



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Local Government and Social Care Ombudsman Annual Review Letter 2022	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team: 21st September 2022	X
	Leader and Deputy Leaders: 26th September 2022	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group: 5th / 6th October 2022	X
	Cabinet: 18th October 2022	
	Scrutiny Audit and Value for Money Council Services Committee Scrutiny Community Regeneration Environment and Health and Well Being Committee	N/A



Is this an Executive Decision:	YES	Is this a Key Decision:	NO
Is this in the Forward Plan:	YES	Is the Report Confidential:	NO
If so, please state relevant paragraph from Schedule 12A LGA 1972:	N/A		

Essential Signatories:

ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE

Monitoring Officer: **John Teasdale**

Date Signature

Chief Finance Officer: **Sal Khan**

Date Signature

EAST STAFFORDSHIRE BOROUGH COUNCIL

Report to Cabinet

Date: 18th October 2022

REPORT TITLE: Local Government and Social Care Ombudsman
Annual Review Letter 2022

PORTFOLIO: Leader of the Council

HEAD OF SERVICE: Sal Khan

CONTACT OFFICER: James Abbott Ext. No. x1244

WARD(S) AFFECTED: All

1. Purpose of the Report

1.1. To note the contents of the Annual Review Letter showing complaints about East Staffordshire Borough Council dealt with by the Local Government and Social Care Ombudsman (LGO) for the year ended 31st March 2022.

2. Executive Summary

2.1. Of the 6 complaints and enquiries received by the LGO relating to the Council: 3 were categorised as “Environmental Services and Public Protection & Regulation”; 2 were categorised as “Benefits & Tax”; and 1 was categorised as “Planning & Development”.

2.2. Of the 7 decisions made by the LGO 5 were not formally investigated (3 referred back for local resolution, 1 closed after initial enquiries; and 1 with advice given). As mentioned above, of the 2 investigations, 1 complaint was upheld and 1 complaint was not upheld.

2.3. Just 2 detailed investigations relating to the Council were carried out by the LGO for the period 2021/22, with just 1 of the 2 complaints being upheld.

2.4. A total of 34 formal complaints were received by the Council during the 2021/22 financial year, a decrease from the 50 complaints received in the previous financial year. The vast majority of formal complaints were resolved at Stage 1 of the procedure.

3. **Background**

- 3.1. The Council utilises the complaints process as a vital component for its organisational learning.
- 3.2. The LGO submits to the Council an Annual Review Letter summarising complaint statistics on all complaints they have received, to offer insight about the Council's approach to complaints.

4. **Contribution to Corporate Priorities**

- 4.1. This report contributes to all three Corporate Priorities as it is relevant to all Council services.

5. **Local Government and Social Care Ombudsman Annual Review Letter 2022**

5.1. Annual Review Letter 2022

5.1.1. Each year, the LGO produces an Annual Review Letter a copy to provide a summary of statistics on the decisions made about the Council for the preceding financial year. The review relating to the year ending 31st March 2022 is attached at **Appendix 1**.

5.1.2. Appendix 1 indicates that 50% of the complaints investigated by the LGO were upheld. It should be noted that this statistic is based on a total of just 2 detailed investigations carried out by the LGO for the period 2021/22.

5.1.3. Further information on the complaint which was upheld can be found at paragraph 5.3.2 of this report.

5.2. Complaints and Enquiries Received by the LGO

5.2.1. The LGO has also provided a summary of complaints received relating to the Council as attached at **Appendix 2**. The data provided by the LGO at Appendix 2 includes: the number of complaints and enquiries recorded; the complaint service category; and what decisions the LGO has made.

5.2.2. The complaints and enquiries received about the Council can be categorised under the service areas shown below:

Planning & Development	Environmental Services and Public Protection & Regulation	Benefits & Tax	Total
1	3	2	6

5.2.3. N.B. A number of complaints / enquiries made to the LGO may have been received and decided in different financial years, which means the

number of complaints and enquiries received will not always correspond with the number of decisions made.

