

Report to:	OVERVIEW PANEL
Date:	23 November 2020
Reporting Officer:	Sandra Stewart – Director of Governance & Pensions
Subject:	LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) COMPLAINTS ANALYSIS
Report Summary:	This report provides a summary and comparison of complaints made to the LGSCO with the council and its neighbouring authorities.
Recommendations:	The Panel is asked to note the content of the update
Corporate Plan:	Putting people at the forefront of services is a key element of the Council's Corporate Plan. An effective and robust complaints handling procedure is a necessary step to achieving this.
Policy Implications:	An effective complaint function means that residents who do not receive the best quality service can notify the Council for the purposes of redress and the improvement of services in the future. It is important for the Council to take notice of findings and guidance on complaint handling to aid best practice. As a leader for the Customer Service Excellence standard it is also important to use this as an improvement tool to inform our custom and practice for service delivery.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are no direct financial implications as a result of this report however dealing with service failure has a financial impact both in terms of the consequences of the complaint and the significant resource required to respond to the complaint process.
Legal Implications: (Authorised by the Borough Solicitor)	<p>The Ombudsman's jurisdiction is covered by the Local Government Act 1974 which defines the main statutory functions for the Ombudsman as:</p> <ul style="list-style-type: none"> • to investigate complaints against councils and some other authorities • to investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009). <p>The Ombudsmen's jurisdiction under Part III of the Act covers all local authorities (excluding town and parish councils); police and crime bodies; and school admission appeal panels.</p> <p>The LGO corporate strategy is based upon twin pillars of remedying injustice and improving local public services.</p> <p>The Ombudsman is confident that the continued publication of decisions, focus reports on key themes and the data in the annual review letter is helping the sector to learn from its mistakes and support better services for citizens. Recently, Councils have been urged to scrutinise data on complaints to improve services.</p> <p>It is important that the Council takes even greater measures to ensure that it is able to evidence that it learns from complaints and</p>


uses this learning to improve and maintain the quality of the services it commissions and provides

Risk Management:

Failure to understand complaints received by the Council and analyse volumes and themes overall will lead to a risk of poor service delivery.

Access to Information:

The background papers relating to this report can be inspected by contacting the report writer Julie Speakman Head of Executive Support.

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1. INTRODUCTION

- 1.1 The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care homes and home care providers).
- 1.2 Every July the Ombudsman publishes information on the complaints and enquiries received by individual local authorities and the decisions made during that financial year as part of an Annual Letter. This information can be valuable in helping local authorities assess their performance in handling complaints. Intrinsic to the learning from this process the annual report is reported to Overview/Scrutiny to provide further challenge and inform learning of systems and process for improved outcomes for service delivery and customer experience from these.
- 1.3 The Annual Letter for the period 1 April 2019 to 31 March 2020 the authority was reported to Overview on 7 September 2020. At this meeting, members of the panel were interested to understand in more detail how the council was comparing with other local authorities in relation to number of cases, type and learning for example and this report outlines this additional information.

2. COMPARTIVE FINDINGS

- 2.1 The reportable period for the annual report and the comparative data contained in this report is 1 April 2019 – 31 March 2020. As part of the annual report local authorities receive data in relation to the service areas, the complaints received by the LGSCO relate. **Table 1** below shows the breakdown of complaints received by local authorities by service theme in addition to the overall total number of complaints received. For the reportable period, the LGSCO received a total of 70 complaints for Tameside across the service themes below. This is compared to Manchester at the higher end with 157 and Rochdale at the lower end with 51 complaints.
- 2.2 The highest service theme of complaints for Tameside was in the Education and Children's Services with 20 complaints and 19 for Adult Social Care. Housing with 2 and Other with 1 at the lower end. This is comparable for higher end complaints being received in the themes of Education and Children's Services and Adults Social Care for the majority of GM local authorities. In relation to the overall number of complaints received Tameside are not out of kilter with 50% of other GM authorities.

Table 1 Authority Name	Adult Social Care	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environmental Services, Public Protection & Regulation	Highways and Transport	Housing	Planning & Development	Other	Total
Bolton	11	12	7	12	7	2	2	7	0	60
Bury	12	2	7	25	11	8	6	2	0	73
Manchester	13	27	9	28	17	35	17	8	3	157
Oldham	11	7	3	18	5	8	4	19	0	75
Rochdale	12	8	7	9	3	3	1	7	1	51
Salford City Council	8	30	1	11	8	2	5	6	2	73
Stockport	18	6	2	16	11	6	1	1	2	63
Tameside	18	8	3	20	6	3	2	9	1	70
Trafford	19	14	4	13	31	10	2	6	2	101
Wigan	15	13	5	11	10	5	9	8	3	79

2.3 Table 2 below outlines the number of detail investigations carried out by the LGSCO across GM local authorities. Manchester received the highest number of investigations with 29 of which 17 were upheld, compared to Bolton with 7 investigations and 3 upheld. Tameside were middle with 15 detailed investigations with 7 being upheld. As you can see Tameside is in line with 6 of the 10 local authorities in relation to number of investigations and number upheld. All local authorities achieved 100% compliance with the LGSCO recommendations.

