



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and Date of Committee	AUDIT AND GOVERNANCE – 28 SEPTEMBER 2023
Subject	ANNUAL SUMMARY OF COMPLAINTS STATISTICS FROM THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – YEAR ENDING 31 MARCH 2023
Wards Affected	ALL
Accountable Member	Councillor Andy Graham – Leader of the Council. Email: andy.graham@westoxon.gov.uk
Accountable Officer	Giles Hughes – Chief Executive. Email: giles.hughes@westoxon.gov.uk
Report Author	Cheryl Sloan – Business Manager, Governance, Risk & Business Continuity Email: cheryl.sloan@publicagroup.uk
Summary/Purpose	To present the Annual Complaints statistics as provided by the Local Government and Social Care Ombudsman for the year 1 st April 2022 – 31 st March 2023.
Annexes	Annex A – Annual Review Letter 2022 – 2023 Annex B – Upheld complaint by Local Government and Social Care Ombudsman
Recommendation(s)	<i>That Committee Resolves to:</i> <i>1. Note the content of the report; and</i> <i>2. Note the Annual Review Letter 2022 – 2023.</i>
Corporate Priorities	<ul style="list-style-type: none">• Putting Residents First• A Good Quality of Life for All• A Better Environment for People and Wildlife• Responding to the Climate and Ecological Emergency• Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO

Consultees/ Consultation	N/A
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1. BACKGROUND

- 1.1** At the end of each financial year, the Local Government and Social Care Ombudsman (LGO) write to the Chief Executive, Leader of the Council, and Chair of Scrutiny to provide an annual summary of the complaint statistics which have been received by the LGO in relation to the West Oxfordshire District Council (WODC).
- 1.2** The information is provided to give insight about the organisations approach to complaints, and for consideration as part of the Council corporate governance processes.
- 1.3** WODC has three stages to its' internal complaints process as detailed below. Once this is exhausted, if the complainant remains unsatisfied with the response provided, it is at this point that they can refer their complaint to the LGO.
 - Stage 1: Service Area Response
 - Stage 2: Independent Review
 - Stage 3: Appeal
- 1.4** The Annual Letter details the complaints which have been escalated to the LGO in relation to services provided by WODC.
- 1.5** It should be noted, as detailed in the Annual Letter (appendix 1), the LGO have changed their process for complaints review for 2022 – 2023. The LGO is now more selective about the complaints which are reviewed in detail, prioritising where it is in the public interest to investigate, therefore, changes in uphold rates in this year's reporting, are not solely down to the nature of the cases being referred to the LGO.
- 1.6** As such, this report, will focus on 2022-2023 only, and performance will not be compared to previous years, as they are no longer comparable. However, to provide comparative information, the report includes the statistics for Cotswold District Council and Forest of Dean Council, and additional statistics for similar Authorities as provided by the LGO.

