

# South Hams Overview and Scrutiny Committee



<b>Title:</b>	<b>Agenda</b>																		
<b>Date:</b>	<b>Wednesday, 13th October, 2021</b>																		
<b>Time:</b>	<b>2.00 pm</b>																		
<b>Venue:</b>	<b>Repton Room - Follaton House</b>																		
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Birch</p> <p style="text-align: center;"><b>Vice Chairman</b> Cllr Smerdon</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott*</td> <td style="width: 33%;">Cllr Rose</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Austen</td> <td>Cllr Rowe**</td> <td></td> </tr> <tr> <td>Cllr Jones</td> <td>Cllr Spencer</td> <td></td> </tr> <tr> <td>Cllr McKay</td> <td>Cllr Sweett</td> <td></td> </tr> <tr> <td>Cllr O'Callaghan</td> <td>Cllr Thomas</td> <td></td> </tr> <tr> <td>Cllr Pennington</td> <td></td> <td></td> </tr> </table> <p style="text-align: center;">*Substituting for Cllr Jackson</p> <p style="text-align: center;">** Substituting for Cllr Chown</p>	Cllr Abbott*	Cllr Rose		Cllr Austen	Cllr Rowe**		Cllr Jones	Cllr Spencer		Cllr McKay	Cllr Sweett		Cllr O'Callaghan	Cllr Thomas		Cllr Pennington		
Cllr Abbott*	Cllr Rose																		
Cllr Austen	Cllr Rowe**																		
Cllr Jones	Cllr Spencer																		
Cllr McKay	Cllr Sweett																		
Cllr O'Callaghan	Cllr Thomas																		
Cllr Pennington																			
<b>Interests – Declaration and Restriction on Participation:</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																		
<b>Committee administrator:</b>	Democratic.Services@swdevon.gov.uk																		

- 1. Apologies for Absence**
- 2. Minutes** **1 - 4**  
to approve as a correct record the minutes of the Committee held on 22 July 2021;
- 3. Urgent Business**  
brought forward at the discretion of the Chairman;
- 4. Division of Agenda**  
to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;
- 5. Declarations of Interest**  
Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;
- 6. Public Forum** **5 - 6**  
A period of up to 15 minutes is available to deal with issues raised by the public;
- 7. Waste Service Update**  
FCC representatives to attend;
- 8. South Hams Citizens' Advice Update**  
Chief Officer to attend;
- 9. Ombudsman Annual Review Letter 2021** **7 - 24**
- 10. Overview and Scrutiny Annual Report 2020/21**  
To follow;
- 11. Task and Finish Group Updates:**  
  
(a) Climate Change & Biodiversity Action Plan;
- 12. 2021/22 Panel Work Programme: Latest Version** **25 - 26**

**13. Exclusion of Public and Press**

“That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”

**14. The Process for Managing Remedies with FCC**

This page is intentionally left blank

**MINUTES of the MEETING of the  
OVERVIEW & SCRUTINY COMMITTEE,  
Held in the Repton Room, Follaton House, Totnes, on  
THURSDAY, 22 JULY 2021**

<b>Panel Members in attendance:</b>			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Austen	*	Cllr J T Pennington
*	Cllr J P Birch (Chairman)	*	Cllr J Rose
*	Cllr M Chown	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr S Jackson	*	Cllr B Spencer
*	Cllr L Jones	*	Cllr J Sweett
*	Cllr J McKay	∅	Cllr D Thomas
*	Cllr D M O'Callaghan		

<b>Other Members also in attendance:</b>
Cllrs N A Hopwood, T Holway, and J A Pearce

<b>Item No</b>	<b>Minute Ref No below refers</b>	<b>Officers in attendance and participating</b>
All		Deputy Chief Executive, Director of Governance & Assurance, Monitoring Officer, and Democratic Services Specialist
Item 7	O&S.07/21	Senior Specialist – Climate Change
Item 8	O&S.08/21	Business Manager – Specialists and Customer Service Improvement Manager

**O&S.11/21 MINUTES**

The minutes of the meeting of the Overview and Scrutiny Panel held on 1 July 2021 were confirmed as a correct record.

