

AUDIT COMMITTEE

24 JUNE 2026

REPORT OF ASSISTANT DIRECTOR (CORPORATE POLICY AND SUPPORT)

A.4 ANNUAL LETTER TO THE COUNCIL FROM THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To provide the Committee with the most recent annual letter to the Council from the Local Government and Social Care Ombudsman (LGSCO). The letter relates to complaints processed by the LGSCO in the financial year 2025/26. The submission of the annual letter builds on the established practice of reporting to this Committee and, thereby, extends awareness of such complaints and the opportunity (more generally) for learning by the Council from complaints.

EXECUTIVE SUMMARY

The annual letter from the LGSCO sets out a summary (for the previous financial year) of the numbers of complaints received by the LGSCO concerning the Council, which services they relate to, the decisions reached in the year on complaints made to it and compliance with recommendations from it on upheld complaints. The 2026 letter from the LGSCO (in respect of 2025/26) is set out at Appendix A to this report.

The annual letters are sent by the LGSCO to the Chief Executive, the Leader of the Council and the Chairman of this Council's Resources and Services Overview and Scrutiny Committee. A brief summary of the statistics from the Annual Letter, and the upheld complaints identified in the annual letter for the year concerned, is submitted to the Chief Executive's Officer Management Team, as part of developing learning across the various upheld complaints over those years.

Where an individual report on a particular complaint to the LGSCO has identified maladministration, the Monitoring Officer is under a duty to report to Cabinet (in respect of executive functions) or Council (in respect of non-executive functions). The annual LGSCO letters have been referenced in reports on individual upheld complaints to Cabinet and Council.

The reporting of LGSCO annual letters to this Committee supports the Committee's terms of reference to 'assess external regulatory reports and monitoring any quality improvement programmes where required. Comments are provided to Cabinet as appropriate'.

While not covered specifically by the LGSCO annual letter, the Committee will wish to know that the Housing Ombudsman has not made seven recommendations in respect of the Council's Corporate and Housing Complaints Policy adopted with effect from 1 September 2025. Officers are working through those recommendations. It is our belief that the Policy complies with the Housing Ombudsman's Code for complaint handling. However, the recommendations from the Housing Ombudsman would adjust some wording in different sections of the Policy which they consider would help to confirm the full application of the

Code. On this basis, the recommended changes are being actioned.

RECOMMENDATION(S)

It is recommended that the report be received and the contents noted, including the annual letter from the LGSCO for 2025/26.

REASON(S) FOR THE RECOMMENDATION(S)

Under the Local Government Act 1999 Act, local authorities must legally deliver what is termed 'Best Value' – a council must be able to show that it has arrangements to secure continuous improvement in how it carries out its work. On 8 May 2024, the then Government issued updated statutory guidance entitled "Best value standards and intervention: a statutory guide for best value authorities". This identifies as one of the characteristics of a well-functioning Council that it seeks to learn lessons from complaints it receives. The guidance continues and identified that an indicator of potential failure by a Council where complaints systems are not deployed.

The submission of the annual letter from the Local Government and Social Care Ombudsman (LGSCO) to this Committee seeks to ensure that there is that wider understanding of the position concerning complaints made to that Ombudsman; as well as offering an opportunity to look at lessons that can be learned from those complaints.

The Housing Ombudsman expects the role of the Member with Responsibility for Complaints to champion a positive complaint handling culture and build effective relationships with complaints teams, residents, it's audit and risk committees as well wider teams and the Housing Ombudsman Service. The Council has a single Member with Responsibility for Complaints for both LGSCO and Housing Ombudsman complaints and he is fully aware of this report to the Committee. Such provide additional assurance for the consideration of complaints concerning the Council.

ALTERNATIVE OPTIONS CONSIDERED

The alternative of not submitting the annual letter from the LGSCO would not contributed positively to the oversight of the Complaints position by the Council. For this reason it was discounted and this report submitted.

As stated elsewhere, the Letter is provided directly to the Leader of the Council, the Chairman of the Resources and Services Overview and Scrutiny Committee and to the Chief Executive. Management Team then considers the content of the Annual Letter and the Council (and the Ombudsman) will publish the data online.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The consideration of complaints and the lessons learned from those complaints can be said to support the 2024-28 Corporate Plan Theme of 'Pride in our area and services to residents' as well as the overarching commitment to 'Listening to and delivering for our residents and businesses'.

