



Report to: Audit & Governance Committee Meeting 23
November 2022

Director or Business Manager Lead: Sue Bearman – Assistant Director

Lead Officer: Jill Baker, Business Manager Customer Services, ext.
5810

Report Summary	
Report Title	Local Government and Social Care Ombudsman and Housing Ombudsman Annual Update
Purpose of Report	To inform Members of the Local Government and Social Care Ombudsman and Housing Ombudsman annual review updates
Recommendations	That Members note the report
Reason for Recommendation	There is a requirement from the Ombudsman that the Annual Review Letter is shared with Members

1.0 Background Information

- 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 letter and decisions received information for the period 1 April 2021 – 31 March 2022 for Newark and Sherwood District Council are attached to this report - Appendices 1 and 2
- 1.2 The Housing Ombudsman produces an Annual Complaints Review. The most recent one issued in 2022, covers the period 1 April 2020 - 31 March 2021. Appendix 3
- 1.1 During this period, the Housing Ombudsman did not make any determinations on any complaints for the Council. Due to this, the contents of this report relate solely to the LGSCO decisions.

2.0 LGSCO Annual Review April 2021 – March 2022

2.1 The statistics provided with the Annual Review Letter show that for this period, the LGSCO received ten complaints relating to services provided by this Council and made decisions on twelve complaints. This compares to the eleven received and eight decisions being made in 2020 – 2021.

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

- The complaint may have been received during 2021 - 2022 but a decision will be made in 2022 - 2023 (or even later) and therefore this complaint will show in a later year's report.
- The complaint did not relate to a service by this Council e.g., highways and transport.
- The complaint was classed as premature.

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

Ombudsman Category	Received by the LGSCO	Decided by the LGSCO
Benefits and Tax	2	3
Planning and Development	5	2
Housing	1	1
Other	1	5
Highways and Transport	1	1
Total	10	12

2.4 The table below shows the outcome of each decision.

Ombudsman Category	Closed after initial enquiries	Advice given	Referred back for local resolution	Total
Benefits and Tax	2		1	3
Planning and Development	3		1	4
Housing	1	1		2
Other		1	1	2
Highways and Transport	1			1
Total	7	2	3	12

- 2.5 None of the complaints decided were upheld the by LGSCO.
- 2.6 The LGSCO has published the anonymised details of the seven complaints it reviewed and closed after making initial enquired.

Ombudsman reference number and link	Ombudsman category	Summary of complaint	Decision Reason
20 012 836 - Local Government and Social Care Ombudsman	Housing	Incorrect service of improvement notices by the Council to a private landlord.	The Ombudsman did not exercise his discretion to investigate this complaint. This is because it concerns matters which Mr X was aware of outside the normal 12-month period for receiving complaints and there were no good reasons why it should investigate outside this period.
20 013 270 - Local Government and Social Care Ombudsman	Highways and transport	Handling of matters related to a change of postcode to a property	Late complaint and therefore outside of jurisdiction.
20 013 800 - Local Government and Social Care Ombudsman	Benefits and tax	Change to the amount housing benefit and council tax support received.	Ombudsman will not investigate as complaint can appeal the decision elsewhere
21 001 504 - Local Government and Social Care Ombudsman	Planning	The pre-application planning advice given and the handling of the planning application	No evidence of fault in the pre-application advice given and if Mrs X wants to dispute the Councils decisions to would be reasonable for her to appeal.
21 003 848 - Local Government and Social Care Ombudsman	Planning	Granting of planning permission without taking into account the overlooking	Not enough evidence of fault in planning process to warrant an investigation.

		and loss of privacy that the new development will have on their property.	
21 004 655 - Local Government and Social Care Ombudsman	Planning	Granting of planning permission without taking into account of the visual impact that the new development will have on their property.	The complaint does not meet the tests in the Ombudsman's Assessment Code. Nothing to suggest fault affected the Council's decision
21 014 051 - Local Government and Social Care Ombudsman	Benefits and tax	Reduction in the amount of housing benefit received following a change in financial circumstances.	Ombudsman will not investigate as complaint can appeal the decision elsewhere.

3.0 Further learning

- 3.1 Although the LGSCO and Housing Ombudsman did not conduct any investigations into any of the complaints received during this period, any Ombudsman complaints received by the Council are reviewed to see if any changes in processes and policies are required.

Background Papers and Published Documents

Nil.