

Local Government and Social Care Ombudsman

Annual Review 2017/18

Cabinet

Date: 5 September 2018

Author:	Leader of the Council
	Director of Law and Democratic Services
Wards:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To report the receipt of the Local Government and Social Care Ombudsman's (LGO) Annual Review for 2017/2018, which gives the total number of complaints and enquiries received by the LGO with regard to Swindon Borough Council.
- 1.2 To highlight the annual summary of statistics on the complaints made to the LGO regarding the Authority for the year ended 31st March 2018.
- 1.3 Securing good decisions and the effective delivery of services without generating complaints ensures the Council's compliance with the requirements of its decision making principles, set out in Article 13 of the Constitution. High quality corporate functions, including how complaints are handled, are an essential component of successful delivery of the Council's Vision, Priorities, and Pledges.

2. Recommendations

Cabinet is recommended to:

- 2.1 Note the LGO's Annual Review 2017/18, including the summary of National Statistics, and the trends across service areas in Swindon 2010-2018, attached at Appendix 1.
- 2.2 Note that, of the 58 complaints submitted to the LGO in relation to Swindon in 2017/18, 3 were upheld, which is a reduction on the previous year.
- 2.3 Cabinet recommend to record its thanks to all officers for their efforts in dealing with complaints so effectively.
- 2.4 Authorise the Chief Executive, Corporate Directors, Directors and Heads of Service to take appropriate actions to continue to ensure that, where possible, complaints are resolved internally before such matters are referred to the LGO and that requests for information from the LGO are dealt with promptly.

3. Detail

- 3.1 The LGO issues an Annual Review Letter and Report in June/July each year regarding authorities' performance in responding to complaints. These are sent to Council Leaders and Chief Executives to support greater democratic scrutiny

Further information on the subject of this report can be obtained from Erz Turner, 01793 463002, erz.turner@swindon.gov.uk.

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of local complaint handling and to ensure effective local accountability of public services. The Annual Review Report 2017/18 for Swindon is attached at Appendix 1.

- 3.2 In total, 58 complaints were received and investigated by the Ombudsman for Swindon Borough Council during 2017/2018. This was a slight increase on the 47 complaints submitted in 2016/2017, but is in line with the wide patten across local councils.

Summary of LGO decisions in relation to upheld complaints

- 3.3 A summary of the LGO's decisions in respect of each of the upheld complaints is attached at Appendix 2.
- 3.4 The LGO has also produced a summary of complaint statistics for every local authority in England, included in the yearly report and published alongside the annual review letters. The summary of national statistics is attached at Appendix 3.

Comparison with other authorities

- 3.5 For Members' information, the following data has been obtained in relation to comparator authorities' handling of complaints:

Authority	Total number of complaints remedied by the LGO	Complaints per 100,000 population	Mid-year Population 2017*
Plymouth City Council	13	4.94	263,070
Bath and North East Somerset	8	4.24	188,678
Reading Borough Council	5	3.07	163,075
Bristol City Council	11	2.40	459,252
Southampton City Council	5	1.98	252,359
Wiltshire Council	8	1.61	496,043
Swindon Borough	3	1.36	220,363

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* Source:

<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwales/scotlandandnorthernireland/mid2017/ukmidyearestimates2017finalversion.xls>

- 3.6 The above data show that Swindon is still maintaining good processes for resolving complaints without the Local Government and Social Care Ombudsman having to impose a remedy. Nevertheless, Cabinet is recommended to request that the Chief Executive, Corporate Directors, Directors, and Heads of Service continue to take appropriate actions to ensure that, where possible, complaints are resolved internally before such matters are referred to the LGO. In addition, Cabinet is invited to recommend that requests for information from the LGO are dealt with promptly.

4. Alternative Options

- 4.1 There are no alternative options. The Council could decide to develop a different approach to the way it responds to Ombudsman's complaints. However, there is no evidence that this is required given the outcome of the Annual Review.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are financial implications. Where the LGO recommends a local settlement then this is met or will come from the appropriate service budget

Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications have been taken fully into account in the preparation of this report and it is considered that the recommendations are compatible with Convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 No other specific implications were identified in the preparation of this report.

Diversity Impact Assessment

- 5.4 No other specific implications were identified in the preparation of this report.

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Risk Management

- 5.5 Poor performance and findings of maladministration pose a reputational risk to the Council. This is mitigated by the overall performance of the Council and the systems it operates for responding to complaints and ombudsman investigations

6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all Cabinet reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – Annual Review Report for 2017-2018
- 8.2 Appendix 2 – Summary of LGO decisions
- 8.3 Appendix 3 – Summary of National Statistics (*The appendix is available online at the Council's website or on request from Committee and Member Services*).
- 8.4 Appendix 4 – Local Government Ombudsman Complaints –Trends in Swindon 2010-2018 (*The appendix is available online at the Council's website or on request from Committee and Member Services*).

9. Key Decision/Decision in Cabinet Work Programme

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme for July 2018.