5.3. Decisions Made by the LGO On Complaints And Enquiries

5.3.1. Appendix 2 also provides information on the decisions made by the LGO during 2021/22, as summarised in the table below:

No Investigation & Outcome			Investigation & Outcome		Total
Closed After Initial Enquiries	Advice Given	Referred Back for Local Resolution	Upheld	Not Upheld	
1	1	3	1	1	7

5.3.2. The LGO’s report relating to the one complaint which was upheld during the course of the 2021/22 financial year can be found by clicking the following [link](#). The LGO recommended a payment to acknowledge the inconvenience to the complainant.

5.3.3. Further details of all the individual decisions made by the LGO indicated in the above table can be found on the LGO website, by clicking the following [link](#) (N.B. inputting the relevant reference number shown in the “decided” tab within Appendix 2 allows quick access to each decision).

5.4. Ombudsman Annual Report

5.4.1. The LGO has published its annual review of local government complaints nationally for 2021/22, which can be viewed via the following [link](#).

5.4.2. A high level summary of the report can be seen below:

- 15,826 complaints and enquiries received
- 2,231 cases with recommendations to put things right
- 1,848 recommendations to improve services for everyone
- 11% upheld cases where the LGO agreed with the authority’s remedy
- 4,130 recommendations to remedy personal injustice.

5.4.3. Additionally the LGO publishes Council performance in the form of an interactive map on their website, to place a focus on each authority’s compliance with investigations. It is a snapshot of the service improvement recommendations an authority has agreed. The interactive map can be viewed by clicking this [link](#).

5.5. Performance Information

5.5.1. The Local Government Association’s performance management tool, “LG Inform”, allows for Council’s to benchmark its performance against other local authorities. Information extracted from LG Inform in relation to LGO complaint reviews can be seen in full at **Appendix 3** and summarised within this section.

5.5.2. This suggests the Council compares favourably in relation to its CIPFA Nearest Neighbours comparator group, as suggested by the following information.

5.5.3. The table below shows the number of complaints and enquiries received by the LGO (from 2013/14 to 2021/22) for East Staffordshire, compared with CIPFA nearest neighbours.

Number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2013/14 to 2021/22) for East Staffordshire

