

Report to: **Audit & Governance Committee**

Date: **5th December 2023**

Title: **Local Government Ombudsman – Annual Review Letter**

Portfolio Area: **Councillor Chris Edmonds
Lead Member – Performance and Resources**

Wards Affected: **All**

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RECOMMENDATIONS:

That the Audit & Governance Committee REVIEWS the Ombudsman Annual Letter for 2022-23 (attached at Appendix A).

1. Executive summary

- 1.1 The Local Government and Social Care Ombudsman (LGSCO) looks at complaints about the council where the complainant considers that we have not sufficiently addressed their concerns.
- 1.2 This report sets out the LGSCO's Annual Review Letter regarding complaints that they have considered during the period 1st April 2022 to 31st March 2023 (please see Appendix A).
- 1.3 During this period, the Ombudsman investigated one complaint in respect of West Devon Borough Council which was then upheld.
- 1.4 On average, the Ombudsman upholds 59% of complaints about Councils. West Devon Borough Council has seen 100% of investigated complaints upheld which is above the national average but importantly it should be noted that this is against the context of being the only complaint investigated.

2. Background

- 2.1 A total of 8 complaints were referred to the Ombudsman however 7 of them were closed down without investigation either being not a matter that the Ombudsman has powers to deal with or that there was no worthwhile outcome in investigating.

- 2.2 The single upheld complaint was in respect of a resident feeling that the Council had not followed our own complaints procedure and in particular, that there were significant delays in responding to his complaints.
- 2.3 Having carried out an investigation at stage 2 of our complaints progress, the complaint was upheld and we offered a goodwill gesture to the resident in respect of time and effort to follow-up on his case.
- 2.4 We also commissioned training on effective complaint handling for officers from the Local Government Ombudsman.
- 2.5 As a result of actions already implemented by the Council, the Ombudsman concluded 'We are satisfied this is a proportionate response to the complaint and that further investigation will not lead to a different outcome'.
- 2.6 The Office for Local Government are currently consulting on future performance measures for Councils and one measure is the % of Local Government Ombudsman Cases upheld. We have responded to the consultation requesting that this be reconsidered as a 100% uphold rate of Ombudsman Cases demonstrates a poor level of performance compared to the reality that a single Ombudsman case was upheld in a year.

3. Proposal and Next Steps

- 3.1 That the Audit & Governance Committee note the Ombudsman Annual Letter as set out in Appendix A to this report.

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Ombudsman considers if the Council has complied with its own processes and procedures as well as statutory requirements.
Financial implications to include reference to value for money	Y	Effective complaint handling is one element of ensuring value for money for residents.
Risk	N	

Supporting Corporate Strategy	Y	Performance and Resources
Consultation & Engagement Strategy	N	
Climate Change - Carbon / Biodiversity Impact	N	
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

Supporting Information

Appendices:

Appendix A – Local Government & Social Care Ombudsman Annual Letter

Background Papers:

Full information on the upheld case can be found here:

<https://www.lgo.org.uk/decisions/planning/other/22-015-053>