

15. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW LETTER 2019/2020

1. Purpose of the report

This report provides details of the Local Government and Social Care Ombudsman's (the Ombudsman) Annual Review of complaints for the period 1 April 2019 to 31 March 2020.

Key Issues

- **The Ombudsman's Annual Review has not stated any concerns about the Authority's performance.**
- **The complaint statistics provided focus on 3 key areas – Complaints Upheld, Compliance with Recommendations and Satisfactory remedies provided by the Authority.**

2. Recommendation

- 1. To note the Local Government and Social Care Ombudsman Annual Review Letter 2019/2020 at Appendix 1 of the report.**

How does this contribute to our policies and legal obligations?

3. Quarterly reports on complaints received were considered by the Audit, Resources & Performance Committee up to May 2019; then following the changes to the Authority's Committee structure they have been received and considered at the Authority meetings since July 2019. The quarterly reports give Members the opportunity to discuss lessons learnt and improvements made as a result of this feedback including from complaints that have been referred to the Ombudsman. Learning from complaints will contribute to the Authority's outcome as an 'agile and efficient organisation'.

Background Information

4. The Authority changed from annual reporting on complaints to quarterly reporting in 2011; however, it was agreed that the annual review letter from the Ombudsman would still be reported annually. Appendix 1 shows the Ombudsman's annual review for the Authority covering the period 1 April 2019 to 31 March 2020.
5. The letter shows that the Ombudsman received a total of 4 complaints and made 3 decisions in relation to the Authority during this period. Of the complaints received 2 were Planning and Development and 2 were Corporate and Other Services.
6. As can be seen in Appendix 1, of the 3 decisions the Ombudsman made during the period 1 April 2019 to 31 March 2020:
 - 1 was upheld (Corporate and Other Services)
 - 1 was not upheld (Planning and Development)
 - 1 was closed after initial enquiries (Corporate and Other Services)
7. Details of the upheld complaint decision and the agreed remedy, which has been complied with, were included in the quarterly report for Quarter 4 of 2019-20 made to the Authority meeting held on 22 May 2020.

8. The complaint concerned the Engagement and Information Management Service and the issue was that booking for a PDNPA event was only possible on-line with no alternative way of booking for those without access to a computer. The Ombudsman found that the Authority was at fault and made recommendations which the Authority accepted.
9. The recommendations were:
 - within one month of the date of this decision, the Authority will write to the Complainant and apologise to him for the inconvenience caused. It will offer him and a companion two free places on a guided walk of their choice,
 - within two months, the Authority will carry out an Equality Impact Assessment,
 - within three months the Authority will consider the best way to amend its policy of not accepting bookings and payments by phone and find the most cost-effective way to make this possible for exceptional circumstances and write to the Ombudsman to explain what steps it has taken to remedy the fault found
10. The above actions were completed and the Ombudsman confirmed that the remedy was “complete and satisfied”.
11. Appendices 2 and 3 of the report show the benchmark figures for complaints and enquiries received and determined by the Ombudsman for National Park Authorities. As can be seen from these 3 other National Park Authorities (NPAs) had 1 complaint against them, 3 had 4 complaints (as we did) and 1 had 5 complaints. All the complaints received against other NPAs were Planning and Development. Of the complaints decided regarding other NPAs 2 were upheld.

Proposals

12. It is proposed that the details of the Ombudsman’s annual review, as set out in Appendix 1 of this report, be noted.

Are there any corporate implications members should be concerned about?

Financial:

13. We handle complaints within existing resources. However when a complaint has to be investigated it is often time consuming and distorts planned work programmes.

Risk Management:

14. The following risks have been identified at this time:
 - Failure to ensure action is taken to improve service or address a problem as appropriate in response to complaints received
 - Failure to improve the way we handle and respond to customers making complaints
 - Unreasonable cost in time and staff resources spent dealing with complaints.

Action taken as a result of complaints received and our procedure for handling unreasonably persistent complaints help us to mitigate these risks.

Sustainability:

15. The Authority’s complaints procedure highlights that:
 - All comments and complaints are treated in confidence and will not disadvantage complainants in any future dealings they may have with the Authority
 - Everyone will be treated fairly.

Equality:
16. The Authority's complaints procedure highlights that everyone will be treated fairly.

Climate Change
17. There are no issues to raise.

Background papers (not previously published)
18. None.

19. Appendices

Appendix 1 - Local Government and Social Care Ombudsman's Annual Review Letter 2020, 22 July 2020

Appendix 2 - Benchmark figures for complaints received by the Ombudsman for National Park Authorities

Appendix 3 - Benchmark figures for complaints determined by the Ombudsman for National Park Authorities

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