

Annual Review of Local Government Complaints

July 2024



Ombudsman's foreword

I was delighted to be appointed to the role of Local Government and Social Care Ombudsman in February 2024 and am pleased to reflect on the year and present our Review of Local Government Complaints for 2023–24. Having previous experience of complaints in other sectors I am excited to work within the local government and social care sectors in a role that can bring about significant change for individuals and communities, both locally and nationally.

Observing the local government landscape, it is abundantly clear there are significant challenges, in particular the task of achieving financial stability when faced with rising demand on services. All authorities, regardless of type, size, or geography, are facing sizeable issues, but some concerns stand out as systemic; in particular, the strain on Special Educational Needs (SEN) & Disability Services. We have regularly highlighted the issues families face in getting the SEN support they are entitled to, and it is clear that action at a national policy level is needed and now.

The complaints that come to us provide great insight into individual organisations and the sector. Nationally, our data shows rising numbers of complaints received, an increase in the number of complaints we uphold, and it has highlighted ongoing issues within SEN, housing and adult social care services. The data we publish alongside this report, and [our interactive map](#) are great places to start to understand the local and national picture. This year we have included a new statistic for upheld complaints by population size. This gives an extra layer of local context to the statistics making it even simpler to compare authorities.

Observing the local government landscape, it is abundantly clear that there are significant challenges, in particular the task of achieving financial stability when faced with rising demand on services

Our dual role is to provide personal redress and support sector improvement. Even in these challenging times, we remain committed to supporting individuals to seek redress and make proportionate recommendations to put things right. Importantly, we look beyond the personal remedy and make wider recommendations to prevent the same fault from affecting others. This is how to get maximum value from investigations, moving from the transactional processing of individual complaints to influencing system change and service improvement for longer term benefit.

This is why oversight of complaints is so important, and we are increasingly using our data to help authorities spot issues before they escalate. More broadly, we play an important role in supporting oversight of the sector by sharing data and working with national bodies and government departments to improve understanding of the challenges being faced. I encourage authorities to take a similar approach and to use complaints information to identify early warning signs of service failure. There are best practice resources later in this report that will help you to take valuable learning from complaints.

This year's report is focused on data that will help authorities to evaluate and benchmark their performance and resources to support better complaint management. We welcome your feedback on the report, which can be sent to Omblocalgovreview@lgo.org.uk

I thank my predecessor, Interim Ombudsman, Paul Najsarek, for leading the organisation for most of this reporting year and I look forward to working with colleagues across the local government sector to achieve our shared aims.

Amerdeep Somal
Local Government and
Social Care Ombudsman
July 2024



2023-24 Data headlines



Complaints Received

17,937



Complaints Decided

17,126



Complaints Investigated

4,003



Complaints Upheld*

3,215



12%

Satisfactory remedies**



99.5%

Compliance with our
recommendations



80%

Uphold rate



5.6

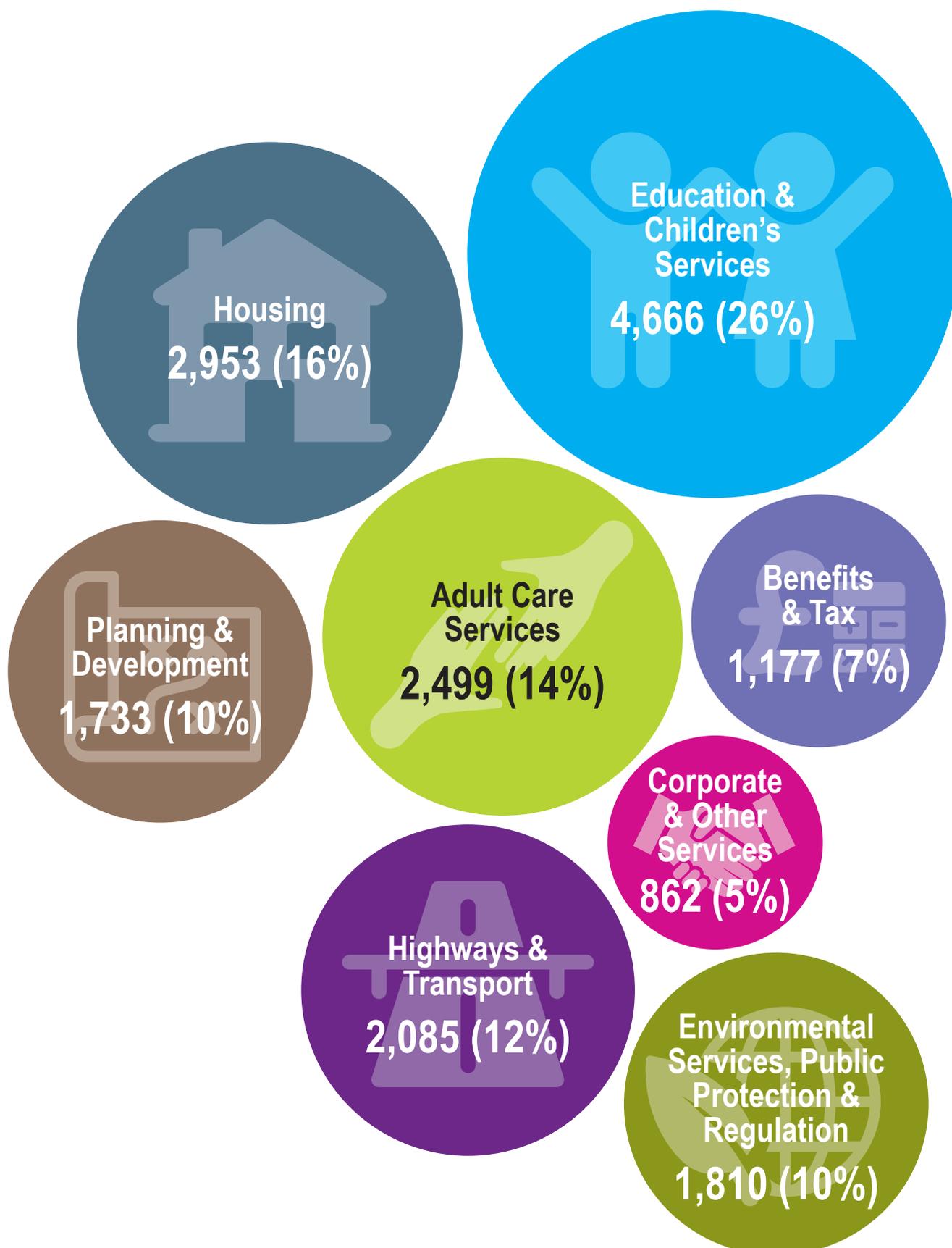
Upheld complaints per
100,000 residents***

* Includes cases where we found the organisation accepted fault early on.

** We agreed with how the authority had offered to put things right.

*** Includes only the following authority types: County Councils, District Councils, London Boroughs, Metropolitan Councils, Unitary Authorities.

Complaints and enquiries received



See pages 9–18 for data by service area and council type

Key service areas: the Ombudsman's view

Adult Social Care

Adult social care services continue to be in enormous demand. In 2023–24, 14% of all the complaints we received were about adult social care and we upheld 80% of the complaints we investigated. They show that discharging their statutory requirements and delivering services that people are entitled to is a significant challenge for local authorities across the country.

Cases are often complex across all age groups, requiring extensive interaction between professionals because of the wide range of organisations that are often involved in providing care. It is often assumed that the need for adult social care is predominantly amongst older people, but we see a significant proportion of cases that involve younger adults who need support to have an acceptable quality of life and enable them to play a meaningful role in society.

In 2023–24:

14% & **80%**
of the complaints we received were about adult social care. of the complaints we investigated were upheld.

Alongside the complexity of individual cases, the system itself is complicated and is a significant challenge for people to navigate at a difficult point in their lives.

The main issues we see in our casework are delays in the assessment of people's needs, a failure to put the individual at the heart of the process and in communicating with them, and their families, effectively.

