

LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN'S ANNUAL REVIEW 2016/2017

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1. Purpose

- 1.1 To receive an update on the Annual Review 2016/2017 of the Local Government & Social Care Ombudsman.

2. Recommendations

That the Ombudsman's Annual Review 2016/2017 be noted.

3. Issues and Choices

- 3.1 The Local Government & Social Care Ombudsman Annual Review letter was received on the 20 July 2017. A number of cases will have been received and decided in different business years, this means that the number of complaints and enquiries received will not always match the number of decisions made.

In 2016/17 the Council received 66 complaints and enquiries compared to 58 in 2015/16.

In 2016/17 the Council received 54 decisions compared to 63 in 2015/16.

The Local Government & Social Care Ombudsman received 19,077 complaints and enquiries about Local Authorities in 2015/16 compared to 19,702 in 2015/16.

3.2 Finding of Maladministration

The Local Government & Social Care Ombudsman continues to describe their decisions in terms of upholding or not upholding. The decision reasons aim to be transparent and easier for people to understand.

54 decisions were made in 2016/17:

- The Local Government & Social Care Ombudsman upheld 11% of the Council's complaints after detailed investigations were carried out compared to 14% in 2015/16.

In line with the Local Government and Housing Act 1989 and the Local Government Act 1974.

- Where findings of maladministration/fault are made in regard to routine mistakes and service failures, and the authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, the Monitoring Officer will make an annual report to the Council summarising the findings on all upheld complaints.

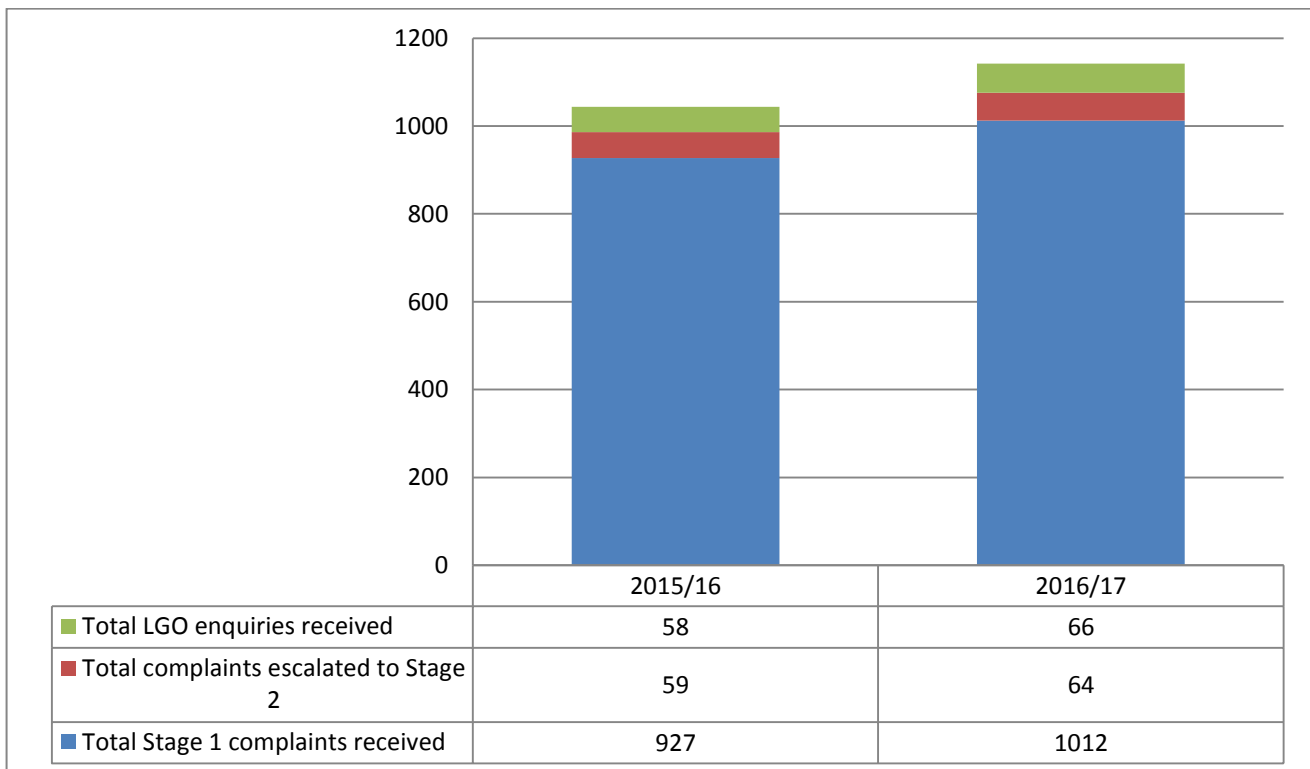
- Where an investigation has wider implications for Council policy or exposes a more significant finding of maladministration, perhaps because of the scale of the fault or injustice, or the number of people affected, the Monitoring Officer will consider whether the implications of that investigation should be individually reported to the Council.
- Where a formal, public report is made to the authority the Monitoring Officer will lay that report before the Council for consideration.

