

Slough Borough Council

Report To:	Cabinet
Date:	20 July 2026
Subject:	Annual Report on Local Government and Social Care Ombudsman complaints
Lead Member:	Cllr W Chahal – Leader of the Council and Lead Member for Governance
Chief Officer:	Sarah Wilson, Monitoring Officer
Contact Officer:	Sarah Wilson, Monitoring Officer
Ward(s):	All
Key Decision:	YES
Exempt:	NO
Decision Subject To Call In:	YES
Appendices:	Appendix 1 – LGSCO Annual Letter Appendix 2 – LGSCO Annual Statistics for SBC 2025/26 Appendix 3 – LGSCO detailed statistics for complaints received and determined for SBC in 2025/26 Appendix 4 – Slough Borough Council Corporate Complaints Policy Appendix 5 – Self-assessment against LGSCO Complaints Handling Code

1. Summary and Recommendations

- 1.1 Each year the Local Government and Social Care Ombudsman (LGSCO) produces an annual review letter for local authorities detailing the number, type and decisions made relating to each authority. The annual review is for the period 1 April 2025 to 31 March 2026. There is a separate report in relation to Housing Ombudsman complaints.

Recommendations:

Cabinet is recommended to:

- a) Note the LGSCO Annual Review Letter and statistics on SBC ombudsman complaints for 2025/26 at Appendix 1, 2 and 3.
- b) Note that the annual report on corporate complaints will be presented to Audit and Corporate Governance Committee in September 2026.
- c) Approve a new Slough Borough Council Corporate Complaints Policy at

Appendix 4.

- d) Approve the self-assessment against the LGSCO Complaints Handling Code at Appendix 5.

Reason:

- 1.2 The LGSCO investigates complaints about local authorities and produces an annual review letter providing performance data for the Council compared to other local authorities. The Council should use this data, alongside wider data on complaints, as a key performance report to identify improvements required.
- 1.3 The Housing Ombudsman has conducted a review of the Council's corporate complaints policy and identified areas where it can be improved to meet the requirements of its Complaints Handling Code. The current policy has been reviewed and it is proposed to continue with one corporate complaints policy covering the requirements of both the LGSCO and Housing Ombudsman's codes. An updated policy is recommended for approval to respond to this review and the self-assessment against the LGSCO's Complaints Handling Code to ensure the policy is clearly written and accessible to the public.
- 1.4 In previous years the annual report on complaints has been presented to the Audit and Corporate Governance Committee, as the body with responsibility for assurance. This will continue to be undertaken, however there will also be an annual report to Cabinet on the LGSCO annual review letter and any specific learning and best practice guidance.

Commissioner Review

This report is outside the scope for pre-publication commissioner review; please check the [Commissioners' instruction 5 to CLT to sign off papers](#) for further details.

2. Report

Introductory paragraph

- 2.1 The LGSCO produces an annual letter to each local authority providing a summary of the complaints it has received, investigated and determined. This provides comparator data against other local authorities. A copy of this letter, the annual statistics and detail of all complaints received and determined by the LGSCO for the Council are appended at Appendix 1, 2 and 3.

Options considered

2.2 Option 1 – Have a separate housing complaints policy

Whilst there is some benefit in having a stand alone housing complaints policy, this may be confusing to residents, who will not necessarily understand the distinction between the two ombudsman when submitting a complaint at Stage 1. It is however recommended to have a stand alone remedies and compensation policy, as there are specific considerations in relation to remedies for landlord functions that can be expressed in a stand alone policy. Combining this with a wider policy on remedies and compensation is likely to be confusing to residents and the LGSCO already has comprehensive guidance for local authorities on remedies for the wide variety of service areas covered by the Council.

This is not recommended.

2.3 Option 2 – Incorporate findings from Housing Ombudsman review into updated corporate complaints policy.

This option provides the greatest clarity for residents in that the corporate complaints policy sets out the stages of the complaints process and the Council's approach to resolution, which apply across the service areas. However it is proposed to report separately on housing landlord complaints as there are different requirements and specific issues in relation to these complaints, including a proposal to have a separate remedies and compensation policy with specific requirements for landlord functions and the need to ensure tenant engagement as part of the Regulator of Social Housing's standards on tenant empowerment.

This is recommended.

