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Local Government
OMBUDSMAN

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APPENDIX B

Interpreting local authority statistics

Complaints and enquiries received 2013/14, 2014/15 and 2015/16

This information covers the statistics included in the annual reviews to councils for 2013/14, 2014/15 and 2015/16. For previous years see note on interpreting local authority statistics 2008 - 2012.

LGO has published statistics for each of the authorities within its jurisdiction for many years. In April 2014, we changed how we classified the results of complaints. 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 decisions.

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.

How complaints and enquiries were dealt with is explained below:

- **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. Usually we tell complainants how to complain to an authority and ask them to contact it directly. In many instances, authorities are successful in resolving the complaint and the complainant does not recontact us.

Complaints Remedied

For the year 2015/16 we provide information about complaints remedied. Where we find that an authority has acted with fault and this has caused an injustice to a complainant, we will make a recommendation about the action an authority should take to remedy that injustice. An Ombudsman's recommendations are not binding however most authorities comply with our recommendations without the need for any further action by the Ombudsman. We will also uphold a complaint that has come to us where the authority has already accepted during its own complaints processes that it acted with fault and it has offered what we consider to be a suitable remedy. The figures for 'complaints remedied satisfactorily by Authority before LGO involvement' demonstrate the number of times we have received complaints against an authority but it has already taken all the steps it needed to.

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