

Report of:	Meeting	Date
Councillor David Henderson, Leader of the Council, and Clare James, Corporate Director Resources	Cabinet	20 October 2021

<b>Local Government Ombudsman Annual Review Letter 2021</b>
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## 1. Purpose of report

- 1.1 To consider the Annual Review letter from the Local Government and Social Care Ombudsman (LGO) for 2020/21, attached at Appendix A.

## 2. Outcomes

- 2.1 Learn from the outcome of complaints made to the LGO to improve our services and underpin effective working relationships between the council and the LGO's office.
- 2.2 Support greater transparency and democratic scrutiny of local complaint handling and ensure effective local accountability of public services.

## 3. Recommendation

- 3.1 That Cabinet notes the comments made by the LGO in the Annual Review Letter.

## 4. Background

- 4.1 At the end of March 2020 the LGO took the unprecedented step of temporarily stopping their casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the COVID-19 pandemic. They restarted casework in late June 2020, after a three month pause.
- 4.2 This annual review provides a summary of statistics on the complaints made to the LGO about Wyre for the year ended 31 March 2021. The data that the LGO has provided shows the complaints and enquiries they have received, along with the decisions they have made and Wyre's compliance with recommendations during the period.
- 4.3 The number of complaints, taken alone, is not necessarily a reliable indicator of an authority's performance. The volume of complaints should

be considered alongside the uphold rate (how often the LGO found fault when they investigated a complaint) and statistics that indicate Wyre's willingness to accept fault and put things right when they go wrong. The LGO also provide a figure for the number of cases where the authority provided a satisfactory remedy before the complaint reached them and statistics about the authority's compliance with recommendations they have made; both of which offer a more comprehensive and insightful view of Wyre's approach to complaint handling.

- 4.4** The LGO have published its annual data for all authorities on their website, alongside its annual review of local government complaints. This includes data on authorities' compliance with the LGO's recommendations. Our data was uploaded to the LGO's interactive map, [Your council's performance](#), along with a copy of the LGO's letter and its Review of Local Government Complaints. This collated data supports the scrutiny of local services.

## **5. Key issues and proposals**

- 5.1** During the year the LGO Advice Team received 10 complaints and enquiries about the council in the 12 months up to 31 March 2021. This is a decrease of four complaints when compared to those received by the LGO in 2019/20.

- 5.2** The number of decisions made in the year will not necessarily be the same as the number of complaints received by the LGO Advice Team because some complaints decided in 2020/21 will have been received in the previous year, and some sent to the Investigative Team during 2020/21 will be ongoing. However 10 decisions were made in total.

- 5.3** Four complaints were referred back for local resolution.

- 5.4** Five complaints were closed after initial enquiries and they related to the following service areas:

Planning and Development	4
Environmental Services, Public Protection and Regulation	1

- 5.5** One complaint was incomplete and closed as there was insufficient information provided by the complainant.

<b>Financial and legal implications</b>	
Finance	On occasion the Local Government Ombudsman may recommend that a payment is made to a complainant to compensate for any injustice they have experienced. No payments were made in 2020/21.
Legal	None arising directly from the report.

### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no	email	date
Joanne Porter	01253 887503	joanne.porter@wyre.gov.uk	24/09/2021

List of background papers:		
name of document	date	where available for inspection
LGO Annual Review Letter 2020/21	21/07/2021	www.wyre.gov.uk

### List of appendices

Appendix A – LGO Annual Review Letter to Wyre BC for the period ending 31/03/2021

# Local Government & Social Care OMBUDSMAN

21 July 2021

*By email*

Mr Payne  
Chief Executive  
Wyre Borough Council

Dear Mr Payne

## **Annual Review letter 2021**

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

## **Complaint statistics**

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

**Complaints upheld** - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

**Compliance with recommendations** - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

### **Supporting complaint and service improvement**

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Complaints upheld**

The Ombudsman carried out no detailed investigations during this period

**Compliance with Ombudsman recommendations**

No recommendations were due for compliance in this period

**Satisfactory remedy provided by the authority**

The Ombudsman did not uphold any detailed investigations during this period

**NOTE:** To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.