



**Havering**  
LONDON BOROUGH

## ADJUDICATION AND REVIEW COMMITTEE

19 August 2021

**Subject Heading:**

Local Government and Social Care  
Ombudsman (LGSCO) Annual Review  
letter 2020/21

**SLT Lead:**

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**Policy context:**

Corporate Complaint Policy and  
Procedure 1st April 2015

**Financial summary:**

There are no financial implications to this  
report.

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

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

### SUMMARY

This report provides Members of Adjudication and Review details relating to the Local Government and Social Care Ombudsman's (LGSCO) Annual Review letter.

Responsibility for reporting and liaising with the LGSCO falls to the CEO Complaints team within the Senior Leadership Support office. The Senior Complaint and Investigation Manager is the Link Officer for all Ombudsman transactions, acting as a conduit between Ombudsmen and services.

This ensures a smooth transition from Stage 2 complaints through Stage 3 and to the Ombudsman. Case officers, having carried out a Stage 2 investigation and

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potentially prepared papers for a Stage 3 Member Panel, will be familiar with the complaint and able to assist with Ombudsman enquiries.

LGSCO and Housing Ombudsman decisions are reported to Committee on a quarterly basis.

Attached to this report is a copy of the Local Government and Social Care Ombudsman Annual Review letter for 2020/21, detailing the number of decisions made by them against the council.

### **RECOMMENDATIONS**

That the Committee consider and discuss the following:

1. The Annual Review letter from Local Government and Social Care Ombudsman for 2020/21
2. The Council's Ombudsman Activity report and any differences between the council's records and those contained within LGSCO Annual letter

### **REPORT DETAIL**

#### **The Annual Review letter from Local Government and Social Care Ombudsman for 2019/20**

This year, the Ombudsman received 55 complaints and enquiries about Havering Council, against 121 the previous year. The following table gives a comparison between services for both this year and 2019/20.

Service	2020/21	2019/20	Percentage difference
Adults Services	6	16	-62.5%
Education & Children	8	12	-33%
Benefits and Tax	4	7	-43%
Corporate	2	4	-50%
Environment (including Public Protection and Highways)	13	41	-68%
Housing	15	30	-50%
Planning	6	10	-40%
Not classified by LGSCO	1	1	No change

While it should be remembered that the 2020/21 year only represents nine months of data, this is still a substantial decrease from the previous year.

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In the year, the LGSCO made decisions on 44 complaints against Havering Council, compared to 85 the previous year. Of those 44, detailed investigations were carried out into 18 cases (22 in the previous year). 12 of them were Upheld which gives an Uphold Rate of 67%. This compares to 72% in similar authorities.

Within his Annual Review letter, the Ombudsman also publishes compliance statistics, where councils are recognised for complying with recommendations made in decisions.

It is pleasing to note the 100% compliance rate the Council has achieved this, compared to 99% in similar authorities.

In addition, 25% of our cases upheld by LGSCO had been provided with satisfactory remedies before the complaint reached the Ombudsman.

The high compliance rate achieved by the Council could be attributed to the rigorous follow-up monitoring undertaken by the CEO Complaints team.

The LGSCO has an interactive map of council performance on their website. The data is linked to published decisions and any service improvements that have been agreed by each council.

The intention is to put an emphasis on authority compliance with investigations; it is a useful tool for comparing our own performance against that of neighbouring authorities, or those with a similar demographic.

### **The Council's Ombudsman Activity report and any differences between the Council's records and those contained within LGSCO Annual letter**

The Ombudsman recognises that the numbers reported by them on their Annual Review letters do not necessarily tally with those recorded by councils. This is because the Ombudsman's office may close a complaint without making any enquiries of the council, for example, if it is apparent that the complainant has not exhausted the council's complaints process, they may be referred back to the authority in the first instance

During 2020/21 the council received 44 decisions by Local Government and Housing Ombudsmen, as follows:

17 x Closed after initial enquiries: No further action

*Adults Services (1); Children's Services (2); Environment (7); Planning & Building Control (3); Housing (4)*

7 x Closed after initial enquiries: Out of jurisdiction

*Adult Services (1); Environment (2); Housing (2); Council Tax & Benefits (1); Planning & Building Control (1)*

2 x Closed: Premature

*Children's Services (2)*

6 x Not Upheld: No maladministration

*Adult Services (2); Planning & Building Control (3); Environment (1)*

9 x Upheld: Maladministration, injustice with penalty **S**

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*Adult Services (4); Children's Services (2); Housing (2); Environment (1)*  
3 x Upheld: Maladministration, injustice, no penalty **S**  
*Customer Services (1); Environment (1); Housing (1);*

It should be noted, one case which crossed both Adults and Housing Services, was recorded twice by the Local Government and Social Care Ombudsman.

While this report relates only to the LGSCO Annual Letter, it is worth noting that there were also 12 Housing Ombudsman decisions:

3 x Closed: Premature  
2 x Maladministration, injustice with penalty **S**.  
2 x No Maladministration  
5 x Resolved locally: No further action

While the statistics recorded by the council may not fully align with those reported by LGSCO, data relating to decisions, described in this report as Significant, tend to agree.

The LGSCO Annual Report shows 12 upheld decisions against the council, which agrees with the nine Maladministration, Injustice with Penalty decisions and three Maladministration, Injustice with no Penalty decisions the Council has recorded, and shown on the Ombudsman Activity Report at Appendix 2.

### **IMPLICATIONS AND RISKS**

There are no financial, legal, human resource or equality implications or risks from this report.

### **BACKGROUND PAPERS**

Attached are two appendices:

Appendix 1 – Local Government and Social Care Ombudsman Annual Review Letter  
Appendix 2 – Ombudsman Activity Report for 2020/21