



**GOVERNANCE AND AUDIT  
COMMITTEE**

**Tuesday 26th September  
2023**

**Local Government and Social Care Ombudsman (LGSCO)  
Annual Review Letter Report 2022/23**

Report by:	Director of Commercial & Operational Services
Contact Officer:	Natalie Kostiuk Customer Experience Officer natalie.kostiuk@west-lindsey.gov.uk
Purpose / Summary:	Report on the Local Government and Social Care Ombudsman (LGSCO) Annual Review Letter 2023 covering complaints referred to and decided by them between April 2022 and March 2023. Examining upheld complaints, learning actions and benchmarking with other similar local authorities.

**RECOMMENDATION(S):**

That committee members welcome this report, and after considering its contents are assured that the current complaint handling procedures are functioning adequately.

## IMPLICATIONS

### **Legal:**

There are no legal implications arising from this report.

### **Financial: FIN/68/24/GA/SL**

A payment that was recommended as a conclusion of a complaint investigated by the LGSCO was made in January 2023, this was a £1500 payment made from an existing service budget.

### **Staffing:**

There are no staffing implications arising from this report.

### **Equality and Diversity including Human Rights:**

The LGSCO have not identified any issues with how complaints are handled in terms of Equality and Diversity or Human Rights.

### **Data Protection Implications:**

There are no data protection implications arising from this report, appropriate redactions have been made where required.

### **Climate Related Risks and Opportunities:**

Not applicable.

### **Section 17 Crime and Disorder Considerations:**

Not applicable.

### **Health Implications:**

There are no health implications arising from this report.

**Title and Location of any Background Papers used in the preparation of this report:**

Links to the Local Government and Social Care Ombudsman (LGSCO) website:

**Annual Review Letters for West Lindsey District Council**

<https://www.lgo.org.uk/your-councils-performance/west-lindsey-district-council/annualletters/>

**LGSCO complaint decisions for West Lindsey District Council**

<https://www.lgo.org.uk/Decisions/SearchResults?fd=0001-01-01&td=2023-8-10&dc=c%2Bnu%2Bu%2B&aname=West+Lindsey+District+Council&sortOrder=descending>

**West Lindsey District Council Performance 2022/23**

<https://www.lgo.org.uk/your-councils-performance/west-lindsey-district-council/statistics>

**Risk Assessment :**

Not applicable.

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

X

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

X

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## Executive Summary

This report examines the Local Government and Social Care Ombudsman (LGSCO) Annual Review Letter 2022-23 which covers complaints that were either referred to or decided by them during the period from April 2022 to March 2023.

Historical data on complaints handled by the LGSCO is included within this report along with comparison to previous year's figures and findings.

Finally, the report compares how West Lindsey District Council (WLDC) has performed overall nationally and in comparison, with 20 other similar authorities in terms of the number of complaints referred, investigated and upheld by the LGSCO.

During the 2022/23 period a total of 12 new complaints were referred to the LGSCO.

WLDC Service		LGSCO Categorisation
Planning Enforcement	3	Planning and Development
Home Choices	2	Housing
Waste Services	1	Environmental Services & Public Protection & Regulation
Housing Enforcement	1	Housing
Planning and Development	1	Planning and Development
Council Tax	1	Benefits and Tax
Environmental Protection	1	Environmental Services & Public Protection & Regulation
Unknown	1	Environmental Services & Public Protection & Regulation
Unknown	1	Corporate & Other Services

Along with the new complaints referred to them the LGSCO also reached decisions on 3 complaints that were outstanding from the previous year. These were complaints referred to them in 2021/22 but not completed until 2022/23.

In total the LGSCO made 14 decisions. 8 complaints were closed after initial enquiries, 2 were referred back for local resolution, 1 was incomplete/invalid, 1 was investigated and upheld, and 2 were investigated and not upheld.

At the end of the 2022/23 period there was 1 outstanding complaint that was still with the LGSCO, an investigation was ongoing, and a decision was received in 2023/24. The complaint was not upheld, more details will be included in the decided section of next years report.

The 1 upheld complaint was in relation to the Home Choices service, more information including the learning actions and recommendations made by the LGSCO are included later within this report.