Assessments are often delayed and, when they do happen, often focus on what fits in with the system's offer rather than the individual needs of the person as required by the Care Act. Families, and the

people receiving care, are often not communicated with in good time or effectively and can find the information they receive too complicated to understand or ask questions about.

We see staff shortages and a high turnover of staff resulting in disruption to care and, in some cases, confusion about financial arrangements and responsibilities. The lack of workforce resilience is having a significant impact on people in need of support across England.

The health and care system needs to prioritise communication with people who use its services. Doing so would not only improve people's experience of using the care system but also reduce the demand caused by a lack of information. When people understand what is happening and feel involved in their care, they are less likely to chase for updates or to raise their concerns as complaints. The issue of communication was highlighted in our joint report with the Parliamentary and Health Service Ombudsman '[People not structures](#)' released in July 2024.

Creating a sufficient social care workforce needs to be a national priority. The issue needs to be grasped firmly – with action prioritised – and a short, medium and long term approach developed to address the impact on people's lives when they need support the most.

Special Educational Needs

Our casework is dominated by complaints about special educational needs provision. Education complaints made up 26% of all the complaints we received in 2023–24 and were 42% of all the cases we upheld. We found fault in 92% of the education cases we investigated, and the numbers are increasing rapidly.

The key issues are failures by councils to carry out Education, Health and Care (EHC) Plan assessments

The issue of communication was highlighted in our joint report with the Parliamentary and Health Service Ombudsman '[People not structures](#)'





**We found fault in
92%
of the education complaints
we investigated.**

and reviews in good time and not providing the support stated in a EHC Plan once a child has one. These issues are often compounded by parents not receiving adequate information about what is happening to provide for their child's needs.

There has been no lack of comment from key players in this field, including the Education Select Committee, and in the media about the critical state of the support system for children with special educational needs and disabilities.

We have repeatedly made our position clear. The system is simply not working for children, families or local authorities: the money available is not sufficient to provide the services that children are entitled to, many organisations are severely understaffed and in many areas suitable and affordable support does not exist. It means young people, and their families, don't get the help they need and lose vital weeks, months and years of education and development as a result. They don't get that time back. No-one wins in the current system.

The issues within the wider special educational needs system are myriad and addressing them in isolation is not the answer. This crisis has been 10 years in the making; both councils and the government should have anticipated the issues, and planned for the future, when the Children and Families Act 2014 was brought in and demand for EHC Plans started to increase.

The required staff, including highly specialist roles like Educational Psychologists, cannot be trained overnight, and so this situation will not be resolved without significant input on a national scale.

The government must get a strong and comprehensive grip of this issue, right from reviewing the 2014 legislation through to ensuring the resources are in place, and retained, to support children how and when they need it. Special educational needs provision is an existential threat for the local authorities that provide children's services and, most importantly, affects the lives of thousands of children having long term effects on their aspirations and contribution to society.

Housing

The supply of suitable council-supplied housing, and supporting people at risk of homelessness, continues to be a challenge across the country

and is a rapidly growing area of our casework. In 2023–24, 16% of the complaints we received were related to housing and we upheld 84% of those we investigated. The issues are particularly acute in London, with a large proportion of our investigations into housing being in the capital.

We see numerous cases where people are wrongly being denied access to housing registers or being given lower priority than they should be. This is due to delays in reviewing and assessing their housing needs, and disagreements over their requirements and the connections they have to a local area. There are also delays due to councils not looking promptly at issues when they are raised.

In 2023–24:



16% & **84%**
of the cases we received were about housing. of the complaints we investigated were upheld.

We also see significant problems, again across the country but particularly in London, when people are homeless or threatened with homelessness. Councils sometimes fail to accept their duty to provide homelessness relief, causing some people to remain homeless longer than they should be. When families and individuals are placed in temporary accommodation it is often unsuitable, being too small, in disrepair or too far from schools and support networks, and they often end up staying there for far longer than they should.

All these issues, which are increasing at a rapid rate in our casework, indicate that some councils are failing to accept their duty to house people, sometimes by denying support incorrectly but more often denying the full level of support that people are entitled to. The lack of housing supply sits at the heart of this and is the likely reason for the approach of local authorities: there is simply not enough accommodation and housing, particularly in London, to meet demand and enable councils to meet the main housing duty.

A national approach to house building and social housing provision needs to be prioritised. This is not a quick fix, but sustainable and long-term solutions are required to address a situation that affects increasing numbers of people across the country and significantly hampers their life chances.

Enhancing resident satisfaction: best practice in complaint management

Listening to public concerns is an essential component of a well-run, accountable authority that is committed to public engagement, learning and improvement.

Putting things right when they go wrong

When we find fault, we make recommendations to put things right. These recommendations are non-binding yet, in almost all cases, authorities agree to comply with them. We were satisfied with authorities' compliance with our recommendations in 99.5% of cases.

There were 14 cases in which we were not satisfied the authority had complied with our recommendations. When this happens, we consider a range of actions, including issuing a public interest report and opening a new investigation into the authority's failure to provide the agreed remedy. Non-compliance is also reported publicly on our website.

Timely compliance is important; it helps to rebuild complainants' confidence when an organisation carries out recommendations within the agreed timeframe. In a fifth of cases, recommendations were not carried out on time and compliance was late. To ensure remedies are implemented on time, authorities should consider:

- The timescales proposed at the draft decision stage to ensure they are achievable
- Keeping track of agreed recommendations and informing us of any delays
- Letting us know as soon as a remedy is completed, and provide evidence
- Establishing processes that ensure apologies and payments to complainants are made promptly

Best practice: systems and oversight

We encourage officers and elected officials to use our guidance and the information we publish to implement effective processes and to determine the health of their local complaints system.

WHAT TO LOOK AT

- The [Complaint Handling Code](#), issued this year, sets out a process that allows organisations to respond to complaints effectively and fairly.

- Our [council performance map](#) places all our council complaint statistics in a single, interactive hub. It is a mine of searchable information and allows comparisons to be made between similar councils.
- Each council page also includes our annual review letters, links to decisions we have made, public interest reports published, and every service improvement a council has agreed to make.
- We also publish [data tables](#) providing complaints information at local authority level, which can be freely analysed and segmented.
- New [statutory Overview & Scrutiny guidance](#) recommends scrutiny committee work programmes are informed by the reports and recommendations we issue.

WHAT TO LOOK FOR

- **Uphold rates** show the proportion of investigations in which we find some fault and can indicate problems with services. How does your authority compare against the national averages or other similar authorities?
- **Offering a suitable remedy** to a complaint before it comes to us is a good sign your authority can accept fault and offer appropriate ways to put things right. How often does your authority do this, and how does it compare with others?
- **Compliance rates** show the proportion of cases in which we are satisfied our recommendations have been implemented (based on the evidence authorities give us). Compliance below 100% is rare. Does your authority have a 100% compliance rate – if not, what is it doing to scrutinise complaints where it failed to comply?
- **Service improvement recommendations** aim to prevent a fault from recurring and affecting others in the same way. Do you track the service improvements your authority agrees to make? How are they being implemented, and their impact monitored?

We want authorities to operate, and benefit from, excellent complaint systems. Where support is needed to achieve this, we offer online complaint handling training and can deliver bespoke training to target specific issues. To find out more visit www.lgo.org.uk/training.

Learning & improvement: public reports and good practice guides

We are one of the only Ombudsman schemes to [publish the decisions](#) we make. We do this to share learning and be transparent.

Cases that raise serious issues or highlight matters of public interest are issued as public interest reports. We published 27 **public interest reports** during the year, [listed at the end of this report](#).