LEGAL REQUIREMENTS (including legislation & constitutional powers)	
The requirements of the Local Government Act 1999 and the related Best Value Statutory Guidance are set out above in the Reasons for Recommendations section.	
FINANCE AND OTHER RESOURCE IMPLICATIONS	
There are no direct financial implications arising from this report.	
USE OF RESOURCES AND VALUE FOR MONEY	
The following are submitted in respect of the indicated use of resources and value for money indicators:	
A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The careful consideration of complaints received, and particularly lessons resulting from external assessment/investigation by the Ombudsman rightly must influence resource allocation to ensure appropriate steps are taken to deliver on agreed recommendations with the Ombudsman.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	It is important that the powers and duties of the Council are delivered in a way that respects the obligations that come with those powers and duties. Learning the lessons from complaints can inform this position and thereby reduce the risk of not complying with those obligations to service users. The proposal also accords with the Audit Committee's terms of reference.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	This ethos is central to the Best Value duty of the Council and considering the information available about complaints submitted to the Ombudsman is thereby an important part of complying with that ethos.
MILESTONES AND DELIVERY	
This meeting of the Committee is the first appropriate meeting of the Committee following receipt of the annual letter of the LGSCO and thereby the opportunity to alert it to the position as applied to 2025/26.	
ASSOCIATED RISKS AND MITIGATION	
In respect of this report, as this is in public, there will need to be caution applied to avoid identifying the individual details of complainants. The placing into the public domain of personal data about complainants should dissuade others from seeing to address service concerns and the Council is mindful that placing personal details into the public arena could cause distress to those individuals. As such, officers and Members of the Committee will seek to avoid such disclosure.	
OUTCOME OF CONSULTATION AND ENGAGEMENT	
Ward Councillors have not been consulted on matters affecting individual complaints.	
EQUALITIES	
In line with the Public Sector Equality Duty, the Council has, in the preparation of this given due regard to the need to eliminate discrimination, harassment, victimisation, to advance	

equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex, sexual orientation. The proposals in this report do not impact on the protected characteristics.

SOCIAL VALUE CONSIDERATIONS

There are no direct social value considerations arising from this report.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There are no direct Net Carbon Zero implications arising from this report.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	There are no direct Crime and Disorder implications arising from this report.
Health Inequalities	There are no direct Health Inequalities implications arising from this report.
Area or Ward affected	All Wards

ANY OTHER RELEVANT INFORMATION

PART 3 – SUPPORTING INFORMATION

BACKGROUND

At Appendix A to this report is the Annual Letters from the LGSCO 2024; which covers the financial year 2025/26. From this letter, and by comparison with the same letters received since 2021, the following comparison has been produced:

Decisions of the Ombudsman in the years concerned:

	2020/2021	2021/2022	2022/23	2023/24	2024/25	2025/26
Complaints Upheld	0	2	2	4	1	1
Satisfactory Remedy provided by the organisation	0	0	0	0	0	0
Not upheld	1	3	1	2	1	0
Not investigated by the Ombudsman	7	12	10	8	6	11
Referred back to the Council as not progressed through its own procedure	6	11	12	13	7	10
TOTAL DETERMINED	14	28	25	27	15	22

Compliance with Ombudsman recommendations	1 (100%)	2 (100%)	2 (100%)	1 (100%)	2 (100%)	2 (100%)
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The above figures do not cover complaints against the Council that are within the jurisdiction of the Housing Ombudsman Service.

Some caution needs to be given to the Ombudsman Complaint decision records for 2020/21 as, between March 2020 and June 2020, the Ombudsman temporarily stopped accepting new cases.

For 2025/26, only 1 of the 22 complaints determined was one where fault was found. This was a homelessness case where the family were placed in B&B for two weeks longer than the statutory maximum period. That case pre-dated the opening of the Council's Spendells House Temporary Accommodation facility.

As referenced in the Executive Summary of this report, on 2 June 2026 the Council received an assessment of its Corporate and Housing Complaints Policy from the Housing Ombudsman (adopted in 2025 following consultation internally and with the Housing Ombudsman and the LGSCO services). The Housing Ombudsman has made seven recommendations which will be actioned to clarify the Council's compliance with the Housing Ombudsman's Complaint Handling Code. That Code has statutory status.

The seven recommendations are to review the policy:

- to specifically reference that a complaint will not stop efforts to address a service request.
- to explicitly state that it covers how reports of antisocial behaviour are handled.
- to include text to state that potential insurance claims are not excluded from the complaints policy and provide discretion concerning such claims.
- to identify that while requests for information can legitimately be excluded from the application of the policy, how those requests are handled are permitted.
- to clarify further that while complaints about legal proceedings are appropriately excluded, matters not covered in the related claim form/particulars of claim are within the scope of the complaints policy.
- to discount informal resolution between the complainant and the Council as anything other than a Stage 1 of that policy. This does though not apply to service requests per se.
- to adjust the existing wording which identifies that we will set out our understanding of the complaint and signpost if any matters are not the responsibility of the Council to provide that our correspondence will state that non-signposted matters are within the responsibility of the Council.
- where references to investigations taking longer than the normally stated response periods and we state that we will agree a date by which a response will be sent, within that up to additional 10 days (Stage 1) or 20 days (Stage 2) to also reach agreement on intervals to keep the complainant updated with progress.

The above is included so that the Committee can be aware that a process of reviewing the complaints policy is underway to address the above. The importance of not just complying with the codes of complaints handling from the Housing Ombudsman and the LGSCO but being seen by those Ombudsman Services to being compliant cannot be overstated

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

[To be inserted]

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None. However, the Annual Letters from the LGSCO to this Council can be viewed on the Council's website here:

[https://www.tendringdc.gov.uk/content/transparency-making-public-information-available-to everyone](https://www.tendringdc.gov.uk/content/transparency-making-public-information-available-to-everyone)

APPENDICES

Appendix A – Local Government and Social Care Ombudsman Letter 2026.

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