### **Advice on comparing statistics across years – a note from the Ombudsman:**

*“In 2022-23 we changed our investigation processes, contributing towards an increase in the average uphold rate across all complaints. Consider comparing individual council uphold rates against the average rate rather than against previous years.”*

*“In 2020-21 we received and decided fewer complaints than normal because we stopped accepting new complaints for three months due to Covid-19.”*

## 1. Introduction

- 1.1 If a customer has followed and completed the Council's formal complaints process and remains dissatisfied with the outcome of their complaint or the way it has been handled by WLDC they are able to refer their complaint to the LGSCO for review.
- 1.2 The LGSCO will only consider a complaint once it has been dealt with in full via the WLDC Customer Feedback Policy and only if it meets their criteria for investigation - <https://www.lgo.org.uk/make-a-complaint/what-we-can-and-cannot-look-at>
- 1.3 Issues that have another formal route of appeal or tribunal will not be considered by the LGSCO, for example, planning appeals, council tax valuation issues and appeals regarding the suitability of housing etc.
- 1.4 There is no cost to the authority for the work carried out by the LGSCO. A cost is only involved if an upheld complaint recommendation suggests a financial remedy.
- 1.5 The LGSCO do not necessarily investigate all of the complaints that are referred to them, Although the LGSCO is a free service they have to decide how to best use their publicly funded resources therefore they cannot investigate all complaints they receive.

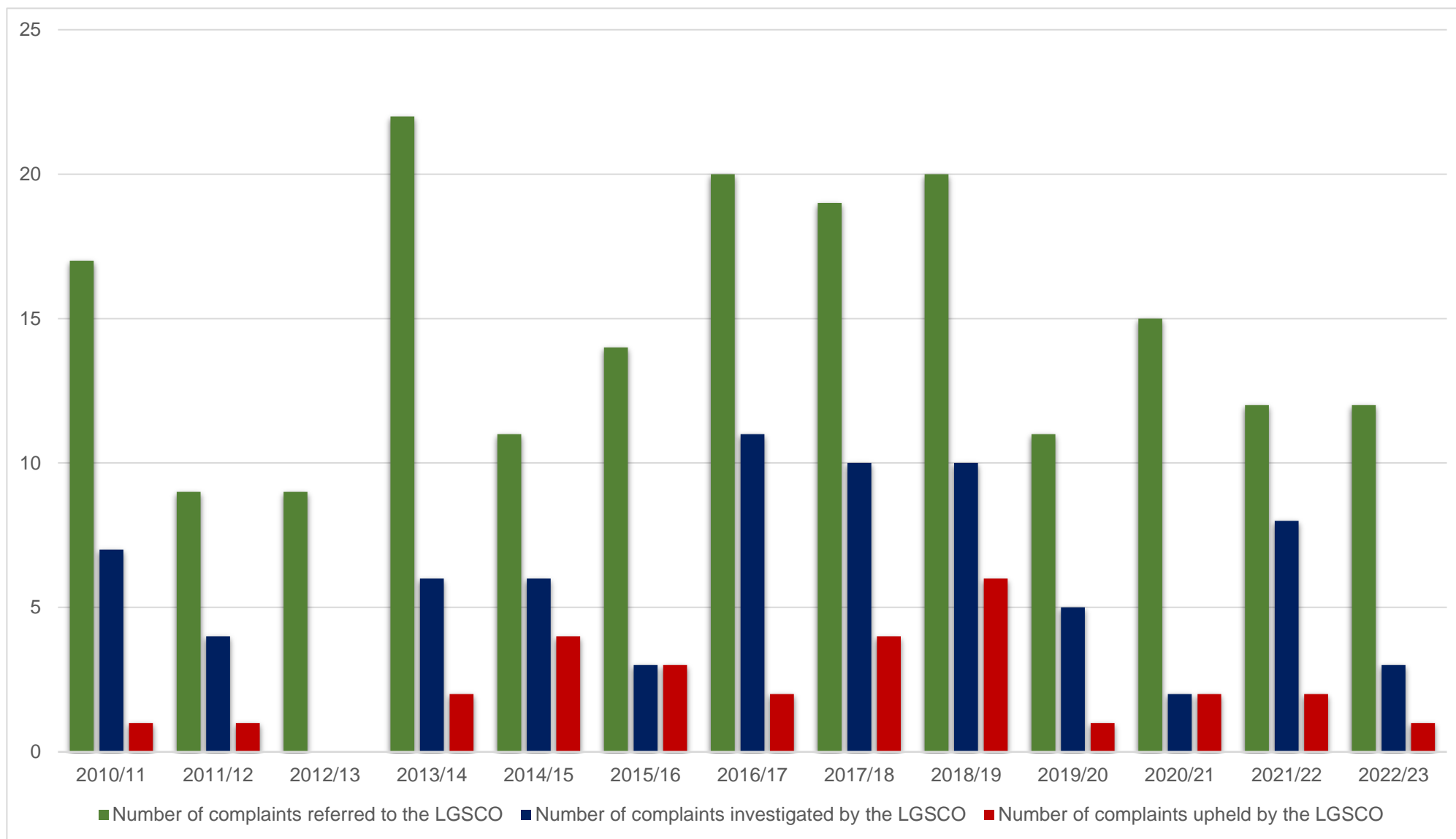
They are more likely to investigate complaints where the issues:

- have had a serious or long-term impact on people's lives
- affect many other people

They are less likely to investigate complaints where:

- the issues have caused minor irritation or upset
- they cannot ask the organisation to do what the complainant wants them to

- 1.6 An Annual Review Letter is published by the LGSCO for each authority every year which details the number of complaints referred to them, investigated by them and includes information on complaints upheld by them. Information regarding compliance with LGSCO recommendations is also included. The full WLDC Annual Review Letter for 2022/23 can be found in [Appendix 1](#) of this report.
- 1.7 The information published by the LGSCO allows us to examine our performance for the year and look at how we compare to other similar authorities.
- 1.8 The investigations carried out and decisions made by the LGSCO allow us to learn and make improvements to the way we deliver our services and deal with our customers on a daily basis. Complaints investigated that are not upheld by the LGSCO provide assurance that we are operating correctly. We can also learn from LGSCO complaints and decisions made for other authorities, when weekly decision lists are published, they are shared with relevant team managers.
- 1.9 The graph on the next page shows how many WLDC complaints have been referred to, investigated and upheld by the LGSCO each year since 2010, the last 4 years has seen a decrease in the number of WLDC complaints processed by the LGSCO:



- The number of complaints investigated and upheld for 2012/23 is

## 2. Annual Review Letter 2022-23 Figures

- 2.1 In total 12 new complaints were referred to the LGSCO in 2022/23, this is lower than the historical average. The table below shows which services the complaints related to compared with previous years.
- 2.2 As you can see, historically the majority of complaints referred to the LGSCO were in relation to Planning and Development services. 2022/23 saw a significant decrease in the number complaints regarding this group of services being referred to the LGSCO.

	Benefits and Tax	Corporate and Other Services	Environmental Services (including Community Safety and Waste)	Highways and Transport	Housing (Enforcement and Housing Assistance)	Planning and Development (and Planning Enforcement)	Other	Total
2022/23	1	1	3	0	3	4	0	12
2021/22	1	0	1	0	1	9	0	12
2020/21	0	0	3	0	1	10	1	15
2019/20	4	1	1	0	1	4	0	11
2018/19	4	1	3	0	1	11	0	20
2017/18	3	2	2	0	0	12	0	19
2016/17	3	1	4	1	2	9	0	20

- 2.3 The service categories for complaints that the LGSCO use include various WLDC service areas, for instance their Planning and Development category includes Planning Enforcement and their Environmental Services and Public Protection and Regulation includes Waste Services, Community Safety and Environmental Health services.
- 2.4 The table below, that is also included in the introduction section of this report shows the breakdown of WLDC services compared to the LGSCO categorisation and the number of complaints referred to them relating to each WLDC service in 2022/23:

WLDC Service		LGSCO Categorisation
Planning Enforcement	3	Planning and Development
Home Choices	2	Housing
Waste Services	1	Environmental Services & Public Protection & Regulation
Housing Enforcement	1	Housing
Planning and Development	1	Planning and Development
Council Tax	1	Benefits and Tax
Environmental Protection	1	Environmental Services & Public Protection & Regulation
Unknown	1	Environmental Services & Public Protection & Regulation
Unknown	1	Corporate & Other Services



2.4 1 of the complaints referred to the LGSCO was not completed in 2022/23, this was the complaint regarding Housing Enforcement services, more details on the complaint will be included in the decided section of next year's 2023/24 report. The complaint was investigated and not upheld, a decision was received in June 2023.

2.5 In 2022/23 the LGSCO also reached decisions on 3 complaints that were outstanding from the previous year. These were complaints referred to them in 2021/22 but not completed until 2022/23.

2.6 In total 14 decisions were made by the LGSCO during the 2022/23 period. The table below provides information on the complaints that were decided including the dates they were received and decided by the LGSCO, the service they related to, the decision made and any recommendations made in regards to the decision reached.

