



LGO link

Keeping Link Officers up-to-date on developments at the LGO

July 2014

Local Government Report/annual letters

As you may know, the publication of this year's annual letters will coincide with publication of an in-depth report reviewing the last year in local government complaints. This report will feature some of the statistics in the annual letters. This is the first time we are publishing such a report and we aim to make it an annual publication.

We will email you a copy of your annual letter around a week before the report is published - we are expecting to publish the report on **15 July** so we will email you a copy of your annual letter on the **7 July**.

As we mentioned in the last edition of link we welcome your [feedback](#) on the report. However, we are not in a position to provide any further detailed information about the data we present in the report or in your annual letter. We understand that our figures may not match the data collected by local authorities. Typically the differences between our data and data held by local authorities reflect that we refer a proportion of recorded complaints to the council for local resolution but the complainant may not always pursue the complaint. We are satisfied that the figures we will provide accurately reflect the data we hold for the financial year 2013-14.



Annual letters emailed to councils



Local Government Report published

Annual letters - describing our decisions

As you know, we now describe our decisions in terms of upholding and not upholding complaints, which brings us closer in practice with how other Ombudsman schemes and many local authorities describe their complaints.

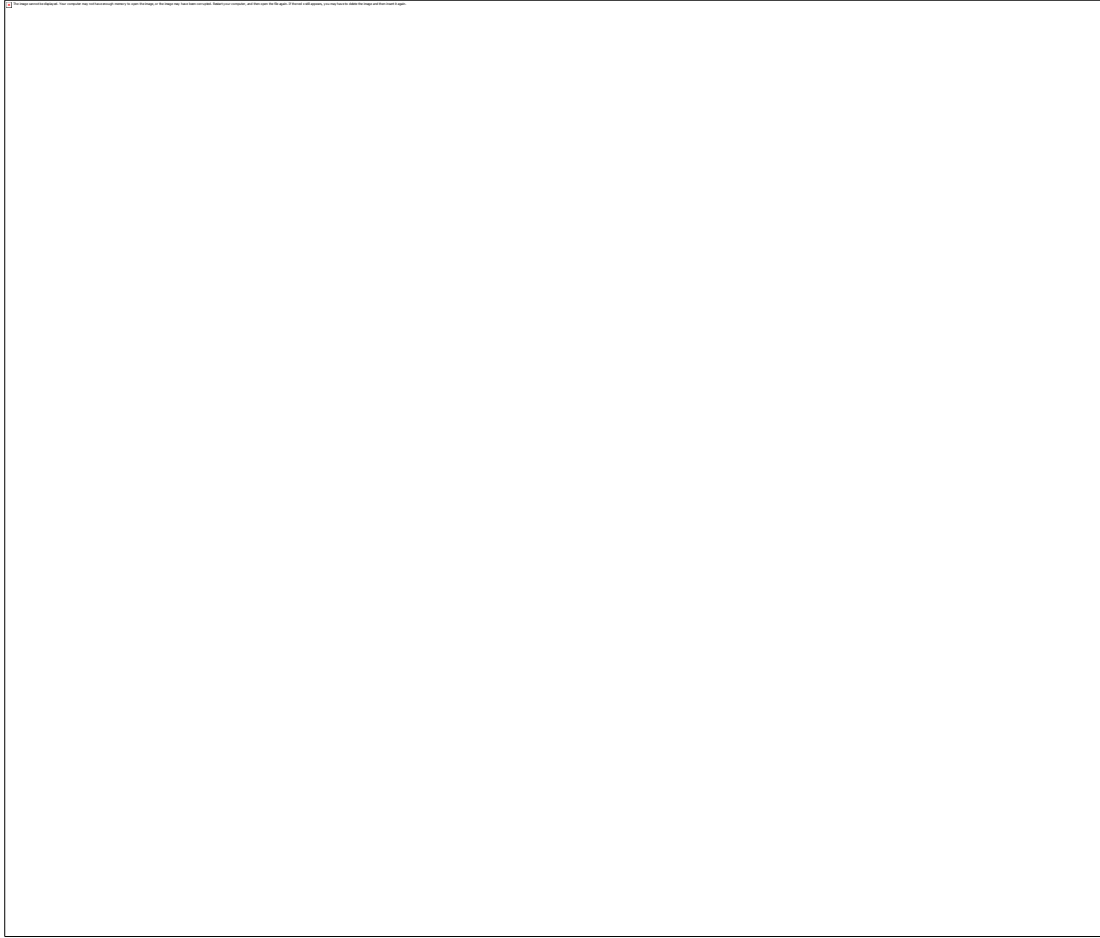
We used these new decision reasons to describe complaint outcomes in our recent [Review of Adult Social Care Complaints 2013](#) report. The feedback we've received is that the new descriptions make the information far more accessible, especially for members of the public. We've therefore decided to publish last year's data against the new decision reasons in this year's annual letters.

We appreciate that you may have recorded complaint outcomes throughout the year against our old descriptions: the information and table below should help you match the descriptions across.

- **Upheld:** These are complaints where we have decided that an authority has been at fault in how it acted and that this fault may or may not have caused an injustice to the complainant, or where an authority has accepted that it needs to remedy the complaint before we make a finding on fault. If we have decided there was fault

and it caused an injustice to the complainant, usually we will have recommended the authority take some action to address it.

- **Not upheld:** Where we have investigated a complaint and decided that a council has not acted with fault, we classify these complaints as not upheld.
- **Advice given:** These are cases where we give advice about why LGO would not look at a complaint because the body complained about was not within the LGO's scope or we had previously looked at the same complaint from the complainant, or another complaints handling organisation or advice agency was best placed to help them.
- **Closed after initial enquiries:** These complaints are where we have made an early decision that we could not or should not investigate the complaint, usually because the complaint is outside LGO's jurisdiction and we either cannot lawfully investigate it or we decide that it would not be appropriate in the circumstances of the case to do so. Our early assessment of a complaint may also show there was little injustice to a complainant that would need an LGO investigation of the matter, or that an investigation could not achieve anything, either because the evidence we see shows at an early stage there was no fault, or the outcome a complainant wants is not one we could achieve, for example overturning a court order.
- **Incomplete/Invalid:** These are complaints where the complainant has not provided us with enough information to be able to decide what should happen with their complaint, or where the complainant tells us at a very early stage that they no longer wish to pursue their complaint.
- **Referred back for local resolution:** We work on the principle that it is always best for complaints to be resolved by the service provider wherever possible. Furthermore, the Local Government Act 1974 requires LGO to give authorities an opportunity to try and resolve a complaint before we will get involved. In many instances, authorities are successful in doing this.



We will also be including the following explanatory note about the statistics on our website:

It must be remembered the bare numbers of complaints against an authority do not prove that it is a 'bad' or 'good' council. The larger the population an authority serves, the more likely we will receive complaints about it. A significant uplift in complaint numbers again does not necessarily show that a council has become worse at what it does. We may have received several complaints about the same issue from different residents, for example a controversial planning decision or application. An authority may have a 50% uplift in complaints against it, but when we received two complaints against it last year, and four this year, this cannot lead to the conclusion the service the council provides has significantly worsened.