

Report to: Standards Committee

Date: 12th October 2023

Report Author: Executive Director (Legal & Democratic Services)

Title of Report: Annual Ombudsman's Letter 2022/23

1. Purpose of Report

- 1.1 This report informs Committee about the annual Local Government Ombudsman's (LGO's) letter for 2022/23

2. Recommendations

- 2.1 That Committee welcomes the Ombudsman's letter for 2022/23 and notes this report; and
- 2.2 Notes the Council's new compliant policy and the new two stage complaint process;

3. Background and Reasons for Recommendations

- 3.1 The LGO has now published its annual complaint figures in respect of each local authority for the period 1st April 2022 to 31st March 2023. This data is produced in respect of every local authority in the same format.
- 3.2 The Ombudsman's letter does not specifically flag up any areas of concern about either the Council's services or its procedures for dealing with complaints. For many years the LGO received a low level of complaints about Hyndburn, which made it difficult to identify trends from the statistical information provided. The low level of complaints may however have reflected good service delivery and / or a good internal complaint handling process. However, this year the LGO has not published the number of complaints it has received in respect of each local authority and has instead only provided information about the complaints in decided to investigate.
- 3.3 During 2022/23 the LGO completed 2 detailed investigations in response to complaints about the Council, but the complaints were not upheld. This is reassuring as the LGO changing its investigation process during 2022/23 which has resulted in a national increase in the number of complaints upheld following a formal investigation.
- 3.4 The table below shows a comparison between the Council's position and that of neighbouring District Councils over the same period. This exercise does not indicate any obvious cause for concern in respect of the Council, with Hyndburn's performance being comparable to its Lancashire neighbours. In addition, the level of complaints across the County is so low as to make it difficult to draw any specific conclusions from the statistics available:

Council	Complaints upheld by LGO	Complaints investigated
Hyndburn	0	2
Burnley	4	5
Pendle	1	1
Rossendale	0	1
Ribble Valley	1	1
Chorley	1	1
South Ribble	0	0
Preston	2	4
West Lancs	1	1
Lancaster	1	2
Wyre	2	2
Fylde	2	2

- 3.5 This year the Council has reviewed and updated its complaints policy to ensure it remains effective and fit for purpose. The review was driven by a wish to provide a quick and effective response to complainants, whilst ensuring the complaints process was not unduly burdensome for those involved. It was decided to reduce the complaints process from a three to a two stage process as summarised in the table below:

Old complaint policy	New complaint policy
Stage 1: complaint dealt with informally by the relevant Council service at point of customer contact	Stage 1: complaint dealt with informally by the relevant Council service at point of customer contact
Stage 2: complaint considered by the service manager (or a supervisor) and a written response provided	Stage 2: complaint considered by the service manager (or a supervisor) and a written response provided
Stage 3: the complainant has a right of appeal to an independent chief officer who will consider the matter afresh and provide a written response If the complainant remained dissatisfied they may make a complaint to the Local Government Ombudsman.	If the complainant is dissatisfied with the service manager's reply they may make a complaint to the Local Government Ombudsman. There is no appeal to an independent chief officer.

The new process enables complainants to progress more quickly to the LGO and it is therefore anticipated that the number of complaints made to the Ombudsman may increase. However, if service manager's conduct a thorough and fair investigation and provide a good quality reply to each complaint, it is hoped that the number of complaints investigated and / or upheld by the LGO will not significantly increase. The operation of the new policy will be monitored closely over the first year of its operation both in terms of its overall success, but also to identify service areas or service managers who may require additional support with complaint handling. Complaint training (delivered by the Head of Internal Audit, Head of Policy & OD and Executive Director – legal & Democratic Services) is also currently being rolled out to all service managers and supervisors who may be called upon to deal with stage 2 complaints.

4. Alternative Options considered and Reasons for Rejection

4.1 None. This is a report for information.

5. Implications

Issue	Comments
Financial (including mainstreaming)	No costs identified.
Legal	No issues identified. The Ombudsman's letter gives a general indication of the Council's approach to dealing with complaints. A fair and open complaint handling process is one indicator of the strength of the Council's corporate governance arrangements. Nothing in letter indicates that there is cause for concern about the Council's current arrangements.
Assessment of Risk	No risks identified.
Equality	No equality issues identified.

6. Consultations

6.1 None.

7. Local Government (Access to Information) Act 1985: List of Background Papers

Ombudsman's letter dated July 2023

8. Freedom of Information

- 8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.