**O&S.12/21 DECLARATIONS OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

**O&S.13/21 PUBLIC FORUM**

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

**O&S.14/21 SOUTH DEVON AREA OF OUTSTANDING NATURAL BEAUTY (AONB)**

The Manager of South Devon Area of Outstanding Natural Beauty gave an update to the Committee where he outlined the history of the South Devon AONB and how this organisation interacted with South Hams District Council.

The Manager responded to a number of Member questions and it was agreed that he would circulate a follow up submission to Members outside of this meeting.

## O&S.15/21 **UPDATE ON THE PERFORMANCE OF FCC**

The Executive Member with responsibility for Waste and Recycling, along with relevant officers, presented a report which provided an update on the Council's waste and recycling contractor's (FCC) performance since the Overview and Scrutiny Committee meeting held on 10 June 2021 and the Extraordinary Council meeting held on 17 June 2021, as requested at previous Overview and Scrutiny Committee meetings (minutes O&S.03/21 and O&S10/21 refer).

During the update the following points were made:

- While an improvement in performance was acknowledged, it was far from the improvement the Committee had been expecting. However, the 'pingdemic' and national lack of HGV drivers were noted as having impacted on performance. FCC's action to increase resources in the area was noted.
- The Vice Chair gave his thanks to the Executive Member, the Deputy Chief Executive, and the Waste Team for their continued hard work in attempting to resolve this issue.
- Section 2.7 *Missed Bins* was highlighted: contractual levels were 240 per month, but were currently averaging at 50 per day. Members considered this to be deeply regrettable.
- It was estimated that in the region of 500 households were still not receiving a consistent recycling service.
- Officers were interrogating data from FCC to ensure quality of service on a daily basis, and contacting customers with historical complaints to ensure there was no longer an issue.
- FCC were looking to increase storage space for vehicles and increase bay size at the Ivybridge depot. FCC were also reviewing rounds to ensure the correct mix of vehicles were in place.
- The Council would require a 'cast iron' confirmation from FCC that all issues could be resolved to the timescale that had been agreed at the Extraordinary Council meeting.
- The Lead Executive Member thought that the issues would not be resolved before the end of this calendar year, but reiterated his

commitment to getting the service up and running as quickly as possible.

In light of some Members wishing to raise points that were considered to be of an exempt nature, it was:

**RESOLVED**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

Once all Members were content that they had no further exempt issues or questions to raise, it was then:

**RESOLVED**

That the press and public be re-admitted to the Meeting.

It was then:

**RESOLVED**

That the Committee

1. is disappointed in the failure of FCC to fulfil its obligations in respect of all the services it is contracted to supply to Council and calls upon them to implement Devon aligned service across the District as soon as possible; and
2. Requests the Executive Member and officers to provide a performance report on all services provided by FCC by 15 August 2021.

O&S.16/21 **TASK AND FINISH GROUP UPDATES**

**(a) Climate Change & Biodiversity Action Plan**

Membership of the Task & Finish Group was confirmed. Members were reminded that, in accordance with the revised Council Constitution, substitutions were permitted but the request was time bound.

It was then:

**RESOLVED**

That the first meeting be held virtually over Teams on 19 August 2021 at 10:00 am and that a draft set of Terms of Reference to underpin this Review be presented to this meeting for approval.

O&S.17/21 **2021/22 PANEL WORK PROGRAMME – LATEST VERSION**

Following discussions it was agreed that:

- Council delivery corporate theme 1 would be moved to 4 November 2021 Committee meeting.
- Devon Home Choice report would be brought to next meeting on 30 September 2021.
- Whilst confirmation of attendance was awaited, the Dartmoor National Park Chief Executive had been invited to attend the 30 September Committee meeting.
- Two dates to be fixed at the next meeting for Devon Health & Wellbeing Board and Broadband & Connecting Devon and Somerset representatives to attend.

(Meeting started at 2:00 pm and concluded at 3:41 pm)

---

Chairman



## **PUBLIC QUESTIONS AT OVERVIEW AND SCRUTINY COMMITTEE MEETINGS**

There is a period of 15 minutes at meetings of the Overview and Scrutiny Committee during which members of the public can ask questions about items on the agenda.

