

**REPORT TO AUDIT & STANDARDS COMMITTEE
MEETING ON: 21st JULY 2021**

Status: Information
Title: Annual Review Letter: Local Government and Social Care Ombudsman
Originator: Verina Wenham – Director, Law and Governance and Monitoring Officer
Where from: Local Government and Social Care ombudsman
Where to next:

1 Purpose of report

- 1.1 To update members on the annual review letter received from the Local Government and Social Care Ombudsman's Office (LG&SCO) for the year ending 31st March 2020.

2 Recommendations

- 2.1 ***That the LG&SCO's annual review letter for 2019/20 attached as Appendix A be noted.***

Summary of Reasons for the Recommendations

- 3.1 The LG&SCO submits an Annual Letter to the Council on all the complaints received and this is to inform members of the complaints received and the outcomes for the year 2019/20.

4 Impact on Communities

- 4.1 Customer feedback is valued as a means to continuously review and seek to improve the services delivered by and on behalf of the Council.

5 Key Facts

- 5.1 Each year the LG&SCO provides a report on the complaints and enquiries he has received for the Council. The report provides information on the number and type of complaints and identifies where an investigation has been carried out by the LG&SCO with the outcome. The report is in the public domain via their website (www.lgo.org.uk) alongside the reports for all other authorities. A copy of the Annual Letter for 2019/20 is attached as Appendix A.

- 5.2 In the financial year 2019/20 the LG&SCO responded to 2 customer complaint referrals, both of which were upheld. In 2018/19 10 complaints were referred to the LG&SCO. Out of the 10 referrals, 5 complaints were closed after initial enquiries, 3 were investigated and 1 complaint was upheld. therefore, whilst the number of complaints upheld has increased the number of referrals to the LG&SCO has reduced.
- 5.3 The details of the complaints upheld are set out below and have been taken from the LG&SCO website.

Complaint 19/001/632

Summary: Mr. C complains the Council wrongly created 31 complaints without his consent or knowledge during its consideration of a single code of conduct complaint he had made about a parish councillor. Mr. C says he was prosecuted for harassment of the councillor and although the court dismissed the case, he incurred legal costs and both he and his wife suffered unnecessary upset. The Ombudsman has found the Council at fault in the way it dealt with Mr. C's code of conduct complaint and considers the agreed actions of an apology, proper response and £250 are enough to remedy Mr. C's injustice.

Complaint 18/012/739

Summary: Mrs. X has complained about the actions of an enforcement agent that visited her home to recover a debt owed by her son. There is some evidence of fault by the Council

6 Legal Issues

- 6.1 The Local Government Act 1974 established the Local Government Ombudsman (LG&SCO) for England and for Wales (now known as the Local Government & Social Care Ombudsman). The Act defines the main statutory functions:

- to investigate complaints against councils and some other authorities
- to investigate complaints about adult social care providers from people who arrange or fund their own adult social care
- to provide advice and guidance on good administrative practice

7 Resource Issues

- 7.1 Ombudsman investigations may recommend a local settlement by the council or prove maladministration by the council, which may lead to compensation being paid to the customer. One payment of compensation was made in 2018/19.

8 Equality Implications

8.1 Monitoring customer feedback provides an important source of assurance that council services are fair, equitable and free from discrimination and harassment.

9 Impact on the Organisation

9.1 Complaints naturally require officer time to carry out investigations and prepare evidence.

10 Community Safety Implications

10.1 None as far as this report is concerned.

11. Carbon Management Implications

11.1 None as far as this report is concerned.

12. Risk Management Implications

12.1 None as far as this report is concerned.

13 Consultation

13.1 The Chief Executive and the Scrutiny Commissioner have been sent a copy of the annual review letter for 2019/20.

14 Options Considered

14.1 N/A

15 Background Papers

15.1 None

Previous report(s): N/A

Information Issued Under Sensitive Issue Procedure: Y/N

Ward Members Notified: Y/N

Appendices: *list any appendices here including title and filename in brackets (e.g., Performance Data 2010 (perfdata.doc)).*

A. LG&SCO Annual review letter for 2019/20