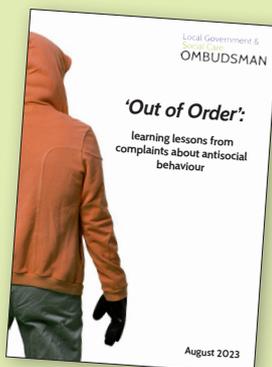
Focus Reports and **Good Practice Guides** collate case studies from our investigations to highlight either our most serious concerns or more specialist practitioner advice. During the year, we published:

[Out of Order: Learning lessons from complaints about antisocial behaviour](#)

August 2023

We uphold nearly three quarters of complaints about antisocial behaviour, and the report revealed some of the common issues we see, including delays responding to residents' calls for help or acting on evidence presented to them, laying down prescriptive rules about what types of concerns will be looked at, and failing to bring in other agencies, such as the police.

The report asks councils to comprehensively consider the range of tools available to tackle residents' concerns, including use of the Community Trigger, to review antisocial behaviour cases.



[Parent Power: personal budgets in Education, Health, and Care \(EHC\) Plans](#)

November 2023

We said that, too often, parents of children with special educational needs (SEN) and disabilities are not given a choice in how their children are supported because their local councils do not fully understand the personal budget process.

This report sets out the common problems we see – often rooted in poor communication and lengthy process delays and asks councils to review all policies and published information about personal budgets to ensure compliance with the law and guidance, and to set out clear agreements and arrangements for invoicing, payments, and reviews.



[Unsuitable temporary accommodation](#)

May 2023

Aimed at local authorities' housing and homelessness teams, this good practice guide offers advice on dealing with people who are owed the main housing duty and are occupying temporary accommodation that the council accepts is unsuitable.

The guide discusses the relevant law and guidance around temporary accommodation, explains our role and approach to complaints, and how we remedy injustice when we find an authority at fault.



In 2023–24:

We published

27

public interest reports,
listed at the end of
this report.



The role of the Ombudsman in 2024

The Local Government and Social Care Ombudsman has been putting problems right and improving public services for 50 years. We have a unique role in supporting people from all walks of life when the services they rely on from councils, social care support and a range of other organisations go wrong and have a real impact on their day to day lives.

The world is a very different place from when we were created in 1974 by the Local Government Act. In the last five decades we have evolved to become the efficient and focused organisation we are today. We help thousands of individuals to get justice every year and we increasingly change how organisations and whole systems deliver services, with a single decision often impacting hundreds or even thousands of people.

We help thousands of individuals to get justice every year and we increasingly change how organisations and whole systems deliver services

We know how much difference we can, and do, make to people's lives. That will always remain our core purpose. Our Corporate Plan, to be delivered over the next three years, will see us empower public services organisations to take on more ownership of providing good services, reach more of the people and communities who don't currently ask for our help, and play an increasing role in making whole systems better. We'll use our data more effectively and share it with more people and will strive to make our service better whilst ensuring the organisations we oversee make improvements too.

OUR SERVICE:

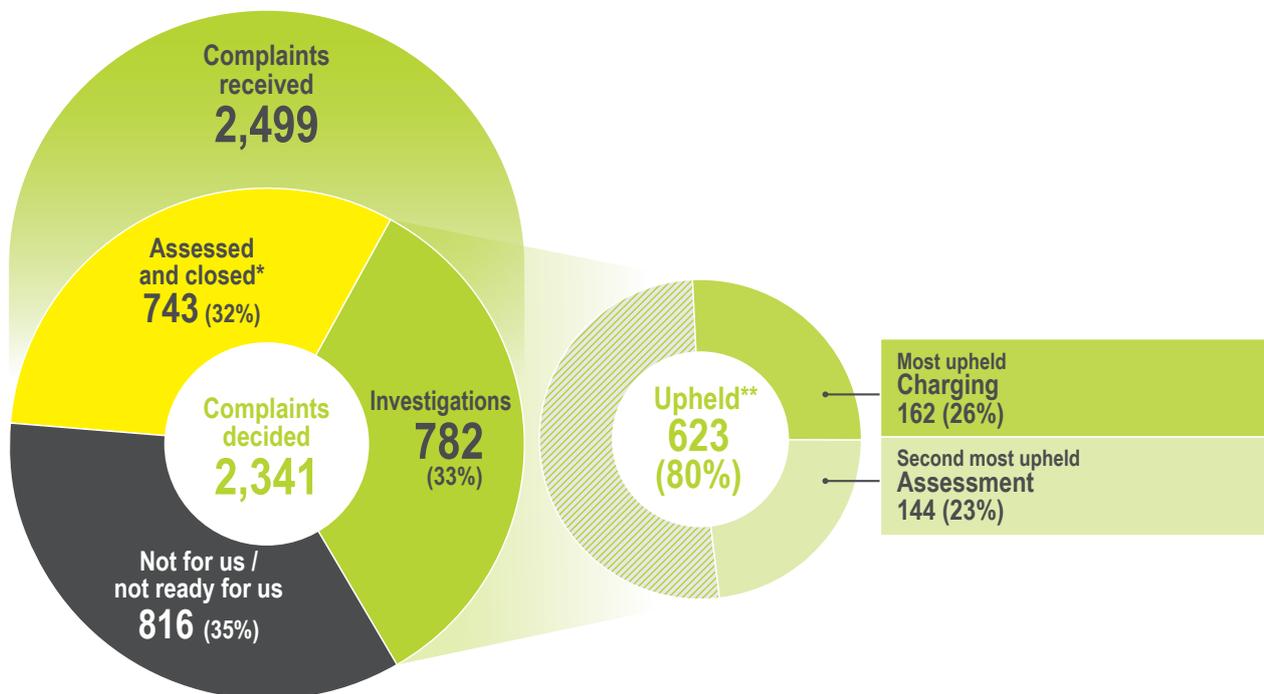
- We conduct independent, impartial investigations of complaints about service failure and maladministration.
- We look at individual complaints about councils, all adult social care providers and some other organisations providing local public services.
- We are a free service and investigate complaints in a fair and independent way – we do not take sides.
- Where we find fault, we make recommendations for remedy to redress injustice caused. Where the evidence supports it, we also recommend changes to policy and practice to address wider systemic failures and to improve the local resolution of complaints and service provision.

Our objectives over the next three years:

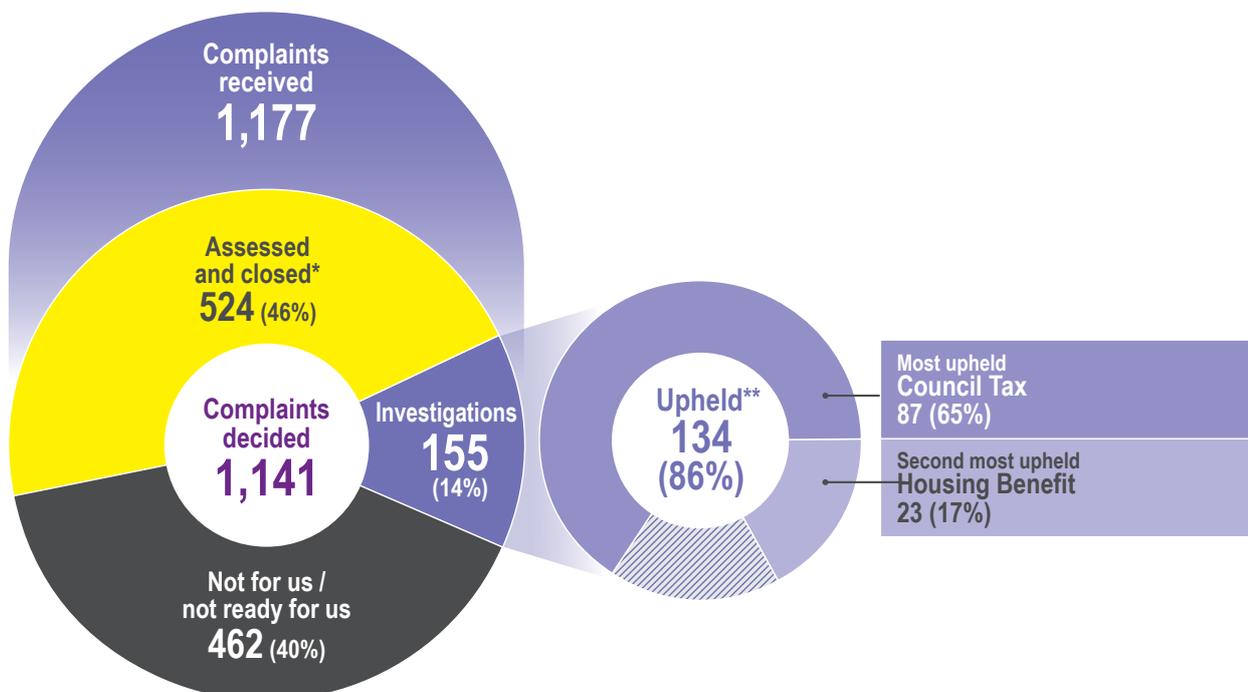
- ✓ We remedy injustice through impartial, fair and rigorous investigations
- ✓ Our services are easy to find and easy to use
- ✓ We use what we learn from complaints to help improve local services
- ✓ We are accountable to the public and use our resources efficiently

