

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....12th September 2019

1. Title of Item/Report

Local Government and Social Care Ombudsman Complaints – The Local Authority Report for Stockton-on-Tees 2018/19

2. Record of the Decision

Consideration was given to a report that provided the details of the Ombudsman’s annual review letter for the Council for 2018/19. Of 48 enquiries received, the Ombudsman made decisions in 43 cases with only 13 of these resulting in a detailed investigation. Of the 13 investigations, five complaints were upheld. All recommendations made by the Ombudsman had been implemented.

The Ombudsman had published the annual summary of statistics on the complaints and enquiries received about the Council and the decisions made in that respect for the year ended 31 March 2019.

It was positive to note that, whilst all complaints were considered very seriously, and all recommendations and learning were adopted, there had been no formal public interest reports issued during the year. Of the 48 complaints and enquiries received by the Ombudsman in 2018/19 a total of 13 received a detailed investigation, with only 5 of the 13 complaints being upheld.

A copy of the 2019 review letter which included the table of statistics was attached to the report. A copy of the 2017/18 statistics table was also attached to the report for comparison purposes.

When comparing the two statistics tables, it could be seen that there had been an increase in the number of complaints / enquiries received by the Ombudsman (from 32 to 48). Within this overall performance:

- All service areas had recorded at least one enquiry.
- Adult Social Care, Benefits and Council Tax and Highways and Transportation had seen the biggest increase from last year.
- There had been a slight reduction (by 1) in Corporate and Other, Education and Children’s Social Care and Environmental Services.

The number of decisions made by the Ombudsman in 2018/19 increased from 29 in 2017/18 to 43 in 2018/19 with the number of detailed investigations undertaken also increasing from 7 to 13. It was noted that despite an increase in both complaints / enquiries and detailed investigations the number of complaints upheld remained at 5 which was consistent with 2017/18.

There were robust procedures in place for dealing with complaints about Council services at an early stage. The annual report and figures suggested that despite an increase in enquires received by the Ombudsman, the Council was managing its early resolution processes well and in one of the 5 cases upheld, provided a satisfactory remedy before the complaint was investigated by the Ombudsman. This approach significantly reduced the workload of the Ombudsman and subsequently the Local Authority. This approach was something that the Authority would look to improve further, particularly at the Stage 2 of the Corporate Procedure.

Of the 5 complaints upheld, four related to Education and Children's Services and one to Adult Care Services.

The 5 upheld complaints were remedied by the Council following the Ombudsman's involvement. It was noted that the remedies suggested by the Ombudsman were of a low level and included the provision of written apologies and financial contribution to the complainant. The Council's web site and associated complaint paperwork had also been strengthened to make it clear what support was available for those who required further assistance with Mental Health and Wellbeing matters.

A new statistic produced by the Ombudsman showed that 100% of the recommendations made by the Ombudsman with respect to any complaints upheld, had been actioned. This was something that the Ombudsman now followed up in a timely way and would be included as a statistic in future annual reports.

It was noted that all matters raised with the Ombudsman were reviewed at the Corporate Governance Steering Group and by the Councils Corporate Management Team quarterly, to ensure that all learning was shared and picked up by the relevant department

The Local Government Ombudsman's annual review of Local Government complaints for 2018/19 had been published and a copy of the complete report can be viewed on the LGO website. This provided a national context for Stockton's complaint and enquiry statistics.

The report showed that nationally:

- The number of complaints and enquiries received by the Ombudsman had increased from the previous year with some 16,899 complaints / enquiries received a third of which related to Children Education and Adults Social Care. This was in line with Stockton figures, which mirror similar statistics.
- The number of detailed investigations upheld nationally increased to 58% from 57% last year. Although Stockton had more cases investigated the upheld rate remains the same at 5 cases. This was an improvement on the national trend.
- London had the highest upheld rate at 63% with the North East having the lowest upheld rate at 46%
- The North East had the highest proportion of Children Education and Adult Social Care Complaints with the East Midlands the lowest rate on both.

In summary Stockton was in line with National trends but maintained a lower level of cases upheld. This was a positive position considering the North East region made the highest level of complaints / enquiries particularly in the areas of Adults and Children's Social Care and Education. This suggested that the councils approach to dealing with and managing complaints was robust. Learning from this report and the trend in rising national figures, would be considered in future policy developments and staff training.

RESOLVED that:-

1. The report be noted which sets out that no formal public interest reports had been received,
2. The effective procedures be noted that remain in place to ensure that all learning from Ombudsman recommendations and findings take place.
3. Reasons for the Decision  
To ensure Members are aware of the position regarding complaints to the Ombudsman about the Council.
4. Alternative Options Considered and Rejected

None.

5. Declared (Cabinet Member) Conflicts of Interest

None.

6. Details of any Dispensations

N/A

7. Date and Time by which Call In must be executed

Midnight, 23 September 2019.

Proper Officer  
17 September 2019