Background

- 2.4 The LGSCO investigates complaints about local authorities, except those that are within the remit of the Housing Ombudsman or those going through a stand-alone statutory complaints process. The LGSCO requires that all complaints be dealt with through the Council's own complaints policy and procedures before referral to the LGSCO for an independent review. Both the LGSCO and the Ministry of Housing, Communities and Local Government's guidance on complaints handling and best value standards emphasise the importance of seeing complaints data as a key source of learning, evidencing a mature approach to governance. This includes being receptive and responsive to complaints, evidencing an effective and accessible complaints process and the provision of appropriate redress. A high rate of upheld complaints made to the Ombudsman and the lack of an action plan to address areas of concern is seen as a potential indicator of failure in relation to service delivery.
- 2.5 The LGSCO investigates complaints of maladministration or service failure which causes injustice. Maladministration means the way the Council has dealt with a situation or reached a decision. The LGSCO does not have the power to compel the Council to take steps, but it can make recommendations and issue a public interest report if it finds that there are systemic issues with how the Council is responding to complaints. The Council should give significant weight to ombudsman recommendations and it would need to have a very strong basis for departing from these.
- 2.6 The LGSCO's Annual Review letter is appended at Appendix 1, with statistics for the Council for 2025/26 at Appendix 2 and 3. These provide statistics on the complaints made to it about the Council for the year ending 31 March 2026. This sets out the volume of complaints as well as the upheld rate. The report also contains details of the number of cases where the Council has provided a satisfactory remedy before the complaint reached it and compliance with recommendations.

Analysis of LGSCO complaints for 2025/26

2.7 A glossary of terms and the statistics for the Council are set out below:

- (a) Complaints dealt with – the total number of complaints and enquiries considered. It is not appropriate to investigate all of them.
The Council had 78 complaints referred to the LGSCO.

- (b) Not for us – includes complaints brought to us before the council was given a chance to consider it, or the complainant came to the wrong Ombudsman.
The Council had 42 complaints that were not deemed for the LGSCO to deal with.
- (c) Assessed and closed – includes complaints where the law says the Ombudsman is not allowed to investigate, or it would be a poor use of public funds if it did.
19 complaints were assessed and closed without an investigation.
- (d) Investigated – the LGSCO completed an investigation and made a decision on whether we found fault or not fault.
17 complaints were investigated.
- (e) Complaints upheld – the LGSCO completed an investigation and found evidence of fault, or the Council provided a suitable remedy early on.
16 out of 17 complaints were upheld, giving an upheld rate of 94%. This compares to an upheld rate of 85% in similar authorities. Adjusted for population this is 9.6 upheld decisions per 100,000 residents compared to an average of 5.6 upheld decisions per 100,000 residents across local authorities.
- (f) Satisfactory remedies provided by the Council - the council upheld the complaint and we agreed with how it offered to put things right.
In 2 out of 16 cases it was found the Council had provided a satisfactory remedy before the complaint reached the Ombudsman. This is a 13% satisfaction rate, compared to an average of 13% in similar authorities.
- (g) Compliance with Ombudsman recommendations – not complying with our recommendations is rare. A council with a compliance rate below 100% should scrutinise the complaints where it failed to comply and identify any learning.
Compliance outcomes were recorded in 14 cases giving a 100% compliance rate.
- (h) Compliance on time – recommendations were recorded as completed within agreed timescales.
In only 2 out of 14 cases (14%) was compliance with recommendations on time, comparing with 77% in similar authorities.
- (i) Service improvements – actions councils agreed to take to address faults identified in our investigations which help prevent similar problems affecting other people.
In 6 cases service improvements were recorded. 5 of these related to education and 1 to housing.

2.8 Although the number of upheld cases remain relatively low, this is an increase compared to last year and demonstrates a worsening trend for SEND in particular. A summary of the service improvement cases are below:

- (a) Case 1 – Education
Significant delay in issuing an Education, Health and Care Plan (EHCP) after it was ordered by the tribunal, failure to properly record decision-making and delay in consulting for school places.
The Council agreed to make changes to panel forms and documents where needed.

