

Appendix Three: Ombudsman Annual Report

1.0 Introduction

1.1 Each year the Local Government and Social Care Ombudsman (LGO) produces an Annual Review Letter for local authorities detailing the number and type of complaints and decisions made relating to each authority, The annual review letter for the period 1 April 2020 – 31 March 2021 for Newark & Sherwood District Council is attached to this report as an appendix.

2.0 Annual Review (April 2020 to March 2021)

2.1 The statistics provided with the Annual Review Letter show that for this period, the LGO received eleven complaints relating to services provided by this Council and made decision on eight complaints. This compares to ten decisions being made in 2019 -20

2.2 The received and decided figures are different due to a number of reasons including:

- The complaint may have been received during 2020/21 but a decision will be made in 2021/22 (or even a later year) and therefore this figure will show in a later years report
- The complaint did not relate to a service delivered by NSDC e.g. highways and transport.
- The complaint was classed as premature.

2.3 Likewise, the received figures the LGO provide never align with the figures the Council hold. This is because the LGO numbers include enquires from people who the LGO signpost back to the Council but never contact us. These are captured in the “closed after initial enquires” figures. There is no way of identifying who these customers are. The table below details the categories of the complaints received and the decisions made in each Ombudsman category.

Ombudsman Category	Received by the LGO	Decided by the LGO
Benefits and Council Tax	2	1
Corporate/Other Services	1	3
Environmental Services	3	
Planning and Development	4	4
Housing	1	
Highways & Transport	1	
Total	12	8

2.4 The table below shows the outcome of each decision

Ombudsman Category	Closed after initial enquiries	Upheld	Referred back for local resolution	Total
Benefits and Council Tax	1			1
Corporate/Other Services	2	1		3
Planning and Development	3		1	4
Total	6	1	1	8

- 2.5 Further details regarding the nature of each complaint is in the table below. The details are anonymised and brief in content in order not to be able to identify the details of the complaint or the associated property.
- 2.6 The one upheld complaint related to a decision made regarding a parish council code of conduct complaint. Having initially assessed the complaint, the LGO was of the view that a settlement of the complaint could be achieved at the assessment stage, by the Council reconsidering the complaint by reviewing additional evidence. The Council reconsidered the complaint and reached the conclusion that its initial decision remained the same which was that a breach of conduct had not taken place. As we agreed to review the complaint, the LGO considered that this represented a suitable resolution to the complaint and therefore would not investigate. This complaint was classed as upheld with no further action required. The complainant raised a further complaint with the LGO who decided not to investigate this and it was closed after initial enquires.

2.7 Table of complaints

Ombudsman Decision	Ombudsman Reference Number	Ombudsman Category	Summary of initial complaint	Ombudsman Decision	Decision Reason	Ombudsman Remedy
1	20000707	Planning and Development	Incorrectly interpreted the conclusion of the planning inspectorate	Closed after initial enquiries	Not warranted by alleged maladministration /service failure The Council followed the right process and considered the relevant matters	
2	20000937	Corporate and Other Services	Handling of complaint regarding conduct of parish councillor left complainant feeling vulnerable	Upheld	Injustice remedied during LGO consideration	New appeal/review or reconsidered decision
3	20004506	Corporate and Other Services	The Council failed to deal appropriately with a complaint about the conduct of a parish councillor - links to complaint 20000937	Closed after initial enquiries	Not warranted by alleged maladministration /service failure No evidence of fault in how the Monitoring Officer reached their decision	
4	20004988	Planning and Development	Assessment of planning application for a development near the complainants home	Closed after initial enquiries	Not warranted by alleged maladministration /service failure The Council properly considered the application before granting permission, the Ombudsman was unlikely to find fault by the Council	
5	20005831	Benefits and Tax	The council tax refund received was much less than been expected	Closed after initial enquiries	Not warranted by alleged maladministration /service failure Insufficient evidence of fault by the	

					Council to justify pursuing the complaint further	
6	20007079	Corporate and Other Services	The Council failed to deal appropriately with a complaint about the conduct of a parish councillor	Closed after initial enquiries	Other reason not to investigate Insufficient evidence of fault, has not caused injustice, investigation would not be a good use of limited public resources and the LGO cannot investigate the actions of a parish council or councillor as they are outside of the jurisdiction of the Ombudsman.	
7	20011745	Planning and Development	Impact of planning decision on parents property	Closed after initial enquiries	Not warranted by alleged maladministration /service failure The Council properly considered the application before granting permission, the Ombudsman was unlikely to find fault by the Council	
8	20012299	Planning and Development	Complaint not passed on to the Council therefore no information available	Referred back for local resolution	Premature Decision - advice given	