Any member of the public who wants to ask a question should ensure that the question:

- a) is no more than 50 words in length;
- b) is not be broken down into multiple parts;
- c) relates to an item included on the agenda; and
- d) is suitable to be considered. A question will not be suitable if, for example, it is derogatory to the Council or any third party; relates to a confidential matter; it is about a specific planning matter; or it is substantially the same as a question asked in the past six months.

Questions should be sent to Democratic Services ([Democratic.Services@swdevon.gov.uk](mailto:Democratic.Services@swdevon.gov.uk)) by 1.00pm on the Monday before the meeting (the deadline will be brought forward by a working day if affected by a bank holiday). This will allow a detailed response to be given at the meeting. If advance notice of the question cannot be given the Chairman of the meeting has the discretion to allow questions on matters that are felt to be urgent;

For any further advice on questions to the O&S Committee, or to request a copy of the full Public Questions Procedure Rules, please contact Democratic Services ([Democratic.Services@swdevon.gov.uk](mailto:Democratic.Services@swdevon.gov.uk))

This page is intentionally left blank

Report to: **Overview and Scrutiny Panel**

Date: **13 October 2021**

Title: **Ombudsman Annual Review Letter 2021**

Portfolio Area: Customer Satisfaction & Improvement  
Cllr Nicky Hopwood

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:

Author: **Jim Davis** Role: **Customer Improvement Manager**

Contact: [jim.davis@swdevon.gov.uk](mailto:jim.davis@swdevon.gov.uk) **01803 861493**

---

## **Recommendations:**

### **That the Overview and Scrutiny Committee:**

1. Reviews the Ombudsman's Annual Letter for 2020 (attached at Appendix A); and
2. Notes the steps set out to ensure that the Council continues to address complaints fairly and in line with best practice.
3. Makes any necessary recommendations as to further improvements

#### **1. Executive summary**

- 1.1 The Local Government and Social Care Ombudsman (LGCSO) looks at complaints about councils where the complainant considers that the Council has not sufficiently addressed their concerns.
- 1.2 This report sets out the LGCSO's Annual Review Letter regarding complaints that they have considered during the period 1st April 2020 to 31st March 2021 (please see Appendix A).
- 1.3 During this period, the Ombudsman received eighteen complaints about South Hams District Council, of which five were put forward for investigation. Following detailed investigation, 4 of those complaints were upheld by the Ombudsman, and one was upheld without being investigated as a satisfactory remedy had already been provided by the Council.

- 1.4 Members are requested to review the Ombudsman's Annual Letter 2020 and consider what lessons have been learnt (or can be learnt) from the outcome of complaints.

