

# **Local Government and Social Care Ombudsman**

## **Annual Review 2018/19**

**Cabinet**

**Date: 4<sup>th</sup> September 2019**

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Author:	Leader of the Council Chief Legal Officer
Wards:	All
Parishes Affected:	All

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### **1. Purpose and Reasons**

- 1.1 To report the receipt of the Local Government and Social Care Ombudsman's (LGO) Annual Review for 2018/19, 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 31<sup>st</sup> March 2019.
- 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 2018/19, including the summary of National Statistics, and the trends across service areas in Swindon 2010-2019, attached at Appendix 1.
- 2.2 Record its thanks to all officers for their efforts in dealing with complaints effectively.
- 2.3 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 of local complaint handling and to ensure effective local accountability of public

# Local Government and Social Care Ombudsman

## Annual Review 2018/19

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services. The Annual Review Report 2018/19 for Swindon is attached at Appendix 1.

- 3.2 In total, 62 complaints were received and investigated by the Ombudsman for Swindon Borough Council during 2018/19. This was a slight increase on the 58 complaints submitted in 2017/18.

### 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 while Appendix 4 contains charts reporting the breakdown of complaints by service area by year since 2010.

### Comparison with other authorities

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

<b>Authority</b>	<b>Total number of complaints upheld by the LGO after detailed investigation</b>	<b>Mid-year Population 2018</b>	<b>Complaints per 100,000 population</b>
Plymouth City Council	18	263,100	<b>6.84</b>
Southampton City Council	17	252,796	<b>6.72</b>
Reading Borough Council	9	163,203	<b>5.51</b>
Swindon Borough Council	7	221,996	<b>3.15</b>

\* Source:

<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/populationandm>

Further information on the subject of this report can be obtained from Amalia Morris, 01793 466269, [amorris@swindon.gov.uk](mailto:amorris@swindon.gov.uk).

# Local Government and Social Care Ombudsman

## Annual Review 2018/19

Cabinet

Date: 4<sup>th</sup> September 2019

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scotlandandnorthernireland/mid20182019laboundaries/ukmidyearestimates2018  
2019ladcodes.xls

- 3.6 The above data shows that Swindon is still maintaining reasonable processes for resolving complaints without the Local Government and Social Care Ombudsman having to impose a remedy. Nevertheless, the Council continues to focus on complaint handling and good administrative practice.

#### **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.

##### 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 Council's Report Writing standard requires authors to consult appropriate Corporate Directors, Directors or Heads of Service, other officers and relevant

# **Local Government and Social Care Ombudsman**

## **Annual Review 2018/19**

**Cabinet**

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partners on the purpose, content, and recommendations of the report before it is presented for decision. In respect of reports to Cabinet, authors are also required to consult the relevant Cabinet Member.

### **7. Background Papers**

7.1 None

### **8. Appendices**

8.1 Appendix 1 – Annual Review Report for 2018-2019

8.2 Appendix 2 – Summary of LGO decisions

8.3 Appendix 3 – Summary of National Statistics

8.4 Appendix 4 – Local Government Ombudsman Complaints –Trends in Swindon 2010-2019

### **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 September 2019.