

**Audit, Standards &
Governance Committee
2023**

27th November

Annual Review Letter of Local Government & Social Care Ombudsman

Relevant Portfolio Holder	Councillor Charles Hotham, Portfolio Holder for Finance and Enabling
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Property Services
Report Author: Aksa Khan	Job Title: Property Lawyer Contact email: aksa.khan@bromsgroveandredditch.gov.uk Contact Tel: 01527 64252 Extn: 2912
Wards Affected	All
Ward Councillor(s) consulted	n/a
Relevant Strategic Purpose(s)	All
Non-Key Decision	
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 2023.
- 2.2 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.
- 2.3 For the period ending on 31 March 2023, the LGO:
- Received: 10** complaints against the Council relating to:
- | | |
|-------------------------|---|
| Housing: | 1 |
| Planning & Development: | 9 |
- Decided: 12**
- | | |
|-------------------------|----|
| Benefits & Tax: | 1 |
| Planning & Development: | 10 |
| Housing: | 1 |

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Of these 12 decided cases, 3 were closed after initial enquiries, 2 complaints were not upheld, 3 were “premature”, 3 were invalid and referred back for local resolution, which is required by law before the Ombudsman will consider a matter.

One complaint was upheld.

A finding of service failure [termed ‘fault’] which adversely affected the complainant [termed ‘injustice’] was found in 1 case.

Recommendations to remedy this were as follows:

Benefits & Tax: (1 case) The Council was unable to evidence that the Council Tax bill had been sent to the complainant hence cannot say with certainty that complainant was aware of the collection. The recommended actions were to provide a written apology and make a payment of £150.00 to remedy the fault. As well as reviewing the Councils practices in recovering overpayments by direct debit, including the contents of the letters.

- 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 November meeting 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 if 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

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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.

3. FINANCIAL IMPLICATIONS

- 3.1 The ombudsman recommended a payment of £150.00 in one complaint which was upheld. No other direct cost implications arise from this report.

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

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 Providing equitable service is of significant importance to the Council and the statistics in the review will assist officers in the monitoring of how the Council can fulfil this.

Operational Implications

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6.2 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.

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.

7.2.1 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 2023 (to follow)

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Chrles Hotham	17/11/2023
Lead Director / Head of Service	Claire Felton	16/11/2023
Financial Services	Michelle Howell	16/11/2023
Legal Services	Aksa Khan	16/11/2023

BROMSGROVE DISTRICT COUNCIL

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