

**Bolsover District Council**

**Standards Committee**

**8 November 2021**

**ANNUAL LETTER FROM THE LOCAL GOVERNMENT & SOCIAL CARE  
OMBUDSMAN 2020/21**

**Report of the Assistant Director of Corporate Governance**

Classification: This report is public

Report By: Assistant Director of Corporate Governance

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**PURPOSE / SUMMARY**

To provide information contained within the Annual Letter from the Local Government & Social Care Ombudsman (LGSCO) 2020/21.

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**REPORT DETAILS**

**1 Background (reasons for bringing the report)**

- 1.1 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 2021. 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 2021 has been appended (Appendix 1) and supporting information Excel workbook (Appendix 2) including 'Complaints Received', 'Complaints Decided', and Compliance for your information.

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

- The LGSCO received 6 enquiries and complaints during 2020/21, one of which was subject to a detailed investigation.
- The LGSCO decided 7 complaints, of which 2 were incomplete or invalid, 2 was closed after initial enquiries and in 2 cases advice was given only. The remaining one was decided as 'Maladministration and injustice'.

## 2. Details of Proposal or Information

### 2.1 Benchmarking information – (CIPFA) Nearest Neighbour

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

	Detailed investigations	Upheld complaints (average for similar authorities - 53%)	Compliance rate	Satisfactory remedy before complaint reached the Ombudsman
Ashfield District Council	3	0 (0%)	No recommendations were due for compliance in this period	0
Bassetlaw District Council	1	1 (100%)	100%	0
<b>Bolsover District Council</b>	<b>1</b>	<b>1 (100%)</b>	No recommendations were due for compliance in this period	<b>0</b>
Chesterfield District Council	4	4 (100%)	100%	1
Erewash District Council	The Ombudsman carried out no detailed investigations during this period	The Ombudsman carried out no detailed investigations during this period	No recommendations were due for compliance in this period	The Ombudsman did not uphold any detailed investigations during this period
Mansfield District Council	The Ombudsman carried out no detailed investigations during this period	The Ombudsman carried out no detailed investigations during this period	No recommendations were due for compliance in this period	The Ombudsman did not uphold any detailed investigations during this period
NE Derbyshire District Council	2	1 (50%)	100%	0

One complaint was upheld against this Council (100%). Whilst 100% may appear to be high, it needs to be borne in mind that this was the only detailed investigation in this period). This complaint was regarding the New Bolsover regeneration project and, following the decision, a report was submitted to the Executive on 21<sup>st</sup> June 2021 as required.

By way of background information, the LGSCO upheld 67% of complaints submitted to them in 2020/21 (up from 61% in 2019/20) with the average being 53% for similar authorities.

Although this report is regarding complaints directed to the LGSCO, the Council received three complaints via the Housing Ombudsman (HO) for the

same period, one of which was decided during that period. In that case the decision was that there was 'no maladministration'.

### **3 Reasons for Recommendation**

- 3.1 To note the overall performance and receive the report and the Annual Letter from the Local Government & Social Care Ombudsman 2020/21.

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

- 4.1 None.

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## **RECOMMENDATIONS**

1. That the Standards Committee receive the report and the Annual Letter from the Local Government & Social Care Ombudsman 2020/21.

Approved by the Portfolio Holder - Cllr Duncan McGregor, Executive Member for Corporate Governance

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## **IMPLICATIONS**

**Finance and Risk:**            Yes             No

**Details:**

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.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**            Yes             No

**Details:**

The Council is at risk of recommendations or decisions by the Local Government Ombudsman and the Housing Ombudsman and, in the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the Information Commissioner's Office can issue decision notices and impose significant fines. There are no Data Protection implications.

On Behalf of the Solicitor to the Council

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**Staffing:** Yes  No

**Details:**

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

On behalf of the Head of Paid Service

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## DECISION INFORMATION

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:  <b>BDC:</b> Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <b>NEDDC:</b> Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <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>District Wards Significantly Affected</b>	None
<b>Consultation:</b> Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes  Details:

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.
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Increasing customer satisfaction with our services Improving customer contact and removing barriers to accessing information Actively engaging with partners to benefit our customers Promoting equality and diversity and supporting vulnerable and disadvantaged people
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## DOCUMENT INFORMATION

Appendix No	Title
1	Annual Letter from the Local Government & Social Care Ombudsman 2020/21
2	Excel workbook: Complaints Received, Complaints Decided, Compliance
<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)	
None	