



## Governance Committee

Item  
**10**

13 October 2015

<b>Report of</b>	<b>Monitoring Officer</b>	<b>Author</b>	<b>Andrew Weavers</b>
<b>Title</b>	<b>Local Government Ombudsman – Annual Review 2014/2015</b>		
<b>Wards affected</b>	Not applicable		

**This report request the Committee to note the Local Government Ombudsman’s Annual Review for 2014/2015**

### 1. Decision Required

- 1.1 To note the contents of the Local Government Ombudsman’s Annual Review Letter for 2014/2015.

### 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 2014/2015.

### 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 2015 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 contents of the Annual Review were reported to Cabinet on 2 September 2015 where the Cabinet noted the report.

### 5. Key Headlines

- 5.1 There were no findings of maladministration against the Council and no formal reports were issued.
- 5.2 In 2014 /15 the Council received 219,000 customer contacts. The Local Government Ombudsman in the same period received 30 complaints and enquires in relation to how

the Council had dealt with its customers. This is an increase from the previous year's figure of 22.

5.3 The Local Government Ombudsman made 30 decisions. Of which:

- 19 were referred back for local resolution,  
*(Referred back to the Council to enable it to deal with the complaint via its own complaint procedures)*
- 6 were closed after initial enquiries,
- 4 advice given,
- 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).*

5.4 The case that was upheld the Local Government Ombudsman found that the Council had delayed dealing with retrospective planning applications however this did not cause any injustice to the complainant as the Council had made it clear from the outset what the likely outcome of the applications would be.

## **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.

18 June 2015

*By email*

Mr Adrian Pritchard  
Chief Executive  
Colchester Borough Council

Dear Mr Pritchard

### **Annual Review Letter 2015**

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 2015. This year's statistics can be found in the table attached.

The data we have provided shows the complaints and enquiries we have recorded, along with the decisions we have made. We know that these numbers will not necessarily match the complaints data that your authority holds. For example, our numbers include people who we signpost back to the council but who may never contact you. I hope that this information, set alongside the data sets you hold about local complaints, will help you to assess your authority's performance.

We recognise that the total number of complaints will not, by itself, give a clear picture of how well those complaints are being responded to. Over the coming year we will be gathering more comprehensive information about the way complaints are being remedied so that in the future our annual letter focuses less on the total numbers and more on the outcomes of those complaints.

### **Supporting local scrutiny**

One of the purposes of the annual letter to councils is to help ensure that learning from complaints informs scrutiny at the local level. Supporting local scrutiny is one of our key business plan objectives for this year and we will continue to work with elected members in all councils to help them understand how they can contribute to the complaints process.

We have recently worked in partnership with the Local Government Association to produce a workbook for councillors which explains how they can support local people with their complaints and identifies opportunities for using complaints data as part of their scrutiny tool kit. This can be found [here](#) and I would be grateful if you could encourage your elected members to make use of this helpful resource.

Last year we established a new Councillors Forum. This group, which meets three times a year, brings together councillors from across the political spectrum and from all types of local authorities. The aims of the Forum are to help us to better understand the needs of councillors when scrutinising local services and for members to act as champions for learning from complaints in their scrutiny roles. I value this direct engagement with elected members and believe it will further ensure LGO investigations have wider public value.

## **Encouraging effective local complaints handling**

In November 2014, in partnership with the Parliamentary and Health Service Ombudsman and Healthwatch England, we published *'My Expectations'* a service standards framework document describing what good outcomes for people look like if complaints are handled well. Following extensive research with users of services, front line complaints handlers and other stakeholders, we have been able to articulate more clearly what people need and want when they raise a complaint.

This framework has been adopted by the Care Quality Commission and will be used as part of their inspection regime for both health and social care. Whilst they were written with those two sectors in mind, the principles of *'My Expectations'* are of relevance to all aspects of local authority complaints. We have shared them with link officers at a series of seminars earlier this year and would encourage chief executives and councillors to review their authority's approach to complaints against this user-led vision. A copy of the report can be found [here](#).

## **Future developments at LGO**

My recent annual letters have highlighted the significant levels of change we have experienced at LGO over the last few years. Following the recent general election I expect further change.

Most significantly, the government published a review of public sector ombudsmen in March of this year. A copy of that report can be found [here](#). That review, along with a related consultation document, has proposed that a single ombudsman scheme should be created for all public services in England mirroring the position in the other nations of the United Kingdom. We are supportive of this proposal on the basis that it would provide the public with clearer routes to redress in an increasingly complex public service landscape. We will advise that such a scheme should recognise the unique roles and accountabilities of local authorities and should maintain the expertise and understanding of local government that exists at LGO. We will continue to work with government as they bring forward further proposals and would encourage local government to take a keen and active interest in this important area of reform in support of strong local accountability.

The Government has also recently consulted on a proposal to extend the jurisdiction of the LGO to some town and parish councils. We currently await the outcome of the consultation but we are pleased that the Government has recognised that there are some aspects of local service delivery that do not currently offer the public access to an independent ombudsman. We hope that these proposals will be the start of a wider debate about how we can all work together to ensure clear access to redress in an increasingly varied and complex system of local service delivery.

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 – 31/03/2015

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	Highways and transport	Housing	Planning and development	Total
Colchester BC	0	7	2	0	3	3	4	11	30

### Decisions made

Local Authority	Detailed investigations carried out		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not Upheld					
Colchester BC	1	0	4	6	0	19	30