

Committee: Audit & Standards

Date:

Title: Local Government Ombudsman Report 2024/25

25 September
2025

Lead member Cllr Arthur Coote, Member Responsible for Complaints

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Summary

1. The annual review letter has been received from the Local Government Ombudsman summarising the complaints relating to the Council's services dealt with by the Ombudsman's office for the year ended 31 March 2025.
2. This report also details the complaints and compliments received by the Council in the same period.

Recommendations

3. To note the contents of the Ombudsman's annual review letter and the position with regards to complaints and compliments for the year ended 31 March 2025.

Financial Implications

4. The Council was found at fault in relation to three complaints. Two of the complaints required the council to apologise and make payments totalling £600 as well carrying out some follow up actions. The Ombudsman does not publish all decisions to maintain confidentiality; the third complaint falls into this category. A summary of the two published decisions can be found in paragraph 11.

Background Papers

5. The papers referred to by the author in the preparation of this report are mentioned in the body of the report.

Impact

6.

Communication/Consultation	Review reports are published on the Council's and the Ombudsman's websites
Community Safety	N/A
Equalities	N/A

Health and Safety	N/A
Human Rights/Legal Implications	Residents and users of the Council's services are able to complain to the Ombudsman about the handling of complaints where the complainant is dissatisfied with the service or response received, within time limits. For Housing Complaints, the Social Housing (Regulation) Act 2023 now applies. There is also a statutory Code for complaints handling, issued by the Housing Ombudsman Service in February 2024.
Sustainability	N/A
Ward-specific impacts	All wards
Workforce/Workplace	N/A

Situation

7. The Council's annual review letter has been received from the Local Government & Social Care Ombudsman along with the complaints decided during the year can be found at Appendix A. Below is a breakdown of the complaints decided by service area: during the year:

Planning & Development	9
Corporate & Other Services	3
Environmental Services	3
Benefits & Tax	1
Housing	1
Total	17

8. The dashboard below is from the Ombudsman's website and provides a complaint overview of all complaints dealt with during the period:



Not for us – includes complaints brought to us before the council was given chance to consider it, or the complainant came to the wrong Ombudsman.	6
Assessed and closed - includes complaints where the law says we're not allowed to investigate, or it would be a poor use of public funds if we did.	7
Investigated – we completed an investigation and made a decision on whether we found fault, or no fault. ○ 3 upheld ○ 1 not upheld	4
Complaints dealt with – the total number of complaints and enquiries considered. It is not appropriate to investigate all of them.	17

9. Twelve of the complaints had exhausted the Council's complaints procedure before referral to the Ombudsman.
10. Five complaints contained within Appendix A have references that do not match any of our records, however, on checking the Ombudsman's website these produce a nil return and would have been assessed and closed without reference to the Council.
11. As mentioned in paragraph 4, there were two cases where the Council was found at fault and was required to apologise and make a payment to the complainants, one of the cases also required some follow up actions. The full decisions are available on the Ombudsman's website although briefly summarised here:
 - a. Mr X complained that between March 2023 and February 2024 the Council mismanaged its waste collection service resulting in many missed bin collections from his property. We accepted that our waste collection service was not operating as it should during the time of the complaint. We explained that there was a lack of capacity which meant some collections were missed. The revocation of the Operator's Licence also affected the level of service. The closure of the nearest waste transfer site also impacted on the time available to collection crews meaning properties located at the end of the collection rounds were regularly missed. The Ombudsman determined this as fault. The Ombudsman were pleased to note that the Council has since provided extra resources and increased the number of collection crews and based on feedback from Mr X noted this had resolved the situation and his collections now happen regularly. To this end, they did not make any service improvement recommendations. The agreed action to remedy the injustice was to provide a written apology and make a payment of £200 to recognise the frustration and time and trouble

pursuing his complaint. The Council received confirmation from the Ombudsman that the remedy was complete and satisfied.

- b. Mrs Y and Mr Z complained about the Council's delays and decisions regarding enforcement action they reported about planning breaches in respect of their neighbour. The complaint concerned a planning enforcement case opened in November 2021. In December 2021 the case was investigated but considered something that could be resolved through a retrospective application. It concerned differences to an approved barn conversion and what had been built. The case was not closed until March 2023. The owner had also placed a static caravan on the land. A retrospective application was made to retain it but refused planning permission under delegated powers. In January 2023 officers issued a formal notice seeking its removal. The LGSCO agrees that it does not cause significant injustice to nearby residents however, it is not acceptable in policy terms and causes harm to the character of the area. The matter was referred to legal for prosecution. The complainant also complained that the development was affecting an adjacent public footpath. Allegations of infringements to public footpaths are not within the council's remit and falls under the county council (ECC). The Council referred the matter to ECC in writing in August 2023. The LGSCO did not find fault in the council's decision-making, however, it did find that that the process was subject to delays and while there are no set time frames in enforcement, the delays caused uncertainty and frustration to the complainants.

The council had to apologise and pay £200 each to Mrs Y and Mr Z to recognise the injustice, and within 3 months of the complaint complete a review of our procedures to ensure investigations into reported breaches of planning control do not drift without action; and send written reminders to planning staff to make timely referrals to other authorities when deemed necessary and ensure this is recorded on the file. An enforcement tracker has been set up which is monitored at a monthly case tracking meeting with the team and Head of Development Management. This is the same method by which major planning applications are tracked and driven within the department. The Council received confirmation from the Ombudsman that the remedy was complete and satisfied.

