



OVERVIEW & SCRUTINY BOARD

7 October 2015

REPORT

Subject Heading:

The Local Government Ombudsman's
Annual Letter 2014/15

CMT Lead:

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Policy context:

To disseminate the activities of the Local Government Ombudsman (LGO) to Overview & Scrutiny in order that it has the opportunity to review them and to decide whether to pursue its own enquiries about complaints handling and whether any lessons had been learnt across the various services affected.

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

This report provides the Board with the findings of the LGO during the year 1 April 2014 and 31 March 2015 and provides the statistical information for the Board to decide whether to scrutinise any of the service areas involved to see whether there

was any sign of systemic failure or if lessons had been learned and service delivery changed as a result of LGO findings and recommendations.

RECOMMENDATIONS

The Board is invited to

1. Consider the contents of the LGO's Annual Letter along with its accompanying statistics and to decide whether to scrutinise any aspects in greater depth and;
2. Provide any views and feed-back to the Adjudication & Review Committee

REPORT DETAIL

Local Government Ombudsman – Annual Letter 2014-15

At its meeting on 25 August, the Adjudication & Review Committee received a report concerning the LGO's Annual Letter. The Committee agreed a recommendation to publish the letter and the appended figures in Calendar Brief and to provide a brief explanation about the apparent discrepancy between the LGO's figures and those held by the Council.

In addition, the Committee agreed that the Letter along with its supporting information should be provided to the Overview & Scrutiny Board and invite comments. Should the Board or individual Chairmen of the various OSSCs require more detailed information, please contact the officer identified below.

The Annual Letter from the LGO was received in July. The Annual Letter is the LGO's principle means of communicating a summary of its activity with every authority across England and provides a break-down of complaints referred to her throughout the year.

The Ombudsman's Letter and Statistics:

The figures appended to this report which accompanied the Annual Letter are unabridged and stand-alone. An attempt has been made to "match" the results based on the in-house statistics which ought to agree (in number if not in the service to which the LGO has allocated them) and all the outcomes/decisions ought to agree. An initial analysis has been carried out across the data and the results confirm that the Council's figures are correct.

In basic terms, the LGO's summary is that during the year 1 April 2014 – 31 March 2015, she recorded 97 new complaints against the Council and made 88 decisions. It should be noted that some of those decisions related to cases opened before 31

March 2014 and some of those complaints notified were still awaiting a decision after 31 March 2015.

The records kept by the Council cover both the above brought-forward and carried forward positions but there were complaints which the LGO says she received which were not recorded by the Council simply because the Council was not notified about them.

A full analysis of the LGO's figures compared to those held by the Council has yet to be completed, but an initial review the Decisions Made chart indicates that of the 88 decisions which the LGO says she made through the year, 48 were **"referred back for local resolution"**. Of these 48, nine were found to have been notified to the Council by way of an Enquiry and, in most of the nine cases, followed up by referral to the Council as a "Premature complaint" and dealt with through the complaints system. This left 39 cases about which the Council had no knowledge whatsoever. In addition to this category, the description **"Advice given"** (five cases) were also unknown to the Council, which indicates that the Council should have been informed of **44** cases upon which the Ombudsman made a decision.

Looking at the Council's figures at 31 March 2015, it was found that there were 59 distinct cases on file – 54 received during the year plus five cases open at 31st March 2014. At the end of the year, nine cases which were then either being investigated or only had draft decisions – plus one Enquiry which had yet to be responded to - were brought forward into the current year. This meant that from the overall figure of 54 (for the year itself), ten had to be subtracted which confirmed that the LGO made **44** decisions which were notified to the Council during the year 2014/15 and this is indeed what happened.

Where the Council differs from the Ombudsman is in the distribution: This is inevitable as the Council's allocation of services does not always agree with the LGO's. A case in point is the matter of Blue Badges. The Council has this function allocated to Customer Services which reports to the Group Director of Communities and Resources, whilst the Ombudsman places the category in Adult Care Services. This has always been inevitable and as long as the number of cases and the decisions agree, there is no difficulty.

Comparison with the other London boroughs:

Across the 33 London boroughs, Havering was ranked 7th LOWEST for the number of complaints recorded against it. The lowest number recorded was against the City of London (12) whilst the highest number was recorded against Newham (298). This places Havering (with 97 complaints) in the top quartile for the least number of complaints made to the LGO for the London boroughs.

The LGO has recorded complaints against a total of 363 authorities and Havering is ranked 306th – placing it in the bottom quartile. The lowest number of complaints to an authority recorded across the country was one and there were four authorities which received that number (three were National Parks authorities and the fourth was the Isles of Scilly). The highest number of complaints recorded against a single authority was 578 and this was against Birmingham. In general terms the number of complaints against authorities is in the mid to low double

figures with the London boroughs and the Metropolitan authorities scoring between one and two hundred.

Conclusion:

Looked at across the country, Havering's score of 97 places it in the bottom quartile – but most of the London boroughs are there as well and when comparing Havering with the other 32 London boroughs, Havering's tally of complaints indicates that the borough does not have a significant issue with discontented residents.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications or risks arising from this report.

Legal implications and risks:

There are no legal implications arising from this report.

Human Resources implications and risks:

There are no HR implications arising directly as a result of this report.

Equalities implications and risks:

There are no equalities implications arising directly from this report.

BACKGROUND PAPERS

None