2023–24 statistics by service area

Adult Care Services



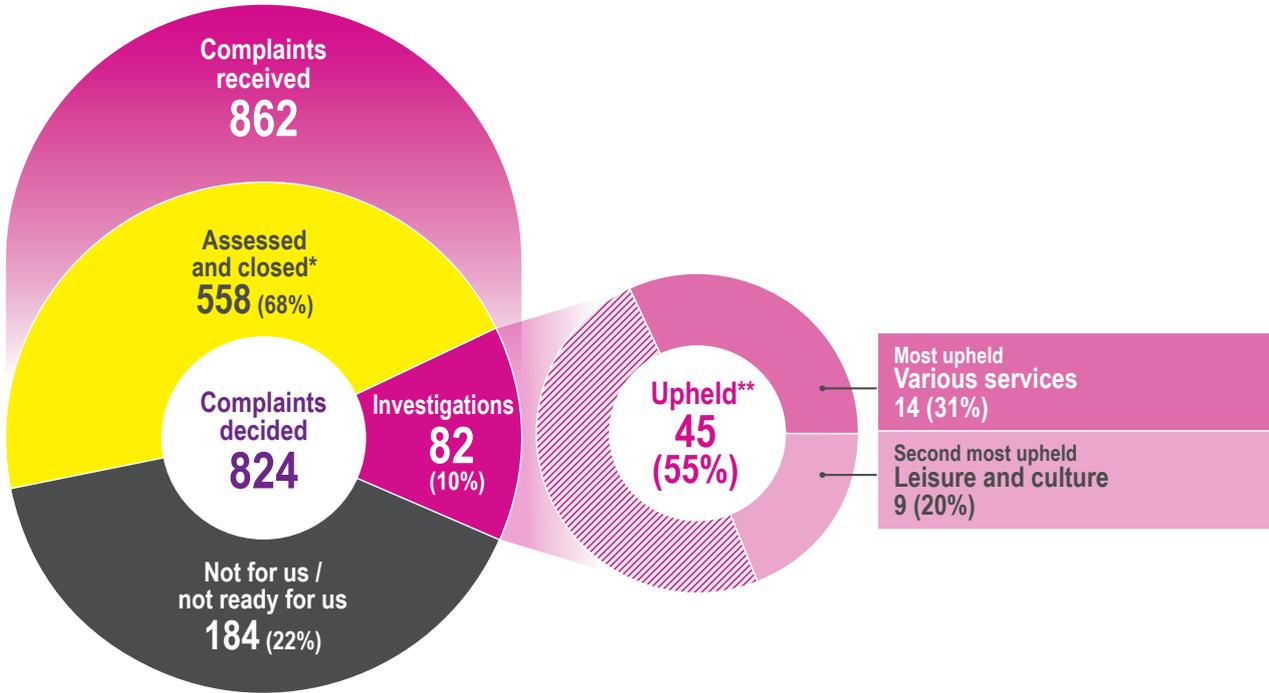
Benefits & Tax



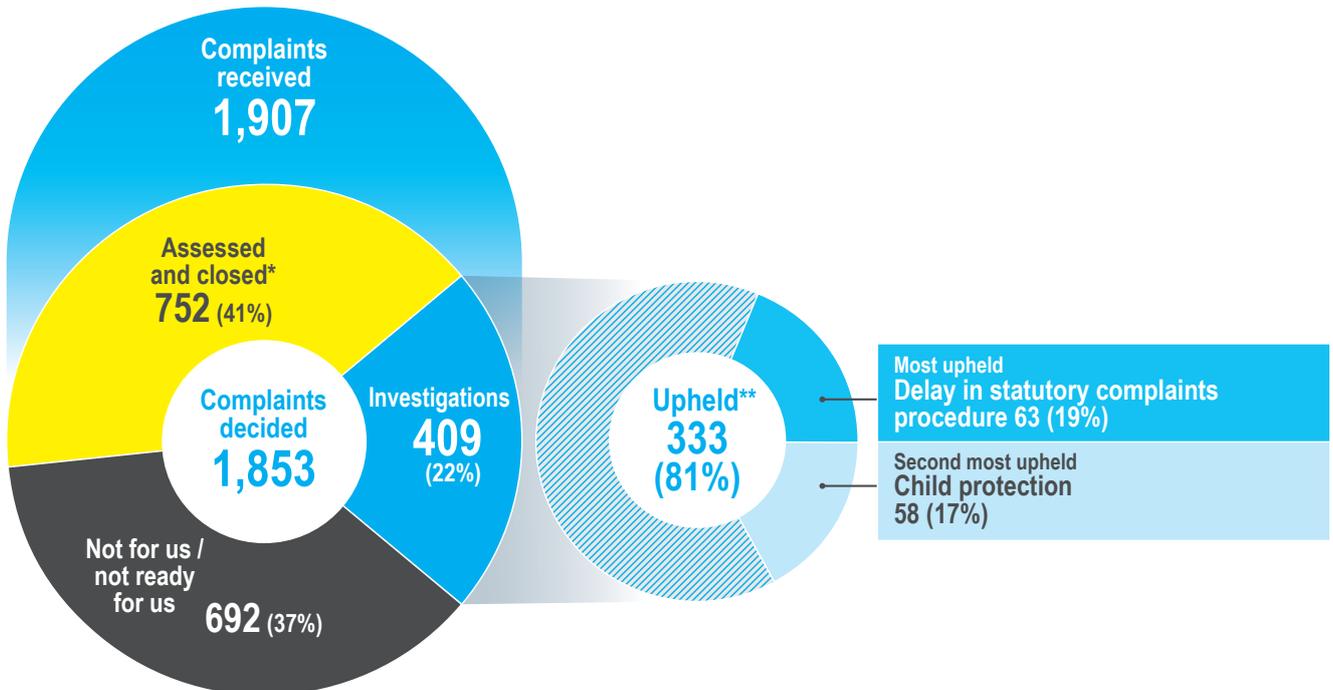
* Assessed and closed – we assessed the complaint but decided against carrying out a further investigation. This might be because the law says we're not allowed to investigate it, or because it would not be an effective use of public funds if we did.

** Upheld: we completed an investigation and found evidence of fault, or we found the organisation accepted fault early on.