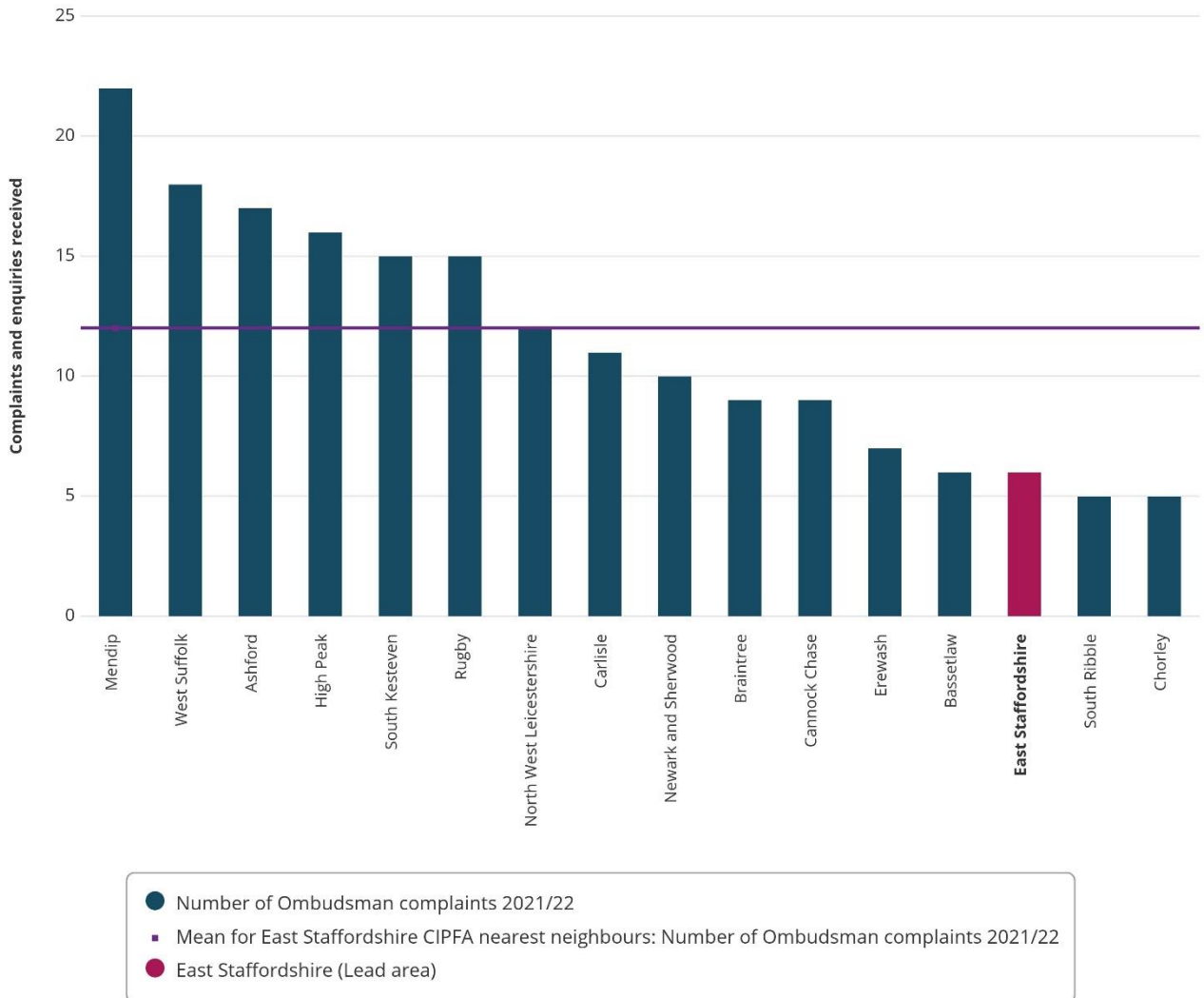
Period	Number of Ombudsman complaints			
	Complaints			
	East Staffordshire	Minimum for East Staffordshire CIPFA nearest neighbours	Mean for East Staffordshire CIPFA nearest neighbours	Maximum for East Staffordshire CIPFA nearest neighbours
2013/14	13	2	18	47
2014/15	12	5	15	31
2015/16	8	7	14	23
2016/17	9	7	14	24
2017/18	13	3	13	20
2018/19	15	1	11	19
2019/20	8	6	11	20
2020/21	5	5	11	18
2021/22	6	5	12	22

Source:
Local Government & Social Care Ombudsman

Powered by LG Inform

5.5.4. The chart below shows the number of complaints and enquiries received by the LGO (2021/22) for East Staffordshire & East Staffordshire CIPFA nearest neighbours.

Number of complaints and enquiries received by the Local Government & Social Care Ombudsman (2021/22) for East Staffordshire & East Staffordshire CIPFA nearest neighbours

