

COUNCIL – 5TH SEPTEMBER 2022

Report of the Monitoring Officer

Part A

ITEM 6.2 LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN REVIEW LETTER 2021/22

Purpose of Report

To make Members aware of the Local Government & Social Care Ombudsman's (LGSCO) review letter for 2021/22 and three cases of complaints that were upheld by the LGSCO during the year, in accordance with the LGSCO's guidance which is that the Monitoring Officer should make a periodic report to councillors summarising any upheld complaints.

Recommendation

That the Local Government & Social Care Ombudsman's appended review letter for 2021/22, and the summary of the upheld complaints as set out in Part B of this report, be noted.

Reason

To comply with the guidance from the Local Government & Social Care Ombudsman that the Monitoring Officer should make Members aware of upheld complaints on a periodic basis.

Policy Justification and Previous Decisions

The LGSCO's guidance is that the Monitoring Officer should report details of complaints to Members periodically.

Implementation Timetable including Future Decisions and Scrutiny

No further actions are required to implement the recommended decision.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are none.

Risk Management

There are no specific risks associated with this decision.

Background Papers:

LGSCO Decision Summaries for the upheld complaints during 2021/22:

[21 001 438 - Local Government and Social Care Ombudsman](#)

[20 008 873 - Local Government and Social Care Ombudsman](#)

[21 007 074 - Local Government and Social Care Ombudsman](#)

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Part B

Background

1. The LGSCO is the final stage for complaints about councils, all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services. They are a free service. They investigate complaints in a fair and independent way, and do not take sides.
2. Their annual review letter for 2021/22 is appended to this report, and notes that there were three upheld complaints during the year.

Upheld Complaints

3. Upheld complaint ref. 21-001-438 related to a complaint that the Council issued a series of confusing council tax bills and did not properly notify the complainant that the Council would seek a Liability Order in court if he did not pay. The Council accepted that correspondence did not fully explain the position, and apologised and waived the costs created by legal action.
4. Upheld complaint ref. 20-008-873 related to a complaint that the Council failed to take appropriate action when the complainant raised concerns about anti-social behaviour and noise. The Ombudsman found that the Council was not at fault for deciding to take no further action in relation to concerns, but was at fault for not signposting the complainant to the Community Trigger. The Council agreed to apologise for the uncertainty this caused and to appropriately signpost the complainant to the Community Trigger process.
5. Upheld complaint ref. 21-007-074 related to a complaint that the Council failed to disclose the construction type during a right-to-buy application process, leading to the complainant incurring non-refundable legal fees for a property that could not be mortgaged through a regular lender. The Council reimbursed the complainant £600 for the legal fees incurred, and also paid compensation of £150 in recognition of the inconvenience caused.

Appendix

LGSCO Review Letter for 2021/22