Corporate & Other Services



Children's Services

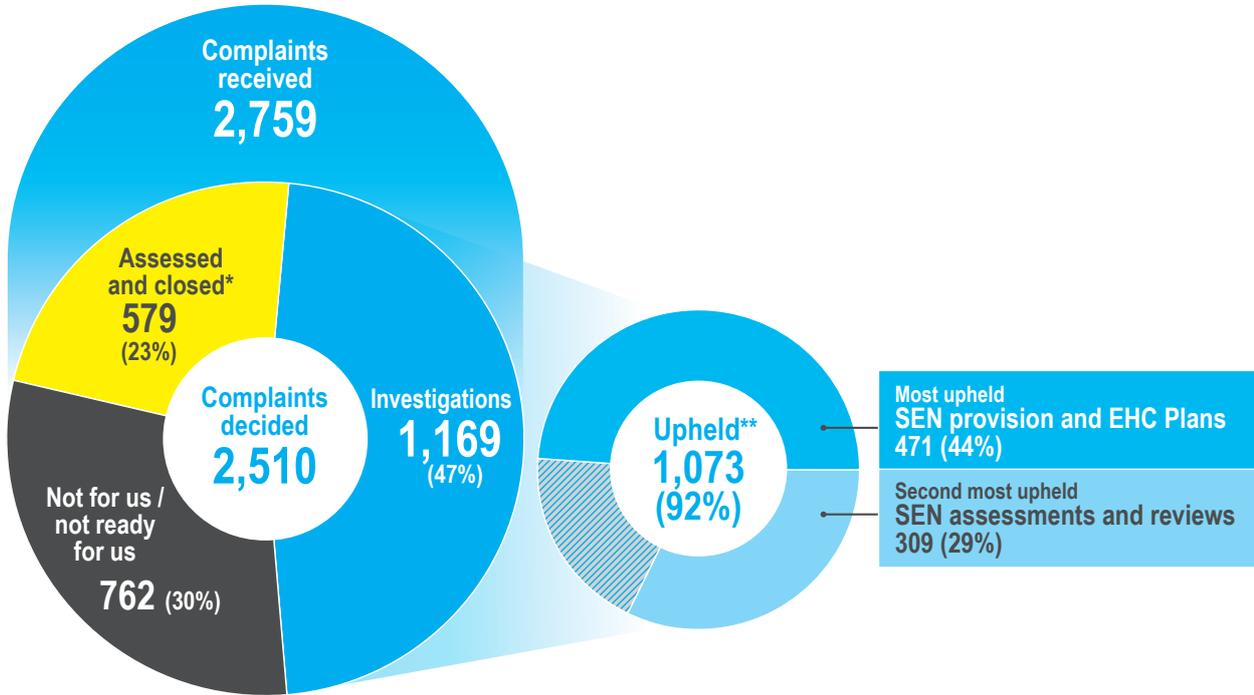


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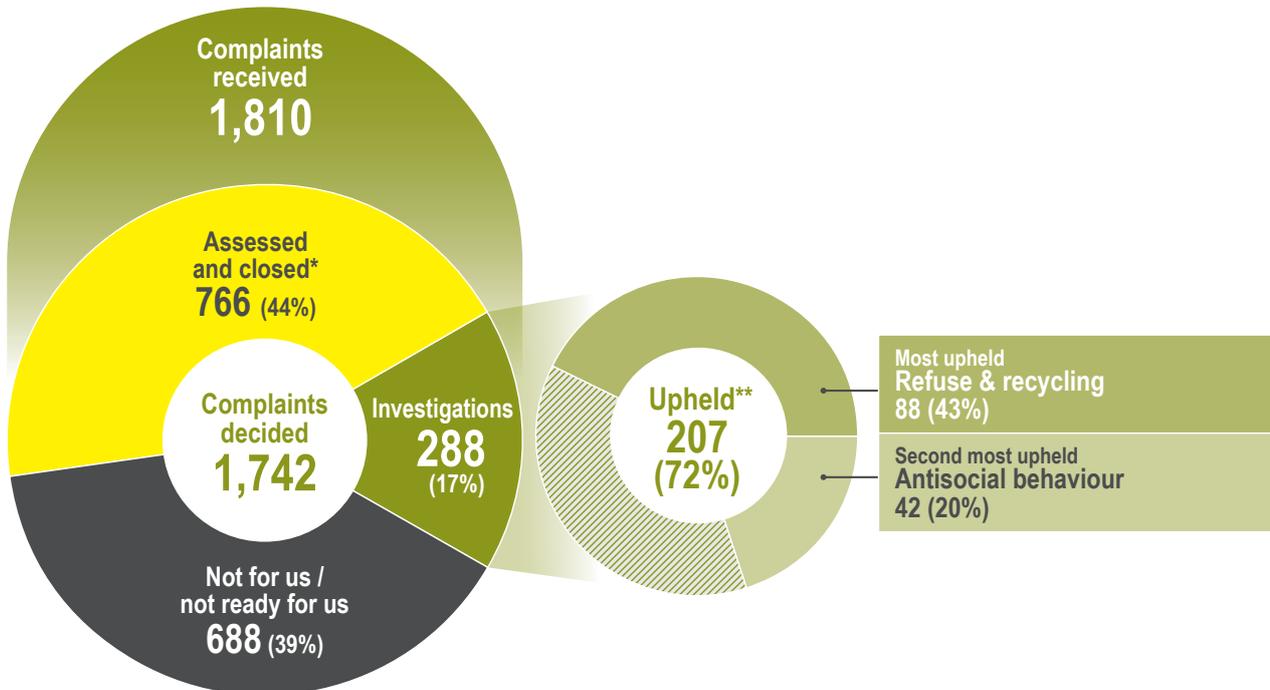
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2023–24 statistics by service area

Education



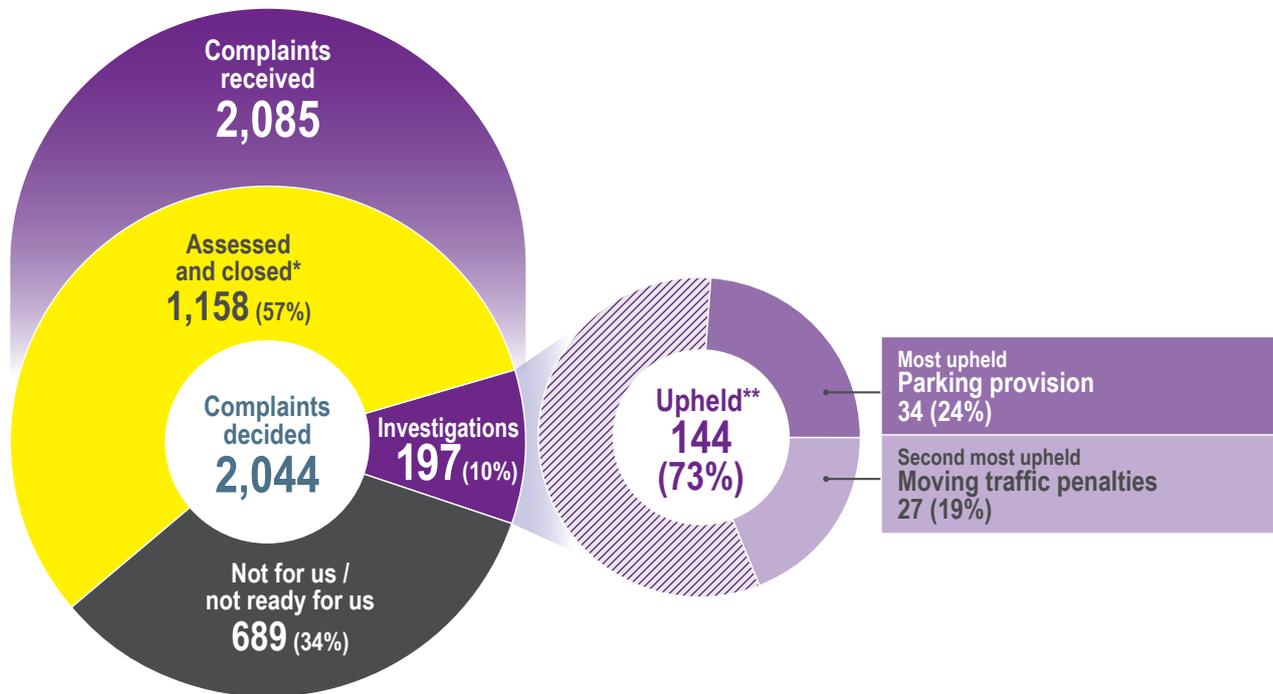
Environmental Services, Public Protection & Regulation



