

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
REPORT TO AUDIT AND STANDARDS COMMITTEE

24th September 2018

1. LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW LETTER 2017/18

Submitted by: Ombudsman Link Officer

Ward(s) affected: All

Purpose of the Report

To inform the Members of the Committee of the Council's performance in relation to complaints made to the Local Government Ombudsman (LGO) for the year ended 31st March 2018.

RECOMMENDATION:

That the report be received.

Reasons

The aim of the Annual Review Letter is to provide councils with information which will help them assess their performance in handling complaints.

Background

- 1.1 The LGO provides an annual summary of complaints they have received against the Council. This annual letter is distributed to councils in July and covers the 12 month period from April to March. It includes statistics on the number of enquiries and complaints received by the LGO Advice Team.
- 1.2 Decision statements are published on the LGO website no earlier than three months after the date of the final decision. The information published does not name the complainant or any individual involved with the complaint.
- 1.3 Part of being an open and accountable Ombudsman service is having transparent decision making processes. The LGO publishes its decisions so that the public and bodies within its jurisdiction see the full range of decisions and can feel reassured that they are fair, thorough and impartial.
- 1.4 Publishing decisions also recognises the key role the LGO plays in helping to ensure that public services are accountable to the public, who use and fund those services. Greater transparency of the LGO's decisions means greater transparency of public services.
- 1.5 The LGO does however retain discretion not to publish a decision, for example where it would not be in the interests of the person complaining to publish or where there is a reason in law not to.

Issues

- 2.1 Last year, the total number of complaints and enquiries received was 30. This year the total number is 17. These statistics comprise the data held by the LGO and do 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 not choose to do so. In addition, 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.
- 2.2 Last year, the total number of decisions made was 28, of which 2 were upheld and 3 were not upheld. This year, the total number of decisions made has decreased to 18, of which 4 were upheld and one was not upheld. No reports have been issued against the Borough Council because in each case where there was a finding of fault against the Council, the LGO suggested a remedy which was acceptable to the complainant and which the Council was in agreement with.
- 2.3 It is considered that overall the Council is performing very well in its response to complaints made to the LGO. The expectation of customers regarding service delivery does not reduce in line with the challenges currently faced by councils, and customers are prepared to elevate their dissatisfaction beyond the Council's own complaints procedure. Complaints to the LGO do not always involve the Council having done anything wrong. Such complaints may come from persons who would have liked something more, or better, or a different outcome. Officers will continue to learn from complaints and use this learning to improve and maintain the quality of the services the Council provides.
3. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

The LGO service contributes to the Council's priority of delivering high quality community driven services.
4. Legal and Statutory Implications

There are no new legal or statutory implications. The Local Government Ombudsman's powers are defined by the Local Government Act 1974 as amended by the Local Government and Public Involvement in Health Act 2007.
5. Equality Impact Assessment

No differential equality impact issues have been identified.
6. Major Risks

There are no specific risk issues.
7. Financial Implications

There are no financial implications flowing from this report but the Council does face the risk of financial penalty in cases where there has been a finding of fault causing injustice.
8. List of appendices
 1. 2017/18 Annual review letter
 2. Spreadsheet providing additional information on the complaints and enquiries received within the period
 3. Spreadsheet providing additional information on the decisions made within the period