- (b) Case 2 – Education
Failure to provide full-time education and provision in EHCP and communication on education other than at school was poor.
The Council agreed to provide training to staff on duties under s.19 of the Education Act 1996 and s.61 of the Children and Families Act 2024.
- (c) Case 3 – Education
Failure to ensure EHCP was reviewed within statutory timescales and failure to provide suitable alternative educational provision and specialist provision as set out in the EHCP after the child stopped attending school.
The Council agreed to create an action plan to address how it will improve checks on whether children are receiving appropriate education and take timely action to put this in place.
- (d) Case 4 – Education
Delay in reassessment and issuing final EHCP, failing to properly investigate whether child had missed out of educational provision, causing delay in right to appeal.
The Council agreed to remind staff of the internal processes to ensure decisions are taken and communicated with correct timeframes.
- (e) Case 5 – Education
Failure to follow tribunal order and provide appropriate full time education causing the child to miss out on educational provision.
The Council agreed to review its internal processes for tuition renewal and SEND panel scheduling and communication protocols.
- (f) Case 6 – Housing
Delay in informing resident about statutory right to review her temporary accommodation and delay in corresponding, including in relation to the complaint.
The Council agreed to conduct a review of its complaints handling procedures, its record keeping procedures and produce an action plan to ensure staff fully understand and carry out their statutory duties.

2.9 Cabinet is already receiving update reports on improvements in TA and housing needs service and with a new lead member in place, it is anticipated that there will be additional reporting in this area, including addressing the need to update policies and strategies. Cabinet is aware of the outcome of the local area inspection for SEND services and the improvements required in this area. The below section provides a focus on SEND complaints at a national level.

A focus on SEND

2.8 Education and children's services continued to make up the largest proportion nationally, representing 27% of all complaints investigated and 48% upheld by the LGSCO. The Ombudsman found fault in 91% of all education and children's complaints, and in 94% of cases involving special educational needs provision. The high proportion of SEND-related complaints within the council's caseload aligns with national patterns, contributing to a high uphold rate. The Council was

recommended to pay financial redress of a total of £18,500 to families in 2025/26, in addition to putting in place suitable educational provision and reviewing procedures, including complaints procedures.

- 2.9 The Council was subject to a local area inspection in 2025 and was found to have significant failings in relation to how it meets the needs of its local children and young people with SEND and their families. The LGSCO issued good practice guides on a periodic basis and issued a Children out of school guide in October 2025. In this report the LGSCO acknowledged the exponential rise in complaints about alternative education and many of these involve children with SEN and that there has been a significant rise in children facing challenges attending school due to anxiety related reasons. The report noted the enormous pressure councils face and the national pressures on the SEN system.
- 2.10 The LGSCO identified the following themes in relation to complaints relating to children being out of school:
- (a) Being decisive – a common theme seen in LGSCO complaints is councils failing to make timely or clear decisions about whether it has a s.19 duty. Councils should act decisively about whether alternative education is required and tell parents the outcome. Reasons should be given for any decision.
 - (b) Person-centred provision – alternative provision must be arranged based on the child's individual needs. Where full-time provision is deemed not appropriate based on individual circumstances, there should be a written decision referencing any professional opinion sought and considered. If the child has an EHCP the Council has an ongoing duty to arrange the support guaranteed by the plan. The provision should be kept under review and thought given to steps needed to reintegrate a child back into their usual school setting.
 - (c) Clear communication with parents and partners – Parents should have an opportunity to share their comments and evidence and understand their rights to complain about decisions they disagree with. There should be clear lines of communication with partner agencies, who will often have relevant information about the child. This includes children's health professionals, schools, social care, school transport and housing.
 - (d) Where things go well – in these cases councils are seen to be acting decisively in making s.19 decisions, working closely with schools, parents and other partners, communicating decisions in plain English, with reasons and giving information about other services that might support the child.

LGSCO Annual Review of Local Government Complaints – 2024-25

- 2.11 The 2024-25 annual review by the LGSCO is published and a review for 2025-26 is expected in July 2026. As stated above education and children's services make up 27% of all complaints received, followed by housing (17%) and adult social care (13%).