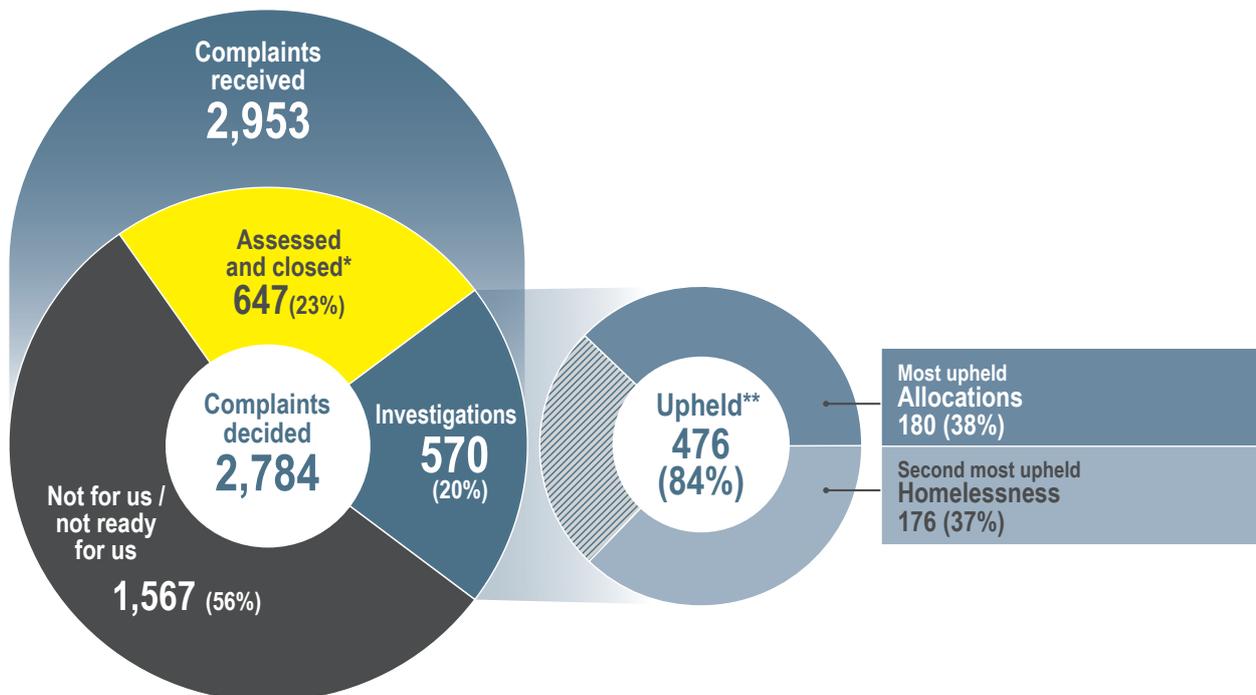
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Highways & Transport



