



## Cabinet

Item  
**10(i)**

3 September 2014

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Local Government Ombudsman – Annual Review Letter 2013/2014		
Wards affected	Not applicable		

**This report request the Cabinet to note the Local Government Ombudsman’s Annual Review Letter for 2013/2014**

### 1. Decision Required

- 1.1 To note the contents of the Local Government Ombudsman’s Annual Review Letter for 2013/2014.

### 2. Reasons for Decision(s)

- 2.1 To inform the Cabinet of the number of complaints received by the Local Government Ombudsman in relation to Colchester during 2013/2014.

### 3. Alternative Options

- 3.1 No alternative options are presented.

### 4. Supporting Information

- 4.1 The Local Government Ombudsman issues an Annual Review Letter to each local authority. The Annual Review Letter for Colchester for the year ending 31 March 2014 is attached to this report at Appendix 1.
- 4.2 This is the first full year that the Local Government Ombudsman has presented the data under its new business model and accordingly the figures are not directly comparable to previous years.
- 4.3 It is worth noting that anyone can choose to make a complaint to the Local Government Ombudsman. Accordingly, the number of complaints is not an indicator of performance or level of customer service. In most instances there was no case to answer. The Local Government Ombudsman will normally insist that the Council has the opportunity to resolve the complaint locally through its own complaints procedure before commencing its own investigation.
- 4.4 The Governance Committee has an overview of Local Government Ombudsman investigations and the contents of the Annual Review will be reported to the Committee in due course.

## **5. Key Headlines**

- 5.1 There were no findings of maladministration against the Council and no formal reports were issued.
- 5.2 Last year the Local Government Ombudsman received 22 complaints and enquires regarding the Council. This is an increase from the previous year's figure of 10. However this figure is not comparable as it was not a full year figure due to the implementation by Local Government Ombudsman of its new business process.
- 5.3 The Local Government Ombudsman made 23 Decisions of which:
- 8 were referred back for local resolution, (referred back to the Council to enable it to deal with the complaint via its own procedures)
  - 1 was incomplete/invalid,
  - 6 were closed after initial enquiries,
  - 4 where advice given,
  - 4 detailed investigations were undertaken. Of which:
    - 2 were Not upheld (the Local Government Ombudsman decided that the Council had not acted with fault); and
    - 2 were Upheld (the Local Government Ombudsman decided that the Council had been at fault in how it acted and the fault may or may not have caused injustice to the complainant, or where the Council accepted that it needed to remedy the complaint before the Local Government Ombudsman made a finding on fault).
- 5.4 In one of the cases that were Upheld we agreed to pay the complainant £100 compensation and in the other case we agreed to review our processes.

## **6. Financial Considerations**

- 6.1 No direct implications other than mentioned in this report.

## **7. Strategic Plan References**

- 7.1 The lessons learnt from complaints to the Local Government Ombudsman link in with our Customer Excellence element of the Strategic Plan by constantly learning and putting lessons learnt into practice. This will in turn lead to improved customer service as we continue to meet and exceed our customers' expectations.

## **8. Publicity Considerations**

- 8.1 Details of the Annual Review Letter are published on the Local Government Ombudsman's website and will also be published on the Council's website.

## **9. Consultation, Equality, Diversity, Human Rights, Community Safety, Health and Safety and Risk Management Implications**

- 9.1 No direct implications.

7 July 2014

*By email*

Mr Adrian Pritchard  
Chief Executive  
Colchester Borough Council

Dear Mr Adrian Pritchard

### **Annual Review Letter 2014**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

### ***Developments at the Local Government Ombudsman***

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

### ***Future for local accountability***

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – Colchester Borough Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Colchester BC	0	4	3	0	2	5	5	3	22

### Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Colchester BC	2	2	4	6	1	8	23