



<b>Report of:</b>	<b>Meeting</b>	<b>Date</b>
Councillor Michael Vincent, Leader of the Council, and Clare James, Corporate Director Resources	Cabinet	6 September 2023

### **Local Government Ombudsman Annual Review Letter 2023**

**Key decision:** Yes

#### **1. Purpose of report**

**1.1** To consider the Annual Review letter from the Local Government and Social Care Ombudsman (LGO) for 2022/23, attached at Appendix A.

#### **2. Corporate priorities**

**2.1** Learn from the outcome of complaints made to the LGO to improve our services and underpin effective working relationships between the council and the LGO's office.

**2.2** Support greater transparency and democratic scrutiny of local complaint handling and ensure effective local accountability of public services.

#### **3. Recommendation**

**3.1** That Cabinet notes the comments made by the LGO in the Annual Review Letter.

#### **4. Background**

**4.1** This annual review provides a summary of statistics on the complaints made to the LGO about Wyre for the year ended 31 March 2023. The data that the LGO has provided shows the complaints and enquiries they have received, along with the decisions they have made and Wyre's compliance with recommendations during the period.

**4.2** The number of complaints, taken alone, is not necessarily a reliable indicator of an authority's performance. The volume of complaints should be considered alongside the uphold rate (how often the LGO found fault

when they investigated a complaint) and statistics that indicate Wyre's willingness to accept fault and put things right when they go wrong. The LGO also provide a figure for the number of cases where the authority provided a satisfactory remedy before the complaint reached them and statistics about the authority's compliance with recommendations they have made; both of which offer a more comprehensive and insightful view of Wyre's approach to complaint handling.

**4.3** The LGO have published its annual data for all authorities on their website, alongside its annual review of local government complaints. This includes data on authorities' compliance with the LGO's recommendations. Our data was uploaded to the LGO's interactive map, [Your council's performance](#), along with a copy of the LGO's letter and its Review of Local Government Complaints. This collated data supports the scrutiny of local services.

## 5. Key issues and proposals

**5.1** During the year the LGO Advice Team received three complaints and enquiries about the council in the 12 months up to 31 March 2023. This is a decrease of ten complaints when compared to those received by the LGO in 2021/22. However the LGO have advised in Appendix A that they have reviewed their processes over the past two years and this has meant that the average uphold rate for all investigations has increased and they recommend comparing upheld figures with similar authorities rather than 2021/22 figures. You can search similar authorities at [Your council's performance](#)

**5.2** The number of decisions made in the year will not necessarily be the same as the number of complaints received by the LGO Advice Team because some complaints decided in 2022/23 will have been received in the previous year, and some sent to the Investigative Team during 2022/23 will be ongoing. There were two decisions made in the year ending 31 March 2023.

**5.3** Both decisions were upheld

<b>Nature of Complaint</b>	<b>Service Area</b>	<b>Decision</b>
The complainant said the council failed to properly consider his neighbour's planning application for an extension which would cause loss of amenity to his property.	Planning Applications	<b>Upheld. There was fault by the council which caused injustice.</b> There was fault found in the way the council considered the planning application but it did not cause the complainant injustice.
Ms X complained about the way the council dealt with a	<b>Planning Enforcement</b>	<b>Upheld. There was fault by the council which caused injustice</b>

breach of planning control by her neighbour.		The council were found at fault in that it delayed in serving a breach of condition notice and in responding to some of Ms X's communications. The council has agreed to apologise to Ms X for the injustice caused.
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## 6. Alternative options considered and rejected

6.1 No alternative options were considered as part of this report.

<b>Financial, Legal and Climate Change implications</b>	
Finance	On occasion the Local Government Ombudsman may recommend that a payment is made to a complainant to compensate for any injustice they have experienced. No payments were made in 2022/23.
Legal	None arising directly from the report.
Climate Change	None arising directly from the report.

### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

<b>risks/implications</b>	<b>✓ / x</b>
community safety	x
equality and diversity	x
health and safety	x

<b>risks/implications</b>	<b>✓ / x</b>
asset management	x
ICT	x
data protection	x

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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<b>List of background papers:</b>		
name of document	date	where available for inspection
None		

### **List of appendices**

Appendix A – LGO Annual Review Letter to Wyre BC for the period ending 31/03/2023.