- ***The Category and Reference titles below are live links to the full complaint report on the LGSCO website. The 3 which are not links were not published due to personal identifying information or because they were referred back to WLDC for local resolution.***

LGSCO Category and Reference Number	WLDC Service	Received	Decided	Days Taken	Decision	Decision Reason	Remedy
<a href="#">Planning &amp; Development 21002386</a>	Planning Enforcement	21/05/2021	27/04/2022	341	Not Upheld	No Fault	N/A
<a href="#">Planning &amp; Development 21018943</a>	Planning	28/03/2022	18/04/2022	21	Closed after initial enquiries	Not warranted by alleged fault	N/A
<a href="#">Planning &amp; Development 21018969</a>	Planning	28/03/2022	13/04/2022	16	Closed after initial enquiries	Not warranted by alleged fault	N/A
<a href="#">Planning &amp; Development 22001456</a>	Planning Enforcement	03/05/2022	24/05/2022	21	Closed after initial enquiries	Other reason not to investigate	N/A
<a href="#">Environmental Services &amp; Public Protection &amp; Regulation 22001990</a>	Waste	17/05/2022	23/05/2022	6	Closed after initial enquiries	Sec 26(7) - all or most	N/A

<b>LGSCO Category and Reference Number</b>	<b>WLDC Service</b>	<b>Received</b>	<b>Decided</b>	<b>Days Taken</b>	<b>Decision</b>	<b>Decision Reason</b>	<b>Remedy</b>
Housing <b>22002076</b>	Home Choices	18/05/2022	11/01/2023	239	Upheld	Fault and Injustice	Apology, Financial redress: Avoidable distress/time and trouble, Financial redress: Loss of service, Provide training and/or guidance
<a href="#">Planning &amp; Development 22003036</a>	Planning Enforcement	08/06/2022	20/10/2022	135	Not Upheld	No fault	N/A
<a href="#">Planning &amp; Development 22006169</a>	Planning	04/08/2022	21/08/2022	17	Closed after initial enquiries	26(6)(b) appeal to Minister	N/A
<a href="#">Housing 22006279</a>	Home Choices	10/08/2022	24/08/2022	14	Closed after initial enquiries	Not warranted by alleged fault	N/A
<a href="#">Planning &amp; Development 22006695</a>	Planning Enforcement	15/08/2022	07/09/2022	24	Closed after initial enquiries	Not warranted by alleged fault	N/A
Environmental Services & Public Protection & Regulation <b>22010937</b>	Unknown	08/11/2022	08/11/2022	1	Referred back for local resolution	Premature Decision - advice given	N/A
Corporate & Other Services <b>22015939</b>	Unknown	02/02/2023	22/02/2023	20	Referred back for local resolution	Premature Decision - advice given	N/A
<a href="#">Housing 22014849</a>	Housing Enforcement	02/02/2023	29/06/2023	179	Not Upheld	No Fault	N/A

2.7 During 2022/23 there were 2 complaints that were referred back to WLDC for a local resolution. This occurs when a customer has not initially made their complaint known to us or have not given us the chance to investigate and resolve their complaint internally.

The LGSCO will only consider a complaint once it has been investigated via the authority under the Council's formal complaint process.

- 2.8 In total 8 complaints were closed after initial enquiries were made. This occurs when the LGSCO receive a complaint and consider the initial information including details of the complaint and the response we have given them. If the LGSCO decide that it is unlikely that any fault or maladministration will be found or that any harm or injustice has been caused they will not investigate the matter further. The LGSCO will also take this approach to complaints where an appeal or tribunal route is available to the complainant or where the complaint has been made out of time. The reasons why the LGSCO closed these 8 complaints are listed below:

### **Planning x 3**

- *We will not investigate Mrs X's complaint because she has not been caused an injustice because of the Council's actions in relation to the first planning application. There is also no evidence of fault in how the Council reached a decision to grant planning permission for the second application.*
- *We will not investigate Mrs X's complaint because there is no evidence of fault in how the Council dealt with her neighbour's planning application.*
- *We will not investigate Mr X's complaint because:*
  - *he had planning appeals to the Planning Inspectorate against the Council's decisions which it was reasonable for him to have used;*
  - *his complaint about the Council preventing him using his Inspectorate appeal in 2019 is late, there are no good grounds to investigate it now, and investigation would not achieve a different outcome;*
  - *it was not fault by the Council to not provide him with alternative development proposals for his land once it had refused his application.*

### **Planning Enforcement x 2**

- *We will not investigate this complaint. This is because an investigation is unlikely to add to the investigation already carried out by the Council or lead to a different outcome.*
- *We will not investigate Ms X's complaint because an investigation is unlikely to find evidence of fault by the Council.*

### **Waste x 1**

- *We cannot investigate this complaint because it is about an issue that affects all the inhabitants of the Council area.*

### **Environmental Protection x 1**

- *We will not exercise discretion to investigate this complaint which was received outside the normal 12-month period for investigating complaints. There is no evidence to suggest that Mrs X could not have complained to us sooner about the Council's investigation of noise from a care home.*

### **Home Choices x 1**

- *We will not investigate this complaint about the Council's assessment of Mr X's housing application. There is insufficient evidence of fault which would warrant an investigation.*