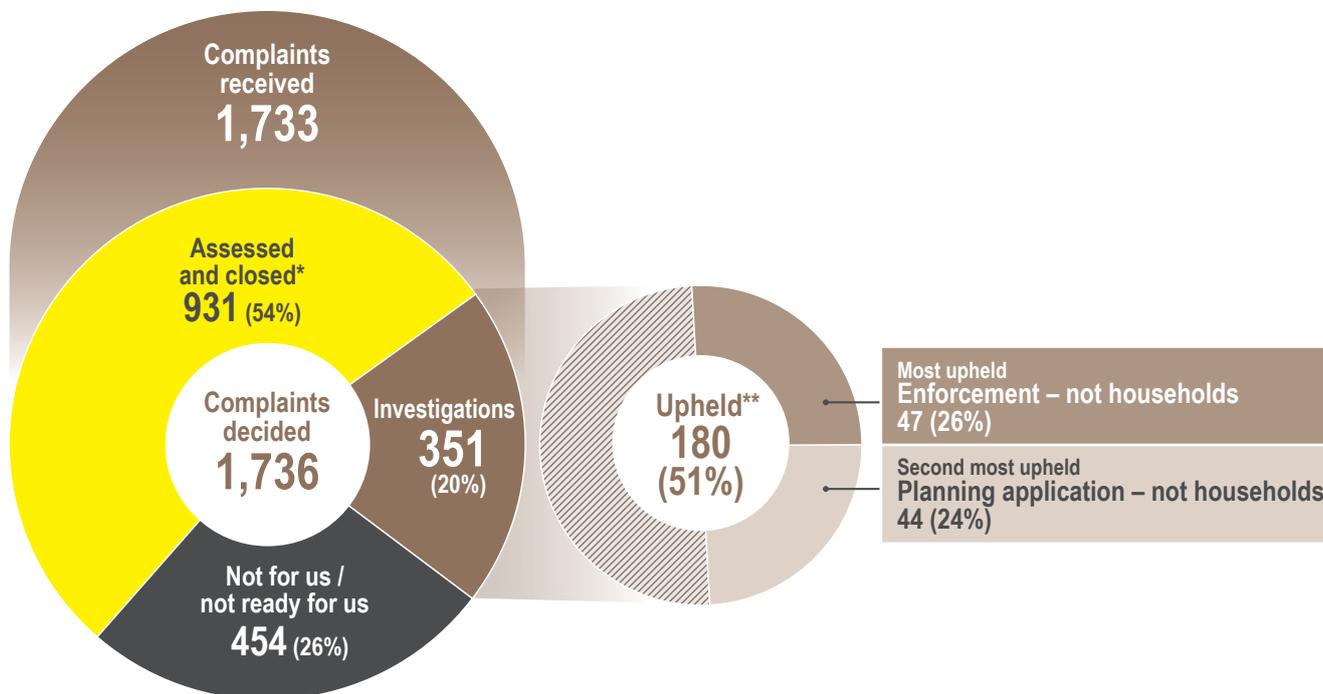
Housing



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Planning & Development

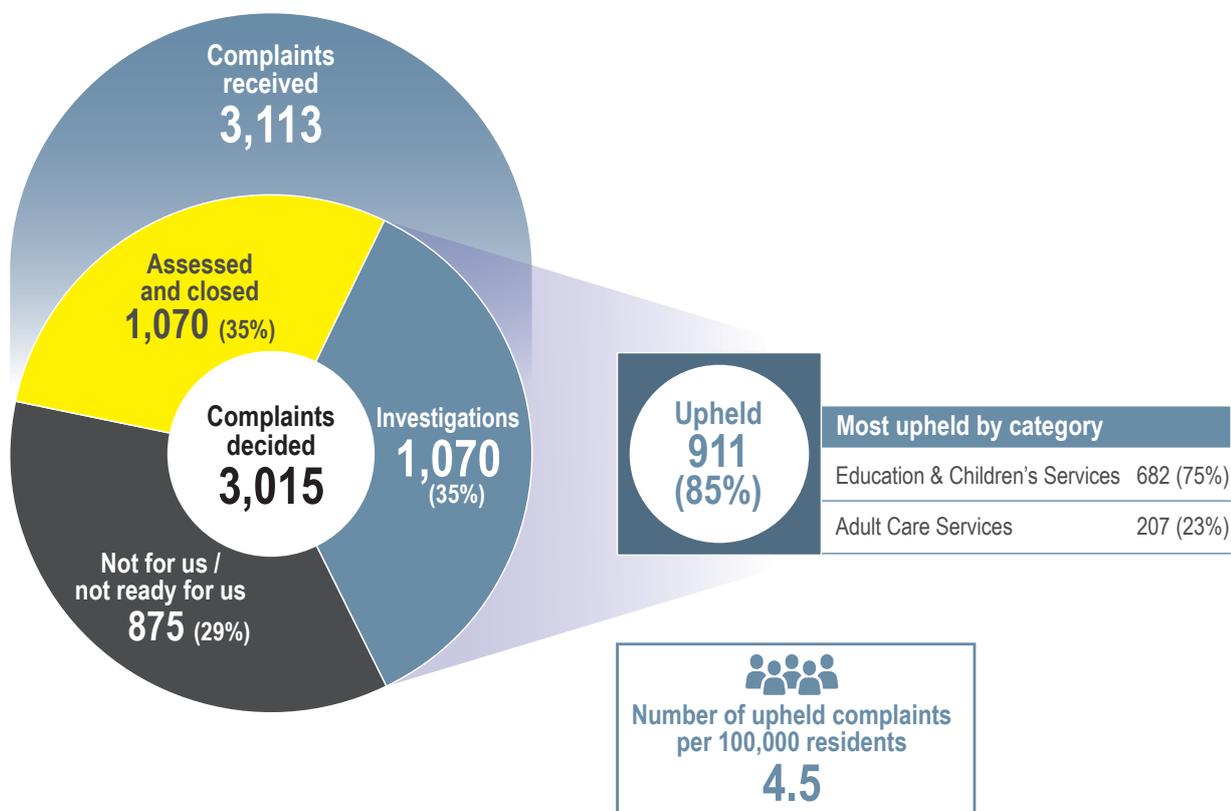


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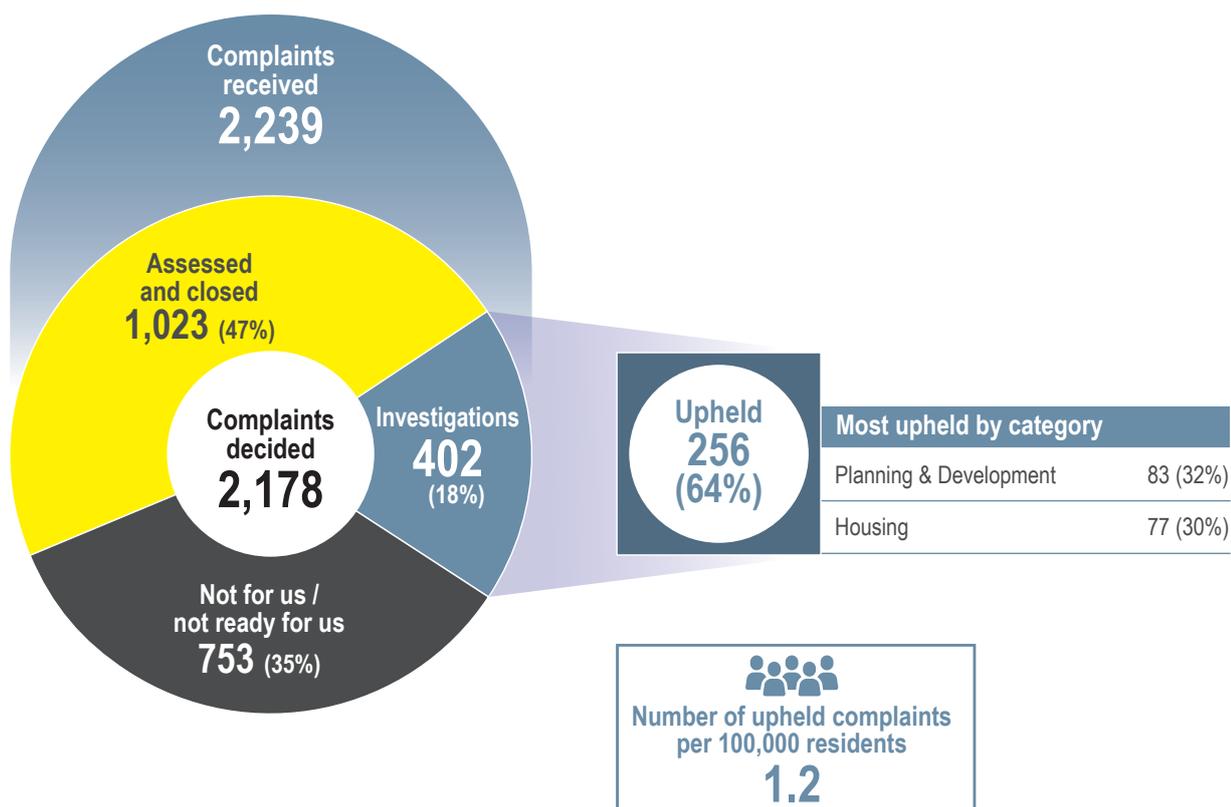
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2023–24 statistics by authority type

