

OMBUDSMEN COMPLAINTS

Executive Summary

The Committee is responsible for the oversight of payments in cases of maladministration that are neither disputed nor significant (which are dealt with by the Monitoring Officer).

This report provides details of recent complaints to the Local Government & Social Care Ombudsman and the Housing Ombudsman.

Recommendations

The Committee is requested to:

RESOLVE That the position regarding complaints to the Local Government & Social Care Ombudsman and the Housing Ombudsman be noted.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: None.

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1.0 Introduction

- 1.1 The Council's Constitution provides for the Standards and Audit Committee to have "oversight of payments in cases of maladministration which are neither disputed nor significant (which are dealt with by the Monitoring Officer)." Full Council retains responsibility for "disputed/significant payments in cases of maladministration".
- 1.2 At its meeting on 7 July 2016, the Committee asked for an annual report on Ombudsmen complaints. The Local Government & Social Care Ombudsman provides Councils with an Annual Review letter in July each year. It is, therefore, sensible for the annual report to be submitted to the September meeting of the Committee.

2.0 Ombudsmen

- 2.1 The Council is subject to the oversight of two Ombudsmen, the Housing Ombudsman and the Local Government & Social Care Ombudsman.
- 2.2 The Housing Ombudsman considers complaints arising from the provision of housing by the Council if the complainant is not satisfied with the outcome of New Vision Homes/the Council's consideration of the complaint.
- 2.3 The Local Government & Social Care Ombudsman considers complaints arising from the provision of other, non-housing, services by the Council if the complainant is not satisfied with the outcome of the Council's consideration of the complaint.

3.0 Complaints submitted to the Ombudsmen

- 3.1 The 2021 Annual Review letter from the Local Government & Social Care Ombudsman gives a summary of statistics for decisions made by the Ombudsman on complaints, about the Council, for the year ended 31 March 2021. All data from the report, along with annual letters sent to individual authorities can be found on the Ombudsman's website through the interactive map. The map now holds three years of data, giving the annual summary of complaints plus compliance rates and the changes which have made on the back of investigations, for each local authority in England. The map can be found using the following link:-

[Your council's performance \(lgo.org.uk\)](https://www.lgo.org.uk) (<https://www.lgo.org.uk/your-councils-performance>)

- 3.2 The Annual Review letter confirms that the Ombudsman undertook a total of 2 detailed investigations into complaints against the Council for the period between 1 April 2020 to 31 March 2021. The Ombudsman upheld one complaint.
- 3.3 A summary of the upheld complaint is as follows; The complainant complains the Council refused her business financial support under grant schemes set up to support small businesses impacted by COVID-19 causing her to miss out on a grant. The Ombudsman upheld the complaint, finding the Council did not follow or take account of all relevant guidance in refusing the business a Retail, Hospitality and Leisure Grant. The Council agreed to review its decision. The Council has complied with the Ombudsman's agreed actions to apologise to the complainant and review its decision.
- 3.4 The Annual Review letter does not detail the total number of complaints made against the Council. For the year ended 31 March 2021, this was eleven.

Ombudsmen Complaints

- 3.5 The Council's figures are comparable to neighbouring authorities, as outlined in the below comparison table:

Authority	Investigations	Upheld
Waverley	4	3
Guildford	3	2
Spelthorne	3	1
Surrey Heath	1	0
Reigate and Banstead	7	6
Runnymede	2	1
Epsom and Ewell	5	3
Tandridge	2	1
Elmbridge	2	1

- 3.6 The Housing Ombudsman does not issue an Annual Review letter. This report, therefore, details cases considered by the Housing Ombudsman since those referred to in last year's annual report, i.e. the period between 1 September 2020 and 1 August 2021.
- 3.7 The Housing Ombudsman is currently considering two complaints about the Council. The first complaint relates to a replacement of a door. The second complaint relates to staff conduct and the repositioning of an external door.

4.0 Conclusions

Although it would be preferable for there to be no complaints to the Ombudsmen, this is unlikely to ever happen due to (i) the varied nature of the services provided by the Council and (ii) the number of recipients of those services. That said, the number of complaints is not disproportionate. There are no matters of concern which the Monitoring Officer needs to bring to the attention of the Committee.

The Council treats every complaint received as an opportunity to identify learning outcomes and improve service provision. These complaints are valuable not only in identifying service improvements but in improving public perception and satisfaction with the Council as a whole.

5.0 Corporate Strategy

- 5.1 The publication of this report demonstrates the Council's commitment to openness and transparency.

6.0 Implications

Finance and Risk

- 6.1 Poor complaint handling could be a reputational and financial risk to the council, especially with the increase in people using social media to raise awareness of issues.
- 6.2 There is a risk that the Local Government and Social Care Ombudsman will report against the council which means the report is published outlining the council's failures.

Equalities and Human Resources

- 6.3 None.

Legal

- 6.4 The Council is obliged to respond to complaints of maladministration through the Ombudsman. The Local Government Act 1974, prescribes the way in which the Ombudsman conducts investigations.

7.0 Engagement and Consultation

- 7.1 The nature of the content of the report does not lend itself to an engagement and/or consultation exercise.

REPORT ENDS