- 2.9 The LGSCO carried out detailed investigations into 3 of the complaints received, these were in relation to Home Choices, Planning Enforcement and Housing Enforcement.
- 2.10 Following the LGSCO's investigations into the 3 complaints, 1 was upheld (Home Choices) and 2 were not upheld (Planning Enforcement and Housing Enforcement).
- 2.11 A decision for a complaint that was referred to the LGSCO the previous year was also received in 2022/23, the complaint was in relation to Planning Enforcement and the complaint was not upheld.
- 2.12 As the LGSCO upheld 1 of the 3 complaints investigated in 2022/23 the upheld rate for WLDC is 33%, this compares to an average of 59% in similar authorities.
- 2.13 The table below shows how many complaints have been referred to, investigated and upheld by the LGSCO compared to previous years.

	2022/23	2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
Complaints and enquiries received by the LGSCO	<b>12</b>	12	15	11	20	19	20
Number of detailed investigations carried out by the LGSCO	<b>3</b>	8	2	5	10	10	11
Number of complaints upheld by the LGSCO	<b>1</b>	2	2	1	6	4	2
Upheld complaint percentage %	<b>33%</b>	25%	100%	20%	60%	40%	18%

- 2.14 As you can see the upheld rate has fluctuated over the years depending on how many complaints were investigated by the LGSCO. The actual number of upheld complaints is minimal, this has decreased across the last 6 years.
- 2.15 The decrease in the number of complaints referred to the LGSCO overall and the reduction in the number of complaints that the LGSCO felt were justified could be attributed to the work of the Customer Experience Officer and the centralised approach taken to handling complaints that was implemented in 2018.
- 2.16 It is acknowledged that cases referred to the LGSCO have been more complex in nature and we welcome a fresh pair of eyes on these matters to assist us in identifying how we can do things differently in the future.

### 3. Complaints Investigated but Not Upheld

- 3.1 In total the LGSCO carried out detailed investigations into 3 of the 12 complaints referred to them, this is a decrease compared to the previous year when 8 complaints were investigated.
- 3.2 The LGSCO did not uphold 2 of the complaints they investigated in 2022/23, both of these complaints were in relation to the Planning Enforcement service.
- 3.4 These are the details of the 2 complaints that were not upheld, to view the full report from the LGSCO please follow the title links included below:

#### [21002386 – Planning Enforcement – Not Upheld](#)

##### Summary:

*“The complainant, Mr X, complained the Council failed to properly consider a planning application or use its planning enforcement powers to control unauthorised development resulting hazardous material spilling onto his land and light nuisance. The Council says it followed the correct procedures and considered all information presented. We found the Council acted without fault.”*

*“I find the Council acted without fault in exercising its planning and enforcement powers.”*

#### [22003036 – Planning Enforcement – Not Upheld](#)

##### Summary:

*“Mr X complained the Council has failed to properly investigate or take appropriate enforcement action in relation to an unlawful mobile home on land next to a property he is purchasing.”*

*“There is no evidence of fault in the way the Council considered Mr X’s concerns about a breach of planning control.”*

## 4. Upheld Complaints and Learning and Improvement Actions

- 4.1 The LGSCO upheld 1 of the complaints they investigated in 2022/23, the table below shows information on the complaint that was upheld and the remedy that was recommended by the LGSCO. The received and decided dates illustrate the length of time that it took for the investigation to be completed.

Service and LGSCO Reference	Received	Decided	Decision	Decision Reason
Home Choices (Housing) 22002076	18/05/2022	11/01/2023	Upheld	Fault and Injustice
<b>Days to resolve 239</b>				
<b>Remedy</b>				
<ul style="list-style-type: none"> <li>• Apologise in writing</li> <li>• Pay xxx £200 a month for the five months spent in unsuitable accommodation, so £1,000 in total.</li> <li>• Pay xxx a further £500 in recognition of their avoidable distress, uncertainty, and missed opportunity.</li> <li>• Write to xxx reiterating the Council's agreement to reinstate their housing register application following the Occupational Therapy report.</li> </ul>				
<b>Service Improvement Recommendations</b>				
<ul style="list-style-type: none"> <li>• Share a copy of the decision with staff in the relevant departments.</li> <li>• Remind relevant staff that initial assessments must address the circumstances leading to homelessness, the housing needs, and support needs, of the applicant.</li> <li>• Remind relevant staff that a decision about whether an applicant is threatened with homelessness or is homeless should include consideration of whether it is reasonable for them to continue to occupy their current accommodation, especially where the applicant is a victim of domestic abuse.</li> <li>• Provide training or guidance to relevant staff on how to produce adequate Personalised Housing Plans with reasonable steps for both the Council and the applicant to take.</li> </ul>				
<b>Learning and Improvement Actions</b>				
A further improvement that came from this complaint decision and the LGSCO's findings was the implementation of service standards for the Home Choices service.				