County Councils

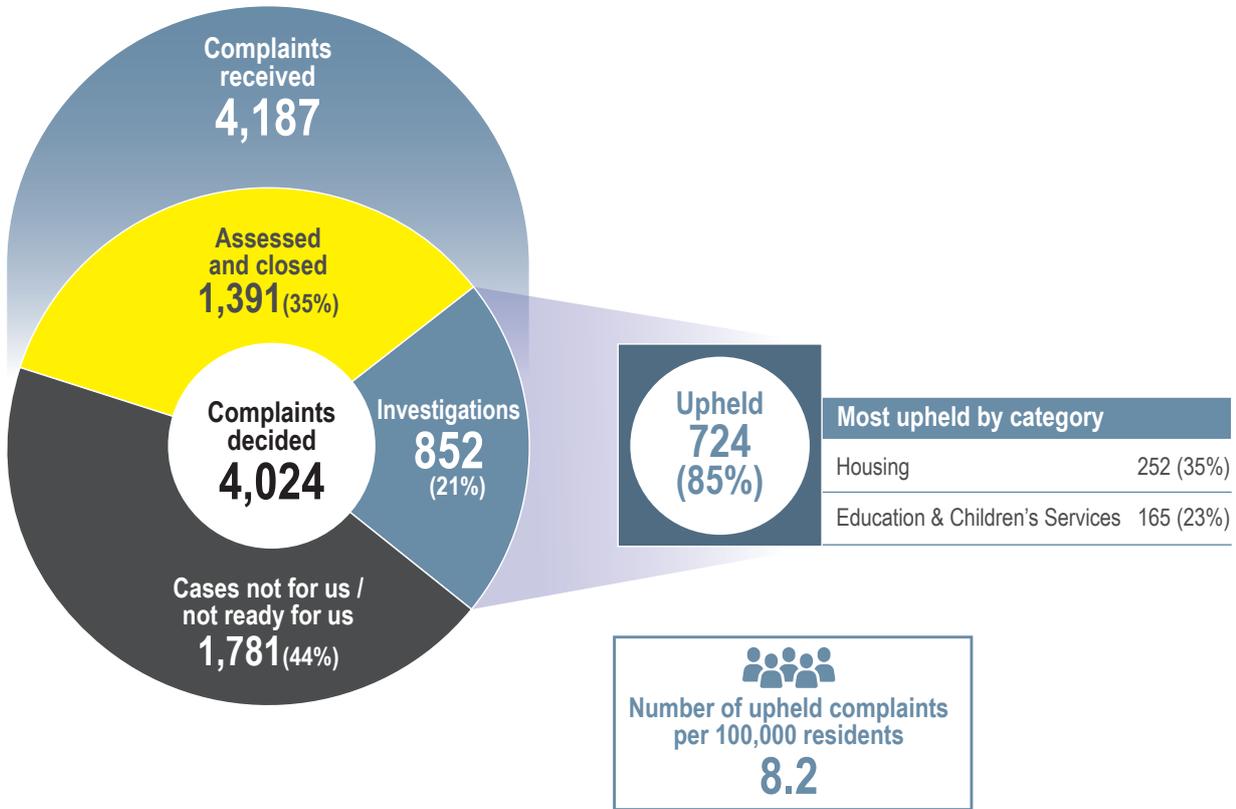


District and Borough Councils

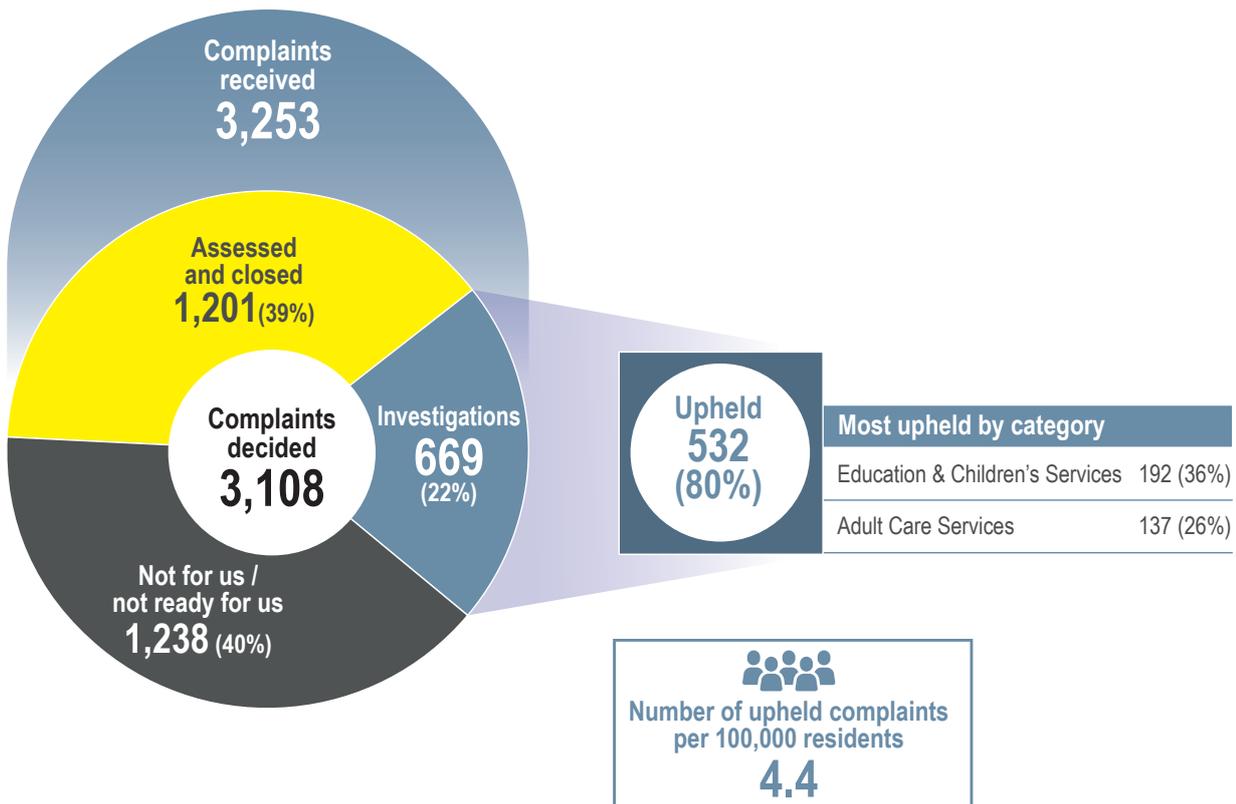


2023–24 statistics by authority type

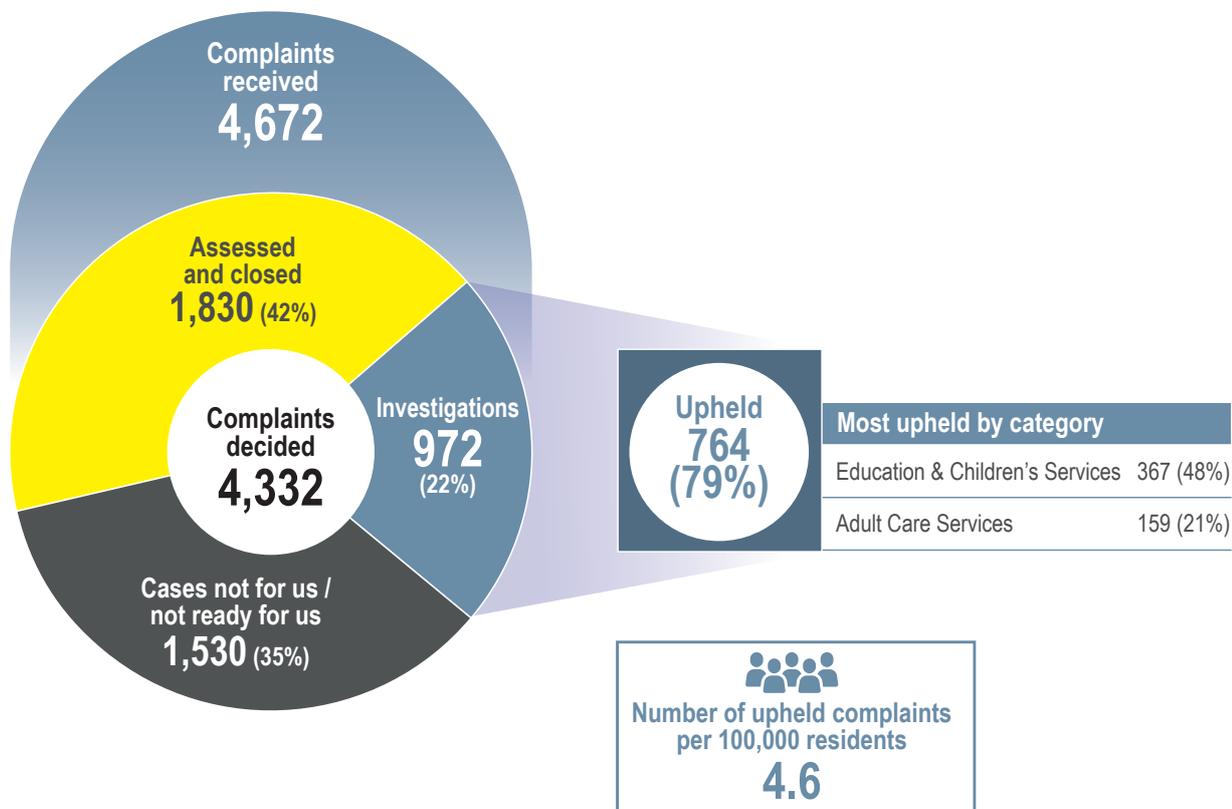
London Boroughs



Metropolitan Councils



Unitary Authorities



Public Interest Reports

We published 27 Public Interest Report in 2023/24. Links to the reports can be found below.

 Children's Services		
Cumberland Council (about former authority Cumbria County Council)	Delay in complaint investigation at stage 2	22012051
Devon County Council	Family and friends carers	23000973
South Gloucestershire Council	Disabled children	23005373
Westmorland & Furness Council (about former authority Cumbria County Council)	Delay in complaint investigation at stage 2	23000172

 Education		
Bury MBC	School transport	23005479
Bury MBC	School admissions	23006024
Kent County Council	Special educational needs	22003403
Leicestershire County Council	School transport	21018756
LB Wandsworth	Special educational needs	22015117
RB Kensington & Chelsea	Free early education entitlement	21012481
Stockton-on-Tees BC	School transport	22010732
Surrey County Council	Special educational needs	23000875

 Adult Care Services		
Calderdale MBC	Assessment & care plan	22008699
Cambridgeshire County Council	Medication prescribing	22010218
North Yorkshire Council (about former authority North Yorkshire County Council)	Charging	22013262
Sandwell MBC	Residential	2201078



Housing



LB Ealing	Homelessness	22002098
LB Lambeth	Homelessness	22007276
LB Waltham Forest	Homelessness	22012789
RB Kensington & Chelsea	Homelessness	23002077
Worcester City Council	Private housing	22002724



Environmental Services, Public Protection & Regulation



Brentwood Borough Council	Pollution	22008221
Gloucester City Council	Antisocial behaviour	22012725
Thurrock Council	Refuse and recycling	23000556



Highways & Transport



LB Newham	Public transport	22006753
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Benefits & Tax



LB Barnet	Council tax	21017371
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Corporate & Other Services



LB Islington	Stage 2 complaint backlog	22007259
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**Local Government & Social
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