- 2.12 Under a chapter on “Enhancing resident satisfaction”, the LGSCO notes that listening to public concerns is an essential component of a well-run, accountable authority that is committed to public engagement, learning and improvement. The vast majority of authorities comply with LGSCO recommendations, however in 18% of cases compliance was late. The Council should ensure it considers the achievability of recommendations at draft decision stage and has an effective tracking system in place. Officers and elected members should be aware of and utilise guidance and published reports to implement effective processes and determine the health of the local complaints system. This includes cabinet members reviewing complaint data for their portfolio to better understand the performance of the services they are responsible for. Members should play particular attention to uphold rates at LGSCO stage, as this indicates a missed opportunity to resolve the complaint at an earlier stage, the extent to which a suitable remedy is offered at an earlier stage, compliance rates and the tracking system for service improvements.
- 2.13 Under a chapter on “Learning and improvement”, highlighted the public interest reports, focus reports and good practice guides available where learning is captured. 26 public interest reports were published in 2024-25 across local government, including:
- (a) 3 for children’s services relating to transition from children’s to adult services, meeting the needs of disabled children and education of looked after children;
 - (b) 8 for education relating to SEN assessments and reviews in 5 cases, school transport, SEN personal budgets and direct payments and alternative provision.
 - (c) 3 for adult social care, 2 relating to assessment and 1 to direct payments.
 - (d) 10 for housing (noting that landlord functions are the responsibility of the Housing Ombudsman and not included). 5 relate to homelessness, 3 to domestic abuse, 1 to allocations and 1 to disabled facilities grant.
 - (e) 2 for environmental services and protection, one relating to noise and one to pollution.
 - (f) 1 for benefits and tax, relating to housing benefit.

3. Implications of the Recommendation

3.1 Finance implications

3.1.1 There are no direct financial implications arising from this report.

3.2 Legal implications

3.2.1 The Council is required to report findings of fault identified by the LGSCO. This is the responsibility of the Council’s Monitoring Officer. The method of reporting is flexible to ensure effective communication to elected members, and it varies based on the nature and impact of the faults identified. For the majority of

cases, where the LGSCO finds fault related to mistakes or service failures and the council agrees to implement recommendations, the Monitoring Officer can fulfil their duty by providing annual annual reports of all upheld complaints aligned to receipt of the Council's annual review letter from the LGSCO.

3.2.2 If the Council receives a public interest report, the Council is obligated to report this to the most appropriate member body and a formal council response within 3 months. In addition, the Monitoring Officer should consider separate reports to members for investigations revealing faults with wider implications, such as ongoing issues, large-scale faults, or those affecting many people, to ensure appropriate attention and risk management. This can include referencing complaints in service reports on wider improvements.

3.2.3 If the Council failed to comply with an LGSCO recommendation after a finding of maladministration, the Monitoring Officer must report this to members under s.5 of the Local Government and Housing Act 1989. This duty can also be triggered if the Monitoring Officer believes that a proposed action or omission may result in maladministration.

3.3 Risk management implications

Risk	Summary	Mitigations
Financial	Failing to manage complaints at the earlier stage risks officer time being expended and recommendations to may a payment as financial redress for the failures.	Ensure corporate reporting on complaints data and training provided to officers to ensure resolution at the earliest stage.
Governance	Upheld complaints indicates that the Council is not delivering services in accordance with statutory and procedural standards. In particular complaints have indicated a lack of record-keeping for some decisions and this learning is also highlighted in national reports from the LGSCO as an issue across the local government sector.	Having up to date procedures within service directorates and regularly reviewing policies and strategies.
Legal	Upheld complaints indicate that the Council is not delivering services in accordance with legal requirements in some cases. This risks an increase in legal proceedings.	Ensuring complaints data is seen as an important source of insight and utilised to improve procedures and ensure legal compliance.

Reputational	Upheld complaints indicate that residents and service users do not feel listened to and have to resort to using the complaints process to address their concerns. This impacts on the level of trust residents having in council service delivery.	Ensuring transparent reporting on complaints and that learning is captured. Ensuring a culture of learning and that apologies are offered and redress offered when something has gone wrong.
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3.4 Environmental implications

3.4.1 No environmental implications have been identified as a direct result of this report.

3.5 Equality implications

3.5.1 Complaints data should be seen as a key source of insight. Although equality monitoring data is not collected in relation to LGSCO complaints, it is possible to identify specific protected characteristics who are more likely to be impacted by poor complaint handling. For instance the Council has seen an increase in complaints relating to SEN and some of these children and young people may have the protected characteristic of disability.

3.5.2 One of the upheld complaints related to suitability of temporary accommodation for a woman and her two children and led to the family being housed in a property with damp and condensation issues for a year before suitability was considered.

4. Background Papers

None