	Nature of Complaint	Resolution
1 - 3	<p>Adult Social Care The Local Government and Social Care Ombudsman upheld three complaints during 16/17 in relation to Adult Social Care. The council accepted the findings and recommendations made and a report was shared with Cabinet detailing this.</p>	<p><i>Upheld: Maladministration and injustice</i></p> <p>A review of practice identified opportunities to ensure that future assessments for Adult Social Care entitlement are consistently transparent and well documented.</p> <p>Milton Keynes agreed a multi-agency protocol in February 2016 for transitions from childhood to adulthood for children/young people and their carers regarding care and support needs.</p>
4.	<p>Taxi Licensing The complainant raised concerns about various aspects of the Council's policies affecting public hire drivers.</p>	<p><i>Upheld: Maladministration and injustice</i></p> <p>The Council issued a written apology to Mr A for any confusion and frustration caused by its communication about enforcement issues.</p>
5.	<p>Housing The Council failed to give the complainant the correct advice when she was concerned about being evicted from her home; but this did not result in her building up rent arrears. It also failed to properly consider some of her circumstances when it placed her in temporary accommodation. However the complainant had failed to provide the Council with the correct financial information at the earliest opportunity which is likely to have resulted in the Council making a different decision about her temporary accommodation.</p>	<p><i>Upheld: Maladministration and injustice</i></p> <p>The Council apologised to Mrs B for giving her the wrong advice about her homeless application and for failing to properly consider all of her circumstances when it placed her in, and subsequently reviewed, her first temporary accommodation placement. Guidance was also issued to staff on this issue.</p>
6.	<p>Waste The complainant raised concerns about the conduct of refuse collection operatives contracted by the Council and about the way the Council handled his subsequent complaint.</p>	<p><i>Upheld: no further action.</i></p> <p>The Ombudsman discontinued the investigation because the Council offered a remedy which was satisfactory and proportionate to the injustice</p>

		caused. The Council acknowledged fault, apologised, cleaned the bin and offered to inspect the storage unit.
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- 2 complaints were incomplete or invalid in 2016/17 compared to 2 in 2015/16.
- Advice was given to 2 complaints in 2016/17 compared to 5 in 2015/16.
- 16 complaints were closed after initial enquiries in 2016/17 compared to 20 in 2015/16.
- 21 complaints were referred back to the Council to go through the complaints procedure in 2016/17 compared to 21 in 2015/16.
- 7 complaints were not upheld after detailed investigations in 2016/17 compared to 6 in 2015/16.

Milton Keynes Council Customer Feedback



4. Implications

4.1 Policy

The Council is committed to using the Complaints Procedure as a learning tool to improve customer service.
Resources and Risk

The Annual Review is reflective of the Council's handling of complaints and the Council faces reputational damage and loss of confidence of its citizens if satisfactory resolutions are not agreed and delivered.

No	Capital	No	Revenue	No	Accommodation
No	IT	No	Medium Term Plan	No	Asset Management

4.2 Carbon and Energy Management

None

4.3 Legal

None

5. **Other Implications**

Yes	Equalities / Diversity	No	Sustainability	Yes	Human Rights
No	E-Government	Yes	Stakeholders	No	Crime and Disorder
No	Carbon and Energy Policy				

Background Papers:

Local Government & Social Care Ombudsman Annual Review Letter
2016/2017 Dated 20 July 2017