



Cabinet

Item
9(i)

7 September 2016

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Local Government Ombudsman – Annual Review 2015/2016		
Wards affected	Not applicable		

This report request the Cabinet to note the Local Government Ombudsman’s Annual Review for 2015/2016

1. Decision Required

- 1.1 To note the contents of the Local Government Ombudsman’s Annual Review Letter for 2015/2016.

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 2015/2016.

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 2016 is attached to this report at Appendix 1.
- 4.2 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.
- 4.3 The Governance and Audit 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 In 2015 /16 the Council received 243,775 customer contacts. The Local Government Ombudsman in the same period received 25 complaints and enquires in relation to how

the Council had dealt with its customers. This is a reduction from the previous year's figure of 30.

5.3 The Local Government Ombudsman made 23 decisions. Of which:

- 12 were referred back for local resolution,
(Referred back to the Council to enable it to deal with the complaint via its own complaint procedures)
- 4 were closed after initial enquiries,
- 3 advice given,
- 2 incomplete or invalid,
- 1 not upheld,
- 1 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. If the Local Government Ombudsman decided there was fault and it caused an injustice to the complainant, usually it will have recommended the Council take some action to address it).

5.4 The case which the Local Government Ombudsman upheld was in relation to a case where a landlord complained that the Council did not help them claim direct payments when their tenant was in arrears with rent. The Local Government Ombudsman found that the Council had not followed its processes and accordingly the Council was at fault. However the Council had remedied the fault by apologising to the landlord.

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 Strategic Plan aims to be efficient accessible, customer focused and always looking to improve. Having an effective complaints process helps us to achieve the Strategic Plan's themes of a vibrant, prosperous, thriving and welcoming Borough.

8. Equality, Diversity and Human Rights Implications

8.1 No direct implications.

9. Publicity Considerations

9.1 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.

10. Consultation, Community Safety, Health and Safety and Risk Management Implications

10.1 No direct implications.

21 July 2016

By email

Adrian Pritchard
Chief Executive
Colchester Borough Council

Dear Adrian Pritchard,

Annual Review Letter 2016

I write to you 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 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise 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, but who 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.

Effective accountability for devolved authorities

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

Supporting local scrutiny

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

Complaint handling training

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit www.lgo.org.uk/training.

Ombudsman reform

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



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

Local Authority Report: Colchester Borough Council
For the Period Ending: 31/03/2016

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
1	3	2	0	3	2	6	8	0	25

Decisions made

Decisions made				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
2	3	12	4	1	1	50%	23

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.

The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
0	0	100%