



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Local Government and Social Care Ombudsman Annual Review Letter 2020	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team 18th August 2020	X
	Leader and Deputy Leaders 24th August 2020	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group 7 th & 8 th Sept 2020	X
	Cabinet 14 th Sept 2020	
	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: 14th September 2020

**REPORT TITLE: Local Government and Social Care Ombudsman
Annual Review Letter 2020**

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 2020.

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 2020

Every year, the LGO produces an annual letter a copy of which is provided at appendix 1 of the report, along with a summary of complaints he has received in respect of the Borough Council at Appendix 2 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 2020:

Benefits and Tax	Environment Services	Adult Care Services	Total
4	3	1	8

Decisions Made

Referred back for local resolution	Closed After Initial Enquiries	Total
2	3	5

Further details of the decisions made by the Ombudsman indicated above can be 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 the complainant 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). None of the 2 complaints which were referred back for local resolution had been received by the Borough Council. This may be because the complainant may have decided not to refer their complaint back to the Council.

- 4.2. The LGO now publishes Council performance in the form of a new 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. 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 this [link](#) .
- 4.3. The Ombudsman has published its annual report on the review of local government complaints for 2019-20, which can be viewed online via the following [link](#). The report highlights that the Ombudsman received 17,019 complaints and enquiries from the sector over the period. This information can also be viewed on the interactive reference at paragraph 4.2 of the report.
- 4.4. **Covid-19**

On 25th March 2020 the Ombudsman temporarily suspended all casework activity where that work placed an administrative burden on Councils or social care providers, due to the Covid-19 pandemic. They agreed they would not make any enquiries about new complaints, chase outstanding ongoing issues, or ask for comments on draft decisions, nor issue final decisions, apart from where they may decide not to investigate a complaint. Those cases still in progress would be frozen until normal operations could be resumed. This

information was included on the daily situation report and also on the Council's website. The Ombudsman circulated a survey to all Councils in May 2020 asking whether Councils whether they would be able to partially support the LGO resuming responses to complaints etc. In response to the survey results, the Ombudsman began to re-engage with all Councils from 29 June 2020.

During the Covid-19 pandemic, a new policy line has been developed regarding complaints, reserving the right for the Borough Council to exercise its discretion in identifying and prioritising reasonable complaints. For example, where information had already been issued, the Council would reserve the right to respond.

4.5. Formal Complaints submitted to the Council

The table below shows a breakdown of the number of formal complaints received during the financial year 19/20 and how they have progressed through the three stages of the Council's formal complaints procedure.

	S1	S2	S3	LGO
Q1	11	5	1	0
Q2	6	4	4*	1**
Q3	9	3	0	0
Q4	16	6	2	1
TOTAL	42	18	7	2

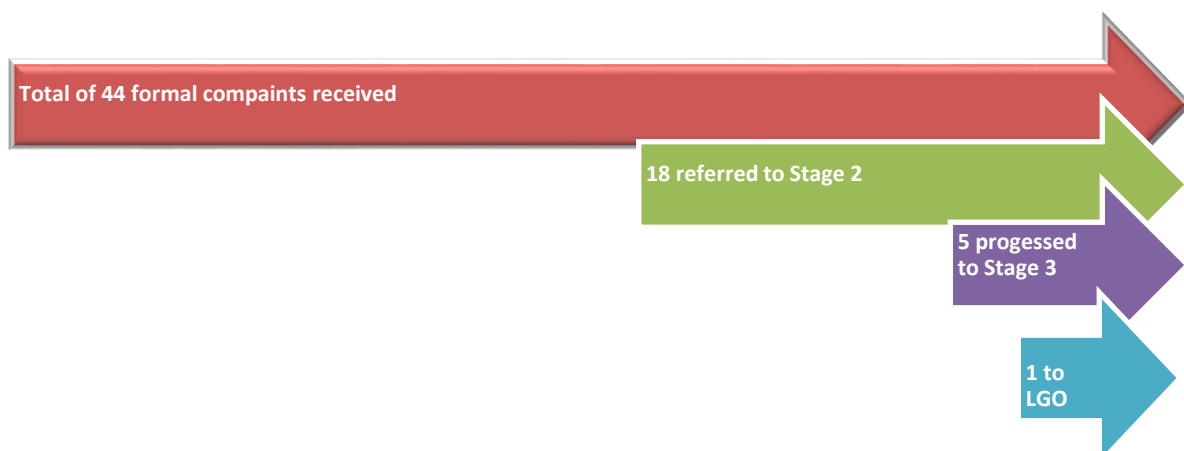
**2 out of the 4 complaints at stage 3 in quarter 2 bypassed stages 1 and 2 and were dealt immediately at Stage 3;*

*** 1 complainant submitted their complaint immediately to the Ombudsman and the Ombudsman decided to investigate, without this complaint progressing through the Council's complaints procedure.*

A total of 44 formal complaints were received during the 2019/20 financial year (this figure includes the 2 complaints received and responded to immediately at stage 3 in quarter 2).

