

# Governance and Audit Committee

Item  
7

30 October 2018

Report of	Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Local Government & Social Care Ombudsman – Annual Review Letter 2017/2018 and Corporate Complaints Policy		
Wards affected	Not applicable		

## 1. Executive Summary

- 1.1 The Local Government & Social Care Ombudsman produces an annual report 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 2017/2018.
- 1.2 The report also requests the Committee to endorse the Council's revised corporate complaints policy

## 2. Recommended Decision

- 2.1 To note the contents of the Local Government & Social Care Ombudsman's Annual Review Letter for 2017/2018.
- 2.2 To endorse the Council's revised corporate complaints policy.

## 3. Supporting Information

- 3.1 The Local Government & Social Care Ombudsman issues an Annual Review Letter to each local authority. The Annual Review Letter for Colchester for the year ending 31 March 2018 is attached to this report at Appendix 1.
- 3.2 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.
- 3.3 The contents of the Annual Review Letter was reported to Cabinet on 5 September when they noted the report.

## 4. Key Headlines

- 4.1 There were no findings of maladministration against the Council and no formal reports were issued.
- 4.2 In 2017/2018 the Council received 266,882 direct customer contacts by telephone, email and in person in the customer services area. However this figure does not include ad hoc customer contacts across the organisation. The Local Government & Social Care Ombudsman in the same period received 21 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 16.

4.3 The following table provides a comparison of complaints and enquires received.

Year	Benefits and Tax	Corporate and other services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
2015/16	3	2	3	2	6	8	0	25
2016/17	2	0	2	0	5	7	0	16
2017/18	1	1	5	2	8	3	1	21

4.4 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	
2015/16	2	3	12	4	1	1	50%	23
2016/17	0	1	4	5	2	1	33%	13
2017/18	1	2	8	5	4	1	20%	21

As can be seen from the table above, 5 detailed investigations were undertaken. Of which:

- 4 not upheld,
- 1 upheld.

*(The Local Government & Social Care 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 & Social Care Ombudsman made a finding on fault. If the Local Government & Social Care 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).*

4.5 The upheld case was in relation to a complaint regarding the processing of a rehousing request by Colchester Borough Homes. The Local Government & Social Care Ombudsman upheld the complaint because there was some fault in Colchester Borough Homes' record keeping in this case. However the Local Government & Social Care Ombudsman determined that this did not affect the outcome of the applicant's review and appeal so did not cause any injustice.

## 5. Corporate Complaints Policy

5.1 The Council's corporate complaints policy has been reviewed against good practice and a revised version is attached at Appendix 2 which has been approved by the Senior Management Team.

## 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 & 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 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 & Social Care 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.