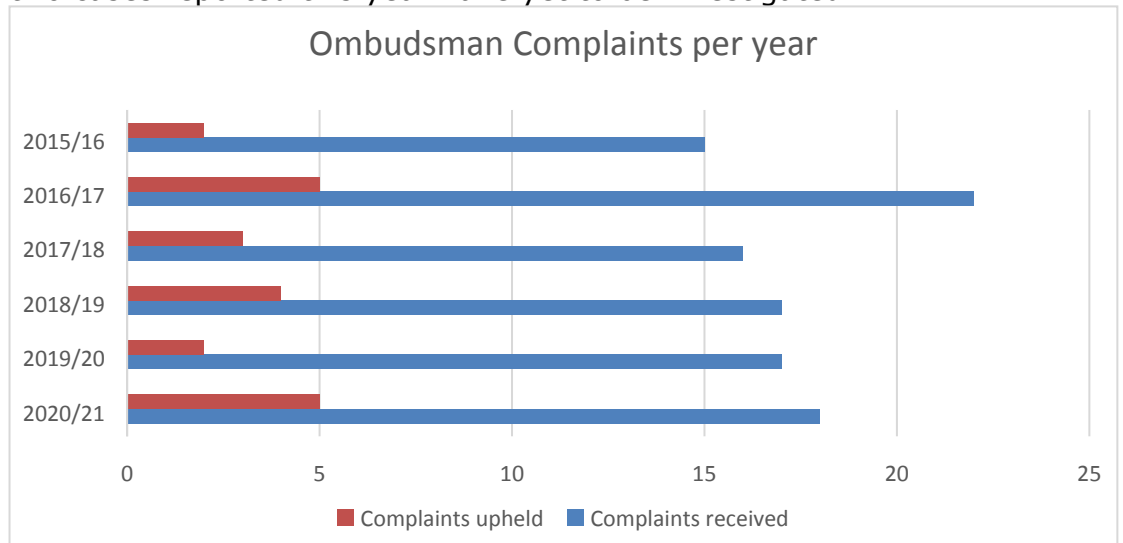
## **2. Background**

- 2.1 The Local Government and Social Care Ombudsman conducts independent, impartial and fair investigations into complaints that faults or service failure have led to an injustice. Where they find fault, they make recommendations to provide a remedy. Where evidence supports it, they can also recommend changes to ensure improvements are made and to avoid similar issues occurring.
- 2.2 The Ombudsman will only consider complaints where they have first been through the Council's internal complaints procedure. This is to allow the Council an opportunity to consider and respond to the complaint and where required, to offer a suitable remedy.
- 2.3 Once considered by the Ombudsman, a complainant cannot appeal against the Ombudsman's decision, but complaints may be reviewed if new information is presented to the Ombudsman.
- 2.4 The Ombudsman's Annual Review Letter 2020 is attached at Appendix A. More details on the complaints are included in Appendix B. This information is also published on the Ombudsman website along with anonymised details of the complaints and findings at <https://www.lgo.org.uk/your-councils-performance>
- 2.5 The Ombudsman publishes data on:
  - a. The number of complaints and enquiries received
  - b. Decision
  - c. Reason for the decision and where a complaint is upheld, any suggested remedy
- 2.6 Complaints are an important part of what we do as a Council and an important tool to identify improvements. The Ombudsman has a crucial role in providing an independent check on our approach, our thinking, and identifying any possible preconceptions, prejudices, or assumptions in our views.

## **3. Outcomes/outputs**

- 3.1 In the Annual Letter, the Ombudsman provides a breakdown of investigations that they have upheld in order to show the number of cases where the Ombudsman's recommendations have remedied the fault, and to also show where the Council had already offered a satisfactory remedy during its own investigation of the complaint.
- 3.2 The three additional tables attached as appendices to this report show complaints received, decided and compliance action status.
- 3.3 The mismatch between complaints received and investigated is due to the automatic reporting being based on the date of submission for complaints received, and the date of decision for investigations decided, and the Ombudsman only reports on matters within the financial year 2020 - 2021.

3.4 Four of the complaints upheld were received late last year, and two cases reported this year have yet to be investigated.



3.5 Of the twenty one complaints decided by the Ombudsman, seven were closed after initial enquiries, nine were referred back for local resolution, and five were upheld.

3.6 Both the level of complaints raised with the Ombudsman and the numbers investigated are well within the range compared over the last five years (See graph above). The Ombudsman stopped receiving complaints for 3 months last year due to issues with the pandemic. This may have reduced the number of complaints but it is likely to have just delayed submission of them until July.

3.7 Of the 5 complaints marked as upheld;

- One (Waste) was not investigated as it was unlikely to lead to a different outcome.
- One (Waste) resulted in an improved internal procedure for dealing with issues resulting from bins not stored on the owners property.
- One (Planning) was caused by failure to inform the applicants of a clause on a prior planning notification (Class Q) when refusing for other reasons. This led to significant costs for the applicants, over multiple applications, trying to overcome the written objections, for a permission that would never be granted due to the clause not referenced on earlier refusals.
- One (Planning Enforcement) was the result of lack of a timely investigation and response to a planning breach, which our new process should resolve.
- One (Planning) was the result of failing to add a condition to an original planning permission which limited the options when a variation was received. This caused possible injustice to a neighbouring property.

3.8 The Council agreed to all the recommended remedies and we have adjusted our processes to prevent the set of occurrences that created the waste and planning enforcement complaints from reoccurring.