This indicates a small increase in the total number of formal complaints received, compared to the previous financial year total of 42.

Of the 42 complaints which were dealt with at stage 1, 18 complainants remained dissatisfied and progressed their complaint to stage 2 (Head of Service) and 5 complainants progressed their complaint to stage 3 (Chief Executive). 1 of these complaints progressed to the Ombudsman.



4.6. Performance Data

A breakdown of formal complaint information received per Local Authority is provided at Appendix 3 of the report. Please note that LG Inform* suspended data collection of quarter 4 data, due to the Covid-19 pandemic.

**LG Inform is a benchmarking service that the Council participates in on a quarterly basis. However it is non-mandatory, therefore not all Local Authorities provide data, and if data is provided it may not be provided for every quarter.*

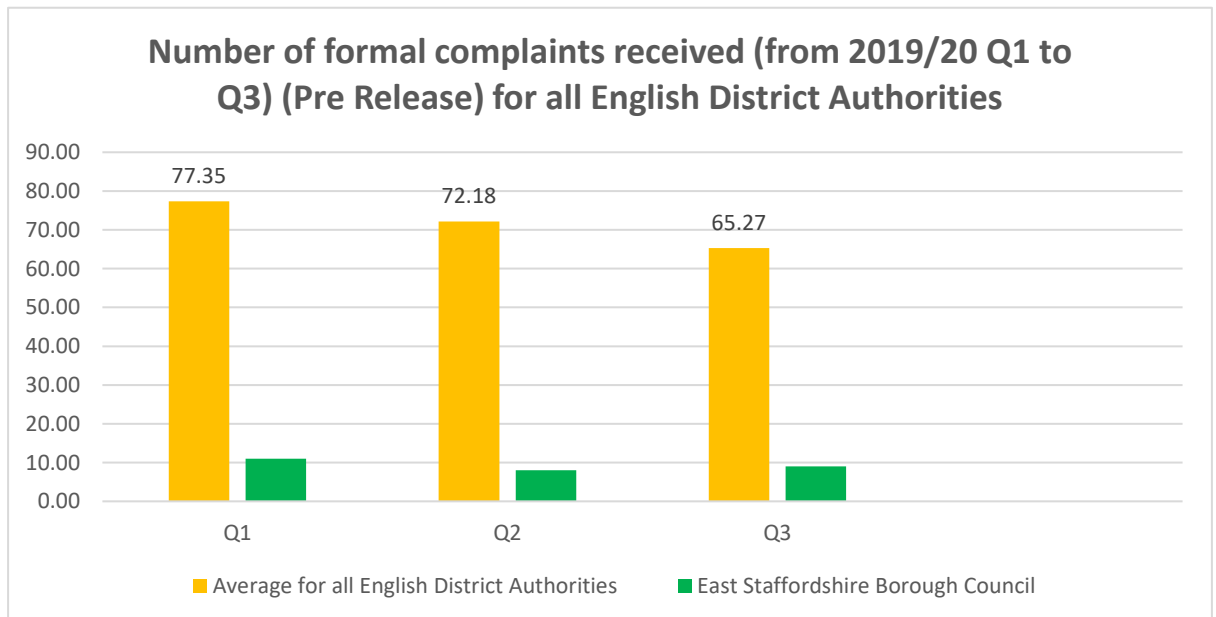
Number of formal complaints received 2019/20

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	ALL
Number of Complaints	11	8	9	Not collated*	28
Rank (compared to English District LAs)	9 th out of 46	6 th out of 44	6 th out of 37	Not collated*	8 th out of 46
Rank (compared to Staffordshire District LAs)	1 st out of 5	1 st out of 5	2 nd out of 5	Not collated*	1 st out of 5
Rank (compared to CIPFA Family Group LAs)	2 nd out of 5	2 nd out of 5	1 st out of 3	Not collated*	2 nd out of 5

