

**Bolsover District Council**

**Executive**

**8<sup>th</sup> September 2014**

**Annual Review of Local Government Ombudsman 2013/14**

**Report of the Joint Assistant Director – Customer Service and Improvement/  
Customer Standards and Complaints Officer**

This report is public

**Purpose of the Report**

- To provide information contained within the Review of Local Government Complaints 2013/14 from the Local Government Ombudsman (LGO).

**1 Report Details**

This is the first time this information has been presented by the LGO in this format. The document contains an annual summary of statistics on the complaints made about the Authority for the year ending 31 March 2014.

The Review of Local Government Complaints 2013-14 has been appended for your information.

Key points from the review, specifically in relation to Bolsover District Council:

- The LGO received 20 enquiries and complaints during 2013/14, only 10% (2) of which were subject to detailed investigations.
- The LGO decided 2 complaints, 1 was found that there was no fault and 1 was appropriate to issue a report (S30(1)) because of maladministration/ service failure causing injustice.

General points from the review:

- Overall, complaints referred to the LGO and enquiries about benefits and tax increased by 26%.
- There was a 39% decrease in housing complaints, this is because all new complaints about Councils' role as social landlords became the responsibility of the Housing Ombudsman Service in April 2013.
- The LGO advised that 43% of people were not informed by their Council of their right to refer their complaint to the Local Government Ombudsman.

## Benchmarking information - CIPFA Nearest Neighbour

When looking at close neighbouring authorities, the following is noted:

	Detailed investigations	Total complaints received
Ashfield District Council	7	25
Bassetlaw District Council	7	23
<b>Bolsover District Council</b>	<b>2</b>	<b>20</b>
Chesterfield District Council	3	17
Erewash District Council	5	12
Mansfield District Council	3	20
NE Derbyshire District Council	4	16

Whilst Bolsover District Council received 20 complaints against its services, it is pleasing that only 10% (2) were the subject of detailed investigations, the lowest amongst neighbouring authorities. 20 complaints might appear to be a high number, however, given the LGO's comments about people not being informed about how to refer their complaint to the LGO, this evidences that our customers are aware of how to escalate their complaint, should they wish to do so. Additionally, as only 2 complaints were the subject of a detailed investigation, this would appear to demonstrate that our corporate complaint system is resolving complaints before the intervention of the LGO.

### Best Practice

The LGO support local scrutiny and the representative role of Elected Members who have a democratic mandate to scrutinise the way services are delivered and hold those services to account. The LGO believes that complaints are an important tool to support that process. The review includes issues that Elected Members may wish to consider when assessing if the Council is responding to and learning from complaints as follows:

<b>Issues to consider</b>	<b>Bolsover Best Practice</b>
Does the Council:	
➤ regularly report its experience and learning from complaints to Elected Members?	Yes, quarterly to Executive
➤ provide open access to complaints data for Elected Members and the public?	Yes, quarterly to Executive and via the Council's website
➤ actively seek feedback from service users on its complaints handling?	Yes, via satisfaction surveys, both externally and internally
➤ clearly display information about its complaints process online and in all service delivery settings?	Yes, via the Council's website and throughout Council buildings
➤ advise complainants of their right to access the ombudsman, and provide the correct contact information?	Yes, every Internal Review (stage three) complaint has the correct LGO or Housing Ombudsman information included
➤ ensure providers of services also respond to complaints raised and learn from them through commissioning and contracting?	Yes, trends/ repeat complaints are reviewed by the service provider with the Customer Standards and Complaints Officer to look at lessons learned and which changes in internal procedures <b>or</b> contracted services are appropriate

The Compliments, Comments and Complaints (CCC) Policy (and Procedure) have been in place since 2005 and are regularly reviewed to ensure that new legislation and best practice are taken into consideration. The new Joint CCC Policy has recently been reviewed and implementation will commence October 2014. As demonstrated above, Bolsover District Council is already operating at a high level in relation to the aspirations of the LGO.

Please note, although this report is regarding complaints directed to the LGO, the Council has received no complaints via the Housing Ombudsman for this period.

## **2 Conclusions and Reasons for Recommendation**

The report is to keep Elected Members informed of volumes and trends regarding LGO complaints.

## **3 Consultation and Equality Impact**

The report is to keep Elected Members regularly informed of volumes and trends regarding LGO complaints. No consultation or equality impact assessment is required.

## **4 Alternative Options and Reasons for Rejection**

Not applicable as the report is keep Elected Members informed rather than to aid decision making.

## **5 Implications**

### **5.1 Finance and Risk Implications**

Whilst there are no direct financial implications with regard to the report, the Council is at risk of recommendations or decisions by the Local Government Ombudsman and the Housing Ombudsman if complaints are not handled well.

In cases of maladministration, financial penalties can be imposed by the Local Government Ombudsman or the Housing Ombudsman.

### **5.2 Legal Implications including Data Protection**

The Council is at risk of recommendations or decisions by the Local Government Ombudsman. There are no Data Protection implications.

### **5.3 Human Resources Implications**

Not applicable as the report is to keep Elected Members informed.

## **6 Recommendations**

That Executive receive the report and the LGO Annual Review 2013/14.

**7 Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	All wards
<b>Links to Corporate Plan priorities or Policy Framework</b>	Customer Focused Services Strategic Organisational Development

**8 Document Information**

<b>Appendix No</b>	<b>Title</b>
A:	Review of Local Government Complaints 2013-14
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
<b>Report Author</b>	<b>Contact Number</b>
Joint Assistant Director – Customer Service and Improvement	Ext: 2343
Customer Standards and Complaints Officer	Ext: 2353