3.9 The two planning complaints were the result of specific errors that occurred a significant time before the complaint was made.

The complaints were about the effects the errors had rather than the errors themselves. This separation of cause and effect makes learning and direct improvement difficult as the situations are unique and never likely to be repeated but there are some broader points that will be addressed in ongoing complaints training. Training to ensure knowledge and consistency also forms part of the Planning Improvement plan to reduce the likelihood of errors in the first place.

### Complaints

- 3.10 Since the Ombudsman’s report last year, significant changes have been made to how we deal with complaints. All complaints are handled through our new software solution, Liberty Create, which enables live reporting and better management of complaints.
- 3.11 The effect of the round review on waste increased the complaints received for that area, masking data on performance of the rest of the Council, so it is shown split out below.

	<b>Apr 20 – Sep 20 Managed in W360</b>		<b>Oct 20 – Mar 21 Managed in Liberty Create in 20-21</b>	
	Stage 1	Stage 2	Stage 1	Stage 2
<b>Domestic Waste</b>	41	3	203	25
<b>All other services</b>	69	14	54	10
<b>Total Complaints for 2020-21</b>	<b>110</b>	<b>17</b>	<b>257</b>	<b>35</b>
<b>Total Complaints for 2019-20</b>	<b>162</b>	<b>23</b>	<b>164</b>	<b>20</b>

- 3.12 Complaints being managed through Liberty Create coincided with the Domestic waste round review and the issues it generated. Separating out the data shows the large increase in waste complaints but no corresponding increase for the rest of the Council.
- 3.13 If complaints had continued at the rate experienced in the first 6 months it would have shown a 25% improvement based on last year’s results (See table above). This is partly due to better online options for customers seeking to resolve issues.
- 3.14 There have been a number of changes to the way we deal with complaints over the last 6 months in an effort to improve the quality of our response and our response speed.
  - a. Since March 2021 a more active management of complaint response time has improved performance with almost 50% of complaints now dealt with in two weeks.

- b. A focus on talking to the customer directly and early in the process to both better understand their viewpoint and deal with some complaints at the first point of contact.
  - c. Better online options and contact routes for customers wanting to resolve issues or just provide feedback.
  - d. Live reporting for Heads of Service to actively monitor complaints.
  - e. Stage 2 responses have been brought back under the relevant service area for a Head of Service response. Stage 1 complaints are dealt with by senior specialists within the Service area. This increases complaints awareness within a service as well as better response speeds for complex complaints.
  - f. Learning opportunities highlighted from complaints are better captured and reviewed quarterly.
- 3.15 There are a number of planned steps for further improvements to the process including:
- a. Automating reminders so that complaints never go overdue.
  - b. Training on the wider aims of the system (e.g. increasing phone calls to complainants and learning opportunities) for Heads of Service to drive performance.
  - c. Training and standard approaches for considering complaints for officers dealing with complaints and raising awareness with our customers so they understand how we work and what to expect when they complain.
  - d. Better online support for customers to understand our policy, what we can investigate and what outcomes are possible, to set expectations at a reasonable level. This is especially important in technical areas such as Planning or Environmental Health where remedies and actions are constrained by legislation.
- 3.16 The changes proposed will be rolled out over the rest of the year and collectively should deliver a sustained reduction in the number of complaints we receive, as tentatively indicated in the data table above. The percentage that are then raised at Stage 2 and then the number escalated to the Ombudsman should experience corresponding reductions.

#### **4. Proposed Way Forward**

- 4.1 That the Overview and Scrutiny Committee:
- 4.2 Notes the content of the Local Government Ombudsman Annual Review Letter as set out in Appendix A to this report.
- 4.3 Notes the high level actions to improve the customer experience as set out in 3.14
- 4.4 note the proposed future actions as set out in 3.15
- 4.5 Members consider what lessons have been learnt (or can be learnt) from the outcome of complaints.

