

THIS ITEM IS FOR INFORMATION ONLY

Title of meeting: Governance and Audit and Standards Committee

Subject: Local Government Ombudsman Complaints 2015/2016.

Date of meeting: 3 February 2017

Report by: Director of Community and Communications

Wards affected: All

1. Requested by

Director of Community and Communications

2. Purpose

To bring to the attention of the Governance & Audit & Standards Committee the Annual Review of Complaints by the Local Government Ombudsman dated July 2016 regarding the complaints it has considered against Portsmouth City Council for the year 2015/2016.

3. LGO complaint review information

3.1. The local government ombudsman's annual review provides a national summary of the complaints they have dealt with. This years Annual Review shows an increase in the number of detailed investigations upheld. 51% of detailed investigations were upheld in 2015/16, compared to 46% in the previous year

3.2. The LGO received 19,702 complaints and enquiries about local authorities for the year ending 31 March 2016, which is a similar level to the previous year.

3.3. This year's review saw a 13% increase in complaints and enquiries about education and children's services.

3.4. The Local Government Ombudsman also saw the biggest increase in percentage terms (13%) in complaints and enquiries about education and children's services.

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3.5 Complaints about Portsmouth City Council

Directorate	Number of complaints received 2015/16	Number of complaints received 2014/15
Adult Social care	13	10
Benefits and Council Tax	8	3
Corporate and Other Service	3	4
Education and Children's Services	15	11
Environmental Services and Public Protection	5	3
Highways and Transport	5	9
Housing	2	4
Planning and Development	1	1
Total	47	45

Decisions made

	2015/16	2014/15
Upheld	2	9
Not Upheld	3	6
Advice given	1	1
Closed after initial enquiries	12	7
Incomplete/Invalid	4	3
Referred back for local resolution	25	23
Total	47	49*

* 4 outcomes related to complaints received in the period 2013/14

3.6 The Local Government Ombudsman received 47 complaints and enquiries about Portsmouth City Council during 2015/2016, compared with 49 in 2014/2015. During the same period 47 decisions were made regarding Portsmouth City Council. Please see the breakdown of these cases shown above.

3.7 The 2 upheld cases were remedied as a result of an investigation by the ombudsman. These are termed as 'local settlements' and are where, during the course of an investigation, the council takes or agrees to take some action which the Local Government Ombudsman considered to be a satisfactory conclusion to the complaint.

3.8 Portsmouth City Council has a 100% compliance rate.



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4. Comparison to other local authorities

Number of complaints received

Directorate	Brighton and Hove	Bristol City Council	Portsmouth	Southampton	Isle of Wight
Adult Social care	27	14	13	10	19
Benefits and Council Tax	13	33	8	10	7
Corporate and Other Service	5	15	2	7	2
Education and Children's Services	28	23	15	18	9
Environmental Services and Public Protection	4	24	5	12	3
Highways and Transport	12	18	5	5	9
Housing	13	28	2	5	7
Planning and Development	21	28	1	3	4
Total	123	183	47	67	60

Decisions made

Upheld	21	29	2	7	14
Not Upheld	33	16	3	5	5
Advice given	0	15	1	2	0
Closed after initial enquiries	37	45	12	14	11
Incomplete/Invalid	8	5	4	3	0
Referred back for local resolution	38	66	25	34	25
Total no. complaint	137	176	47	65	55
Complaints remedied by LGO	12	12	2	6	11
Complaints remedied by authority	5	3	0	1	1
Compliance rate	100%	100%	100%	100%	100%

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5. Agreed actions in response to upheld complaints

Complaints below have been anonymised.

5.1 Children's Social Care

5.1.1 The complainant complained that the Council:

- failed to provide care payments as a Family and Friends carer for his two nephews after the Council asked him to care for them;
- failed to provide appropriate support for him whilst he was their carer;
- made false allegations against him and reported them to his employer;
- failed to inform him about care proceedings despite accepting he had parental responsibility.

5.1.2 Outcome: The Council failed to accept its duty to care for two young brothers or to recognise their uncle as being a Friends and Family Foster Carer. This meant their uncle did not receive payments or support while they were in his care and the boys suffered distress and upheaval through having to move several times to different carers.

5.2 Children's Services and Education

5.2.1 The complainant complained that the Council has failed to make the provision specified in his daughter Statement of Special Educational Needs (SEN).

5.2.2 Outcome: The Council failed to make all the speech and language therapy provision the complainant's daughter's Statement of Special Educational Needs. It has agreed to complete the transfer to an Education Health and Care Plan by 15 February 2016 and pay the complainant £250 for his loss of opportunity to appeal to the SEND Tribunal.

6. Summary

The percentage of complaints upheld in 2015/16 was 40%. This was lower than the national average and showed a reduction from 2014/15 (60%). The review also advises that the Council has seen a decrease in the number of complaints that required investigation or complaints being upheld by the Ombudsman. Overall, our statistics compare favourably with those from our neighbouring authorities.

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Signed by (Director)

Appendices: Nil

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Review of Local Government Complaints 2015/16	http://www.lgo.org.uk/information-centre/news/2016/jul/ombudsman-upholding-more-complaints-about-local-government