



EAST STAFFORDSHIRE BOROUGH COUNCIL

REPORT COVER SHEET

Title of Report:	Local Government and Social Care Ombudsman Annual Review Letter 2023	To be marked with an 'X' by Democratic Services after report has been presented
Meeting of:	Corporate Management Team 20 th September 2023	X
	Pre Cabinet 28 th Sept 2023	X
	Leader's / Leader of the Opposition's Advisory Group 5 th & 11 th Oct 2023	X
	Cabinet [23 rd October 2023]	
	Audit Committee [DATE] / Scrutiny Regeneration, Development and Market Hall Committee [DATE] / Scrutiny Health and Well Being Committee [DATE] / Scrutiny Climate Change and Environment Committee / Scrutiny Value for Money Council Committee [DATE]	



Is this an Executive Decision:	NO	Is this a Key Decision:	NO
Is this in the Forward Plan:	YES	Is the Report Confidential: If so, please state relevant paragraph from Schedule 12A LGA 1972:	NO N/A

Essential Signatories:

ALL REPORTS MUST BE IN THE NAME OF A CHIEF OFFICER

Monitoring Officer: **John Teasdale**

Date ...12/09/2023..... Signature

Interim Chief Finance Officer: **Lisa Turner**

Date ...12/09/2023..... Signature

EAST STAFFORDSHIRE BOROUGH COUNCIL

Report to Cabinet

Date: 23rd October 2023

**REPORT TITLE: Local Government and Social Care Ombudsman
Annual Review Letter 2023**

PORTFOLIO: Leader of the Council

CHIEF OFFICER: Head of Corporate and Environment Services

CONTACT OFFICER: Andrea Davies Ext. No. x1306

WARD(S) AFFECTED: All

1. Purpose of the Report

- 1.1. To note the contents of the Annual Review Letter showing complaints and compliments about East Staffordshire Borough Council, including those dealt with by the Local Government and Social Care Ombudsman (LGO) for the year ended 31st March 2023.

2. Executive Summary

- 2.1. Of the 5 complaints and enquiries received by the LGO relating to the Council: 2 were categorised as "Planning & Development"; 1 "Housing"; 1 "Benefits & Tax" and 1 "Environmental Services & Public Protection & Regulation".
- 2.2. Of the 5 decisions made by the LGO, 3 were closed after initial enquiries; 1 was incomplete and 1 was referred back for local resolution.
- 2.3. A total of 59 formal complaints were received by the Council during the 2022/3 financial year, an increase from the 34 complaints received in the previous financial year. The vast majority of formal complaints were resolved at Stage 1 of the procedure.

3. Background

- 3.1. The Council utilises the complaints process as a vital component for its organisational learning.

3.2. The LGO submits to the Council an Annual Review Letter summarising complaint statistics on all complaints they have received, to offer insight about the Council’s approach to complaints.

4. Contribution to Corporate Priorities

4.1. This report contributes to all Corporate Priorities as it is relevant to all Council services.

5. Local Government and Social Care Ombudsman Annual Review Letter 2023

5.1. Annual Review Letter 2023

5.1.1. Each year, the LGO produces an Annual Review Letter providing a summary of statistics on the decisions made about the Council for the preceding financial year. The review relating to the year ending 31st March 2023 is attached at **Appendix 1**.

5.1.2. The LGO has refined its processes and is now more selective about the complaints it looks at in detail, prioritising where it is in the public interest to investigate. This means the LGO is less likely to look at ‘borderline’ issues, and as such is finding a higher proportion at fault, meaning that nationally the average uphold rate for all investigations has increased.

5.1.3. As indicated at Appendix 1 in 2022-23, the LGO did not carry out any detailed investigations on complaints against East Staffordshire Borough Council.

5.2. Complaints and Enquiries Received by the LGO

5.2.1. The LGO has also provided a summary of complaints received relating to the Council as attached at **Appendix 2**. The data provided by the LGO at Appendix 2 includes: the number of complaints and enquiries recorded; the complaint service category; and what decisions the LGO has made.

5.2.2. The complaints and enquiries received about the Council can be categorised under the service areas shown below:

Planning & Development	Environmental Services and Public Protection & Regulation	Housing	Benefits & Tax	Total
2	1	1	1	5

5.2.3. N.B. Some complaints / enquiries made to the LGO may have been received and decided in different financial years, which means the number

of complaints and enquiries received will not always correspond with the number of decisions made.