## 5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Local Government &amp; Social Care Ombudsman is governed by the Local Government Act 1974 and is responsible for considering complaints against local authorities which the complainant considers have not been resolved locally by the Council. The Overview and Scrutiny Committee is responsible for having an overview of complaints handling and for an overview of Ombudsman complaints, and the Ombudsman Annual Review letter is an important part of that process. The decisions in respect of each case are provided to the relevant service in order that any recommendations made by the Ombudsman are acted upon and lessons learnt can be implemented.</p>
Financial implications to include reference to value for money	Y	<p>There are resource implications in officer time spent dealing with complaints in both the initial stages under our own policy as well as the resources in supporting an Ombudsman complaint. The Council does not have a dedicated Complaints Officer and it is therefore not possible to quantify this time. Good complaints management which we learn from mistakes is important in ensuring that the Council is efficient and provides value for money in the future by not making the same mistakes again.</p> <p>Where it is necessary to settle a complaint by the payment of compensation (or the Council has already offered a settlement) payment is made out of the current year's revenue budget for the service in question.</p>
Risk	Y	<p>It is important that the Council is aware of the number and type of complaints made to the Ombudsman together with the outcomes and lessons learnt. The Senior Leadership Team are updated on the numbers and types of complaints and the Business Managers and Customer Improvement Manager now monitor response times weekly to ensure timely replies to customers.</p> <p>Whilst it is not possible to eliminate complaints, it is possible to manage complaints efficiently and learn from the outcomes of these complaints to mitigate the risk of recurrence and deliver service improvement.</p>



Supporting Corporate Strategy		Efficient and Effective Council
Climate Change - Carbon / Biodiversity Impact		
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity		This has been considered in the Complaints policy and within the individual complaints where relevant. No complaints have been received regarding Equality and Diversity.
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

### **Supporting Information**

#### **Appendices:**

- Appendix A - Ombudsman Annual Letter
- Appendix B - Ombudsman Complaints – Received
- Appendix C - Ombudsman Complaints – Decided
- Appendix D - Ombudsman Complaints – Compliance

#### **Background Papers:**

None

### **Approval and clearance of report**

<b>Process checklist</b>	<b>Completed</b>
Portfolio Holder briefed/sign off	<b>Yes</b>
SLT Rep briefed/sign off	<b>Yes</b>
Relevant Heads of Practice sign off (draft)	<b>Yes</b>
Data protection issues considered	<b>Yes</b>
Accessibility checked	<b>Yes</b>

This page is intentionally left blank

21 July 2021

*By email*

Mr Bates  
Chief Executive  
South Hams District Council

Dear Mr Bates

### **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.

### **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.

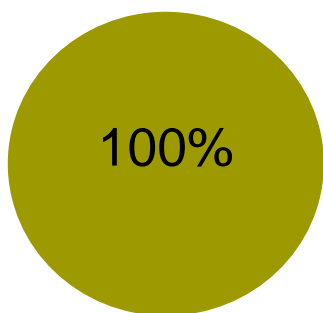
An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To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

Yours sincerely,



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

### Complaints upheld



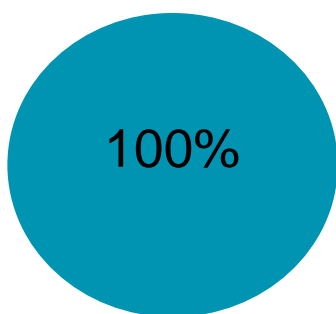
**100%** of complaints we investigated were upheld.

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

**5**  
upheld decisions

Statistics are based on a total of 5 detailed investigations for the period between 1 April 2020 to 31 March 2021

### Compliance with Ombudsman recommendations



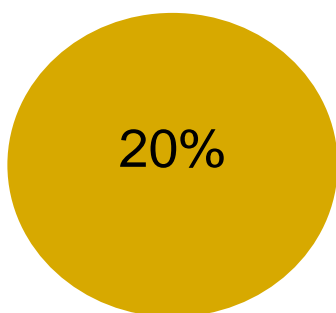
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **100%** in similar authorities.

Statistics are based on a total of 5 compliance outcomes for the period between 1 April 2020 to 31 March 2021

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the authority



In **20%** 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.

**1**  
satisfactory remedy decision

Statistics are based on a total of 5 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.