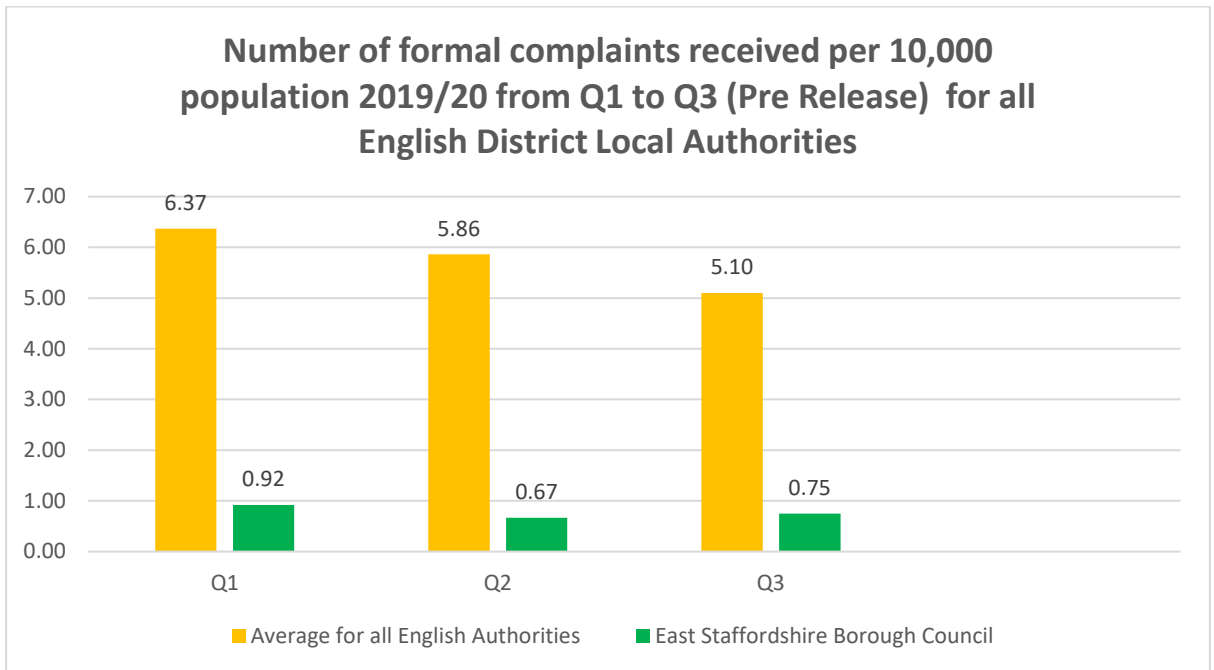
Number of formal complaints received 2019/20 per 10,000 population

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Number of Complaints per 10,000	0.92	0.67	0.75	Not collated*
Rank (compared to English District LAs)	7 th out of 46	4 th out of 44	5 th out of 37	Not collated*
Rank (compared to Staffordshire District LAs)	1 st out of 5	1 st out of 5	2 nd out of 5	Not collated*
Rank (compared to CIPFA Family Group LAs)	2 nd out of 5	2 nd out of 5	1 st out of 3	Not collated*

