above statistics comprise of the data held by the LGO and may not necessarily align with the data held by the Borough Council (For example some complainants may be signposted back to the Borough Council by the LGO, but may choose not to do so, or some complaints may have been dealt with by the Borough Council in one financial year, but received by the LGO in the following financial year). Out of the 5 complaints which were referred back for local resolution, 2 were not received by the Borough Council. This may be because the complainant may have decided not to refer their complaint back to the Council, or were given advice by the LGO.

4.2. The LGO now publishes Council performance in the form of a new interactive map on their website (the first Ombudsman to present data in this way). The intention of this new tool is to place a focus on each authority's compliance with investigations. It is a snapshot of the service improvement recommendations an authority has agreed. It also highlights the wider outcomes of investigations to the public, advocacy and advice organisations, and others who have a role in holding local councils to account. The interactive map can be viewed by clicking [here](#).

4.3. The Ombudsman has published its annual report on the review of local government complaints for 2018-19, which can be viewed online [here](#). They registered 16,899 complaints and enquiries over the period, more than a third of which were about Children and Education Services, and Adult Social Care. 4,232 detailed investigations were carried out and of the cases investigated, 58% were upheld. Councils accepted and put in place the recommendations from the LGO in 99.4% of cases, demonstrating a willingness to put things right when they go wrong.

4.4. Formal Complaints submitted to the Council

The table below shows a breakdown of the number of formal complaints received during the financial year 18/19 and how they have progressed through the corporate complaints procedure.

	S1	S2	S3	LGO
Q1	15	5	3	1
Q2	8	3	0	1*
Q3	8	1	0	0
Q4	11	1	0	0
TOTAL	42	10	3	2

**1 complaint did not complete stage 3 at quarter 2 as complainant refused to provide reasons for dissatisfaction at stage 2, so was advised to contact the LGO direct.*

A total of 42 formal complaints were received during the 2018/19 financial year. This indicates a decrease in the total number of formal complaints received compared to the previous financial year total of 49.

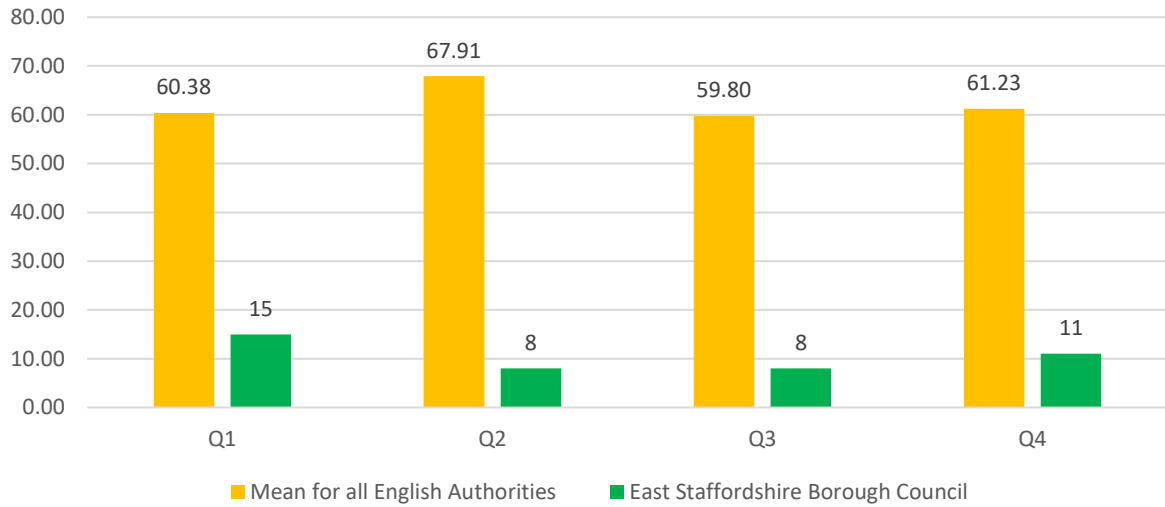
Of the 42 complaints, 10 complainants remained dissatisfied and progressed their complaint to stage 2 (Head of Service) and 3 complainants progressed their complaint to stage 3 (Chief Executive). 1 of these complaints progressed to the Ombudsman. (As indicated above, 1 complaint did not progress to stage 3, but instead was asked to contact the LGO direct, as the complainant was unwilling to provide reasons for dissatisfaction with the stage 2 response previously provided).



