

Local Government & Social Care OMBUDSMAN

19 July 2023

By email

Mr Sinnott
Chief Executive
Leicestershire County Council

Dear Mr Sinnott

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with

that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Your organisation's performance

During the year, we issued two public reports about your Council. In [the first report](#), your Council left a sight-impaired woman without social care support for 21 months, despite her having eligible care needs. The Council failed to comply with timescales for carrying out a care assessment and preparing a care and support plan. Our investigation also found fault with the way the Council handled the financial assessment and personal budget.

As a result of the Council's failings the woman was left at risk of burning herself when cooking, and of falling. She also suffered from increased levels of isolation during the COVID-19 pandemic as she was not provided with support to access the community.

The Council fully engaged with providing the remedies we recommended. It apologised to the woman and paid her £2,500 for the distress and risk of harm to which she was exposed. It also paid her £7,220 for the services she missed out on and a further payment to recognise her distress and frustration with the delay in arranging social care support. It reviewed its processes to ensure preparing care and support plans for residents with eligible care needs was an integral part of the assessment process and reminded frontline staff of the required timescales. The Council carried out staff training on some aspects of financial assessments and conducted an audit to identify residents who might have missed out on support following their care assessments, both before and during the COVID-19 pandemic. The positive way the Council engaged with our recommendations shows its commitment to achieving long-term improvements within its adult social care services.

In the [second report](#) issued, your Council agreed to refund a mother's school transport costs after our investigation found flaws in the way it handled her application. We found the Council took too long to reach its initial decision on the family's school transport application, and the information provided to parents about timescales was misleading.

The information provided by the Council on its website about the appeals process was also criticised, we found a link to the appeals process did not work, and so parents had to find the forms on the website themselves. We also found problems with the length of time the Council took to consider the appeal, which meant the hearing took place after the school year started.

Additionally, the family incurred a significant financial cost as the Council took three months to arrange provision following their appeal.

The Council agreed to apologise to the family and reimburse the costs they incurred minus the personal transport budget payments received. It also agreed to pay them £500 to recognise the avoidable distress caused by the Council's poor handling of their application and appeal.

The Council also agreed to review the information it provides to applicants to ensure it is accurate and to consider reviewing its systems to ensure issues identified can be dealt with promptly.

Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

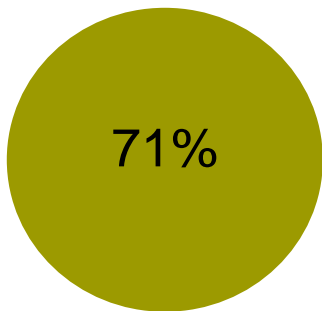
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

Yours sincerely,



Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld



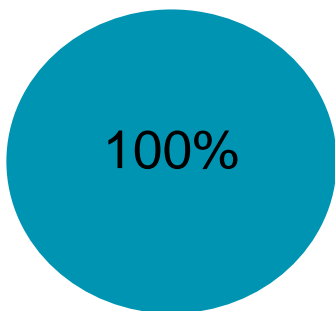
71% of complaints we investigated were upheld.

This compares to an average of 80% in similar organisations.

27 upheld decisions

Statistics are based on a total of 38 investigations for the period between 1 April 2022 to 31 March 2023

Compliance with Ombudsman recommendations



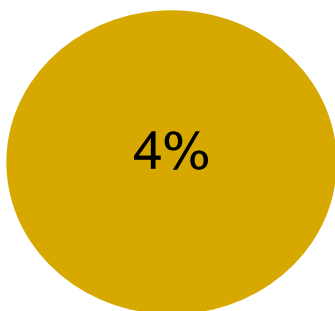
In 100% of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of 100% in similar organisations.

Statistics are based on a total of 25 compliance outcomes for the period between 1 April 2022 to 31 March 2023

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the organisation



In 4% of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of 6% in similar organisations.

1 satisfactory remedy decision

Statistics are based on a total of 27 upheld decisions for the period between 1 April 2022 to 31 March 2023