This page is intentionally left blank

Reference	Authority	Category	Received
20001940	South Hams District Council	Benefits & Tax	28 Jul 2020
20002031	South Hams District Council	Planning & Development	21 Jul 2020
20003895	South Hams District Council	Planning & Development	24 Aug 2020
20004117	South Hams District Council	Planning & Development	28 Aug 2020
20005530	South Hams District Council	Planning & Development	29 Sep 2020
20005772	South Hams District Council	Planning & Development	01 Oct 2020
20006268	South Hams District Council	Housing	12 Oct 2020
20006501	South Hams District Council	Planning & Development	14 Oct 2020
20007848	South Hams District Council	Environmental Services & Public Protection & Regulation	19 Jan 2021
20008043	South Hams District Council	Planning & Development	20 Nov 2020
20010038	South Hams District Council	Environmental Services & Public Protection & Regulation	05 Jan 2021
20010087	South Hams District Council	Corporate & Other Services	06 Jan 2021
20011798	South Hams District Council	Environmental Services & Public Protection & Regulation	05 Feb 2021
20012059	South Hams District Council	Planning & Development	10 Feb 2021
20012125	South Hams District Council	Environmental Services & Public Protection & Regulation	11 Feb 2021
20012583	South Hams District Council	Environmental Services & Public Protection & Regulation	22 Feb 2021
20011843	South Hams District Council	Planning & Development	08 Feb 2021
20012536	South Hams District Council	Planning & Development	01 Mar 2021

This page is intentionally left blank



Reference	Authority	Category	Decided	Decision	Decision Reason	Remedy	Service improvement recommendations
19000020	South Hams	Planning & Development	17 Apr 2020	Closed after initial enquiries	Not warranted by alleged injustice		
19009011	South Hams	Environmental Services & Public Protection & Regulation	11 Aug 2020	Upheld	mal & inj	Apology,Financial redress: Avoidable distress/time and trouble,Procedure or policy change/review	The Council should continue with the implementation of a new procedure for dealing with waste bins not stored on the owners' property and inform the Ombudsman of the outcome. The Council should review its complaint handling procedure.
19013680	South Hams	Planning & Development	14 Jan 2021	Upheld	mal & inj	Financial redress: Avoidable distress/time and trouble	
19017720	South Hams	Planning & Development	07 Aug 2020	Upheld	mal & inj	Apology,Provide training and/or guidance	Remind staff to respond to requests for information in a timely manner and to ensure target timescales for responding to complaints are met.
19020231	South Hams	Planning & Development	10 Dec 2020	Upheld	mal & inj	Financial redress: Avoidable distress/time and trouble	
20001940	South Hams	Benefits & Tax	28 Jul 2020	Referred back for local resolution	Premature Decision - advice given		
20002031	South Hams	Planning & Development	18 Sep 2020	Closed after initial enquiries	No worthwhile outcome achievable by investigation		
20003895	South Hams	Planning & Development	06 Nov 2020	Closed after initial enquiries	26B(2) not made in 12 months		
20004117	South Hams	Planning & Development	15 Oct 2020	Closed after initial enquiries	Not warranted by alleged injustice		
20005530	South Hams	Planning & Development	29 Oct 2020	Closed after initial enquiries	Not warranted by alleged mal/service failure		
20005772	South Hams	Planning & Development	12 Nov 2020	Closed after initial enquiries	Not warranted by alleged mal/service failure		
20006268	South Hams	Housing	12 Oct 2020	Referred back for local resolution	Premature Decision - advice given		
20009501	South Hams	Planning & Development	21 Dec 2020	Closed after initial enquiries	26(6)(b) appeal to Minister		
20007848	South Hams	Environmental Services & Public Protection & Regulation	24 Feb 2021	Upheld	Injustice remedied during BinJ complaint processes		
20009043	South Hams	Planning & Development	20 Nov 2020	Referred back for local resolution	Premature Decision - advice given		
20010038	South Hams	Environmental Services & Public Protection & Regulation	05 Jan 2021	Referred back for local resolution	Premature Decision - advice given		
20010087	South Hams	Corporate & Other Services	10 Feb 2021	Referred back for local resolution	Premature Decision - referred to BinJ		
20011798	South Hams	Environmental Services & Public Protection & Regulation	05 Feb 2021	Referred back for local resolution	Premature Decision - advice given		
20012059	South Hams	Planning & Development	10 Feb 2021	Referred back for local resolution	Premature Decision - advice given		
20012125	South Hams	Environmental Services & Public Protection & Regulation	11 Feb 2021	Referred back for local resolution	Premature Decision - advice given		
20012583	South Hams	Environmental Services & Public Protection & Regulation	22 Feb 2021	Referred back for local resolution	Premature Decision - advice given		

