

AGENDA ITEM

REPORT TO CABINET

17 OCTOBER 2024

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

Leader of the Council - Lead Cabinet Member – Councillor Bob Cook

**LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO) ANNUAL
COMPLAINTS REPORT 2023/24**

SUMMARY

The report provides Cabinet with details of the Local Government and Social Care Ombudsman's annual review letter for the Council for 2023/24. There were 48 enquiries submitted to the Ombudsman during the year, 13 met the threshold for a detailed investigation by the Ombudsman. Of the 13 complaint investigations, 8 were upheld. All recommendations made by the Ombudsman, following their investigations, have been accepted and implemented by the Council. There was one formal public interest report that was published in 2023/24 relating to school transport.

RECOMMENDATIONS

1. Cabinet to note the report which sets out that the Council has fully complied with the recommendations from complaints investigated by the Ombudsman.

REASONS FOR THE RECOMMENDATIONS

To ensure Members are aware of the position regarding complaints to the Ombudsman about the Council and to provide assurance that the Council is responding in line with LGSCO expectations.

DETAIL

1. Each year the Ombudsman publishes its annual letter and summary of statistics on the complaints and enquiries it has received about Stockton-on-Tees Borough Council and the decisions made. The Council has received the latest report for the financial year ending 31 March 2024.
2. Of the 48 complaints and enquiries dealt with by the Ombudsman in 2023/24, most related to Education and Children's Services (20), and Adult Care Services (8). 13 were progressed to investigation, with 8 of the 13 complaints being upheld. The number of complaints investigated by the LGSCO in 2023/24 was slightly higher than the previous year (10 investigations in 2022/23), however numbers of non-Ombudsman complaints

received by the Council in 2023/24 has fallen from the previous year, with 79% being successfully resolved as part of the early resolution process (i.e. within 5 working days).

3. Of the 8 upheld Ombudsman complaint investigations, 5 related to Education and Children's Services, 2 relating to Adult care services and 1 related to Taxation. The report details that the LGSCO was satisfied with the remedy offered by the Council (such as an apology, financial redress) in advance of the complainant raising the complaint with the LGSCO, in only 13% of upheld cases (1 out of 8 cases). Therefore, at the forthcoming annual Officer Complaints Forum (January 2025), a session will specifically focus on how to effectively use remedy in resolving complaints. This advice and guidance will support officers who are investigating complaints to ensure that appropriate remedy is offered at an early stage and hopefully improve performance against this measure.
4. The Ombudsman publishes public interest reports for more serious cases to share the lessons learned from the cases they investigate, as well as holding authorities to account. In 2023/24, 27 Public Interest Reports were issued nationally, one of these was issued for the Borough of Stockton on Tees. The report related to a complaint raised in relation to school transport, Cabinet previously received a report regarding this in July 2023. The Council has accepted and has fully implemented the recommendations from the report.

FURTHER INFORMATION

5. A copy of the 2023/24 performance tables received from the LGSCO is attached at **Appendix I** of this report. A useful guide to interpretation of the Ombudsman's statistics is available on the [LGSCO website](#).
6. Comparative data of neighbouring authorities and CIPFA authorities is attached at **Appendix II** of the report.

FINANCIAL IMPLICATIONS

7. None as a direct result of this report. The financial implications of individual complaints would be dealt with separately as part of the responses to those complaints.

LEGAL IMPLICATIONS

8. There are no direct legal implications arising from the report. They may, however, arise on a case-by-case basis, depending on the particular circumstances of the complaint and related decision and Legal Service input is called upon in these cases. The Corporate Governance Group also has a Legal Service representative.

RISK ASSESSMENT

9. LGSCO complaint investigations and any associated public interest reports create public relations risks to the Council and can undermine resident confidence. The current complaints policy and procedures are designed to minimise these risks, and the oversight provided by the Complaints Team and Corporate Governance Group provide assurance to senior management and members that complaints are taken seriously, corrective action implemented and learning maximised.

WARDS AFFECTED AND CONSULTATION WITH WARD / COUNCILLORS

10. The Ombudsman complaints information does not indicate any significant ward specific information or trends.

BACKGROUND PAPERS

11. The Local Government and Social Care Ombudsman's annual review of Local Government complaints for 2023/24 has been published and relevant extracts have been included in this report. A copy of the complete report can be viewed on the [LGSCO website](#).

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Appendix I - Stockton data from the annual report 2023/24

Complaints upheld	
62% of complaints investigated were upheld.	National average of 79% in similar organisations
8 upheld decisions	
4 upheld decisions per 100,000 residents	Average for authorities of Stockton's type is 4.6 upheld decisions per 100, 000
Statistics are based on a total of 13 investigations for the period between 1 April 2023 to 31 March 2024	

Compliance with Ombudsman recommendations	
100% of cases the Ombudsman were satisfied Stockton had successfully implemented for recommendations.	National average of 100% in similar organisations
Statistics based on a total of 5 compliance outcomes for the period between 1 April 2023 to 31 March 2024	

Satisfactory remedy provided by the organisation	
In 13% of upheld cases the Ombudsman found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman	
1 satisfactory remedy decision	
Statistics are based on a total of 8 upheld decisions for the period between 1 April 2023 to 31 March 2024	

Appendix II - Comparative data**Tees Valley**

Tees Valley Local Authorities	Upheld 22/23	Upheld 23/24	Compliance with Recommendations (23/24)
Stockton	70% (7/10)	62% (8/13)	100%
Darlington	67% (6/9)	89% (8/9)	100%
Hartlepool	0% (0/2)	100% (2/2)	N/A – no recommendations
Middlesbrough	73% (8/11)	60% (3/5)	100%
Redcar & Cleveland	100% (11/11)	75% (3/4)	100%

Northeast

Northeast Authorities	Upheld 22/23	Upheld 23/24	Compliance with Recommendations (23/24)
Durham	52% (11/21)	67% (10/15)	100%
Gateshead	57% (8/14)	100% (4/4)	100%
Newcastle	70% (7/10)	70% (7/10)	100%
North Tyneside	91% (10/11)	92% (12/13)	100%
Northumberland	84% (16/19)	69% (18/26)	100%
South Tyneside	67% (4/6)	67% (2/3)	100%
Sunderland	50% (4/8)	92% (11/12)	100%

CIPFA Nearest Neighbours

Nearest Neighbours	Upheld 22/23	Upheld 23/24	Compliance with Recommendations (23/24)
Dudley	78% (21/27)	59% (13/22)	100%
Northeast Lincolnshire	88% (7/8)	89% (8/9)	100%
Plymouth	67% (14/21)	67% (14/21)	100%
Rotherham	86% (6/7)	67% (4/6)	100%
North Lincolnshire	67% (2/3)	83% (10/12)	100%
Derby	71% (10/14)	78% (14/18)	100%
Doncaster	75% (9/12)	70% (7/10)	100%
Wakefield	71% (10/14)	67% (8/12)	86%
Bolton	94% (17/18)	90% (9/10)	100%
Wigan	80% (12/15)	100% (8/8)	100%
Warrington	89% (8/9)	88% (7/8)	100%
Telford & Wrekin	44% (4/9)	50% (2/4)	100%
Walsall	86% (12/14)	95% (18/19)	100%
Darlington	67% (6/9)	89% (8/9)	100%
Halton	80% (4/5)	50% (1/2)	100%