

# Local Government & Social Care OMBUDSMAN

21 July 2021

*By email*

Mr Shevlin  
Chief Executive  
Craven District Council

Dear Mr Shevlin

## **Annual Review letter 2021**

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

## **Complaint statistics**

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

**Complaints upheld** - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

**Compliance with recommendations** - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

We issued one public report about your Council this year and its policy for paying discretionary grants to businesses impacted by the COVID-19 pandemic. Two businesses complained to us stating the Council had not assessed their applications fairly. We recognised the Council had to introduce this policy at short notice in unprecedented circumstances, but key parts of the policy were not explained to the businesses applying. The Council did not publicly explain that it would give preference to some business sectors over others, or that it would pay grants to certain larger businesses whom it had publicly said were excluded from the scheme. We also found a confusing picture of how individual applications were assessed, with insufficient audit trails for the decisions made.

We could not say if these faults resulted in a lesser award for the businesses who complained to us, but we considered the business owners had experienced unnecessary uncertainty. We asked the Council to apologise and make a payment to each of them to reflect their injustice. We also asked the Council to review how, if it is asked to administer similar schemes at short notice in the future, it can ensure a better standard of record keeping and decision making, even when acting in a crisis.

I was disappointed to read local press coverage reporting the Council leader's apparent disagreement with our findings. I would remind the Council that our findings of fault and injustice are binding and can only be challenged through the courts. Similarly, it has been disappointing to learn that elected members have refused to implement the relatively modest recommendations to remedy the injustice we found the complainants had suffered. We will contact you about this again shortly.

### **Supporting complaint and service improvement**

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

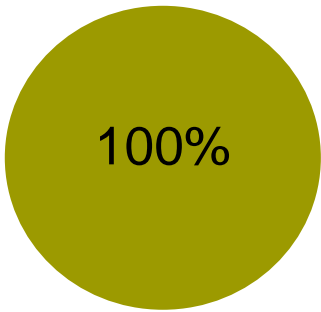
An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a horizontal line underneath.

Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Complaints upheld**



**100%** of complaints we investigated were upheld.

This compares to an average of **53%** in similar authorities.

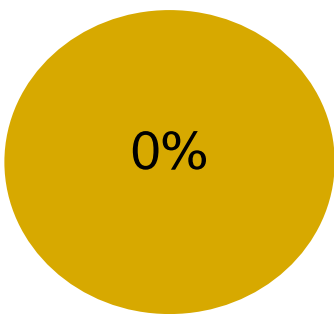
**2**  
upheld decisions

Statistics are based on a total of 2 detailed investigations for the period between 1 April 2020 to 31 March 2021

**Compliance with Ombudsman recommendations**

No recommendations were due for compliance in this period

**Satisfactory remedy provided by the authority**



In **0%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **16%** in similar authorities.

**0**  
satisfactory remedy decisions

Statistics are based on a total of 2 detailed investigations for the period between 1 April 2020 to 31 March 2021

**NOTE:** To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.