

## Gravesham Borough Council

**Report to:** Finance and Audit Committee

**Date:** 13 October 2020

**Reporting officer:** Service Manager, Customer & Theatre Services

**Subject:** Local Government & Social Care Ombudsman Annual Review Letter 2019 - 20

### **Purpose and summary of report:**

To provide the Finance and Audit Committee with a copy of the Local Government & Social Care 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 & Social Care Ombudsman (LG&SCO) 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 2020, the LG&SCO received a total of 19 complaints or enquiries about Gravesham Borough Council services (Appendix III). The majority related to Housing (9) with others relating to Planning, Benefits, Environmental, Highway or Corporate matters.

2.2 Of the 19 contacts, decisions were made for all of them, along with 2 complaints received in the previous financial year. The outcomes were as follows:

- 9 of the contacts were referred back to Gravesham Borough Council as premature, i.e. the complaint process had not been concluded.
- Advice was given for 3 contacts i.e. the matter was outside the Ombudsman's jurisdiction or there was an alternative route to deal with the issue.
- 1 contact was incomplete or invalid
- 8 contacts resulted in some form of enquiry or investigation by the Ombudsman; 4 were closed after initial enquiries; 3 were investigated but not upheld as there no finding of mal-administration. One complaint was upheld on the basis of mal-administration, but not that injustice had been suffered. The decision letter in relation to this complaint is attached at Appendix IV.

## **3. Recommendations**

3.1 This report contains no recommendations and is for information only to support transparency and learning from complaints.

#### **4. Background papers**

4.1 Further information is available on the LG&SCO website at [www.lgo.org.uk](http://www.lgo.org.uk)

<b>IMPLICATIONS</b>		<b>APPENDIX 1</b>																
<b>Legal</b>	<p>The Local Government Act 1974 (the '1974 Act') established the, then, Local Government Ombudsman for England and for Wales and defines the main statutory functions as follows:</p> <ul style="list-style-type: none"> <li>• to investigate complaints against councils and some other authorities</li> <li>• to investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009)</li> <li>• to provide advice and guidance on good administrative practice</li> </ul> <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. 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>																	
<b>Finance and Value for Money</b>	<p>The LG&amp;SCO 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>																	
<b>Risk Assessment</b>	<p>This report is for information only.</p>																	
<b>Equality Impact Assessment</b>	<table border="1"> <thead> <tr> <th colspan="3" data-bbox="373 1178 1468 1236"><b>Screening for Equality Impacts</b></th> </tr> <tr> <th data-bbox="373 1245 743 1303"><b>Question</b></th> <th data-bbox="750 1245 1104 1303"><b>Answer</b></th> <th data-bbox="1110 1245 1468 1303"><b>Explanation</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="373 1312 743 1626">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 data-bbox="750 1312 1104 1626">No</td> <td data-bbox="1110 1312 1468 1626">This report is not proposing decisions or changes to services. It provides information about the LG&amp;SCO complaint handling.</td> </tr> <tr> <td data-bbox="373 1635 743 1881">b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?</td> <td data-bbox="750 1635 1104 1881">No</td> <td data-bbox="1110 1635 1468 1881">As above, the report is not proposing decisions or changes to service.</td> </tr> <tr> <td data-bbox="373 1890 743 2051">c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?</td> <td data-bbox="750 1890 1104 2051">N/A</td> <td data-bbox="1110 1890 1468 2051">N/A</td> </tr> </tbody> </table>			<b>Screening for Equality Impacts</b>			<b>Question</b>	<b>Answer</b>	<b>Explanation</b>	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 LG&SCO complaint handling.	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	As above, the report is not proposing decisions or changes to service.	c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?	N/A	N/A
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	<i>In submitting this report, the Chief Officer doing so is confirming they have given due regard to equality impacts of the decision being considered, as noted in the table above</i>
<b>Corporate Business Plan</b>	Corporate Plan Objective 4 – Sound & self-sufficient council
<b>Crime and Disorder</b>	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.
<b>Climate Change</b>	N/A This report is for information only and relates to the handling of complaints.