

Bolsover District Council

Meeting of the Customer Services Scrutiny Committee on 10 October 2022

Annual Letter from the Local Government & Social Care Ombudsman 2021/22

Report of the Portfolio Holder for Corporate Governance

Classification	This report is Public
Report By	Executive Director of Resources – Karen Hanson.
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PURPOSE/SUMMARY OF REPORT

- To provide Scrutiny with information contained within the Annual Letter from the Local Government & Social Care Ombudsman (LGSCO) 2021/22.

REPORT DETAILS

1. Background

- 1.1 The Annual Letter from the Local Government and Social Care Ombudsman (LGSCO) contains an annual summary of statistics on the complaints made against the Council for the financial year ending 31st March 2022. It should be noted 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.
- 1.2 The Annual Letter 2022 **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 10 enquiries and complaints during 2021/22, one of which was subject to a detailed investigation.
- The LGSCO decided 10 complaints, of which 1 case was decided ‘a service failure’, 7 were closed ‘with no further investigation’ after initial enquiries and in 2 cases there was no ‘Maladministration and injustice’.

Benchmarking information – (CIPFA) Nearest Neighbour

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

	Detailed investigations	Upheld complaints (average for similar authorities - 51%)	Compliance rate	Satisfactory remedy before complaint reached the Ombudsman
Ashfield District Council	2	0 (0%)	No recommendations were due for compliance in this period	0
Bassetlaw 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
Bolsover District Council	1	1 (100%)	No recommendations were due for compliance in this period	0
Chesterfield District Council	1	1 (100%)	100%	0
Erewash District Council	4	2 (50%)	100%	1
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	3	1 (33%)	100%	0

1.3 By way of background information, the LGSCO upheld 66% of complaints submitted to them in 2021/22 (slightly lower from 67% in 2020//21) with the average being 51% for similar authorities.

1.4 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'

2. Details of Proposal or Information

2.1 None – to keep Elected Members informed.

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 2021/22.

4 Alternative Options and Reasons for Rejection

4.1 None.

RECOMMENDATION(S)

1. That Scrutiny receive and note the report and the Annual Letter from the Local Government & Social Care Ombudsman 2021/22.

Approved by the Portfolio Holder – Councillor D McGregor

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 and Social Care Ombudsman if complaints are not handled appropriately. In cases of maladministration, financial penalties can be imposed by the Ombudsman.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: The Council is at risk of recommendations or decisions by the Local Government Ombudsman and Social Care 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

Staffing: Yes No

Details: There are no staffing implications contained within this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? 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: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	All wards
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <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: Customers, Economy and Environment.
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

DOCUMENT INFORMATION	
Appendix No	Title
1.	Annual Letter from the Local Government & Social Care Ombudsman 2021/22.
2	Summary of complaints received by the Local Government & Social Care Ombudsman 2021/22.

Background Papers
<i>(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 Executive you must provide copies of the background papers).</i>
None.