- 4.2 The information below includes more detail on the complaint and the reasons why it was upheld.

Please note that the LGSCO did not publish this decision statement on their website because of the risk of compromising the complainant's anonymity, therefore the information below is a redacted summary rather than the full LGSCO decision report.

*“xxx complained that the Council failed to provide interim accommodation when they were homeless, leaving them in an unsuitable property where they were at risk of domestic abuse. They also complained the Council ended its housing duty by offering them an unsuitable property. As a result, xxx says their mental and physical health have suffered, and they remain in unsuitable accommodation.”*

### **The LGSCO's findings**

*“The Council correctly identified that xxx application to the housing register in April 2021 was also a homeless application. However, there is no evidence the Council conducted the assessment of the circumstances required by law. Nor that it considered whether it was reasonable for them to continue to live with their parents given the ongoing issues of domestic abuse. Failure to do so was fault.*

*The Council says it accepted the prevention duty in May. However it did not write to xxx accepting this duty and setting out their right to review. This was fault. It produced a PHP but the plan contains no details about xxx housing needs and has no actions for either them or the Council to take. This was fault.*

*The Council accepted a relief duty in July. It took two months for it to write to xxx with what it said was an offer of interim accommodation. I do not consider that this was actually an offer. To constitute an offer, the accommodation must exist and be available to the applicant. The Council offered xxx accommodation at a B&B which was closed. This was fault.*

*The Council ended its duty by offering xxx a property which they bid on. They had concerns about affordability which the Council addressed. There is no fault in how the Council made the offer of the property. xxx had a right to ask for a review of the suitability of the accommodation which they did not use.*

*When xxx contacted the Council again in November, it had reason to believe they might be homeless and in priority need. It therefore offered xxx accommodation in xxx while it made inquiries. It agreed to accommodate their pet and provide transport to any medical appointments and work. I find no fault in how the Council handled this new application.”*

### **Injustice**

*“I have found that the Council did not complete a proper assessment of xxx needs and circumstances in May 2021. It should have considered whether it was reasonable for xxx to continue to live with their parents in circumstances where they were abusive towards them and the home was not adapted to meet their physical health needs. Had it done so, I find that the Council would have decided xxx was homeless and may be in priority need.*

*Therefore, the Council should have offered xxx interim accommodation in May. Instead, xxx remained in un-adapted accommodation where they were at risk of domestic abuse for a further five months. This is a significant injustice to xxx.*

*The failure to tell xxx in writing when it accepted a prevention duty denied them the statutory right to review this decision. This, in addition to the Council's inadequate PHP, meant xxx did not know what, if anything, the Council was doing to help them from April until July. This is an injustice to xxx.*

*xxx circumstances were the same in May, when the Council accepted the prevention duty, as they were in July, when the Council accepted the relief duty. I find, therefore, that xxx was already homeless, and so owed the relief duty, in May. Had the Council accepted a relief duty in May, it would have accepted the main duty in July. Instead, it did not do so*

*until October. This delay of three months caused xxx avoidable distress and uncertainty, which is an injustice.*

*When xxx made a second homeless application in November, the Council offered them interim accommodation in Town 3. In doing so, it considered how to meet their disability, employment, and travel needs as well as their need to live with their dog. However, there is no evidence the Council considered making these arrangements when xxx first requested emergency accommodation in May or at any point during its relief duty. Had the Council done so, xxx might have accepted interim accommodation in Town 3. Failure to consider how to meet xxx needs in the accommodation available or make them a proper offer denied them the opportunity to make an informed decision about whether to accept it. This is an injustice to xxx.”*

- 4.3 The recommended actions made by the LGSCO were completed within the timescales required and evidence of the actions completed was shared with the LGSCO.
- 4.4 A further improvement that came from this complaint decision and the LGSCO's findings was the implementation of service standards for the Home Choices service. Following examination of the findings it was established that had an officer been able to speak directly to the applicant then some of the failings identified would not have occurred.
- 4.5 In March 2023 a new Homelessness Customer Charter was agreed and put into place. This charter sets out what the council will do when approached for housing support, what customers can expect from the council and what is expected from the customer. A wider piece of work will commence autumn/winter 2023/24 to examine and refresh customer standards across all council services.

