

NORTH LINCOLNSHIRE COUNCIL

AUDIT COMMITTEE

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN LETTER 2019/20

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To present the Local Government and Social Care Ombudsman (LGSCO) Annual Letter 2020.
- 1.2 The LGSCO provides an annual summary of statistics on the decisions they have made about North Lincolnshire Council for the year ending 31 March 2020:
 - 31 complaints were received which was a reduction compared to the previous year.
 - 7 of the complaints were investigated by the LGSCO of which 5 were upheld.
- 1.3 The LGSCO Annual Letter 2020 provides an independent source of assurance and is used to support learning, contributing to Council's governance arrangements.

2. BACKGROUND INFORMATION

- 2.1 The Local Government and Social Care Ombudsman (LGSCO) is a service that investigates complaints from the public about councils and some other bodies providing public services in England. It also investigates complaints about registered adult social care providers. It is the last stage of the complaints process, for people who have given the council or provider opportunity to resolve the issue first.
- 2.2 The LGSCO aims to resolve cases informally where it can and determine the reasonableness of decisions of bodies being complained about. Its recommendations aim to provide redress in cases of service failure and puts complainants back in the position they were in if any maladministration was found.
- 2.3 The Annual Review Letter 2020 attached as appendix A to the report summarises (i) the complaints upheld (ii) compliance with recommendations and (iii) satisfactory remedies by the local authority.

- 2.4 The LGSCO produce the reports and performance information to 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.

3 OPTIONS FOR CONSIDERATION

- 3.1 The Committee is asked to consider the Annual Review Letter for North Lincolnshire.

4. ANALYSIS OF OPTIONS

- 4.1 The Annual Review Letter for North Lincolnshire Council provides the committee with valuable information on the complaints made by service users and the public to the LG&SCO. The letter also provides some assurance as to the robustness of the Council's complaints process.
- 4.2 During 2019-20 31 complaints were received by LGSCO in respect of North Lincolnshire Council but only 7 were investigated. The LGSCO only investigate complaints that have been through the council's full complaints procedure. Some complaints are assessed by the LGSCO at an early stage that the council is not at fault, therefore does not progress to investigation stage and some complaints are referred to the LG&SCO for which they have no jurisdiction, for example, the LG&SCO does not investigate the outcome of planning applications because the appeals mechanism is via the Planning Inspectorate. Of those investigated 71% were upheld, which is an increase on previous years and compared to similar authorities.
- 4.3 The annual letter confirms that LGSCO we were satisfied we had successfully implemented 100% of their recommendations. The review letter highlights that the level of compensation offered locally was less than was identified by the LGSCO recommendations.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 There are no resource implications associated with receipt of the LG&SCO's Annual Letter

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 None

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 An Integrated Impact Assessment is not required.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

8.1 The outcomes of any LGSCO complaint investigation are reported through senior officers to ensure any learning is captured and used to inform service delivery.

8.2 There are no conflicts of interests to declare

9. **RECOMMENDATIONS**

9.1 That the Local Government and Social Care's Ombudsman's Annual Review Letter 2020 for North Lincolnshire be noted by the Audit Committee.

DIRECTOR: GOVERNANCE AND PARTNERSHIPS

Church Square House
Scunthorpe
DN15 6NL
Author: Becky McIntyre
Date: 1 September 2020

Background Papers:

Local Government and Social Care Ombudsman Annual Review Letter 2020
<https://www.lgo.org.uk/your-councils-performance/north-lincolnshire-council/statistics>

Local Government & Social Care OMBUDSMAN

22 July 2020

By email

Mrs Hyde
Head of Paid Service
North Lincolnshire Council

Dear Mrs Hyde

Annual Review letter 2020

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 2020. Given the exceptional pressures under which local authorities have been working over recent months, I thought carefully about whether it was still appropriate to send you this annual update. However, now, more than ever, I believe that it is essential that the public experience of local services is at the heart of our thinking. So, I hope that this feedback, which provides unique insight into the lived experience of your Council's services, will be useful as you continue to deal with the current situation and plan for the future.

Complaint statistics

This year, we continue to place our 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 made several changes over recent years to improve the data we capture and report. We focus our statistics on these 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. A focus on how often things go wrong, rather than simple volumes of complaints provides a clearer indicator of performance.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice. Our recommendations try to put people back in the position they were before the fault and we monitor authorities to ensure they comply with our recommendations. Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority - We want to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to

resolving complaints. We recognise cases where an authority has taken steps to put things right before the complaint came to us. The authority upheld the complaint and we agreed with how it offered 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.

This data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 29 July 2020, and our Review of Local Government Complaints. For further information on how to interpret our statistics, please visit our [website](#).

Resources to help you get it right

There are a range of resources available that can support you to place the learning from complaints, about your authority and others, at the heart of your system of corporate governance. [Your council's performance](#) launched last year and puts our data and information about councils in one place. Again, the emphasis is on learning, not numbers. You can find the decisions we have made, 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 tool 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.

Earlier this year, we held our link officer seminars in London, Bristol, Leeds and Birmingham. Attended by 178 delegates from 143 local authorities, we focused on maximising the impact of complaints, making sure the right person is involved with complaints at the right time, and how to overcome common challenges.

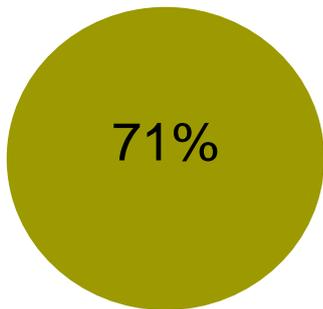
We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. During the year, we delivered 118 courses, training more than 1,400 people. This is 47 more courses than we delivered last year and included more training to adult social care providers than ever before. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



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

Complaints upheld



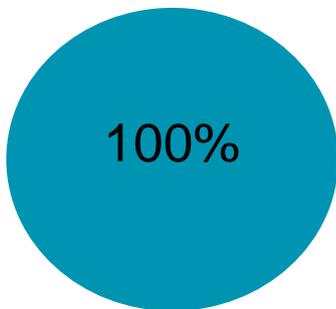
71% of complaints we investigated were upheld.

This compares to an average of **56%** in similar authorities.

5
upheld decisions

Statistics are based on a total of 7 detailed investigations for the period between 1 April 2019 to 31 March 2020

Compliance with Ombudsman recommendations



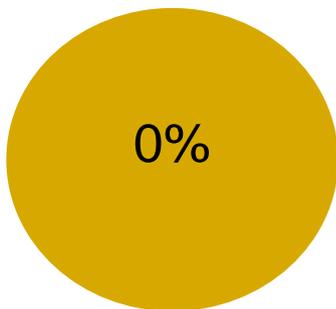
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **99%** in similar authorities.

Statistics are based on a total of 4 compliance outcomes for the period between 1 April 2019 to 31 March 2020

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedies provided by the authority



In **0%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **11%** in similar authorities.

0
satisfactory remedy decisions

Statistics are based on a total of 7 detailed investigations for the period between 1 April 2019 to 31 March 2020