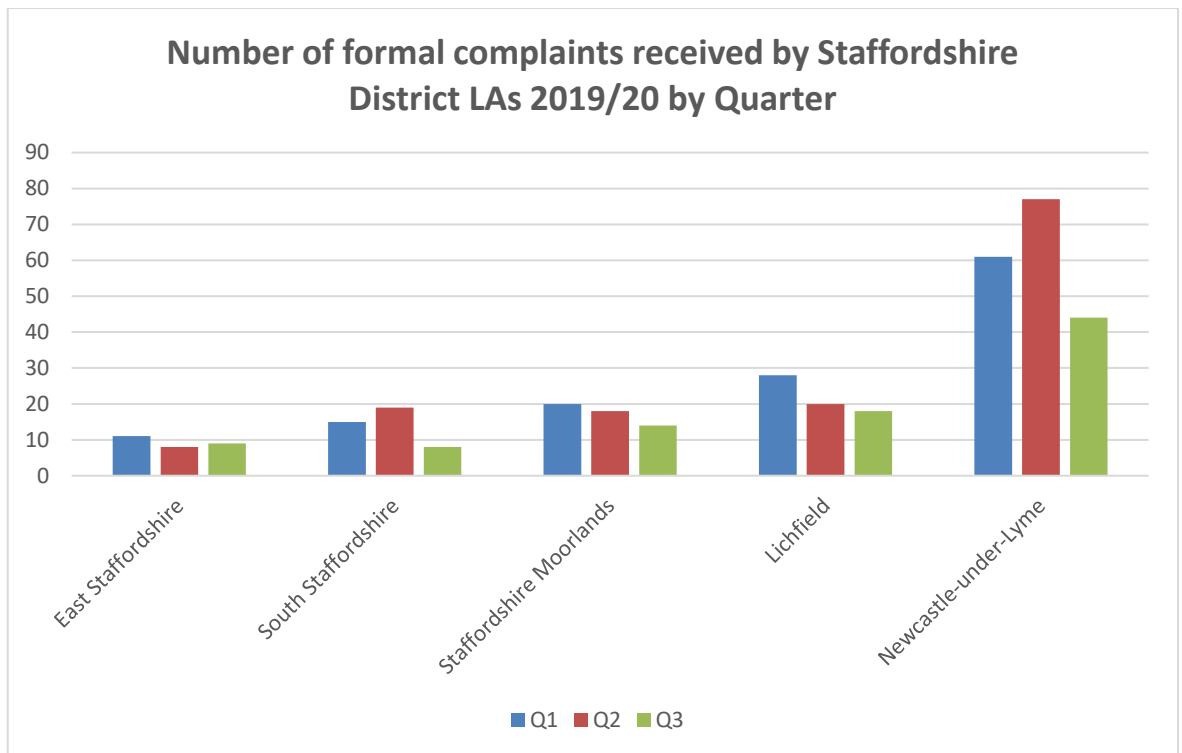
The graph below illustrates how East Staffordshire Borough Council compares to other English District Authorities during the Quarter 1 -3.



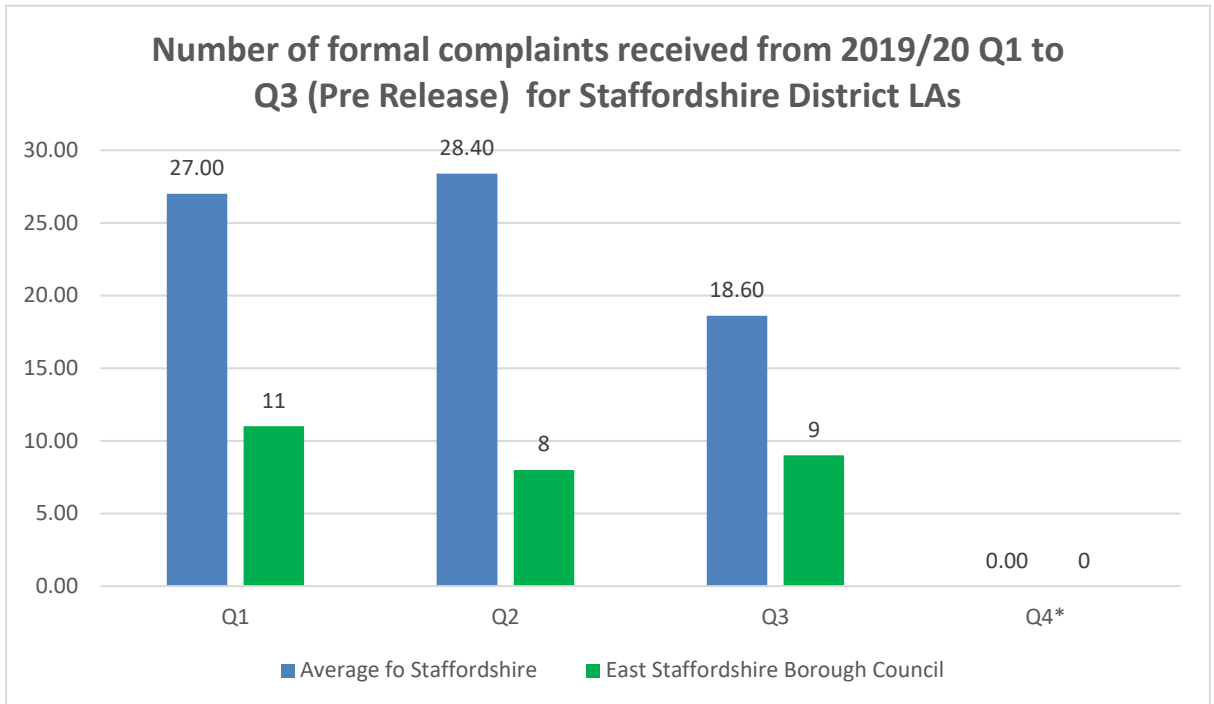
The graph below illustrates the number of formal complaints received per 10,000 population during Quarter 1 -3 for all English District Local Authorities.



