

Harborough District Council

Report to Audit and Standards Committee 25 October 2023



Title:	Local Government and Social Care Ombudsman annual review letter
Status:	Public
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Portfolio Holder:	Cllr Beadle
Appendices:	1. Annual letter from the LGSCO dated 19 July 2023

Executive Summary

The Local Government and Social Care Ombudsman issued a routine annual review letter to the Council on 19 July 2023, confirming that in the municipal year 2022 – 2023, 20 complaints were referred to them following conclusion of the Council’s internal complaints procedure. Of those 20, 11 were fully investigated. None were upheld. The Local Government and Social Care Ombudsman also published the data it holds on complaints about the Council on its website on 26 July 2022, confirming that there were no outstanding issues.

Recommendations

That the contents of the annual review letter issued by the Local Government and Social Care Ombudsman for 2022- 2023 be noted.

Reasons for Recommendations

To inform Councillors about the annual review undertaken by the Local Government and Social Care Ombudsman.

1. Purpose of Report

To inform members of the content of the annual review letter issued by the Local Government and Social Care Ombudsman (“the Ombudsman”) for the municipal year 2022 – 2023.

2. Background

A local government ombudsman has existed since 1974 with the statutory functions of:

- a. investigating complaints against councils and some other authorities;
- b. investigating complaints about adult social care providers from people who arrange or fund their own adult social care;
- c. providing advice and guidance on good administrative practice.

Each year the Ombudsman provides a report on the complaints and enquiries received for the Council. The report provides information on the number and type of complaints. Where an



investigation has been carried out, the outcome is summarised. The Ombudsman also provides guidance in the letter, which reflects trends in complaints and priorities identified as requiring further consideration. The annual review letters are published on the Ombudsman's website (www.lgo.org.uk) with more detailed performance statistics.

3. Details

A copy of the annual review letter, dated 19 July 2022, is attached as Appendix 1 to this report. It confirms that in respect of Harborough District Council:

- a. The Ombudsman carried out 11 complaint investigations in 2022 – 2023;
- b. There were no complaints upheld
- c. There were no recommendations to implement
- d. There were no remedies required to be offered by the Council in the period.

The Ombudsman focuses on these areas in order to assess the Council's commitment to rectifying issues when they go wrong.

To support the complaints process, and promote service improvement, the Ombudsman also issues advice to local authorities.

The letter mentions changes to investigative practices and goes on to state that they are now more selective about the type of cases they refer for formal investigation prioritising those cases where there is a public interest to satisfy. They are now less likely to carry out investigations on borderline issues, which is having an effect on uphold rates.

“Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.”

The above has not had any deleterious affect on uphold rates for the Council in this period, as no complaints have been upheld from those referred for formal investigation.

4. Implications of Decisions

4.1 Corporate Priorities

The Corporate Plan 2022 - 2031 sets out the Council's vision, priorities and ambition and commits to working with residents, businesses and partner organisations to deliver the vision. It also confirms that continuous improvement, financial sustainability, value for money and a focus on resident and business needs will underpin the Council's activities.

As the Council tries to deliver the vision, it is likely that there will be instances where things go wrong. It is important that, in those rare cases where things do not go as planned, the Council responds swiftly and appropriately to address the issues, and learns from them to avoid any repetition. This approach is designed to achieve the adopted priorities of:

1. Community leadership to create a sense of pride and belonging;
2. Promoting health and wellbeing and encouraging healthy life choices;
3. Creating a sustainable environment to protect future generations;
4. Supporting businesses and residents to deliver a prosperous local economy.

Analysis of complaints, and how they are handled, is vital to ensure that the Council keeps learning and evolving, particularly as it develops new ways of working to address current challenges.

4.2 Financial

Handling complaints has a cost to the Council in respect of officer time. Further, if complaints are justified, the Council may be required to offer financial redress. It is important that the cost of managing complaints is visible within the Council. However, this report has no direct financial implications for the Council.

4.3 Legal

Often, a complaint is the first indication that there may be a potential liability on the Council. Handling complaints in a timely and transparent way allows the Council to identify these issues swiftly and respond appropriately.

4.4 Policy

The content of this report does not impact directly upon any Council policy.

4.5 Environmental Implications including contributions to achieving a net zero carbon Council by 2030

The content of this report does not impact directly upon the Council's ambition to achieve net zero by 2030

4.6 Risk Management

Complaints frequently identify issues which may result in a legal liability for the Council. Handling the complaint promptly and comprehensively can provide an early resolution which satisfies the complainant and therefore reduces the likelihood of a claim materialising.

Further, analysis of complaint trends enables the Council to address working practices which are provoking the complaints, thus driving improvements in service delivery which in turn benefit residents and which stops many complaints from becoming a claim. It is therefore important that managers are aware of the risk profile of their service and utilise complaint data as part of the performance management process.

4.7 Equalities Impact

The content of this report is for noting only therefore no Equality Impact Assessment is required.

4.8 Data Protection

There are no data protection impacts as a consequence of this report.

5. Summary of Consultation and Outcome

This report is for information only therefore no consultation has been undertaken.

6. Alternative Options Considered

This report provides members with information only therefore no alternative options have been considered.

7. Background papers

Members are referred to the previous Audit and Standards Committee minutes and to the documents contained on the Ombudsman's website (www.lgo.org.uk).