Table 2

Local Authority	Number of detailed investigations	Number upheld	% Upheld	% Compliance with LGO recommendations
Bolton MBC	7	3	43% (67%)	100%
Bury MBC	15	6	40% (67%)	100%
Manchester CC	29	17	59% (67%)	100%
Oldham MBC	13	7	54% (67%)	100%
Rochdale MBC	15	7	47% (67%)	100%
Salford CC	17	12	71% (67%)	100%
Stockport MBC	17	10	59% (67%)	100%
Tameside MBC	15	7 details can be found here:	47% (67%)	100%
Trafford	27	19	70% (67%)	100%
Wigan MBC	14	4	29% (67%)	100%

2.4 In relation to satisfactory remedies - the authority upheld the complaint and we agreed with how it offered to put things right. The Ombudsman wants to encourage the early resolution of complaints and to credit authorities that have a positive and open approach to resolving complaints. The Ombudsman recognise cases where an authority has taken steps to put things right before the complaint was reported to them. The authority upheld the complaint and the ombudsman agreed with how the authority offered to put things right. Table 3 shows the Number of Satisfactory remedies provided by each local authority prior to the LGSCO involvement. Tameside again is in the middle of the pack in this field.

Table 3

Local Authority	Number of Satisfactory remedies provided by council prior to LGSCO involvement	% Satisfactory remedies provided by council prior to LGSCO involvement
Bolton MBC	0	0% (11%)
Bury MBC	0	0% (11%)
Manchester CC	2	12% (11%)
Oldham MBC	2	29% (11%)
Rochdale MBC	0	0% (11%)
Salford CC	4	33% (11%)
Stockport MBC	0	0% (11%)
Tameside MBC	2	29% (11%) details can be found here:
Trafford	4	21% (11%)
Wigan MBC	0	0% (11%)

2.5 As an open and accountable ombudsman service the LGSCO are committed to having transparent decision making processes. The LGSCO publish all of their decisions. Real names are not used. In certain cases, where it is not in the complainant's interest or anonymity may be compromised, they can decide not to publish a decision. Decisions are

published three months after the date of completion. Table 4 outlines the number of Public reports published by the LGSCO in the last 5 years. The three noted below for Tameside were related to Adult Social Care 2, and encouragement of public scrutiny of complaints 1.

Table 4

Local Authority	Public Reports Published by LGO in last 5 Years
Bolton MBC	2
Bury MBC	1
Manchester CC	0
Oldham MBC	0
Rochdale MBC	1
Salford CC	1
Stockport MBC	1
Tameside MBC	3 details can be found here:
Trafford	1
Wigan MBC	0

- 2.7 Where the LGSCO find fault they carefully look at the root cause and propose recommendations to the local authority for improvements to systems and processes so that the issues do not reoccur. Table 5 outlines the number of service improvements agreed by the each authority with the LGSCO. Tameside fairs well in this area. Complaints should be seen as a tool for improvement and any external validation/recommendation in this area is greatly welcomed.

Table 5

Local Authority	Number of service improvements agreed by Council
Bolton MBC	15
Bury MBC	6
Manchester CC	12
Oldham MBC	5
Rochdale MBC	5
Salford CC	4
Stockport MBC	12
Tameside MBC	7 details can be found here:
Trafford	13
Wigan MBC	4

- 2.8 For the 7 received for Tameside, these covered areas relating to Adult Social Care 4, Education 2 and 1 Children’s Social Care. For other local authorities, the areas of service improvements are not too dissimilar and including other areas like Planning, Benefits and Highway matters.

3. CONCLUSION

- 3.1 From reviewing the comparative data across the ten GM authorities, the performance of Tameside MBC is not too dissimilar to our nearest neighbours. Similar themes of complaints in relation to service, type, volume are also comforting to see.

- 3.2 The Council will always strive to ensure that complaints are resolved through its two stage complaints process, however recognise that in not all cases it will be subject to complaints being escalated to the LGSCO. In doing so the Council will continue to use this external review and validation of its systems and processes to ensure that ongoing development and learning can take place.

4. RECOMMENDATIONS

- 4.1 As set out at the front of the report.