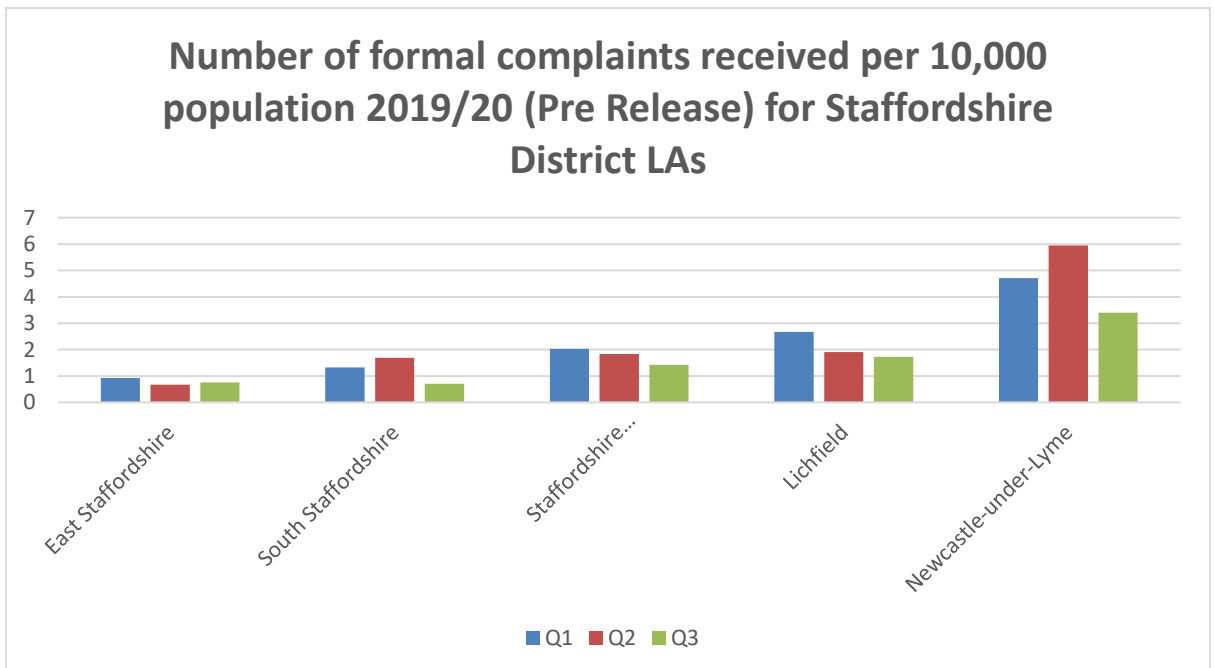
The graph below illustrates the number of formal complaints received during Quarter 1- 3 by Staffordshire District Local Authorities.



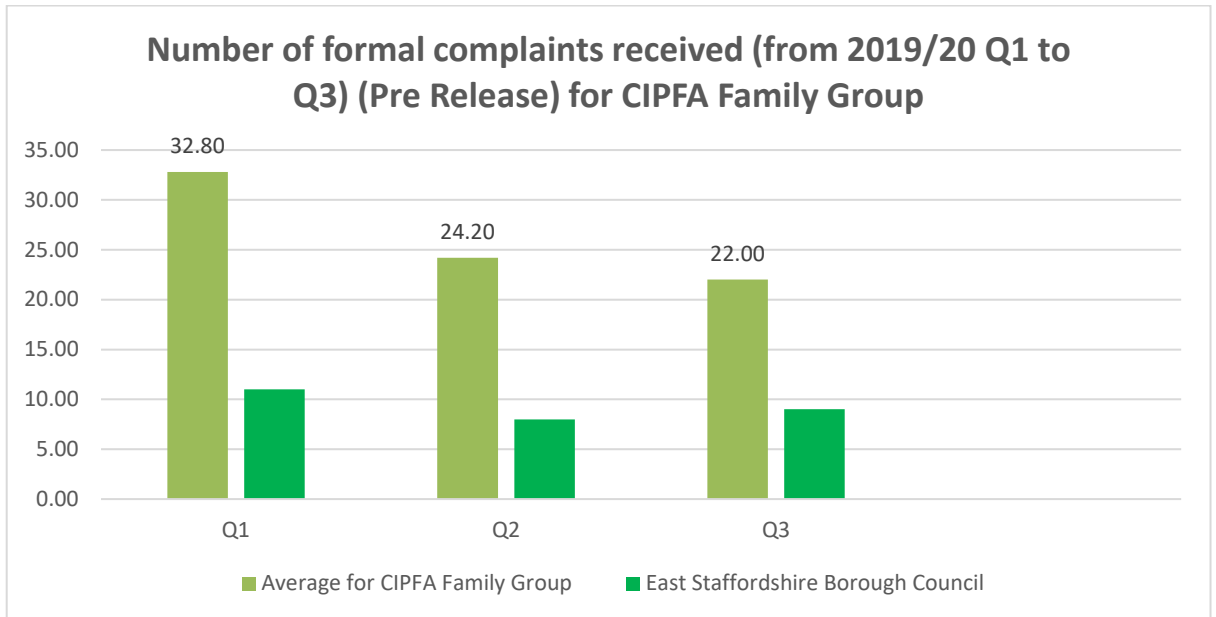
The graph below illustrates the number of formal complaints received for 2019/20 during quarter 1-3 for Staffordshire District Local Authorities



