

Local Government and Social Care Ombudsman

Annual Review 2019/20

Cabinet

Date: 21st October 2020

Author: Leader of the Council
 Chief Legal Officer (Monitoring Officer)
 Head of Customer Strategy and Operations

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 2019/20, 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 2020.
- 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 2019/20, including the summary of National Statistics, and the trends across service areas in Swindon 2010-2020, 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 July 2020 regarding each local authority's performance in responding to complaints. These are sent to Council Leaders and Chief Executives to support greater democratic scrutiny of local complaint handling

Further information on the subject of this report can be obtained from Rob Brown, Head of Customer Strategy and Operations, rbrown2@swindon.gov.uk.

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and to ensure effective local accountability of public services. The Annual Review Report 2019/20 for Swindon is attached at Appendix 1.

- 3.2 In total, 59 complaints were received and investigated by the Ombudsman for Swindon Borough Council during 2019/20. This was a slight decrease on the 62 complaints submitted in 2018/19.

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 handling of complaints by other nearby authorities:

Table 1 Comparison of complaints per 100,000 population

Authority	Total number of complaints upheld by the LGO after detailed investigation	Complaints upheld per 100,000 population	Mid-year Population 2018*
Plymouth City Council	12	4.58	263,100
Bristol City Council	20	4.3	463,405
Wiltshire Council	19	3.9	498,064
Swindon Borough Council	7	3.15	221,996
Bath and North East Somerset Council	6	3.1	192,106

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* Source: [ONS Mid-year population estimates](#)

- 3.6 The above data show 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.
- 3.7 The key thrust of the Ombudsman's feedback was around ensuring that timely responses are provided to both our customers during their complaints journey, and to the Ombudsman where complaints have been escalated.
- 3.8 In response to this, and in addition to the current control measures in place, the Council's Corporate Management Team (CMT) has agreed the implementation of a more robust review and audit of each complaint that is upheld by the LGO. This will involve focusing on the complaints handling process, and will recommend actions to CMT on a monthly basis for review and implementation.
- 3.9 Beyond the handling of the complaint itself, it is important that CMT is able to review the delivery of any actions recommended by the Ombudsman. This has historically been monitored by individual departments and services. This will now be monitored centrally by CMT to ensure delivery and ongoing compliance.
- 3.10 The Council has also already reviewed its Complaints Handling and Customer Feedback Policy in January 2020 and has implemented a new and more robust complaints process within the organisation. This has led to a reduction in overall complaints numbers between 2019 and 2020 and has also led to an increase in performance for timely responses provided to customers.

4. Alternative Options

- 4.1 There are no alternative options presented.

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 and 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.

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Climate Change Impact

- 5.3 The proposals would not bring a change in service delivery and Officers believe that there is no expected effect on the Council's carbon footprint.

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

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

Diversity Impact Assessment

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

Risk Management

- 5.6 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 Corporate Director of Finance and Assets (s151 officer) is consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – Annual Review Report for 2019-20
- 8.2 Appendix 2 – Summary of upheld LGO decisions by service area
- 8.3 Appendix 3 – Summary of National Statistics 2019-20

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 This is not a Key Decision and is included in the Cabinet Work Programme for October 2020.