## **5. Compliance with Ombudsman Recommendations**

- 5.1 The LGSCO produce and report statistics on compliance with the recommendations they make in relation to upheld complaints. The LGSCO's recommendations are specific and will include a timeframe for completion, allowing them to follow up with authorities and seek evidence that the recommendations have been implemented.
- 5.2 During 2022/23 there were 2 sets of recommendations that had to be completed within 4 weeks and 8 weeks of the LGSCO's final decision on the upheld complaint detailed in the section above.
- 5.3 We carried out the recommendations within the required timeframe so the compliance rate for West Lindsey District Council in 2022/23 was 100%.
- 5.4 The LGSCO state that failure to comply with recommendations made is rare. *“An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.”*



## 6. Comparison with other Local Authorities Nationally

- 6.1 The LGSCO deals with complaints for 35 local authority areas in total.
- 6.2 West Lindsey District Council is number **235**/357 overall in terms of the number of complaints referred to the LGSCO for each authority, the highest number of complaints being 490 for Birmingham City Council. The previous year West Lindsey District Council was number 265/356 overall.
- 6.3 In terms of the number of upheld complaints West Lindsey District Council is number **284**/356 overall. Birmingham City Council had the highest number of upheld complaints with 128 of their complaints being upheld by the LGSCO. The previous year West Lindsey District Council was number 239/356 overall.
- 6.4 Compared to the previous period (2022/23) West Lindsey District Council has moved to a higher position on the chart for the number of complaints referred to the LGSCO but a lower position for the number of complaints upheld by the LGSCO, this is a positive move.
- 6.5 The tables that show the results for all authorities can be accessed here: <https://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews>

## 7. Comparison with other similar Local Authorities

- 7.1 A list of 20 local authorities that are similar to West Lindsey District Council in terms of size, population and services provided has been compiled so that some meaningful comparison and benchmarking can take place.
- 7.2 The tables in [Appendix 2](#) of this report show how West Lindsey District Council compares with the other 20 similar authorities.
- 7.3 In terms of the number of complaints referred to the LGSCO, West Lindsey District Council is number joint 6/21 compared to similar local authorities. The previous year (2021/22) West Lindsey District Council was joint number 8/21 overall.
- 7.4 West Lindsey District Council is joint number 3/21 in terms of the number of upheld complaints when compared to similar local authorities, please keep in mind that only 1 complaint was upheld.

## Appendix 1 – LGSCO Annual Review Letter 2022-23

19 July 2023

*By email*

Mr Knowles  
Executive Director of Resources  
West Lindsey District Council



Dear Mr Knowles

### Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

### Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

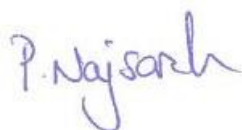
Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

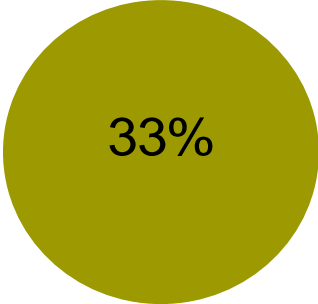
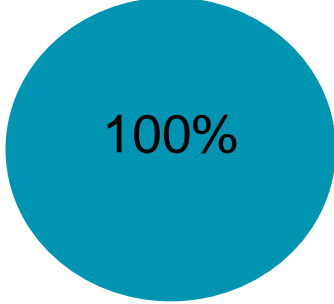
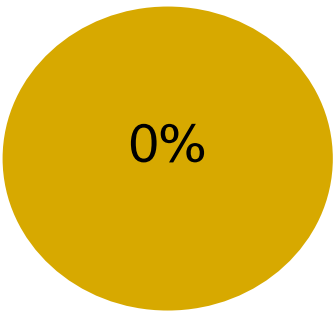
I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training) or get in touch at [training@lgo.org.uk](mailto:training@lgo.org.uk).

Yours sincerely,



Paul Najsarek  
Interim Local Government and Social Care Ombudsman  
Interim Chair, Commission for Local Administration in England

Complaints upheld		
	<p><b>33%</b> of complaints we investigated were upheld.</p> <p>This compares to an average of <b>59%</b> in similar organisations.</p>	<p><b>1</b> upheld decision</p> <p>Statistics are based on a total of <b>3</b> investigations for the period between 1 April 2022 to 31 March 2023</p>
Compliance with Ombudsman recommendations		
	<p>In <b>100%</b> of cases we were satisfied the organisation had successfully implemented our recommendations.</p> <p>This compares to an average of <b>100%</b> in similar organisations.</p> <ul style="list-style-type: none"> <li>• Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.</li> </ul>	<p>Statistics are based on a total of <b>2</b> compliance outcomes for the period between 1 April 2022 to 31 March 2023</p>
Satisfactory remedy provided by the organisation		
	<p>In <b>0%</b> of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.</p> <p>This compares to an average of <b>15%</b> in similar organisations.</p>	<p><b>0</b> satisfactory remedy decisions</p> <p>Statistics are based on a total of <b>1</b> upheld decision for the period between 1 April 2022 to 31 March 2023</p>

