

## Gravesham Borough Council

**Report to:** Finance & Audit Committee

**Date:** 21 September 2021

**Reporting officer:** Service Manager, Town Centre & Cultural Services

**Subject:** Local Government & Social Care Ombudsman Annual Review Letter 2020 - 21

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

To provide 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 2021, the LG&SCO received a total of 11 complaints or enquiries about Gravesham Borough Council services (Appendix II). The majority related to Housing (7) with others relating to Planning, Environmental, Highway (parking) or Adult Social Care (Disabled facilities grant).

2.2 Of the 11 contacts, decisions were made for 8 of them as set out below. The remaining 3 cases were not closed during the 2020-21 financial year and will therefore be reported in the next annual review letter.

- Advice was given for 3 contacts
- 4 were referred to the Council as premature, i.e. the complaint process had not been concluded.
- 1 complaint was investigated but not upheld as there was no finding of mal-administration.

## **3. Corporate Complaint Procedure changes**

3.1 It is also worth Members noting that the Corporate Complaint Procedure has recently been reviewed and changes introduced to recognise good practice and guidance; in particular the Housing Ombudsman recommendation that complaint procedures should not have more than 2 stages.

3.2 The current procedure has evolved over a number of years to ensure that the process remains fair, robust and appropriate. The last significant change was made in September 2011 when an additional, third stage, was added whereby the Chief

Executive would undertake a final review of complaints; potentially before they were escalated to the Ombudsman service.

- 3.3 Whilst the procedure has operated relatively well, it is no longer in step with guidance from the Housing Ombudsman or other Kent Authorities. Following a recent review, changes were identified to reflect best practice, ensure the procedure remains fit for purpose, and more importantly, continues as an effective mechanism for putting things right and learning from complaints.

#### **4. Recommendations**

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

#### **5. Background papers**

- 5.1 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>	<p><b>Screening for Equality Impacts</b></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>No</td> <td>This report is not proposing decisions or changes to services. It provides information about the LG&amp;SCO complaint handling.</td> </tr> <tr> <td>b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?</td> <td>No</td> <td>As above, the report is not proposing decisions or changes to service.</td> </tr> <tr> <td>c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?</td> <td>N/A</td> <td>N/A</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 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.