
REPORT TO:	COUNCIL	AGENDA ITEM: 09
DATE OF MEETING:	02 NOVEMBER 2023	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	DR JUSTIN IVES CHIEF EXECUTIVE	DOC:
SUBJECT:	LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – ANNUAL REVIEW LETTER 2023 AND LGSCO UPDATE	REF:
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 To accept the Local Government and Social Care Ombudsman's Annual Review Letter 2023.

2.0 Purpose of Report

- 2.1 This report will provide Members with a summary of complaints made to the Local Government and Social Care Ombudsman ("LGSCO") against this Authority during the year 2022/23.
- 2.2 It will also provide an update on developments in the Local Government and Social Care Ombudsman service.

3.0 Detail

- 3.1 On 19 July 2023, the Council received the Annual Review Letter for the period 2022/23 and a summary of statistics on complaints.
- 3.2 The Ombudsman's Office made decisions on 7 complaints about this Council in 2022/23. Of these complaints, 4 were closed after initial enquiries, 1 was referred back for local resolution, 1 was investigated but not upheld and 1 was upheld.
- 3.3 The LGSCO does not give detailed information about the statistics and, therefore, in order to provide some background information for Members, the Council's Ombudsman Link Officer has produced a table of complaint decisions, which is attached at **Annexe 'A'**. This gives a breakdown of the type of complaints received and a summary of the decisions.

LGSCO Developments

- 3.4 The end of this reporting year saw the retirement of Michael King as Local Government Ombudsman. Paul Najsarek was appointed as Interim Ombudsman in April 2023.

Complaint statistics

- 3.5 This year, the Ombudsman service has continued to place the focus on outcomes of complaints and what can be learned from them. It wants to provide the most insightful information it can and therefore has made several changes over recent years to improve the data captured and reported. The statistics are focused on the following three key areas:
- 3.6 Complaints upheld – Complaints are upheld when some form of fault is found in the authority's actions, including where the authority has accepted fault before an investigation is commenced. The Ombudsman has reviewed its processes over the past two years, and one outcome of this is that it is now more selective about the complaints that it considers in detail, prioritising those where it is in the public interest to investigate. The Ombudsman states that the average uphold rate for all investigations has increased as a result, and cautions against comparing this year's uphold rate against previous years for this reason.
- 3.7 Compliance with recommendations – The Ombudsman recommends ways for authorities to put things right when faults have caused injustice and monitors compliance with recommendations. Failure to comply is rare and a compliance rate below 100% would be cause for concern. In the 12 months to 31 March 2023, 1 recommendation was made to this Authority. This has been satisfied, making this Council's compliance rate 100%.
- 3.8 Satisfactory remedies provided by the Authority – The Ombudsman wants to encourage early resolution of complaints and credit authorities that have a positive and open approach to resolving complaints. Cases are recognised where an authority has taken steps to put things right before the complaint came to them.
- 3.9 The LGSCO compares the three key annual statistics for the Authority with similar types of authorities to work out an average level of performance. They do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils and London Boroughs. Further information on this Council's performance can be found at: [South Derbyshire District Council - Local Government and Social Care Ombudsman](#)
- 3.10 Supporting complaint and service improvement - The LGSCO is continuing to work to develop a joint handling code in partnership with the Housing Ombudsman Service. The intention of this is to consolidate and simplify the guidance given.

4.0 Financial Implications

- 4.1 None directly arising from this report.

5.0 Corporate Implications

- 5.1 A good complaints system is an opportunity for the Council to show that it cares about providing a good service, and that it genuinely values feedback on whether there are any problems which need attention. It is, therefore, imperative that we get feedback, not only through our own complaints system, but also from the Ombudsman, and that this information is widely distributed to show that this Authority takes complaints seriously and deals with them sympathetically.

6.0 Community Implications

- 6.1 One of the roles of the Local Government and Social Care Ombudsman is to investigate complaints about Councils from members of the public. Its aim is to get Councils to put things right if they have gone wrong and if this has affected members of the public directly.

7.0 Conclusion

- 7.1 The Annual Review Letter and the publishing of complaint statistics on the LGSCO website are useful additions to other information held by the Council, highlighting how people experience or perceive its services. They should also be seen as an opportunity to continue to improve the services offered by the Council.

8.0 Background Papers

Annual Review Letter 2023 from the Local Government and Social Care Ombudsman