## Appendix 2 - Comparison with 20 similar Local Authorities – Complaints Received

Local Government & Social Care <b>OMBUDSMAN</b>	Adult Social Care	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environmental Services, Public Protection and Regulation	Highways and Transport	Housing	Planning and Development	Other	Total
Derbyshire County Council	29	0	6	50	1	11	0	0	0	97
East Lindsey District Council	0	1	0	0	3	1	3	9	0	17
Mid Suffolk District Council	0	2	1	0	1	1	3	9	0	17
South Hams District Council	0	0	2	0	6	0	0	8	0	16
North Devon District Council	1	1	1	0	1	0	2	8	0	14
South Holland District Council	0	1	3	0	1	0	3	5	0	13
Allerdale Borough Council	0	3	2	0	2	0	0	5	0	12
Mid Devon District Council	0	0	2	0	1	1	1	6	1	12
South Somerset District Council	0	0	0	0	1	0	0	11	0	12
West Lindsey District Council	0	1	1	0	3	0	3	4	0	12
Babergh District Council	1	2	1	0	0	0	2	5	0	11
Breckland District Council	0	2	2	0	1	0	1	5	0	11
Cotswold District Council	0	2	1	0	2	0	0	5	0	10
King's Lynn & West Norfolk Council	0	1	3	0	1	1	1	2	1	10
Stratford-on-Avon District Council	0	2	1	0	1	0	1	4	0	9
Torridge District Council	1	0	0	0	0	0	0	8	0	9
Selby District Council	0	0	0	0	2	0	3	3	0	8
Hambleton District Council	0	0	0	0	2	0	0	3	0	5
Copeland Borough Council	0	0	2	0	0	0	1	1	0	4
North Kesteven District Council	0	1	0	0	1	0	0	2	0	4
Daventry District Council	0	0	0	0	0	0	0	0	0	0
<b>Notes</b> <p>These statistics include all complaints and enquiries that were received from 01 April 2022 to 31 March 2023.</p> <p>Some cases are received and decided in different business years. This means the number of complaints and enquiries received may not match the number of decisions made.</p> <p>You can find comparisons with last year's data on the second tab of this workbook.</p> <p>For more information on how to interpret our statistics, please visit: <a href="https://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics">https://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics</a></p>										

## Appendix 2 continued - Comparison with 20 similar Local Authorities – Complaints Decided (by outcome)

Local Government & Social Care OMBUDSMAN	Invalid or Incomplete	Advice Given	Referred Back for Local Resolution	Closed after Initial Enquiries	Not Upheld	Upheld	Total	Uphold rate (%)	Average uphold rate (%) of similar authorities
Derbyshire County Council	4	3	25	34	5	21	92	81%	80%
Mid Suffolk District Council	0	2	7	4	0	2	15	100%	59%
North Devon District Council	2	1	3	6	1	2	15	67%	59%
South Holland District Council	1	0	1	9	2	2	15	50%	59%
Babergh District Council	0	2	3	4	1	2	12	67%	59%
East Lindsey District Council	1	1	5	7	0	1	15	100%	59%
West Lindsey District Council	1	0	2	8	2	1	14	33%	59%
Allerdale Borough Council	1	0	1	6	3	1	12	25%	59%
Mid Devon District Council	1	1	3	6	0	1	12	100%	59%
King's Lynn & West Norfolk Council	2	0	3	4	1	1	11	50%	59%
Stratford-on-Avon District Council	0	0	1	4	5	1	11	17%	59%
Breckland District Council	0	1	2	4	2	1	10	33%	59%
Cotswold District Council	0	0	4	5	0	1	10	100%	59%
Hambleton District Council	0	0	2	0	3	1	6	25%	59%
Daventry District Council	0	0	0	0	0	1	1	100%	59%
South Hams District Council	0	1	6	9	0	0	16		59%
South Somerset District Council	1	0	3	6	1	0	11	0%	59%
Selby District Council	0	1	2	6	0	0	9		59%
Torridge District Council	1	0	4	2	0	0	7		59%
North Kesteven District Council	0	0	2	1	0	0	3		59%
Copeland Borough Council	0	0	2	0	0	0	2		59%
<b>Notes</b>									
These statistics include all complaints and enquiries that were decided from 01 April 2022 to 31 March 2023.									
Some cases are received and decided in different business years. This means the number of complaints and enquiries received may not match the number of decisions made.									
You can find comparisons with last year's data on the second and third tabs of this workbook.									
For more information on how to interpret our statistics: <a href="http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics">http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics</a>									