



**Report Reference Number: A/20/15**

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**To:** Audit and Governance Committee  
**Date:** 24 October 2020  
**Status:** Non-Key Decision  
**Ward(s) Affected:** All  
**Author:** Alison Hartley Solicitor to the Council & Monitoring Officer  
**Lead Executive Member:** Councillor Mark Crane, Leader of the Council  
**Lead Officer:** Alison Hartley Solicitor to the Council and Monitoring Officer

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**Title: Local Authority Ombudsman Annual Review Letter 2020**

**Summary:**

This report provides Members with the Local Government Ombudsman's Annual Review Letter 2020 for Selby District Council for consideration.

**Recommendation:**

**To note the content of the letter and provide any comments for consideration by the Leadership Team.**

**Reason for recommendation:**

To ensure that lessons are learned from any service failures or findings and to ensure openness and transparency.

**1. Introduction and background**

The office of Local Government Ombudsman (now the Local Government and Social Care Ombudsman "LGSCO") was established under the Local Government Act 1974. The Ombudsman deals with complaints against Local Authorities amongst other public bodies such as national parks, fire authorities, police and crime commissioners and other Government bodies.

The LGSCO is the final stage for complaints, as the complainant must have first progressed through the internal complaints procedure before the Ombudsman will accept a complaint. Therefore, complaints to the Ombudsman often represent only a small proportion of the total number of complaints made.

The Ombudsman usually cannot look at a complaint if:

- it is made more than 12 months since the knowledge of the issue arose
- the complainant is not personally affected, e.g. the issue affects most people in the area
- the complainant has not been caused an injustice
- it is about personnel matters (such as employment or disciplinary issues)
- the complainant has the right of appeal or can take legal action and the LGO thinks it is reasonable for them to do so. This might be to:
  - a tribunal (such as the Housing Benefit Appeals Service)
  - a government minister (such as a planning appeal)
  - the Courts

Each year the Ombudsman issues an annual report. An annual summary of the complaints made in the previous 12 months including the resultant decisions is provided to each local authority. The Annual Letter is at Appendix A, and contains a link to Selby District Council's Statistics and Ombudsman Reports for Member's information:

<https://www.lgo.org.uk/Decisions/SearchResults?t=both&fd=2019-04-01&td=2020-03-31&dc=c%2Bnu%2Bu%2B&aname=Selby%20District%20Council&sortOrder=descending>

## **2. The Report**

- 2.1 The LGSCO Annual Report for Selby states that 12 complaints and enquiries were made against the District Council with 5 decisions being made. There were 7 instances where matters were closed after initial enquiries. This is because the Ombudsman's office will assess the complaints received before coming to a decision on whether they merit a detailed investigation or not. 5 cases progressed to detailed investigation. In relation to the 5 detailed investigations; 3 were upheld. In relation to matters referred to the Ombudsman Service in 19/20, the majority of cases concerned planning and development and housing.
- 2.2 The LGSCO Annual Letter recognises the importance of complaints in terms of positive learning and improvement of services that can result following their consideration. It is pleasing to note that the Selby District Council statistics show a 100% record of successfully implementing Ombudsman recommendations, and that in 33% of upheld cases they found the Council had provided a satisfactory remedy before the complaint reached the Ombudsman. This compares to an average of 20% in similar authorities.
- 2.3 It should be noted that the Covid-19 Lockdown did not occur until March 2020, and therefore has not impacted upon complaints handling that is reported in the Annual Letter. Following Lockdown, the Ombudsman Office postponed investigation of complaints and instead focussed on providing advice and support to local authorities, and therefore the picture to be reported next year is unlikely to show comparative data.

2.4 Members are asked to note the positive way in which lessons have been learned and action taken to implement recommendations.

### **3. Implications**

#### **3.1 Legal Implications**

None.

#### **4.2 Financial Implications**

None.

#### **4.3 Policy and Risk Implications**

None.

#### **4.4 Corporate Plan Implications**

None.

#### **4.5 Resource Implications**

None.

#### **4.6 Other Implications**

None.

#### **4.7 Equalities Impact Assessment**

None.

### **5. Conclusion**

The information provided in the Annual Review Letter assists the Council in improving performance and understanding the needs of local residents.

### **6. Background Documents**

None.

### **7. Appendices**

Appendix A –Annual Letter from the LGO dated 24 July 2019 and Summary of Complaints 2019-20

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