

**7 September 2020****Agenda Item: 4****REPORT OF THE SERVICE DIRECTOR FOR CUSTOMERS, GOVERNANCE  
AND EMPLOYEES****LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN'S ANNUAL REVIEW  
LETTER 2020****Purpose of the Report**

1. To inform the Committee about Local Government & Social Care Ombudsman's (LGSCO) Annual Review letter.

**Information**

2. The LGSCO provides a free, independent and impartial service to members of the public. It looks at complaints about Councils and other organisations. It only looks at complaints when they have first been considered by the Council and the complainant remains dissatisfied. The LGSCO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the Ombudsman finds that something has gone wrong, such as poor service, a service failure, delay or bad advice and that a person has suffered as a result, the LGSCO aims to get the Council to put it right by recommending a suitable remedy.
3. The LGSCO publishes its decisions on its website ([www.lgo.org.uk/](http://www.lgo.org.uk/)). The decisions are anonymous, but the website can be searched by Council name or subject area. A copy of the LGSCO's annual letter is uploaded onto their website and the Council's performance data can be found as part of an interactive map <https://www.lgo.org.uk/your-councils-performance>
4. The LGSCO's Annual letter is attached at Annex A. The Ombudsman received 102 complaints in relation to this Council during the year and made decisions on 104 cases.
5. Full investigations were undertaken in 40 complaints, 34 were closed after initial enquiries were made of the Council, 25 cases were referred back to the Council as the complainants had either not complained to us previously, or had not completed our process, and 5 were found to be invalid complaints.
6. The LGSCO upheld 27 complaints that they investigated (68% compared to an average of 66% in similar authorities). He is satisfied that we successfully implemented 100% of

recommendations made; and in 11% of upheld cases we had provided a satisfactory remedy before the complaint reached the Ombudsman, (compared to an average of 9% in similar authorities).

7. The letter refers specifically to the public report about the decision to reduce a man's personal budget for care (already reported to this committee in December 2019). The Council was asked to remedy the injustice to the service user and to implement wider service improvements to ensure lessons were learnt from this complaint. The Ombudsman notes that we have responded positively to these and welcomes the good progress that has been made in carrying out the agreed actions.

## **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Data Protection and Information Governance**

9. The decisions referred to in this report are anonymised and will be publicly available on the Ombudsman's website.

## **Implications for Service Users**

10. All of the complaints were made to the Ombudsman by service users, who have the right to approach the LGSCO once they have been through the Council's own complaint process.

## **RECOMMENDATION/S**

1. That members consider whether there are any actions they require in relation to the issues contained within the report.

**Marjorie Toward**

**Monitoring Officer and Service Director – Customers, Governance and Employees**

**For any enquiries about this report please contact:**

Jo Kirkby, Team Manager – Complaints and Information Team

**Constitutional Comments (HD (Standing))**

Governance & Ethics Committee is the appropriate body to consider the content of this report. If the Committee resolves that any actions are required, it must be satisfied that such actions are within the Committee's terms of reference.

### **Financial Comments (RWK 24/08/2020)**

There are no specific financial implications arising directly from the report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All