

Cabinet

1 September 2021

Item
10(ii)

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Local Government and Social Care Ombudsman – Annual Review Letter 2021		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 The Local Government & Social Care Ombudsman produces an Annual Review Letter on the number of complaints it has received regarding each local authority. This report provides details of Colchester Borough Council's Annual Review Letter for 2021.

2. Recommended Decision

- 2.1 To note the contents of the Local Government & Social Care Ombudsman's Annual Review Letter for 2021.

3. Reasons for Recommended Decision

- 3.1 To inform the Cabinet of the contents of the Local Government & Social Care Ombudsman's Annual Review Letter relating to Colchester Borough Council for 2021.

3. Alternative Options

- 3.1 No alternative options are presented.

4. Supporting Information

- 4.1 The Local Government & Social Care Ombudsman issues an Annual Review Letter to each local authority. The Annual Review Letter for Colchester for the period ending 31 March 2021 is attached to this report at Appendix 1.
- 4.3 It is worth noting that anyone can choose to make a complaint to the Local Government & Social Care 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 & Social Care 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 Annual Review Letter states that at the end of March 2020 the Local Government & Social Care Ombudsman took the unprecedented step of temporarily stopping its casework in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. Casework was restarted in late June 2020, after a three month pause. Accordingly, this needs to be taken into account when comparing performance data with previous years.

- 4.5 The Governance and Audit Committee has an overview of Local Government & Social Care 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 or public interest reports issued against the Council.
- 5.2 The Local Government & Social Care Ombudsman Annual Review Letter focuses on the outcomes of complaints and what can be learned from them. The statistics are on 3 key areas:

(i) Complaints upheld - The Ombudsman upholds complaints when it finds some form of fault in an authority's actions, including where the authority accepted fault before it investigated.

(ii) Compliance with recommendations - The Ombudsman recommends ways for authorities to put things right when faults have caused injustice and monitor their compliance with its recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

(iii) Satisfactory remedies provided by the authority – In these cases, the authority upheld the complaint and the Ombudsman agreed with how the authority offered to put things right. The Ombudsman encourages the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

The Ombudsman compares the three key annual statistics for each authority with similar types of authorities to work out an average level of performance.

	Period ending 31/03/21	Period ending 31/03/20
Complaints Upheld	No detailed investigations carried out	1
Compliance with Ombudsman's recommendations	No recommendations due for compliance	100%
Satisfactory remedies provided by the authority	No detailed investigations upheld	0

- 5.3 The following table provides a comparison of complaints and enquires received.
(NB. categories are those used by the Ombudsman)

Year	Benefits and Tax	Corporate and other services	Environmental Services & Public Protection & Regulation	Highways and Transport	Housing	Planning and Development	Other	Total
2020/21	2	1	4	4	1	3	0	15
2019/20	3	1	5	3	6	2	0	20
2018/19	0	1	4	0	5	10	0	20
2017/18	1	1	5	2	8	3	1	21
2016/17	2	0	2	0	5	7	0	16
2015/16	3	2	3	2	6	8	0	25

5.4 The following table provides a comparison of decisions made.

Year	Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed after Initial Enquiries	Detailed Investigations			Total
					Not Upheld	Upheld	Uphold Rate	
2020/21	1	0	5	7	0	0	N/A	13
2019/20	2	0	9	6	3	1	25%	21
2018/19	2	1	4	10	3	3	50%	23
2017/18	1	2	8	5	4	1	20%	21
2016/17	0	1	4	5	2	1	33%	13
2015/16	2	3	12	4	1	1	50%	23

5.5 The following table shows Colchester's performance compared with other Borough and District Councils in Essex.

Name	Complaints Upheld % (numbers)	Compliance with recommendations	Satisfactory remedies provided by Council (numbers)
Basildon	0% (0)	None	None
Braintree	None	None	None
Brentwood	67% (2)	100%	0% (0)
Castle Point	100% (1)	100%	0% (0)
Chelmsford	0% (0)	None	None
Colchester	None	None	None
Epping Forest	67% (2)	100%	0% (0)
Harlow	100% (1)	100%	0% (0)
Maldon	0% (0)	None	None
Rochford	50% (1)	100%	0% (0)
Tendring	0% (0)	100%	None
Uttlesford	100% (1)	None	0% (0)

6. Strategic Plan References

6.1 The lessons learnt from complaints to the Local Government & Social Care 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 Wellbeing, making Colchester an even better place to live and supporting those who need help most.

7. Publicity Considerations

7.1 Details of the Annual Review Letter are published on the Local Government & Social Care Ombudsman's website and will also be published on the Council's website.

8. Financial, Equality, Diversity and Human Rights, Consultation, Community Safety, Health and Safety, Risk Management and Environmental and Sustainability Implications

8.1 No direct implications.