5.3. Decisions Made by the LGO On Complaints And Enquiries

5.3.1. Appendix 2 also provides information on the decisions made by the LGO during 2021/22, as summarised in the table below:

No Investigation & Outcome			Total
Closed After Initial Enquiries	Incomplete/ Invalid	Referred Back for Local Resolution	
3	1	1	5

5.3.2. Further details of all the individual decisions made by the LGO indicated in the above table can be found on the LGO website, by clicking the following [link](#) (N.B. inputting the relevant reference number shown in the “decided” tab within Appendix 2 allows quick access to each decision).

5.4. Ombudsman Annual Report

5.4.1. The LGO has published its annual review of local government complaints nationally for 2022/23, which can be viewed via the following [link](#).

5.4.2. A high level summary of the report can be seen below:

- 15,488 complaints and enquiries received
- 2,548 cases with recommendations to put things right
- 2,415 recommendations to improve services for everyone
- 12% upheld cases where the LGO agreed with the authority’s remedy
- 4,907 recommendations to remedy personal injustice.

5.4.3. Additionally the LGO publishes Council performance in the form of an interactive map on their website to place a focus on each authority’s compliance with investigations. It is a snapshot of the service improvement recommendations an authority has agreed. The interactive map can be viewed by clicking this [link](#).

5.5. Performance Information

5.5.1. The Local Government Association’s performance management tool, “LG Inform”, allows Council’s to benchmark performance against other local authorities. Information extracted from LG Inform in relation to LGO complaint reviews can be seen in full at **Appendix 3** and summarised within this section. This suggests the Council compares favourably in

relation to its CIPFA Nearest Neighbours comparator group, as suggested by the following information

5.5.2. This year’s Annual Review Letter advises against comparing performance against previous years because the LGSCO has changed its approach to investigations. Instead it recommends comparing uphold rates to similar organisations rather than previous years.

5.5.3. The table below shows the number of complaints and enquiries received by the LGO (from 2013/14 to 2022/23) for East Staffordshire.

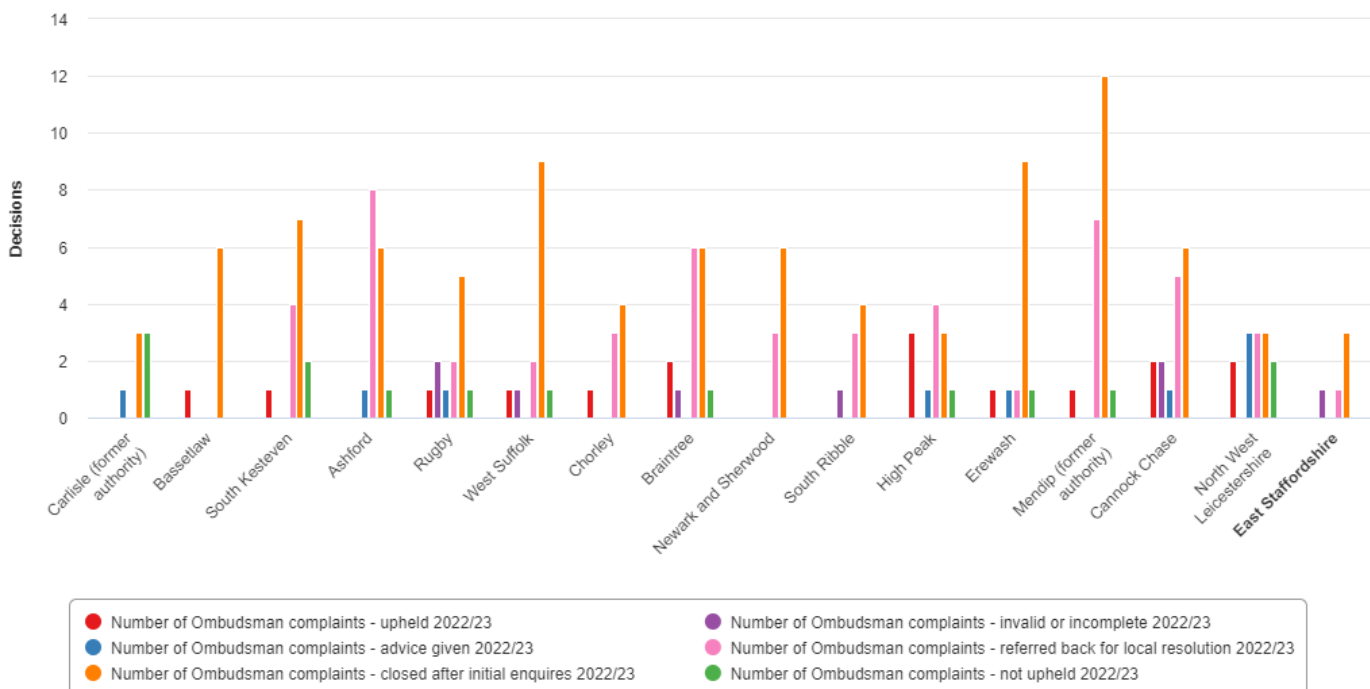
Number of complaints and enquiries received by the Local Government & Social Care Ombudsman (from 2015/16 to 2022/23) for East Staffordshire

