



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Governance and Audit Committee


26 September 2023

Councillor Philip Knowles, Cabinet  
Member for Corporate Governance and  
Licensing

# Local Government and Social Care Ombudsman – Annual Review Letter 2022-23

### Report Author

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### Purpose of Report

To report the content of the Local Government and Social Care Ombudsman's Annual Review Letter for 2022-23.

### Recommendations

**That the Committee notes the content of the Local Government and Social Care Ombudsman's Annual Review Letter for 2022-23.**

## Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All

## 1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

### ***Finance and Procurement***

1.1 There are no specific finance or procurement implications arising from this report.

Completed by: Richard Wyles, Section 151 Officer

### ***Legal and Governance***

1.2 There are no specific legal and governance implications arising from this report.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

## 2. Background to the Report

2.1 The Local Government and Social Care Ombudsman is responsible for investigating complaints about Councils, all adult social care providers and some other organisations providing local public services.

2.2 The Ombudsman would expect a complainant to have gone through all of the stages of an organisation's own complaints process before receiving a complaint on any matter.

2.3 Any complaint to the Ombudsman must be about something it has authority to investigate and in most cases a complainant should:

- Complain to the Ombudsman within 12 months of becoming aware of the matter

- Have been directly affected by the matter and suffered a ‘personal injustice’

2.4 This report sets out the content of the Ombudsman’s Annual Review Letter for 2022 for South Kesteven District Council.

### 3. Key Considerations

3.1 The Local Government and Social Care Ombudsman’s Annual Review Letter covers a twelve-month period up to 31 March 2023. This is attached to the report at **Appendix A**.

3.2 The Annual Review Letter focuses on three key areas that help to assess the Council’s commitment to put things right when they go wrong. These are:

- Complaints upheld
- Compliance with recommendations
- Satisfactory remedy provided by the Authority

3.3 Ten complaints were considered by the Ombudsman during the period of the Annual Review Letter, broken down into the following areas:

- Planning and Development – 5 complaints
- Data and Information Governance – 1 complaint
- Environmental Services and Anti-Social Behaviour – 1 complaint
- Grounds Maintenance – 1 complaint
- Monitoring Officer – 1 complaint
- Private Housing – 1 complaint

3.4 Of these ten complaints, the Annual Review Letter reports that for South Kesteven District Council:

- The Ombudsman carried out **three** detailed investigations during the period
- The Ombudsman upheld **one** complaint following a detailed investigation during this period
- No recommendations were due for compliance in this period

3.5 The complaint upheld by the Ombudsman following a detailed investigation related to enforcement action associated with a housing developer’s compliance with planning conditions. The Ombudsman ruled that the Council was at fault for a delay in responding to the enforcement complaint, but that it did not cause significant injustice and there was no fault in the Council’s decision-making. The decision notice associated with this complaint is attached at **Appendix B** to this report.

- 3.6 Further statistical information for South Kesteven District Council and comparisons with other Local Authorities can be viewed via the following link:

<https://www.lgo.org.uk/your-councils-performance>

- 3.7 A copy of the Annual Review Letter as attached at Appendix A to this report.

#### **4. Other Options Considered**

- 4.1 No other options are considered other than to note the report.

#### **5. Reasons for the Recommendations**

- 5.1 The report is for noting.

#### **6. Appendices**

- 6.1 Appendix A – The Local Government and Social Care Ombudsman’s Annual Review Letter 2022-23
- 6.2 Appendix B – Decision Notice: Reference 21 013 958