

COUNCIL – 3RD SEPTEMBER 2018

Report of the Monitoring Officer

Part A

ITEM 6.1 LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN REVIEW LETTER 2017/18

Purpose of Report

To make Members aware of the Local Government & Social Care Ombudsman's (LGSCO) review letter for 2017/18, and one case of a complaint which was upheld by the LGSCO during the year, in accordance with the LGSCO's guidance which is that the Monitoring Officer should make a periodic report to Councillors summarising any upheld complaints.

Recommendation

That the Local Government & Social Care Ombudsman's review letter for 2017/18, attached as Appendix A, and the summary of the upheld complaint as set out in Part B of this report, be noted.

Reason

To comply with the guidance from the Local Government & Social Care Ombudsman that the Monitoring Officer should make Members aware of upheld complaints on a periodic basis.

Policy Justification and Previous Decisions

The LGSCO's guidance is that the Monitoring Officer should report details of complaints to Members periodically.

Implementation Timetable including Future Decisions and Scrutiny

No further actions are required to implement the recommended decision.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are none.

Risk Management

There are no specific risks associated with this decision.

Background Papers:

LGSCO Decision Summary for the upheld complaint during 2017/18:

<https://www.lgo.org.uk/decisions/planning/planning-applications/16-015-303>

Officer to contact:

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Part B

Background

1. The LGSCO is 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. They are a free service. They investigate complaints in a fair and independent way, and do not take sides.
2. As set out in the appended review letter for 2017/18, the LGSCO received a total of 28 complaints and enquiries about Charnwood Borough Council during 2017/18 (compared to 9 in 2016/17), and made 22 decisions (compared to 11 in 2016/17). The difference in numbers is because complaints and enquiries received during one year are sometimes not resolved until the following year.
3. As stated in the LGSCO's letter, the volume of complaints does not necessarily in itself indicate the quality of the Council's performance, and one of the most important statistics is the number of upheld complaints, which was one in 2017/18 (compared to two in 2016/17).

Upheld Complaints

4. The upheld complaint (ref. 16 015 303) related to a planning application where the complainant was dissatisfied with the effects on his property of an extractor unit in respect of visual amenity and noise. The LGSCO found that there was fault by the Council as it had failed to check the details of the planning application properly before approving it. The LGSCO's decision was that the apology given by the Council in respect of the accepted fault and the arrangement of training for its staff was sufficient remedy, and that the principal injustice to the complainant in terms of noise was being dealt with by the Council as a potential breach of the relevant planning conditions.
5. A link to the LGSCO's full decision notice for the upheld complaint is included in the background papers section of this report.

Appendices

Appendix A: LGSCO Review Letter for 2017/18

Local Government & Social Care OMBUDSMAN

18 July 2018

By email

Geoff Parker
Chief Executive
Charnwood Borough Council

Dear Geoff Parker,

Annual Review letter 2018

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Future development of annual review letters

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will therefore be seeking views from councils on the future format of our annual letters early next year.

Supporting local scrutiny

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at www.lgo.org.uk/scrutiny I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

Learning from complaints to improve services

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Charnwood Borough Council
For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	9	1	1	1	1	5	10	0	28

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
0	0	10	10	1	1	50%	22

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
0	1