Area	Number of Ombudsman complaints							
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
	Complaints							
East Staffordshire	8	9	13	15	8	5	6	5

Powered by LG Inform

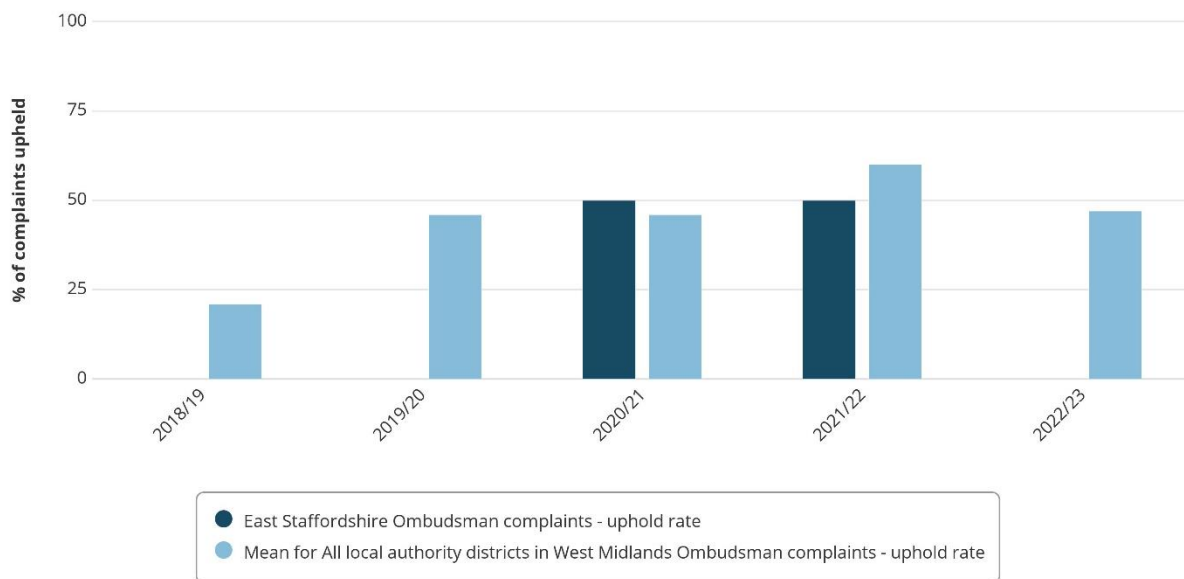
5.5.4. The chart below shows the number of complaints and enquiries received by the LGO (2022/23) for East Staffordshire & East Staffordshire CIPFA nearest neighbours.

Ombudsman complaints and enquiries decisions by outcome (2022/23) for East Staffordshire CIPFA nearest neighbours



5.5.5. The chart below shows the number of complaints and enquiries received by the LGO (from 2013/14 to 2022/23) for East Staffordshire.

**Proportion of complaint decisions upheld by the Local Government & Social Care Ombudsman
(from 2018/19 to 2022/23) for East Staffordshire**



Source:

Local Government & Social Care Ombudsman, [Proportion of complaint decisions upheld by the Local Government & Social Care Ombudsman](#)
Powered by LG Inform

5.6. Formal Complaints Submitted to the Council

5.6.1. The table below provides a breakdown of the number of formal complaints received during the financial year 2022/23 and how they have progressed through the three stages of the Council's formal complaints procedure.

	Stage 1	Stage 2	Stage 3	LGO
Quarter 1	12	4	2	1
Quarter 2	21	4	2	1
Quarter 3	11	2	1	1
Quarter 4	14	4	2	2
TOTAL	58*	14	7	5

*One complaint started at Stage 2

5.6.2. A total of 59 formal complaints were received during the 2022/23 financial year.

5.6.3. This indicates an increase in the total number of formal complaints received, compared to the previous financial year total of 34 complaints received.