12. Comparing our performance against a group of statistical near neighbours that the Council uses for benchmarking purposes, we are joint bottom of the table for the number of complaints with upheld decisions, although it should be noted the numbers are low.

	Complaints dealt with	Not for the Ombudsman	Assessed and closed	Investigated	Number upheld
Harborough	13	9	3	1	0
South Oxfordshire	5	1	3	1	0
Tandridge	13	5	7	1	0
Tewkesbury	7	4	3	0	0

Bromsgrove	6	3	2	1	1
East Hampshire	16	5	9	2	1
Hart	6	2	3	1	1
Mole Valley	15	4	9	2	1
Sevenoaks	17	4	12	1	1
South Cambridgeshire	10	1	8	1	1
Test Valley	6	0	4	2	1
Tonbridge and Malling	15	7	7	1	1
Vale of White Horse	8	3	4	1	1
Winchester	15	7	6	2	1
Uttlesford	17	6	7	4	3
Waverley	17	7	6	4	3

13. In the previous annual review letter for the period 2023/24 there were 11 complaints decided with none upheld:

- a. Five were closed after initial enquiries
- b. Five were considered premature and advice given
- c. One complaint had been previously considered and decided

14. The Housing Ombudsman has started to issue letters based on the number of judgements made, this typically arrives in November. The service reports 10 complaints received by the Housing Ombudsman for the 2024/25 period, of which 9 are still awaiting determination or triage. 1 case has been closed with no further action needed.

Cases where the ombudsman has asked us to provide information at the triage stage. These cases may or may not be investigated.

- Response to complaint UNSL 45-2023/24 - Ombudsman advised case has been sent to triage
- Non-response to attempt to make formal complaint on 20/09/2024 - Ombudsman advised case has been sent to triage
- Landlord's response to reports of intrusive noise - Ombudsman advised case has been sent to triage
- Reports of concerns have been raised regarding the needed kitchen upgrade and extension, delays in essential repairs, the level of communication received and concerns about the temperature of outbuilding - Ombudsman advised case has been sent to triage

Cases where the ombudsman has decided to investigate fully (this can take several months) we have provided all the data they have asked for on the cases and are now awaiting the determination.

- Non-response to complaint UNSL 65-2023/24 – awaiting determination from ombudsman
- Response to complaint UNSL 08-2024/25 - awaiting determination from ombudsman

- Response to complaint UNSL 33-2024/25 - awaiting determination from ombudsman
- Antisocial behaviour by neighbour, resident's request for a property transfer & repairs to boiler - awaiting determination from ombudsman
- Damp and mould, responding to the resident's complaint – Ombudsman requested that we log a Stage 2 complaint, this has been done and awaiting determination

Closed cases

- Response to complaint UDC 06-2024/25 - Ombudsman confirmed no further action needed.

15. Attached at Appendix B is a summary of complaints received by the Council during the 2024/25 period to enable a contrast to be drawn between the number of overall complaints referred for internal investigation and the number then referred onwards for investigation by the Ombudsman.

These complaints are reviewed quarterly by the Council's Corporate Management Team to share any lessons learnt. The total number of recorded complaints for 2024/25 totals 146. The reasons for these complaints broadly fall into the following categories: time taken to process, human error, lack of response and delays in responding.

323 complaints were recorded in the same period last year, the higher number can be explained by the loss of the Operator's Licence and an issue with an early collection of a Council Tax direct debit instalment, which resulted in an additional 185 complaints, leaving 138 other complaints for the 2023/24 period, which is similar to this years recorded number of complaints.

16. It is acknowledged that the number recorded as 'complaints' does not represent all expressions of dissatisfaction received by the Council. Issues of dissatisfaction raised directly with services are often apologised for and resolved without being formally recorded. Therefore, it is reasonable to assume the recorded complaints reflect 'stage 2' complaints where the matter has been escalated to a senior service manager.
17. Similarly, the level of recorded compliments will be an under representation of the numerous occasions residents and customers recognise the excellent work of our staff.
18. In the Ombudsman's letter at Appendix A they refer to resources available and the emphasis on supporting complaint and service improvement, to this end the Council, as part of its workforce plan for learning and development, provided mandatory training to 85 members of staff who were selected because they either had responsibility for responding to written complaints or contributing to responses. It is hoped that this training has given officers the necessary confidence and tools in complaints handling and letter writing which may have an overall positive impact in lowering the number of complaints escalated to the Ombudsman for investigation.

The training was delivered by HQN and provided a practical session with the objectives of:

- a. Helping participants feel confident about writing or contributing to good complaint responses
 - b. For our service users to feel that they have been heard, understood and dealt with fairly when raising complaints
 - c. To embed our UNITED Behavioural framework into our culture and everyday work
19. Complaints will be considered against the new code from April 2026 at the earliest. The Council has already adopted The Housing Ombudsman Complaint Handling Code, with the intention for the learning and best practice from the Complaints Management Improvement Panel to inform the corporate complaints policy.
20. As the Member Responsible for Complaints, Cllr Arthur Coote has continued to receive regular updates on the progress of the Complaints Management Improvement Panel and has been briefed on this latest Annual Review Letter.

Risk Analysis

21.

Risk	Likelihood	Impact	Mitigating actions
1 – full investigation of complaints referred to the Ombudsman is always undertaken	2 – in cases where fault has been found it might be necessary to provide a remedy to satisfy the complainant and in some cases changes to internal procedures followed by service areas	2 – where a change of process is required to meet a recommendation from the Ombudsman it may have some impact on service provision	As recommended by the Ombudsman – sometimes a review of internal practices may be required if significant failings in service provision are identified

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project