

OMBUDSMAN ANNUAL REPORT 2021-22

Head of Service:	Olwen Brown, Monitoring Officer
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 – Local Government and Social Care Ombudsman Annual Review Letter 2021-2022

Summary

This report provides the annual review of complaints received and decisions made by the Local Government and Social Care Ombudsman during 2021-2022.

Recommendation (s)

The Committee is asked to:

- (1) Receive and note the Local Government and Social Care Ombudsman Annual Review Letter 2021-2022.**

1 Reason for Recommendation

- 1.1 To bring to the attention of the Committee the Annual Review of Complaints by the Local Government and Social Care Ombudsman (LGSCO), regarding complaints it has considered against the Council.

2 Background

- 2.1 The Local Government and Social Care Ombudsman produces an Annual Review Letter for local authorities detailing the number and type of complaints received and decisions made relating to each authority. The annual review letter for the period from 1 April 2021 to 31 March 2022 relating to Epsom and Ewell Borough Council is attached to this report as Appendix 1.

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3 Annual Review Letter 2021-22

- 3.1 The Annual Review Letter sets out that for the year ending 31 March 2022 the LGSO undertook a total of 3 detailed investigations into complaints against the Council. The Ombudsman upheld 2 complaints. In total 11 complaints were made to the Ombudsman, 8 of which were dismissed.
- 3.2 The details of the two complaints upheld by the Ombudsman are summarised below.
- 3.2.1 The complainant said that the council had failed to properly deal with property repair issues they raised about their temporary accommodation and wrongly assessed their needs. The Ombudsman found that the council was at fault for its complaint handling and it delayed dealing with the property repair issues. The council agreed to the Ombudsmans recommendations to address the injustice caused by its fault.
- 3.2.2 The complainant said that the Council had failed to act on reports of unauthorised development by their neighbour and also that the council had applied its vexatious complainant policy to them unreasonably. The Ombudsman found that there was fault by the council in not informing the complainant of the outcome of its enforcement investigation and that, due to this, the vexatious complainant policy was applied incorrectly. The Council agreed to apologise to the complainant and make a payment to them to address the injustice they had suffered.
- 3.3 The annual review letter refers to concerns about the timeliness of the response from the council in handling complaints. We have taken this on board. We have made contact with the Ombudsman's office directly and have sent the key officers who deal with complaints on training provided by the Ombudsman. We have also transferred responsibility to another team to ensure there is improved focus on dealing with Ombudsman enquiries
- 3.4 The Annual Review letter does not detail the total number of complaints made to the LGO against the Council. For the year ended 31 March 2021, this was 11. A comparison with previous years is provided below:

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	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Number of complaints and enquiries received by the Ombudsman	19	15	15	23	27	17	11
Number of complaints upheld	4	2	1	2	0	3	2

3.5 The Council's figures for 2021-22 are comparable to other Surrey authorities, as outlined in the below comparison table:

Authority	Investigations	Upheld
Elmbridge	4	0
Epsom and Ewell	3	2
Guildford	2	2
Reigate & Banstead	4	3
Runnymede	1	0
Spelthorne	1	1
Surrey Heath	0	0
Tandridge	5	4
Waverley	4	2
Woking	1	1

4 Risk Assessment

Legal or other duties

4.1 Impact Assessment

4.1.1 There are no equalities issues arising from the contents of this report.

4.2 Crime & Disorder

4.2.1 None.

4.3 Safeguarding

4.3.1 None.

4.4 Dependencies

4.4.1 None.

4.5 Other

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4.5.1 None.

5 Financial Implications

5.1 None arising from this report.

5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

6 Legal Implications

6.1 The Council is obliged to respond to complaints of maladministration through the Ombudsman. The Local Government Act 1974, prescribes the way in which the Ombudsman conducts investigations.

6.2 **Legal Officer's comments: Nothing further to be added**

7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None.

7.4 **Sustainability Policy & Community Safety Implications:** None.

7.5 **Partnerships:** None.

8 Background papers

8.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- Local Government and Social Care Ombudsman website, your Council's performance: <https://www.lgo.org.uk/your-councils-performance>