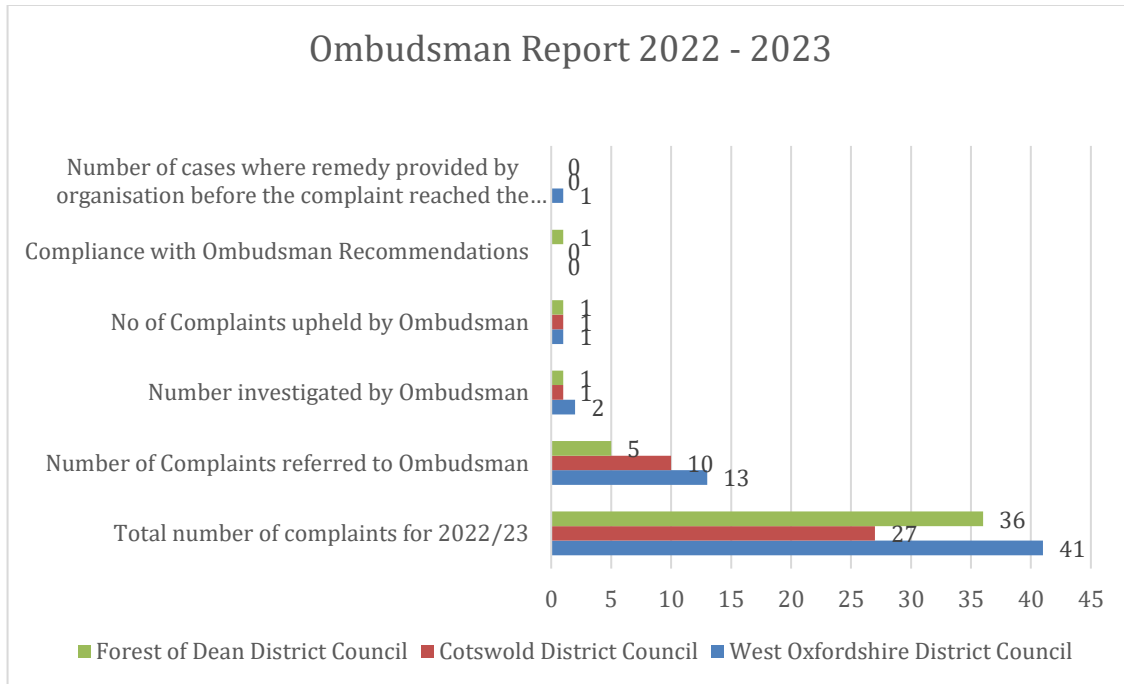
2. OVERVIEW

- 2.1** A total of 13 complaints were escalated to the LGO about services provided by WODC during financial year 2022 - 2023.
- 2.2** Of the 13 complaints received by the LGO, a total of 2 complaints were investigated, of which one complaint was 'upheld'.
- 2.3** The table below provides a summary of the 13 complaints received by the LGO, the complaint category (service area), the decision which has been made and the reason for the decision.

Category	Decided	Decision	Decision Reason
Benefits & Tax	27/04/2022	Not Upheld	no fault
Environmental Services & Public Protection & Regulation	11/05/2022	Advice given	Previously considered and decided
Benefits & Tax	23/05/2022	Referred back for local resolution	Premature Decision - referred to Organisation
Planning & Development	20/07/2022	Closed after initial enquiries	Not warranted by alleged fault
Environmental Services & Public Protection & Regulation	21/06/2022	Referred back for local resolution	Premature Decision - advice given
Planning & Development	06/07/2022	Referred back for local resolution	Premature Decision - advice given
Planning & Development	18/08/2022	Referred back for local resolution	Premature Decision - advice given
Planning & Development	22/09/2022	Referred back for local resolution	Premature Decision - advice given
Environmental Services & Public Protection & Regulation	03/01/2023	Closed after initial enquiries	Not warranted by alleged injustice
Corporate & Other Services	18/11/2022	Closed after initial enquiries	Not warranted by alleged fault
Benefits & Tax	20/01/2023	Closed after initial enquiries	At request of complainant
Planning & Development	01/02/2023	Upheld	Injustice remedied during organisations complaint processes
Planning & Development	31/01/2023	Closed after initial enquiries	Not warranted by alleged fault

- 2.4** A total of 5 complaints were referred to the Council, this is due to the complainant having not exhausted the 3 stages of the internal complaints process, 5 were closed after initial enquiries, one complainant was provided with advice, as the complaint had already been considered and an outcome had been decided, one was not upheld and the one was upheld.
- 2.5** Of the one complaint upheld, the Council had already rectified the complaint before the LGO provided its recommendations, therefore, no action needed to be taken. Please see appendix B for the detail of the complaint.
- 2.6** The complaint was regarding delays to the provision of pre-planning advice for solar installation on a resident's home. The LGO did not investigate the complaint as the Council had already rectified the complaint through the internal processes, however, the LGO upheld the complaint as the Council had confirmed that its service had fallen short of expectation on this occasion.
- 2.7** During 2022-2023, WODC recorded a total of 41 complaints, which equates to 31% being referred to the LGO. Whilst this seems high, it should be noted that some of the complaints referred to the LGO may not have been received by the Council at all.
- 2.8** Whilst the council receives a wide range of complaints, the majority relate to where decisions have been made, as opposed to the standard of services provided. This includes decisions around planning, revenues and benefits and enforcement. A number of these complaints could be rejected by the Council as they are excluded under the Complaints policy, however, to try to mitigate residents' concerns, they are, in the main, still responded to under the complaints process.
- 2.9** Comparing this to our partner Councils; Cotswold District and Forest of Dean. Both Councils had one complaint investigated by the LGO and one complaint upheld. The graph below details the total number of complaints received by each Council during 22/23, and the breakdown of complaints referred to the LGO.

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2.10 Comparative data for other similar Authorities, as provided by the LGO, was that an average of 59% of the complaints investigated were upheld, this is higher than WODC, for which 50% of the complaints were upheld (one out of two complaints).

2.11 Given the number of services provided by WODC, to have one complaint upheld by the LGO, of which remedy had already been provided, should be seen as a positive reflection of the way in which services are provided, and complaints are managed and subsequently rectified.

3. ALTERNATIVE OPTIONS

3.1 None.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from this report.

5. LEGAL IMPLICATIONS

5.1 There are no direct legal implications arising from this report.

6. RISK ASSESSMENT

6.1 If the Council's governance arrangements are weak then the Council is at risk of failing to safeguard the use of public funds. In turn this would lead to poor external assessments, damaging the reputation of the Council.

7. EQUALITIES IMPACT

7.1 An equalities impact assessment is not required for this report.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 There are no climate or ecological emergency implications arising directly from this report.

9. BACKGROUND PAPERS

1.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- Annual Complaints Statistics and Annual Letter from the LGO

9.1 These documents will be available for inspection online at www.westoxon.gov.uk or by contacting Democratic Services democratic.services@westoxon.gov.uk for a period of up to 4 years from the date of the meeting.

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