



ARTICLE NO:

**CORPORATE AND ENVIRONMENTAL
OVERVIEW AND SCRUTINY
COMMITTEE**

**MEMBERS UPDATE - 2023/24
ISSUE: 2**

Article of: Head of Legal & Democratic Services

**Contact for further information: Mr Tom Lynan – Electoral Services Manager
(E-mail: tom.lynan@westlancs.gov.uk)**

SUBJECT: LOCAL GOVERNMENT OMBUDSMEN – STATISTICS 2022/23

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To inform Members of the Council's performance in respect of the Local Government Ombudsmen statistics 2022/23.

2.0 BACKGROUND

2.1 The Council is overseen by two ombudsmen following changes brought about by the Localism Act 2011.

2.2 The Housing Ombudsman (HO) deals with complaints by Council housing tenants about matters such as estate management, repairs to Council house properties, rent and service charges, possession proceedings and mutual exchanges.

2.3 The Local Government and Social Care Ombudsman (LGSCO) deals with all other complaints against the Council across all the services it provides, including complaints by Council housing tenants about matters such as housing improvement grants, homelessness and statutory noise nuisance. The Council's response to enquiries and complaints received from the LGSCO are co-ordinated by the Head of Legal & Democratic Services, and the Electoral Services Manager.

2.4 In July 2023 the LGSCO published its annual review letter which provides a summary of statistics on enquiries and complaints made in respect of the Council for the period 1st April 2022 to 31st March 2023. The annual review letter can be found at Appendix 1.

2.5 At the time of publication there have been no complaints investigated by the HO.

3.0 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN PERFORMANCE-2021/22

3.1 During 2022/23 the LGSCO made decisions on 18 enquiries and complaints about the Council. This is 2 more than the previous year.

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- 3.2 Of those 18 matters, 7 were referred to the Council for local resolution (because the Council had not had an opportunity to properly consider the enquiry or complaint). 7 were closed after initial enquires, and 3 were outside of the remit of the LGSCO. 1 formal investigation was completed during this period, which was upheld.

Service Area	Number Referred	Upheld	Not Investigated	Premature Complaint	Out of Jurisdiction
Planning & Regulatory	10	1	4	3	2
Environmental Services	3	0	2	1	0
Housing Services	3	0	1	1	1
Technical Services	1	0	0	1	0
Council Tax & Benefits	1	0	0	1	0
TOTAL	18	1	7	7	3

- 3.3 The upheld case related to planning enforcement and unauthorised development. The Council were asked to apologise and pay £300 to the complainant, update them on enforcement in the area, and complete a service review (which the Council was in the processes of doing). Please contact the Electoral Services Manager for further information.
- 3.4 Using information available from the LGSCO website, the table below allows a comparison of the Council's performance with the 11 other non-unitary district councils within Lancashire. Across Lancashire there were 22 detailed investigations (average 1.8 per authority) of which 15 (average 1.3 per authority) were upheld, a reduction of 9 and 4 respectively from 21/22.

Council	Investigations	Complaints Upheld	% of Investigations Upheld
Burnley	5	4	80%
Chorley	1	1	100%
Flyde	2	2	100%
Hyndburn	2	0	0%
Lancaster	2	1	50%
Pendle	1	1	100%
Preston	4	2	50%
Ribble Valley	1	1	0%
Rossendale	1	0	0%
South Ribble	0	0	0%
West Lancashire	1	1	100%
Wyre	2	2	100%
Total	22	15	68%
Lancashire Average	1.8	1.3	68%

- 3.5 Across Lancashire, and nationally, there has been an increase in the percentage of investigations which result in the complaint being upheld, whilst at the same time the total number of investigations has fallen. In their Annual Letter (Appendix 1) the LGSCO have noted that, following a process review, they are now more selective about the cases they investigate, prioritising the public interest and taking on fewer 'borderline' cases. As a result, a higher proportion of investigations are finding fault than previous years – 68% of investigated complaints upheld compared to 61% in 21/22.

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- 3.6 Whilst West Lancashire had an Uphold rate of 100%, this was against only 1 case that was formally investigated. Compared to the other District Authorities in Lancashire, West Lancashire had a lower number of investigations and upheld complaints than the average.

4.0 SUSTAINABILITY IMPLICATIONS

- 4.1 There are no significant sustainability impacts associated with this article and no significant impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 5.1 Investigating and co-ordinating responses to enquiries and complaints made to the Ombudsmen takes officer time for the Electoral Services Manager and for the service area or multiple areas to which the complaint or enquiry is directed. Given the importance to the Council in satisfactorily resolving enquires and complaints made by service users this work stream will continue to receive a high priority.

6.1 RISK ASSESSMENT

- 6.1 This article is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this article.

7.0 HEALTH AND WELLBEING IMPLICATIONS

- 7.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this Article.

Equality Impact Assessment

This article is for information only and does not have any direct impact on members of the public, employees, elected members and/or stakeholders. Therefore, no Equality Impact Assessment is required.

Appendices

Appendix 1: Local Government and Social Care Ombudsman – Annual Review Letter – West Lancashire Borough Council – 2022/23