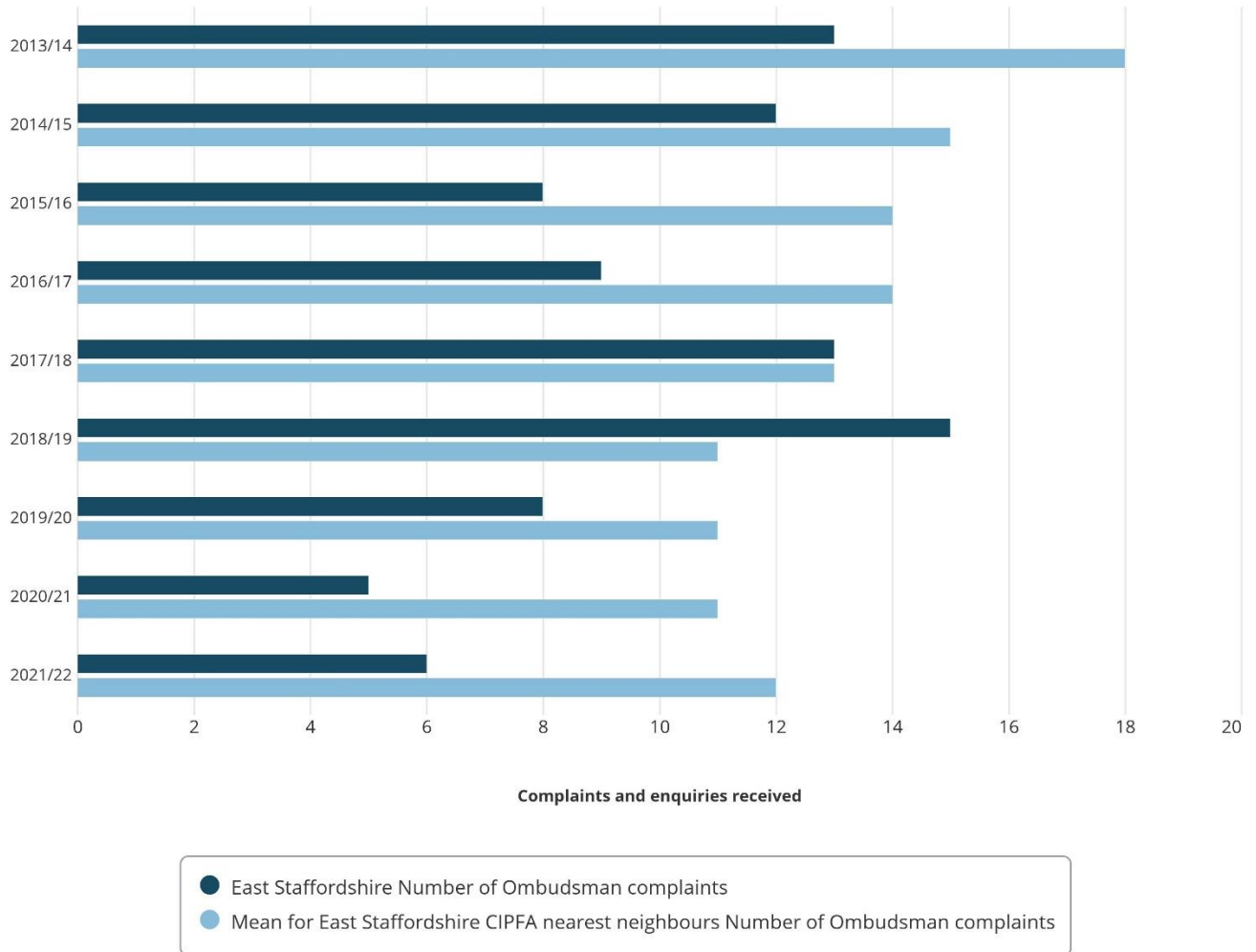


Source:
Local Government & Social Care Ombudsman

Powered by LG Inform

5.5.5. The chart below shows the number of complaints and enquiries received by the LGO (from 2013/14 to 2021/22) for East Staffordshire.

Number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2013/14 to 2021/22) for East Staffordshire



Source:
Local Government & Social Care Ombudsman

Powered by LG Inform

5.5.6. The table below shows the number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2013/14 to 2021/22) for East Staffordshire & East Staffordshire CIPFA nearest neighbours.

Number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2013/14 to 2021/22) for East Staffordshire & East Staffordshire CIPFA nearest neighbours

Area	Number of Ombudsman complaints								
	Complaints								
	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Carlisle	2	6	12	10	7	1	6	6	11
Bassetlaw	22	14	20	20	17	14	13	12	6
South Kesteven	15	22	9	13	15	15	14	15	15
Ashford	27	19	23	21	16	19	17	18	17
Rugby	14	14	7	14	15	9	14	11	15
West Suffolk	no value	no value	no value	no value	no value	no value	20	10	18
Chorley	7	12	11	9	12	10	12	9	5
Braintree	19	8	13	9	17	17	7	11	9
Newark and Sherwood	19	27	18	24	20	6	11	11	10
South Ribble	13	14	11	16	20	16	6	8	5
High Peak	20	12	11	7	15	7	7	5	16
Erewash	10	5	13	8	3	7	13	10	7
Mendip	47	31	23	19	9	15	17	13	22
Cannock Chase	10	9	11	11	11	8	7	10	9
North West Leicestershire	24	20	12	18	6	11	7	15	12
East Staffordshire	13	12	8	9	13	15	8	5	6