4.5. Performance Statistics

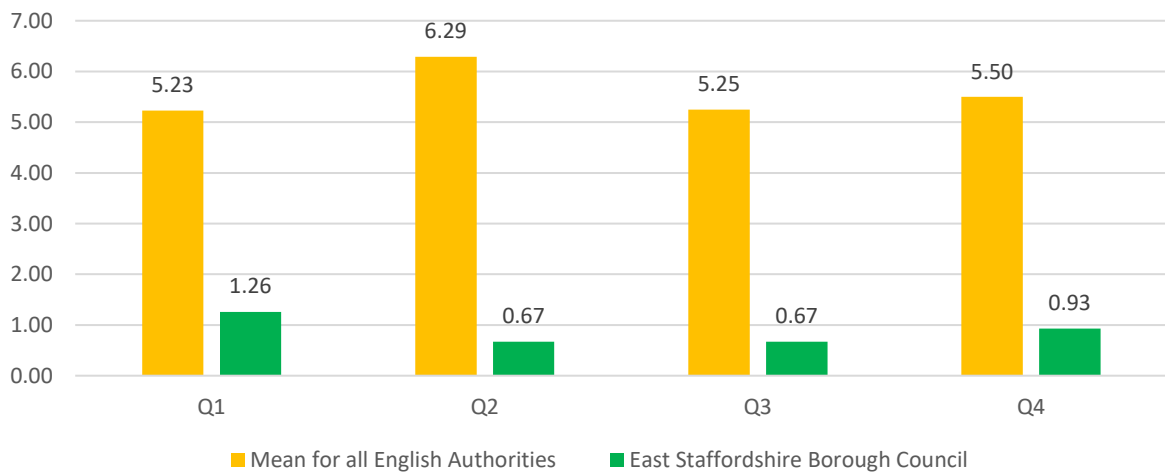
The graph below illustrates how East Staffordshire Borough Council compares to other English District Authorities during the financial year as a whole.

Number of formal complaints received from Q1 2018/19 to Q4 2018/19 (Pre Release) for all English district local Authorities

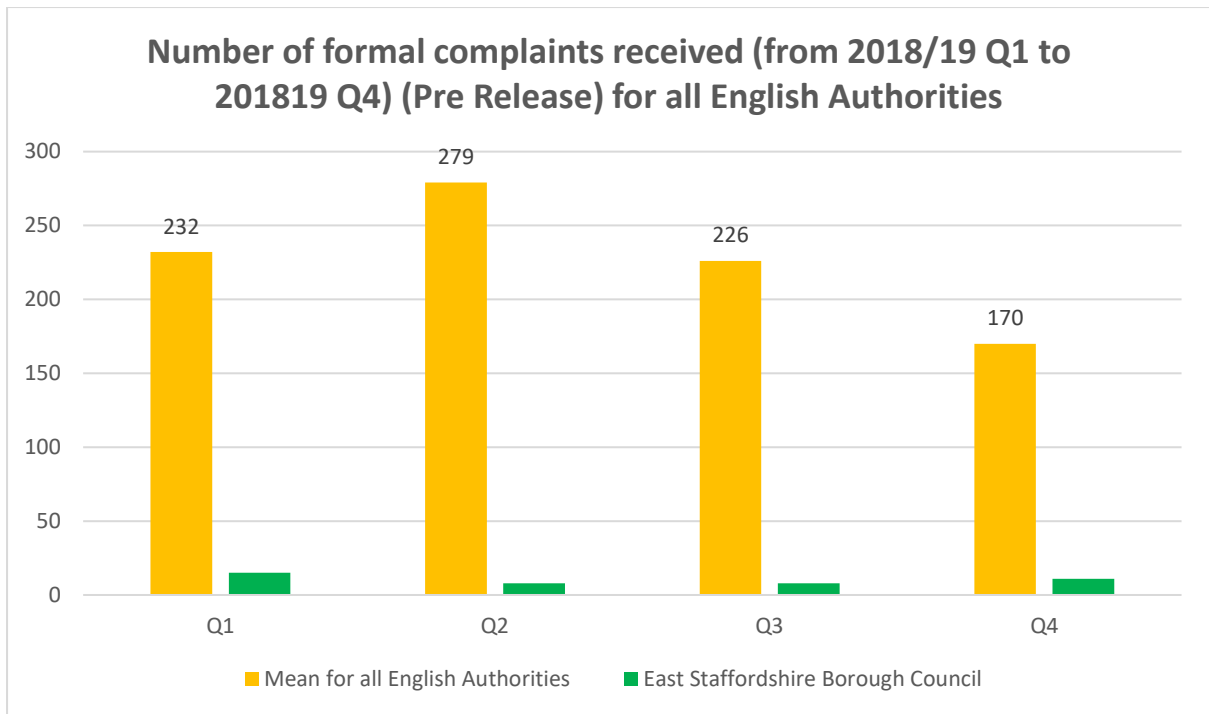


The graph below illustrates the number of formal complaints received per 10,000 population during the financial year as a whole for all English district local Authorities.