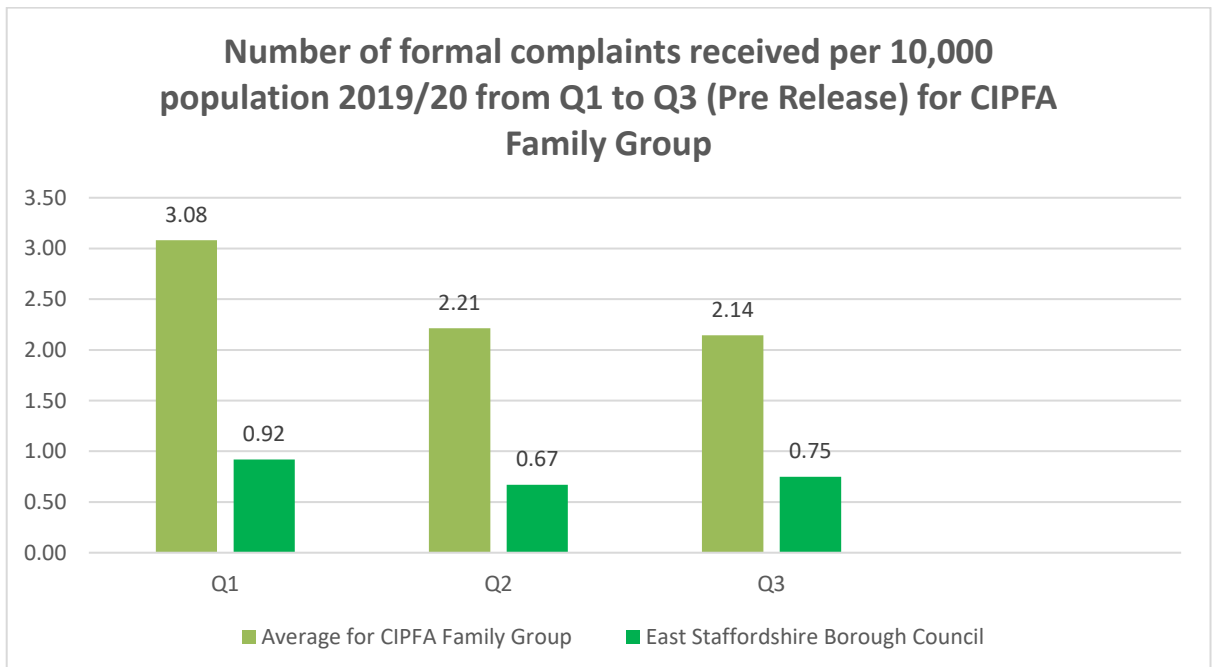
The graph below illustrates the number of formal complaints received per 10,000 population during Quarter 1- 3 for Staffordshire District Local Authorities.



The graph below illustrates the number of formal complaints received for the CIPFA Family Group for Quarter 1-3.



The graph below illustrates the number of formal complaints received per 10,000 population 2019/20 for Quarter 1-3 for the CIPFA family Group.



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 2020 be received and noted.

12. **Background Papers**

None.

13. **Appendices**

13.1. Appendix 1: Annual Review Letter 2020

13.2. Appendix 2: Spreadsheet providing additional information on the complaints and enquiries received and decisions made in the period (*with names - CMT and LDL only*)

13.3. Appendix 3: Formal Complaints Per Local Authority Breakdown