



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>AUDIT AND GOVERNANCE COMMITTEE – 24 OCTOBER 2024</b>
Subject	<b>ANNUAL SUMMARY OF COMPLAINTS STATISTICS FROM THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN – YEAR ENDING 31 MARCH 2024</b>
Wards affected	None
Accountable member	CLlr Joe Harris, Leader of the Council Email: <a href="mailto:joe.harris@cotswold.gov.uk">joe.harris@cotswold.gov.uk</a>
Accountable officer	Robert Weaver, CEO Email: <a href="mailto:Democratic@Cotswold.gov.uk">Democratic@Cotswold.gov.uk</a>
Report author	Cheryl Sloan, Business Services Manager, Governance, Risk & Business Continuity Email: <a href="mailto:Democratic@Cotswold.gov.uk">Democratic@Cotswold.gov.uk</a>
Summary/Purpose	This report presents the Annual Complaints statistics as provided by the Local Government and Social Care Ombudsman for the year 1 <sup>st</sup> April 2023 – 31 <sup>st</sup> March 2024.
Annexes	Annex A – Annual Review Letter 2023 – 2024 Annex B – Upheld complaint by Local Government and Social Care Ombudsman
Recommendation(s)	That the Audit and Governance Committee resolves to:  I. Note the content of the report and the Annual Review Letter 2023 – 2024.
Corporate priorities	<ul style="list-style-type: none"><li>• Delivering Good Services</li></ul>
Key Decision	No
Exempt	No
Consultees/ Consultation	NA



## **1. EXECUTIVE SUMMARY**

- 1.1 This report provides an overview from the annual summary of complaints statistics from the Local Government and Social Care Ombudsman – year ending 31 March 2024.

## **2. 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 Cotswold District Council (CDC).
- 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 CDC 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 CDC.
- 1.5 It should be noted that in February, following a period of consultation, the LGO launched the new Complaint Handling Code for councils, setting out a clear process for responding to complaints effectively and fairly. Councils are urged to adopt this Code without delay, they expect councils to carefully consider the Code when developing policies and procedures and will begin considering it as part of their processes from April 2026. A new policy and procedure have been produced in line with the new code, which will change the complaints process from a three-stage internal process to a two-stage. This will be brought to the next Audit Committee for approval.

## **2. OVERVIEW**

- 2.1 A total of 10 complaints were escalated to the LGO about services provided by CDC during financial year 2023 - 2024.



2.2 Of the 10 complaints received by the LGO, one complaint was investigated, which was 'upheld'.

2.3 The table below provides a summary of the 10 complaints received by the LGO, the complaint category (service area), the decision which has been made and the reason for the decision.

<b>Category</b>	<b>Decided</b>	<b>Decision</b>	<b>Decision Reason</b>
Housing	18/10/2023	Closed after initial enquiries	26B (2) not made within 12 months
Planning & Development	25/8/2022	Upheld	Fault and injustice
Benefits & Tax	18/4/2023	Referred back for local resolution	Premature
Planning & Development	10/10/2023	Closed after initial enquiries	No worthwhile outcome achievable
Planning & Development	13/9/2023	Closed after initial enquiries	Not warranted by alleged fault
Planning & Development	16/10/2023	Referred back for local resolution	Premature
Benefits & Tax	12/10/2023	Referred back for local resolution	Premature Decision - advice given
Corporate & Other Services	30/11/2023	Closed after initial enquiries	Other Agency better placed
Corporate & Other Services	30/11/2023	Closed after initial enquiries	No worthwhile outcome achievable by investigation
Benefits & Tax	1/3/2024	Closed after initial enquiries	Not warranted by alleged fault

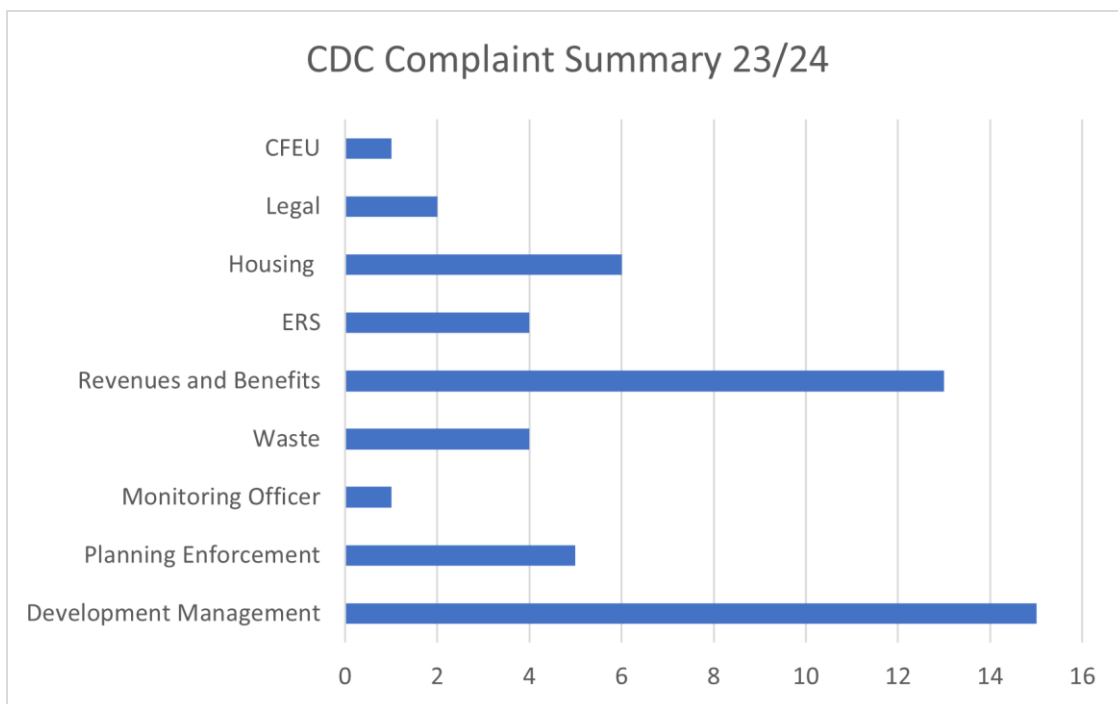
2.4 A total of 3 complaints were referred back to the Council, this is due to the complainant having not exhausted the 3 stages of the internal complaints process, 6 were closed after initial enquiries, and one complaint was upheld.

