

## COUNCIL – 7TH SEPTEMBER 2020

### Report of the Monitoring Officer

#### Part A

#### ITEM 6.1 LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN REVIEW LETTER 2019/20

##### Purpose of Report

To make Members aware of the Local Government & Social Care Ombudsman's (LGSCO) review letter for 2019/20 and two cases of complaints which 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 2019/20, 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 2019/20:

<https://www.lgo.org.uk/decisions/environment-and-regulation/other/18-017-168>

<https://www.lgo.org.uk/decisions/environment-and-regulation/trees/18-000-594>

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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 2019/20 is appended to this report, and notes that there were two upheld complaints during the year.

### Comparative Summary

3. The following table summarises complaints about the Council dealt with by the LGSCO over the last 3 years:

LGO Decision	2019/20	2018/19	2017/18
Upheld	2	1	1
Not upheld	1	4	1
Closed after initial enquiry	7	9	10
Referred back to authority	10	8	10
Total	20	22	22

### Upheld Complaints

4. The first upheld complaint (ref. 18-017-168) related to a complaint that the Council failed to properly investigate and take enforcement action for breaches of planning control and noise nuisance caused a boating company. The Ombudsman found evidence of delay by the Council and therefore upheld the complaint. The Council agreed to the recommended actions.
5. The second upheld complaint (ref. 18-000-594) related to a complaint that the Council failed to keep the complainant informed when it decided to issue a tree preservation order, but later reversed that decision. The Ombudsman recommended that the Council should write to the complainant to apologise, and pay him £150 for avoidable frustration, uncertainty and time and trouble caused.

### Appendix

LGSCO Review Letter for 2019/20