Source:
Local Government & Social Care Ombudsman

Powered by LG Inform

5.6. Formal Complaints Submitted to the Council

5.6.1. The table below provides a breakdown of the number of formal complaints received during the financial year 2021/22 and how they have progressed through the three stages of the Council's formal complaints procedure.

	Stage 1	Stage 2	Stage 3	LGO
Quarter 1	9	4	1	1
Quarter 2	7	5	1	0
Quarter 3	5	4	1	1
Quarter 4	7	2	0	0
TOTAL	28*	15	3	2

*Six complaints started at Stage 2

5.6.2. A total of 34 formal complaints were received during the 2021/22 financial year.

5.6.3. This indicates a decrease in the total number of formal complaints received, compared to the previous financial year total of 50 complaints received.

5.6.4. Of the 34 formal complaints received, 25 (74%) were completed at the initial contact (i.e. 19 that commenced at Stage 1 and were completed at Stage 1; and 6 that commenced at Stage 2 and were completed at Stage 2).

5.6.5. Of the 28 formal complaints commencing at Stage 1, 19 (68%) were completed at Stage 1.

5.6.6. Of the 6 formal complaints commencing at Stage 2, 6 (100%) were completed at Stage 2.

5.6.7. Of the 34 formal complaints received 15 (44%) were completed at Stage 2 (including the 6 that commenced at Stage 2).

5.6.8. Of the 34 formal complaints received 4 (12%) were completed at Stage 3.

5.6.9. Of the 34 formal complaints received 2 (6%) progressed to the LGO.

6. Financial Considerations

This section has been approved by the following member of the Financial Management Unit: Lisa Turner

6.1. There are no financial issues arising from this Report.

7. Risk Assessment and Management

7.1. The main risks to this Report and the Council achieving its objectives are as follows:

7.2. **Positive** (Opportunities/Benefits):

7.2.1. The Council has a robust complaints procedure, but insight into complaints supports the Council's improvements process.

7.3. **Negative** (Threats):

7.3.1. Failure to manage complaints effectively can lead to service impacts and reputational issues.

8. Legal Considerations

This section has been approved by the following member of the Legal Team:
John Teasdale

8.1. There are no significant legal issues arising from this Report.

9. Equalities and Health

9.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

9.2. **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

10. Data Protection Implications – Data Protection Impact Assessment (DPIA)

10.1. A DPIA must be completed where there are plans to:

- use systematic and extensive profiling with significant effects;
- process special category or criminal offence data on a large scale; or
- systematically monitor publicly accessible places on a large scale
- use new technologies;
- use profiling or special category data to decide on access to services;
- profile individuals on a large scale;
- process biometric data;
- process genetic data;
- match data or combine datasets from different sources;
- collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing');
- track individuals' location or behaviour;
- profile children or target marketing or online services at them; or

process data that might endanger the individual's physical health or safety in the event of a security breach

10.2 Following consideration of the above, there are no Data Protection implications arising from this report which would require a DPIA.

11. Human Rights

11.1. There are no Human Rights issues arising from this Report.

12. Sustainability (including climate change and change adaptation measures)

12.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

13. Recommendation(s)

13.1. That the Local Government Ombudsman Annual Review Letter 2022 be received and noted.

14. Background Papers

14.1. None.

15. Appendices

15.1. Appendix 1: Annual Review Letter 2021/22

15.2. Appendix 2: ESBC Complaints and Enquiries 2021/2022

15.3. Appendix 3: LG Inform Benchmarking against CIPFA Group