

Ombudsman Annual Update (Local Government and Social Care & Housing)

1.0 Introduction

- 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 for the period 1 April 2021 to 31 March 2022 for Newark & Sherwood District Council is attached as appendix 3.
- 1.2 The Housing Ombudsman also produces an Annual Complaints Review. The most recent one was issued in 2022, covering the 1 April 2020 to 31 March 2021. It is attached as appendix 4.
- 1.3 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 highlight the LGSCO decisions only.

2.0 LGSCO Annual Review April 2020 to March 2021

- 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 eight decisions made in 2020-21 and eleven received.
- 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 2022–23 (or later) and therefore this figure 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 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. Details regarding the nature of each complaint are detailed in the table below. The details are anonymised and brief in content in order not to be able to identify the complaint or the associated property. The hyper-link on the reference is to the LGSCO decision.

| Local Government and Social Care Ombudsman Complaints | | | | |
|--------------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ombudsman Reference | Category | Summary of Initial Complaint | Decision | Decision Reason |
| <u>20 012 836</u> | Housing | Incorrect service of improvement notices by the Council to a private landlord. | Closed after initial enquiries | 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. |
| <u>20 013 270</u> | Highways and transport | Handling of matters related to a change of postcode to a property | Closed after initial enquiries | Late complaint and therefore outside of jurisdiction. |
| <u>20 013 800</u> | Benefits and tax | Change to the amount housing benefit and council tax support received. | Closed after initial enquiries | Ombudsman will not investigate as complaint can appeal the decision elsewhere. |
| <u>21 001 504</u> | Planning | The pre-application planning advice given and the handling of the planning application | Closed after initial enquiries | 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. |
| <u>21 003 848</u> | Planning | Granting of planning permission without taken account of the overlooking and loss of privacy that the new development will have on their property. | Closed after initial enquiries | Not enough evidence of fault in planning process to warrant an investigation. |

| | | | | |
|----------------------------|------------------|----------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 21 004 655 | Planning | | Closed after initial enquiries | 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 | Benefits and tax | Reduction in the amount of housing benefit received following a change in financial circumstances. | Closed after initial enquiries | Ombudsman will not investigate as complaint can appeal the decision elsewhere. |
| 21015612 | Other | This enquiry was not received by the Council and the Ombudsman did not publish its decision. | Advice given | Signposted elsewhere |
| 21011105 | Benefits and tax | This enquiry was not received by the Council and the Ombudsman did not publish its decision. | Referred back for local resolution | Premature decision – Ombudsman provided advice |
| 21012145 | Planning | This enquiry was not received by the Council and the Ombudsman did not publish its decision. | Referred back for local resolution | Premature decision – Ombudsman provided advice |
| 21012209 | Housing | This enquiry was not received by the Council and the Ombudsman did not publish its decision. | Advice given | Signposted elsewhere |
| 21012915 | Planning | This enquiry was not received by the Council and the Ombudsman did not publish its decision. | Referred back for local resolution | Premature decision – Ombudsman provided advice |