This page is intentionally left blank

Reference	Authority	Category	Decided	Remedy	Remedy Target D	Remedy Achie	Satisfaction with Compliance
19005785	South Hams	Benefits & Tax	06-Jan-20	Procedure or policy change/review Other Remedy	03-Feb-20	07-Oct-20	Remedy not complete but satisfied
19009011	South Hams	Environmental Services & Public Protection & Regulation	11-Aug-20	Apology Financial redress: Avoidable distress/time and trouble Procedure or policy change/review	12-Oct-20	26-Oct-20	Remedy complete and satisfied
19013680	South Hams	Planning & Development	14-Jan-21	Financial redress: Avoidable distress/time and trouble	15-Feb-21	03-Feb-21	Remedy complete and satisfied
19017720	South Hams	Planning & Development	07-Aug-20	Apology Provide training and/or guidance	06-Oct-20	17-Sep-20	Remedy complete and satisfied
19020231	South Hams	Planning & Development	10-Dec-20	Financial redress: Avoidable distress/time and trouble	11-Jan-21	23-Dec-20	Remedy complete and satisfied

This page is intentionally left blank

## OVERVIEW AND SCRUTINY PANEL

### INITIAL DRAFT ANNUAL WORK PROGRAMME PROPOSALS– 2021/22

Date of Meeting	Report	Lead Exec Member/Officer
4 November 2021	Task and Finish Group Updates: - Climate Change & Biodiversity Action Plan (Concluding Report)	Cllr Dan Thomas/Drew Powell
	Council Delivery against Corporate Theme: Adapting & mitigating climate change	Cllr Tom Holway/Drew Powell
Page 25	Community Safety Partnership	Cllrs Tom Holway/Jonathan Hawkins/Claire Birch
	Review of Localities New Service	Cllr Keith Baldry/Sarah Moody
	Contact Centre Performance	Cllr Nicky Hopwood/Sarah Moody
	Planning Enforcement: Service Update	Cllr Judy Pearce / Pat Whymer/Catherine Bowen
	O+S Annual Work Programme ( <i>to include preparation for next meeting</i> )	
16 December 2021	Climate Change and Biodiversity Action Plan: Six-Monthly Update	Cllr Tom Holway/Drew Powell
	Council Delivery Against Key Performance Indicators	Jim Davis
	Task and Finish Group Updates ( <i>if any</i> )	
	Council Delivery against Corporate Theme: Housing	
	Devon Home Choice	Isabel Blake
	Dartmoor National Park Authority Chief Executive: Kevin Bishop	
	Third Sector Partner – Council for Voluntary Service: Jill Davies	
	O+S Annual Work Programme ( <i>to include preparation for next meeting</i> )	
13 January 2022	Draft Budget Proposals 2022/23 ( <i>NB. Joint Meeting with the DM Committee</i> )	
17 March 2022	Task and Finish Group Updates ( <i>if any</i> )	
	Fusion (Leisure) Annual Report	Jon Parkinson
	Council Delivery against Corporate Theme 3	
	O+S Annual Work Programme ( <i>to include preparation for next meeting</i> )	

Agenda Item 12

22 April 2022	Task and Finish Group Updates ( <i>if any</i> )	
	O+S Annual Work Programme ( <i>to include preparation for next meeting</i> )	
	Council Delivery against Corporate Theme 4	
	Livewest (Housing Provider)	
<i>To be considered for scheduling:</i>	Devon Health and Wellbeing Board	
	Broadband & Connecting Devon and Somerset	

DRAFT