5.6.4. Of the 59 formal complaints received, 46 (78%) were completed at the initial contact (i.e. 45 that commenced at Stage 1 and were completed at

Stage 1; and 1 that commenced at Stage 2 and were completed at Stage 2).

5.6.5. Of the 58 formal complaints commencing at Stage 1, 45 (78%) were completed at Stage 1.

5.6.6. Of the 1 formal complaint commencing at Stage 2, 1 (100%) was completed at Stage 2.

5.6.7. Of the 59 formal complaints received 7 (12%) were completed at Stage 2 (including the 1 that commenced at Stage 2).

5.6.8. Of the 59 formal complaints received 1 (2%) was completed at Stage 3.

5.6.9. Of the 59 formal complaints received 5 (8%) progressed to the LGO.

5.7. Service Improvements

5.7.1. Council utilises the complaints process as a vital component for its organisational learning.

5.7.2. Departmental Managers have notified of the following learning/service improvements as a result of complaints received during the 2022/23 financial year:

Department	Improvements/Learning
Revenues Benefits and Customer Contacts	Internal Procedures with regards to using document templates improved; reinforced need for staff to double check attachments before sending emails.
	Individual regularly made complaints via email and telephone. By inviting them into the Town Hall, the team were able to discuss face to face and fully resolve their issues.
Waste Management	Collection crew reminded about policy for collection of cardboard as side waste
	Crew reminded to pick up any spillages

5.8. Compliments Received

5.8.1. The Council welcomes compliments about its staff and services, allowing the Council to acknowledge and commend relevant staff where appropriate.

5.8.2. Below is a list of compliments received for the 2022/23 financial year:

	Department	Number
Quarter 1	Corporate & Commercial	1
	Planning	3
Quarter 2	Revenues, Benefits & Customer Contacts	1
	Waste Management	1
	Open Spaces	1
Quarter 3	Planning	3
Quarter 4	Planning	7
	Cemetery	1
	Open Spaces	2
	TOTAL	20

5.8.3. Where compliments have been received, they have been forwarded to the relevant departmental manager to pass to the appropriate colleague.

6. **Financial Considerations**

This section has been approved by the following member of the Financial Management Unit: Anya Murray

6.1. There are no financial issues arising from this Report.

7. **Risk Assessment and Management**

7.1. The main risks to this Report and the Council achieving its objectives are as follows:

7.2. **Positive** (Opportunities/Benefits):

7.2.1. The Council has a robust complaints procedure, but insight into complaints supports the Council's improvements process.

7.2.2. Acknowledging compliments made towards to staff contributes to positive organisational wellbeing.

7.3. **Negative** (Threats):

7.3.1. Failure to manage complaints effectively can lead to service impacts and reputational issues

8. **Legal Considerations**

This section has been approved by the following member of the Legal Team:
John Teasdale

8.1. There are no significant legal issues arising from this Report.

9. Equalities and Health

9.1. **Equality impacts:** The subject of this Report is not a policy, strategy, function or service that is new or being revised. An equality and health impact assessment is not required.

10. Data Protection Implications – Data Protection Impact Assessment (DPIA)

10.1. A DPIA must be completed where there are plans to:

- use systematic and extensive profiling with significant effects;
- process special category or criminal offence data on a large scale; or
- systematically monitor publicly accessible places on a large scale
- use new technologies;
- use profiling or special category data to decide on access to services;
- profile individuals on a large scale;
- process biometric data;
- process genetic data;
- match data or combine datasets from different sources;
- collect personal data from a source other than the individual without providing them with a privacy notice ('invisible processing');
- track individuals' location or behaviour;
- profile children or target marketing or online services at them; or
- process data that might endanger the individual's physical health or safety in the event of a security breach

10.2 Following consideration of the above, there are no Data Protection implications arising from this report which would require a DPIA

11. Human Rights

11.1. There are no Human Rights issues arising from this Report.

12. Sustainability (including climate change and change adaptation measures)

12.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

13. Recommendation(s)

13.1. That the Local Government Ombudsman Annual Review Letter 2023 be received and noted.

14. **Background Papers**

14.1. None

15. **Appendices**

15.1. Appendix 1: Annual Review Letter 2022/23

15.2. Appendix 2: ESBC Complaints and Enquiries 2022/23

15.3. Appendix 3: LG Inform Benchmarking against CIPFA Group