

Gravesham Borough Council

Report to: Finance & Audit
Date: 13 September 2016
Reporting officer: Service Manager, Customer & Theatre Services
Subject: Local Government Ombudsman Annual Review Letter 2015-16

Purpose and summary of report:

To provide the Finance & Audit Committee with a copy of the Local Government Ombudsman's Annual Review Letter for Gravesham.

Recommendations:

This report is for information and to support transparency and learning from complaints.

1. Background

1.1 The Local Government Ombudsman (LGO) publish an annual review letter for each authority, summarising the complaints and enquiries they have dealt with over the past year, along with the action taken i.e. whether the complaint was investigated. Gravesham Borough Council's annual letter is attached as appendix II.

2. Year End Findings for Gravesham Borough Council

2.1 For the year ending 31 March 2016, the LGO received a total of 23 complaints and enquiries about Gravesham Borough Council services. As with previous years, the majority of those complaints related to Council Housing* (homelessness, housing allocations, housing benefit, improvement services) (13), followed by Benefits & Tax (5), Planning & Development (2), with Corporate Services, Environmental Services and Highways & Transport receiving 1 complaint each.

2.1.1 *From April 2013, the Housing Ombudsman Service took over responsibility for all new complaints about social housing. These include leasehold services, moving to a property, rent and service charges, occupancy rights, repairs and improvements, tenant behaviour and estate management. Whilst the Housing Ombudsman do not issue individual reports to Councils, their annual full report and accounts can be found at [Housing Ombudsman](#).

2.1.2 During 2015-16 the Housing Ombudsman Service received one complaint from a Gravesham Borough Council tenant relating to the installation of an external gate to one of its houses. This complaint was not investigated but referred back to the Council to resolve within its own procedure.

- 2.2 Of the 23 complaints referred to the Local Government Ombudsman, the decision was made for an investigation to be undertaken for 3 of them. The remaining 20 were either closed after initial enquiries, referred back to the Council for local resolution or closed after advice was given to the complainant.
- 2.3 With regards to the 3 investigated cases, these all related to Housing issues, but none were upheld. Copies of the Ombudsman's Final decisions for these complaints are attached as Appendices III, IV and V.

3. Complaints handling by the Council

- 3.1 In September 2011 the corporate complaint procedure was reviewed and a third stage was introduced whereby the Chief Executive took the final view of complaints that remained unresolved. Prior to this change, the Ombudsman had found reason to uphold complaints against Gravesham Borough Council in each financial year. However, following the change, no complaints have been upheld, indicating that the change to procedure has had a positive effect on how complaints are investigated and decided.
- 3.2 The Council received 204 stage 1 complaints across all service areas during 2015-16. Of these, 13 were escalated to stage 2 of the complaint procedure where a Director reviewed the complaint and four to stage 3, which the Chief Executive reviewed.
- 3.3 The nature of complaints varies, but traditionally Housing, Waste services and Revenues and Benefits tend to receive the highest numbers. This is in line with the LGO's overall findings of highest areas of complaint.
- 3.4 A summary of all complaints received by the Council are circulated on a monthly basis to the Directors and Chief Executive. The summary information sets out the number of complaints received, reason for the complaint, action taken by officers and whether the complaint is considered to be justified or not. Directors and Officers are then responsible for considering what action or service changes are required to address the complaints and, essentially, avoid repeat complaints in the future.

4. Annual Report

- 4.1 As well as sending each authority an annual review letter, the LGO publish an annual report to help Councils understand the main areas of complaint and how effective complaint handling and decision-making is across all councils. The full report can be found at [LGO Annual report](#) and includes sections on how to address and remedy complaints, along with comparison information of the number of enquiries and complaints received across all Authorities.
- 4.2 An extract of this information has been attached as Appendix IV of this report and details the number of enquiries/complaints received by Kent authorities. This shows that, excluding KCC and Medway, the number of complaints received ranged from 14 to 43 with Planning & Development attracting the highest number of contacts, followed by Housing and Benefits & Tax.
- 4.3 Overall, the LGO reports having received just under 20,000 complaints and enquiries and upholding 51% of all investigations. Gravesham, however, is one of just three Kent authorities that had no complaints upheld.

5. Conclusion

- 5.1 The annual review letter sets out headline statistics of enquiries and complaints received in relation to Gravesham Borough Council during 2015-16. Whilst 3 of the 23 complaints referred to the LGO were investigated, none were upheld.

6. Recommendations

- 6.1 There are no recommendations. This report is for information.

7. Implications

- 7.1 The implications summarised in Appendix I.

8. Background papers

- 8.1 Links to information referenced above are available in this report. Further information is available on the LGO website at www.lgo.org.uk

IMPLICATIONS		APPENDIX 1										
Legal	<p>The Local Government Act 1974 (the '1974 Act') established the Local Government Ombudsmen (LGOs) for England and for Wales and defines the main statutory functions for the Ombudsmen:</p> <ul style="list-style-type: none"> • to investigate complaints against councils and some other authorities • to investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009) • to provide advice and guidance on good administrative practice <p>The main activity under Part III of the 1974 Act is the investigation of complaints, which the Act states is limited to complaints from members of the public alleging they have suffered injustice as a result of maladministration and/or service failure.</p> <p>Under Part IIIA the Ombudsman investigates complaints from people who allege they have suffered injustice as a result of action by adult social care providers.</p> <p>The Ombudsmen's jurisdiction under Part III covers all local authorities (excluding town and parish councils); police and crime bodies; school admission appeal panels and a range of other bodies providing local services.</p>											
Finance and Value for Money	<p>The LGO annual report summarises the complaints it has investigated in relation to Gravesham Borough Council in the previous financial year. Good complaint handling ensures instances of service failures or injustice are limited and that improvements to services can be identified at the earliest opportunity.</p>											
Risk Assessment	<p>This report is for information only.</p>											
Equality Impact Assessment	<p>Screening for Equality Impacts</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Question</th> <th style="width: 20%;">Answer</th> <th style="width: 40%;">Explanation</th> </tr> </thead> <tbody> <tr> <td>a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?</td> <td style="text-align: center;">No</td> <td>This report is not proposing decisions or changes to services. It provides information about the LGO complaint handling. However, good complaint handling can help identify issues that may be experienced by specific individuals or groups and therefore lead to appropriate action to remedy the situation.</td> </tr> <tr> <td>b. Does the decision being made or recommended through this paper make a positive contribution to</td> <td style="text-align: center;">No</td> <td>As above, the report is not proposing decisions or changes to service.</td> </tr> </tbody> </table>			Question	Answer	Explanation	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	This report is not proposing decisions or changes to services. It provides information about the LGO complaint handling. However, good complaint handling can help identify issues that may be experienced by specific individuals or groups and therefore lead to appropriate action to remedy the situation.	b. Does the decision being made or recommended through this paper make a positive contribution to	No	As above, the report is not proposing decisions or changes to service.
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	promoting equality?		
	c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?	N/A	N/A
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>		
Corporate Business Plan	Corporate Plan Objective 4 – Sound & self-sufficient council.		
Crime and Disorder	Good complaint handling can help to identify issues that may link, for example, anti-social behaviour. Effective management of complaints can therefore lead to a reduction in such instances or appropriate action being taken to address them.		