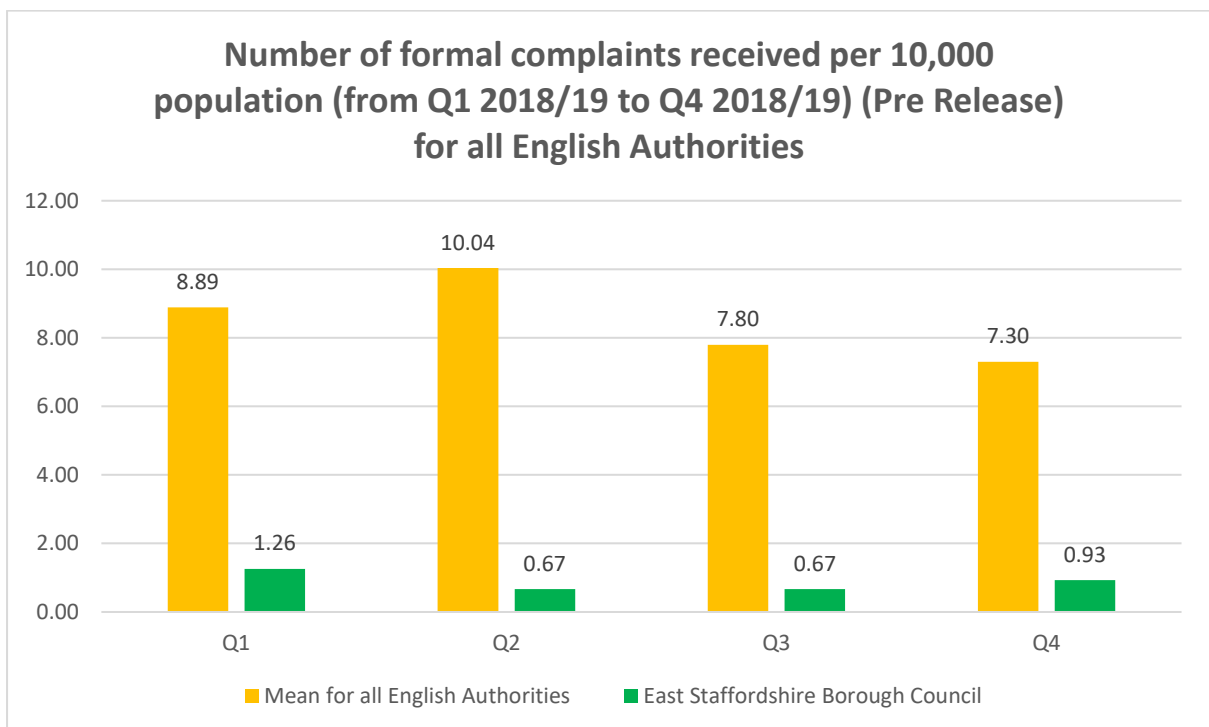
Number of formal complaints received per 10,000 population from Q1 2018/19 to Q4 2018/19 (Pre Release) for all English district local Authorities



The graph below illustrates how East Staffordshire Borough Council compares to other English Local Authorities during the financial year as a whole.



The graph below illustrates the number of formal complaints received per 10,000 population during the financial year as a whole for all English Local Authorities.



4.6. Appendix 3 gives a breakdown of formal complaints received per Local Authority. In Quarter 1 ESBC was ranked 11 out of 56 Authorities; in Quarter 2 ESBC was ranked 4 out of 55 Authorities; in Quarter 3 ESBC was ranked 4 out of 51 Authorities and in Quarter 4 ESBC was ranked 6 out of 47 Authorities.

4.7. From overall data submitted, ESBC was ranked 10 out of 57 District Authorities. From the other Staffordshire District Authorities who submitted complaints data, ESBC ranked 1st. ESBC was ranked 4th of all Authorities who submitted a full annual return covering all four quarter periods.

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 were very small, when compared to the national mean. 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. None of the complaints that eventually went to the LGO were upheld.

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 2019 be received and noted.

12. Background Papers

None.

13. Appendices

13.1. Appendix 1: Annual Review Letter 2019

13.2. Appendix 2: Interpretation of complaints data (extract from www.lgo.org.uk)

13.3. Appendix 3: Formal Complaints Per Authority Breakdown