

London Borough of Hammersmith & Fulham

Report to: Audit Committee

Date: 12 September 2023

Subject: Local Government and Social Care Ombudsman Annual Review Letter 22/23

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Responsible Director: Nicola Ellis, Strategic Director, Chief Operating Officer, Corporate Services

Summary

The Local Government and Social Care Ombudsman (LGSCO) provides all member organisations with an annual letter every July. This provides a summary of performance in the previous financial year. This report updates Audit Committee on the content of the most recent annual letter which refers to performance from April 2022 to March 2023.

This demonstrates that performance of Hammersmith and Fulham Council has improved when compared to 2021/2022 and our performance is better than the average for similar authorities and in the top four when compared to all London Boroughs.

The LGSCO covers majority of council services excluding most Housing services which are covered by the Housing Ombudsman. The Housing Ombudsman does not provide an annual letter but publishes performance data annually in December. This will be reported at that time.

Recommendation

1. That Audit Committee note and comment on the content of the LGSCO Annual Letter.

Wards Affected: All

H&F Priorities

Our Priorities	Summary of how this report aligns to the H&F Priorities
Building shared prosperity	Having effective systems in place to monitor feedback from residents enables opportunities to improve services for our residents' benefit.
Creating a compassionate council	Understanding difficulties our residents face in dealing with our services where residents are experiencing their most difficult circumstances or have complex needs

Our Priorities	Summary of how this report aligns to the H&F Priorities
Doing things with local residents, not to them	Learning from our residents' feedback enables us to ensure that we are delivering services that meet their needs.
Being ruthlessly financially efficient	Providing a service that meets residents needs provides value for money. Ensuring we learn from our mistakes and improve services accordingly is financially efficient.
Taking pride in H&F	Providing accessible and effective services to our residents and businesses makes Hammersmith and Fulham an attractive place to live work and do business in
Rising to the challenge of the climate and ecological emergency	A more efficient service increases the opportunity for digital delivery and better facilitates sustainable service delivery.

Background

When a resident has exhausted the corporate complaints procedure and if they are still dissatisfied with our response, they can make a complaint to either the Local Government & Social Care Ombudsman (LGSCO) or the Housing Ombudsman.

Each year the LGSCO provides an annual review of performance. This report considers the LGSCO annual review.

LGSO Annual Review Letter 2022/2023

The Annual Review letter was received on 19th July 2023 and is included as Appendix A.

In addition, the LGSCO also provide details of all cases considered during the period and those where the decision was upheld.

During the period (April 22 – Mar 23) the LGSCO received **88 cases** (80 cases in 21/22). The table below sets out the overall summary by service and the outcomes:

Service	Received	Resolved	Investigated	Upheld
Adult Social Care	8	6	2	2
Benefits and Tax	2	2	-	-
Education and Childrens	12	5	7	5
Environment and Public	7	7	-	-
Highways and Transport	10	5	5	2
Housing	38	31	7	3
Planning	7	-	7	6
Other	4	4	-	-
Total	88	60	28	18

It is important that the number of requests received by the LGSCO should be considered in the context of the considerable volume of serves provided to the 189,000 residents of the Borough.

During the period the LGSCO only fully investigated 28 requests (17 in 21/22) and a decision issued. Others were concluded for a variety of reasons including being closed after initial enquiries, giving advice to follow complaints process, closed as incomplete or invalid or referred back for local resolution.

Of the 28 decisions made in the period, 18 of those were upheld (i.e the Ombudsman agreed with the complainant). This means our percentage of **decisions upheld is 64% (lower than 76% in 21/22)**. The average for similar authorities is 77%. We have improved since last year and are better than similar authorities.

The LGSCO also reports on compliance with recommendations and orders and we had **100% compliance** compared to an average in similar authorities of 99%. We have maintained our 100% performance and are performing better than similar authorities.

The LGSCO reports on cases where the authority has satisfactorily resolved the issue prior to the decision being issued. We had **28% resolved (8% in 21/22)** and this compares to an average of 15%. We have improved since last year and are performing better than similar authorities.

Our performance is compared to previous years in the table below:

	20/21	21/22	22/23
Numbers of full decisions	10	17	28
Decisions upheld	70%	76%	64%
Compliance	100%	100%	100%
Resolution prior to decision	0%	8%	28%

NB 20/21 Decisions were lower as the Ombudsman stopped accepting complaints for a period during the pandemic.

Comparisons with London Boroughs

The performance for all London Boroughs is shown in Appendix B.

The Council had the **4th lowest percentage of decisions upheld** of all London Boroughs.

It is also positive to see that we have the **4th highest percentage of cases where the issue had been resolved prior to the decision**, of all London Broughs.

Responses on Housing Cases

The Ombudsman has pointed out that they encountered delays in requesting information from Housing stating that 4 out of 5 responses were late. They have also commented about poor quality of responses and that in one case the resident had been signposted to the incorrect Ombudsman. The Ombudsman commented on delays to

Housing responses last year also. We have approached the Ombudsman for further information on the cases referred to and carried out some further analysis.

The cases referred to are detailed in the table below with comment following further investigation.

Our ref	Enquiries sent	Date due	Date received	Days to respond	Comment
22005303	27 Sep 2022	26 Oct 2022	02 Nov 2022	26	An extension was granted by the Ombudsman and information was returned in the extension period.
22005541	29 Sep 2022	28 Oct 2022	31 Oct 2022	22	28 th was a Friday and this was sent on the Monday so one working day late.
22008429	16 Nov 2022	08 Dec 2022	21 Dec 2022	25	Information was sent on 9 th December one working day late. The date of 21 st December is incorrect.
22010276	07 Dec 2022	13 Jan 2023	13 Feb 2023	42	It is accepted that in this case there were severe delays and there has been significant learning from this case which has been used in training.

These cases will be raised with the Assistant Ombudsman at a future meeting. Since these cases there have been changes in the management of Ombudsman cases within Housing with all going through the Dispute Resolution Team and being tightly controlled. This is in addition to the controls in place to manage responses through the Resident Experience Team.

LIST OF APPENDICES

Appendix A. LBHF LGSCO Annual Review

Appendix B. LGSCO London Boroughs Performance 2022/2023