

**Bolsover District Council****Standards****15<sup>th</sup> October 2018**

Annual Letter from the Local Government &amp; Social Care Ombudsman 2017/18

**Report of the Head of Corporate Governance and Monitoring Officer**

This report is public.

**Purpose of the Report**

- To provide information contained within the Annual Letter from the Local Government & Social Care Ombudsman (LGSCO) 2017/18.

**1 Report Details**

The document contains an annual summary of statistics on the complaints made about the Authority for the financial year ending 31<sup>st</sup> March 2018. Please note that the data provided by the LGSCO may not align with the data this Council holds. This is because their numbers include enquiries from people who have been signposted by the LGSCO back to the Council, but who may then choose not to pursue their complaint.

The Annual Letter 2017/18 has been appended (Appendix 1) and supporting information Complaints Decided (Appendix 2) and Complaints Received (Appendix 3) for your information.

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

- The LGSCO received 5 enquiries and complaints during 2017/18, only 1 of which was subject to a detailed investigation.
- The LGSCO decided 5 complaints, 1 was referred back to the Council, 2 were closed after initial enquiries, advice was given in 1 case and the remaining 1 was not upheld.

**Benchmarking information - CIPFA Nearest Neighbour**

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

	Detailed investigations	Upheld complaints	Total complaints received
Ashfield District Council	5	1	16
Bassetlaw District Council	6	3	18
<b>Bolsover District Council</b>	<b>1</b>	<b>0</b>	<b>5</b>
Chesterfield District Council	2	0	16
Erewash District Council	2	1	4

Mansfield District Council	5	3	17
NE Derbyshire District Council	2	0	11

Whilst Bolsover District Council received 5 complaints against its services, only 1 was the subject of a detailed investigation.

With regard to complaints more widely, i.e. those at formal investigation and internal review stage, the LGSCO notes that the volume of complaints does not in itself indicate the quality of the Council's performance. High volumes of complaints received by a Council can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not receptive to user feedback, rather than always being an indicator that all is well. The LGSCO would like Councils to use these figures as the start of a conversation, rather than an absolute measure of corporate health.

One of the most significant statistics in this report is the number of **upheld** complaints. This shows the number of times the LGSCO found fault with a council when they have investigated.

The LGSCO has also started to record 'complaints remedied by the LGSCO' and 'complaints remedied satisfactorily by the authority before the involvement of the LGSCO'. The latter indicates that, while the LGSCO found it had been at fault, a Council has followed the right steps to put things right in its complaint response.

Although this report is regarding complaints directed to the LGSCO, the Council received 2 complaints via the Housing Ombudsman (HO) for the same period, 1 of which had a decision made of 'No maladministration' and we are providing further information relating to the remaining 1.

It is pleasing to report that against a background of the LGSCO upholding 57% of complaints submitted to them neither the LGSCO, nor the HO, has upheld a complaint against this Council during the financial year 2017/18.

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

The report is to keep Elected Members informed of volumes and trends regarding LGSCO/ HO complaints.

## **3 Consultation and Equality Impact**

The report is to keep Elected Members regularly informed of volumes and trends regarding LGSCO/ HO 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 & Social Care Ombudsman and the Housing Ombudsman if complaints are not handled well.

In cases of maladministration, financial penalties can be imposed by the Local Government & Social Care 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 & Social Care Ombudsman or the Housing Ombudsman. There are no Data Protection implications.

### 5.3 Human Resources Implications

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

## 6 Recommendation

**That Standards Committee note the contents of the report and the Annual Letter from the Local Government & Social Care Ombudsman 2017/18.**

## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	Providing Our Customers with Excellent Service – retain Customer Service Excellence accreditation year on year

	Transforming Our Organisation – good governance.
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**Document Information**

Appendix No	Title
1:	Annual Letter from the Local Government & Social Care Ombudsman 2017/18
2:	Complaints Decided
3:	Complaints Received
<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)	
Report Author	Contact Number
Customer Standards and Complaints Officer	Ext: 2353