

**Audit, Standards &  
Governance Committee  
2022**

**13 October**

---

**Annual Review Letter of Local Government & Social Care Ombudsman**

Relevant Portfolio Holder	Councillor Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	
Report Author	Job Title: Clare Flanagan / Aksa Khan Contact email: <a href="mailto:aksa.khan@bromsgroveandredditch.gov.uk">aksa.khan@bromsgroveandredditch.gov.uk</a> Contact Tel: 01527 64252 Extn: 2912
Wards Affected	All
Ward Councillor(s) consulted	n/a
Relevant Strategic Purpose(s)	
Key Decision / Non-Key Decision	n/a
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Committee is asked to RESOLVE that, subject to Members' comments, the report be noted.**

**2. BACKGROUND**

2.1 The purpose of this report is to inform the committee of the Local Government Ombudsman's Annual Review Letter, which sets out the statistics for complaints made against the Council for the period ending 31st March 2022.

2.2 This year's report also covers the previous year during the pandemic, 2020 / 2021.

2.3 The aim of the Annual Review Letter is to provide councils with information which will help them assess their performance in handling complaints and to learn from them.

2.4 For the period ending on 31 March 2021, the LGO:

**Received: 7** complaints against the Council relating to:

Benefits & Tax: 4

Planning & Development: 3

**Decided: 9**

Benefits & Tax: 3

**Audit, Standards &  
Governance Committee  
2022**

**13 October**

---

Planning & Development: 5  
Environmental / Public Protection/ Regulation: 1  
Of these 9 decided cases, 4 were closed after initial enquiries, 2 complaints were not upheld, 2 were “premature” and referred back for local resolution, which is required by law before the Ombudsman will consider a matter. One complaint was upheld. However, the Ombudsman’s finding was that although there was some fault on the Council’s part, no injustice had been caused to the complainant as a result of it and so no action was required to be taken.

2.5 For the period ending 31 March 2022, the LGO:

**Received: 18** complaints relating to the Council:

Planning & Development:	10
Benefits & Tax:	4
Environmental / Public Protection / Regulation	2
Housing	1

**Decided: 15**

Planning & Development	8
Benefits & Tax	3
Environmental / Public Protection / Regulation	2
Corporate & Other Services	1
Housing	1

Of these decided cases, 6 complaints were found not to warrant investigation; 5 were decided to be premature complaints – that is, the council had not had the opportunity to conduct its own investigation; and one matter had been appealed to Tribunal, which removed it from the Ombudsman’s remit.

A finding of service failure [termed ‘fault’] which adversely affected the complainant [termed ‘injustice’] was found in 3 cases. Recommendations to remedy these were as follows :

Housing (1 case): This was as a result of delays in a dealing with a complaint by Bromsgrove District Housing Trust [BDHT] acting on behalf of the Council. Errors were acknowledged by BDHT and the recommended actions were taken, including a payment of £150 to the complainant.

**Audit, Standards &  
Governance Committee  
2022**

**13 October**

---

Benefits & Tax: (1 case) Delay in dealing with the complaint were found to have caused frustration and anxiety to the complainant. The recommended actions were to provide a written apology and make a payment of £200 to remedy the fault.

Environmental Services: (1 case) A complaint against the handling of a complaint by Worcester Regulatory Services [WRS] on behalf of the Council was upheld. Training was recommended by the Ombudsman along with an apology and a payment of £100.

- 2.6 Ombudsman guidance provides that where findings of maladministration/ fault in regard to routine mistakes and service failures occurs and the authority has agreed to remedy the complaints by implementing the recommendations made following the investigation, the duty to report to members is satisfactorily discharged if the Monitoring Officer makes a periodic report to members summarising the findings on upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report.

The Ombudsman's Annual Review Letter is issued in mid-July, too late for inclusion in the July meeting of the Committee, where it was added to the work programme for inclusion in the October meetings of the Committee.

- 2.7 Only where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of fault or injustice, or the number of people affected, the LGO would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.
- 2.8 The Council continues to have a strong focus on providing good customer service and includes having processes in place to respond to complaints from customers. A review of our complaints processes is currently underway but inevitably there will always be some cases where customers are not satisfied and refer matters to the Ombudsman. The Council cooperates fully with Ombudsman enquiries and investigations. There is a nominated link officer for the Ombudsman to manage their contact with the Council and prior to the pandemic, routinely attended conferences organised by the LGO.

**Audit, Standards &  
Governance Committee  
2022**

**13 October**

---

**3. FINANCIAL IMPLICATIONS**

- 3.1 The financial implications detailed in this report have been met from existing budgets.

**4. LEGAL IMPLICATIONS**

- 4.1 The Local Government Ombudsman powers are contained in the Local Government Act 1974 as amended by the Local Government and Public Involvement in Health Act 2007.

The main activity of the LGO is the investigation of complaints, which are limited to complaints from members of the public.

**5. STRATEGIC PURPOSES – IMPLICATIONS**

**Relevant Strategic Purpose**

- 5.1 An Effective and Sustainable Council

**Climate Change Implications**

- 5.2 The green thread runs through the Council plan. Please explain if the action proposed has any climate change implications. Please consult with the Climate Change Officer.

**6. OTHER IMPLICATIONS**

**Equalities and Diversity Implications**

- 6.1 In terms of customer implications, providing good customer service is of significant importance to the Council and the statistics in the review will assist officers in the monitoring of complaint handling and resolution.

**Operational Implications**

- 6.2 In terms of customer implications, providing good customer service is of significant importance to the Council and the

**Audit, Standards &  
Governance Committee  
2022**

**13 October**

---

statistics in the review will assist officers in the monitoring of complaint handling and resolution.

**7. RISK MANAGEMENT**

7.1 The main risks associated with the details included in this report are those linked to poor standards of complaint handling. The effects of not handling complaints efficiently can include poor customer service, increased customer dissatisfaction, increased numbers of complaints and damage to the Council's reputation.

7.2 These risks are being managed as follows: through the Council's Customer services strategy which aims to promote good customer service throughout the Council and includes a defined procedure for responding to complaints before they reach the stage of being referred to the Ombudsman.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 Annual Review Letter 2022

**Audit, Standards &  
Governance Committee  
2022**

**13 October**

---

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Cllr Geoff Denaro	30/09/2022
Lead Director / Head of Service	Claire Felton	27/09/2022
Financial Services	Michelle Howell	30/09/2022
Legal Services	Aksa Khan	30/09/2022
Policy Team (if equalities implications apply)	n/a	
Climate Change Officer (if climate change implications apply)	n/a	