

Report of:	Meeting	Date	Item no.
Councillor Peter Gibson, Leader of the Council and Marianne Hesketh, Service Director Performance and Innovation	Cabinet	7 September 2016	6

Local Government Ombudsman Annual Review Letter 2016

1. Purpose of report

- 1.1 To consider the Annual Review letter from the Local Government Ombudsman (LGO) for 2015/16, attached at Appendix A.

2. Outcomes

- 2.1 Learn from the outcome of complaints made to the LGO and underpin effective working relationships between the Council and the LGO's office.
- 2.2 Provide complaint based information to be used in assessing and reviewing our performance and improving our services and how people experience or perceive our services. It is also hoped that the report will help to 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 Ombudsman in the Annual Review Letter.

4. Background

- 4.1 This annual review provides a summary of statistics on the complaints made to the LGO about Wyre for the year ended 31 March 2016. The data that the LGO has provided shows the complaints and enquiries they have recorded, along with the decisions they have made.

- 4.2** Last year the LGO provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year the LGO is providing additional information to focus the statistics more on the outcome from complaints rather than just the number received.
- 4.3** The LGO provides a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where their recommendations remedied the fault and the number of cases where the LGO decided the authority had offered a satisfactory remedy during the local complaints process. In these latter cases the LGO provides reassurance that the authority had satisfactorily attempted to resolve the complaint before the person came to them. In addition, the LGO provide a compliance rate for implementing their recommendations to remedy a fault.

5. Key issues and proposals

5.1 Enquiries and Complaints Received

During the year the Advice Team received 12 complaints and enquiries about the Council in the 12 months up to 31 March 2016. This is a significant reduction from the 23 complaints that the LGO received in 2014/15.

5.2 Complaint Outcomes

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 2015/16 will have been received in the previous year, and some sent to the Investigative Team during 2015/16 will be ongoing. However 12 decisions were made in the period under review.

It must also be recognised that the statistics in this letter do not match the figures we hold. However the LGO is confident that it is an accurate representation of the data it holds for the last 12 months. The LGO suggested that the variation may be attributable to the fact that an element of the LGO's registered complaints received for Wyre will have been premature complaints that it referred back for a local resolution, but which the complainant may not have pursued with the Council.

- 5.3 Five complaints were referred back for local resolution with two complaints being recorded for the following service areas:

Nature of Complaint	Service Area	Decision
Complaint about the Council's decision to site outdoor play equipment on land near his home.	Planning & Development	Not Upheld. No further action.
Complaint about the Council's failure to tell the complainant of amendments to a planning application that directly affected her property.	Planning & Development	Not Upheld. No maladministration.

- 5.4 The remaining 5 complaints were closed after initial enquiries and relate to the following service areas:

Benefits & Tax	1
Planning & Development	1
Corporate & Other Services	3

Financial and legal implications	
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 compensation payments have been awarded in 2015/16.
Legal	None arising directly from the report.

Other risks/implications: checklist

There are no significant implications arising directly from this report, for those issues marked with an X.

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

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

report author	telephone no.	email	date
Joanne Porter	01253 887503	joanne.porter@wyre.gov.uk	26/07/16

List of background papers:		
name of document	date	where available for inspection
LGO Annual Review Letter 2016	21/07/16	www.wyre.gov.uk

List of appendices

Appendix A Wyre Council Annual Review Letter – Wyre BC for the period ending 31/03/16

arm/ex/cab/cr/16/0709jp1

21 July 2016

By email

Garry Payne
Chief Executive
Wyre Borough Council

Dear Garry Payne,

Annual Review Letter 2016

I write to you with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Effective accountability for devolved authorities

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

Supporting local scrutiny

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

Complaint handling training

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit www.lgo.org.uk/training.

Ombudsman reform

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



Dr Jane Martin
Local Government Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Wyre Borough Council
For the Period Ending: 31/03/2016

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	3	4	0	1	0	0	4	0	12

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
0	0	5	5	2	0	0%	12

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.

The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
0	0	100%