2.5 Of the one complaint upheld (please see appendix 2), this related to the Council allegedly failing to take proper enforcement action against a neighbour who extended their property into a section of public space, and that the Council failed to carry out agreed actions. The Council were not found at fault for the bulk of the complaint but were found at fault for delays in dealing with the complainant. The Ombudsman recommended the Council apologised to Mr X and make a payment to recognise the uncertainty caused. A payment of £100 was made and an apology given for time delays.

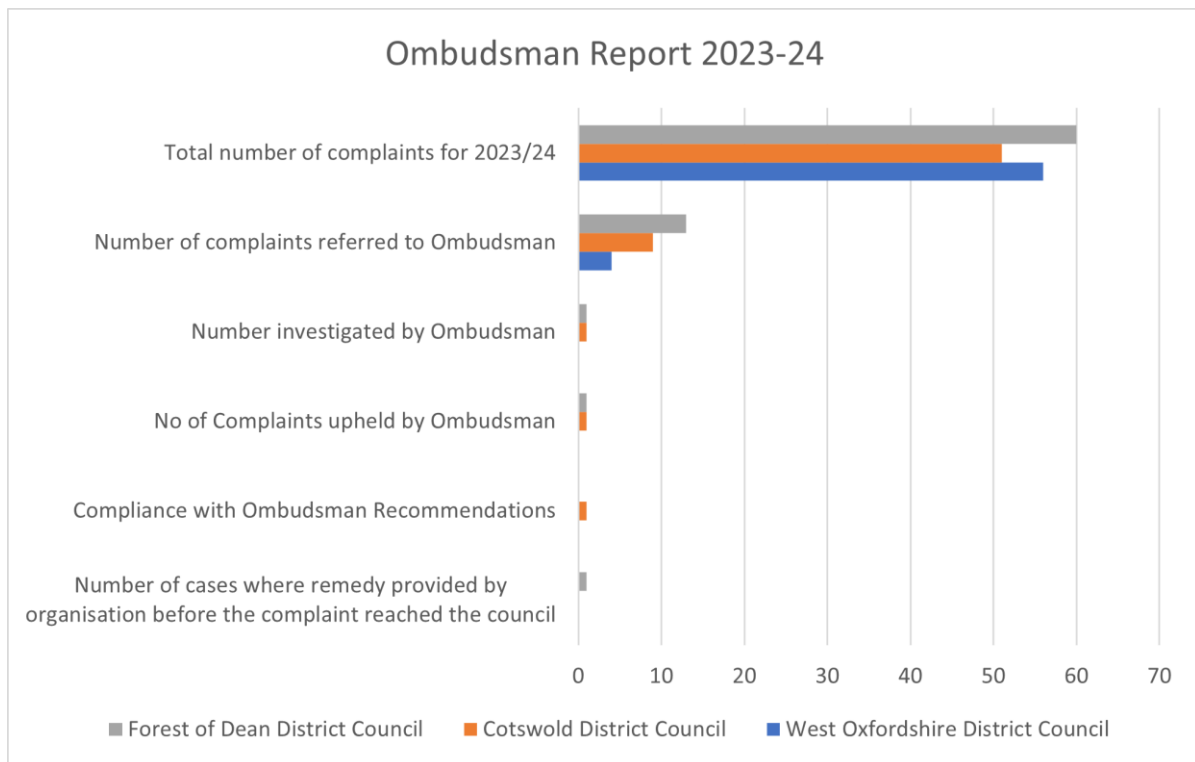
2.6 During 2023-2024, CDC recorded a total of 50 complaints. 10 were referred to the Ombudsman, which equates to 20%. This is a 17% reduction from last year. It should also be noted that three of the complaints were referred straight back to the Council, which is, in the majority, where they have gone straight to the LGO, rather than through the Council's internal complaints process and 6 were closed after initial investigations.



2.7 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, housing, 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. Complaints received by the Council and partner Councils are reviewed to check for trends, lessons learnt and mitigating action. Below is a chart which shows the breakdown of complaints for 2023/24.



2.8 Comparing this to our partner Councils; West Oxfordshire and Forest of Dean. West Oxfordshire had zero complaints investigated and therefore no complaints upheld, and the Forest of Dean had one complaint investigated and one complaint upheld. The graph below details the total number of complaints received by each Council during 23/24, and the breakdown of complaints referred to the LGO.



2.9 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 lower than CDC, for which 100% of the complaints were upheld (one of one complaints).

2.10 Given the number of services provided by CDC, to have one complaint upheld by the LGO, of which remedy has been complied with in full, 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**



**COTSWOLD**  
DISTRICT COUNCIL

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**

9.1 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:

10 Annual Complaints Statistics and Annual Letter from the LGO

10.1 These documents will be available for inspection online at [www.cotswold.gov.uk](http://www.cotswold.gov.uk) or by contacting democratic services [democratic@cotswold.gov.uk](mailto:democratic@cotswold.gov.uk) for a period of up to 4 years from the date of the meeting.