

## LBC Annual Complaints Report 2022/2023 – APPENDIX 7

### Section 8 of Annual Complaints Report 2022/2023

#### 1. Local Government & Social Care Ombudsman (LGSCO) Data 2022/2023

From LGSCO Annual Review Letter 2022~2023

Click on link: [London Borough of Camden - Local Government and Social Care Ombudsman](#)

Service	Total	Formal investigation		Do not go to formal investigation			
		Upheld	Not Upheld	Advice given	Closed after initial enquiries	Referred back for local resolution (premature)	Incomplete or Invalid
Adult Social Care	7		1	1	3	2	
Benefits & Tax	5	1			1	3	
Corporate & other services	2	1			1		
Education & Children's Services	7	4	1			2	
Environment, Public Protection & Regulation	7	2		1	2	2	
Highways & Transport	14	1	1		9	3	
Housing	36	5	2	11	6	10	2
Planning & Development	11		1		4	6	
Other	4			3			1
<b>TOTAL</b>	<b>93</b>	<b>14</b>	<b>6</b>	<b>16</b>	<b>26</b>	<b>28</b>	<b>3</b>
		<b>22%</b>		<b>78%</b>			

#### 2. LGSCO Outcome decisions

2.1 Where the ombudsman finds fault the outcome decision can be (in order of seriousness):

- Maladministration with injustice
- Maladministration without injustice
- Upheld (No Further Action required/ Remedy Actions complete)
- Service Failure

**2.2** There were **14** cases upheld and **12** of these had an outcome decision of either maladministration with injustice or maladministration without injustice.

Service area	Maladministration with Injustice	Maladministration without injustice	Injustice remedied during LGO consideration
Benefits & Council Tax		1	
Corporate & other services	1		
Education & Children's services	4		
Environment, Public Protection & Regulation	1		1
Highways & Transport			1
Housing	5		
<b>TOTAL</b>	<b>11</b>	<b>1</b>	<b>2</b>

### 2.3 Maladministration with Injustice cases

No.	Service	Summary of case	Remedies	Service Improvements Recommendations
1	Corporate services (Complaints)	<ul style="list-style-type: none"> <li>unfairly placed on the Council's unreasonable behaviour register.</li> <li>conduct of a Council officer and how her complaint was handled.</li> </ul> <p>Fault found in complaint handling</p>	<ul style="list-style-type: none"> <li>New appeal/review or reconsidered decision</li> <li>Procedure or policy change/review</li> </ul>	<ul style="list-style-type: none"> <li>explain what it will do to improve its record keeping and internal sharing of information.</li> <li>amend its decision template letter to clearly give complainants their appeal rights, or to sign post directly to where the appeal rights can be found.</li> </ul>
2	Education & Children's Services (Early Help)	<ul style="list-style-type: none"> <li>lack of children's social care support for his family after it carried out an Early Help assessment in 2019 and the actions of a social worker working with the family.</li> <li>Complaint handling</li> </ul> <p>Fault found in complaint handling</p>	<ul style="list-style-type: none"> <li>Apology</li> <li>Financial redress: £250</li> </ul>	<ul style="list-style-type: none"> <li>already provided a remedy for the injustice this caused.</li> </ul>
3	Education & Children's Services (Looked After Children)	<p>complained how the Council handled concerns she raised about its handling of her foster care placement</p> <p>Fault found in complaint handling</p>	<ul style="list-style-type: none"> <li>Apology</li> <li>Financial redress: £600</li> <li>Provide training and/or guidance,</li> <li>New appeal/review</li> </ul>	<ul style="list-style-type: none"> <li>issue written reminders to relevant staff to ensure they are aware of the timescales under the statutory complaints procedure.</li> <li>issue written reminders to relevant staff to ensure they are aware all relevant files must be sent to the Independent Officer and Independent</li> </ul>

			<ul style="list-style-type: none"> <li>or reconsidered decision</li> <li>• Provide information/adv ice to person affected</li> </ul>	Person when they are conducting a stage two investigation.
4	Education & Children's Services (Children's Services)	<p>complained about the actions of the Council in providing support to her and daughter</p> <p>Fault found due to delays in 3 stage statutory processes</p>	<ul style="list-style-type: none"> <li>• Financial redress: £200</li> <li>• Procedure or policy change/review</li> </ul>	review the operation of its three stage complaints process to identify where it can make changes to prevent delays.
5	Education & Children's Services (School Transport)	<p>unreasonably refused his application for a free school travel pass for his daughter.</p> <p>Fault in handling application</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• Procedure or policy change/review</li> <li>• Provide training and/or guidance</li> </ul>	review school transport policy provide guidance to all staff considering applications and appeals for free school travel passes
6	Environment Public Protection & Regulation (Environmental Health – Noise)	<p>complaint about how it responded to her reports of noise nuisance</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• Procedure or policy change/review</li> <li>• Provide information/adv ice to person affected</li> <li>• Provide training and/or guidance</li> </ul>	To remind officers of the need to fully respond to queries raised in noise reports review the initial warnings and the first warning letters it sends out, so they now give examples of the person's behaviour the Council is concerned about.
7	Housing (Allocations)	<p>placed in housing out of borough and now isn't eligible for the housing register as doesn't meet the local connection criteria</p> <p>Fault in communication about placement</p> <p>Fault in complaint handling</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• Financial redress: £300</li> </ul>	Injustice remedied
8	Housing (Allocations)	<p>The way the Council handled a homelessness application and a complaint about that. There were faults in the way the Council considered the application.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• Financial redress: Avoidable distress/time and trouble</li> <li>• Provide training and/or guidance</li> </ul>	remind relevant staff of the correct test to apply when considering whether it has a duty to offer interim accommodation in homelessness cases, and the importance of keeping a clear record of the reasons for its decision.
9	Housing (Allocations)	<p>failed to correctly assess a housing application.</p> <p>fault for failing to consider all relevant evidence and failing to follow its policy.</p>	<ul style="list-style-type: none"> <li>• Apology</li> <li>• New appeal/review or reconsidered decision</li> <li>• Provide training and/or guidance</li> </ul>	remind staff to give proper scrutiny to any relevant supporting evidence and the need to explain their reasons remind staff of its policy for social need and hardship points.

10	Housing (Allocations)	delayed reviewing her housing priority after she submitted new medical information  Fault for delay in reviewing information	<ul style="list-style-type: none"> <li>Financial redress: £200</li> </ul>	Injustice remedied
11	Housing (Homelessness)	complains the Council failed to make sure the managing agent of her temporary accommodation provided a satisfactory repairs service.  Fault in handling disrepair  Fault in handling complaint	<ul style="list-style-type: none"> <li>Apology</li> <li>Financial redress: £750</li> <li>Provide training and/or guidance</li> </ul>	establish a responsive repairs schedule classifying categories of repairs and time scales to repair with Managing Agent B. guidance to Council officers on how to handle reports of persistent disrepair from homeless applicants and consider putting it on website. reminder to relevant staff on the need to retain robust records of suitability assessments of temporary accommodation reminder to relevant staff on the duty to keep the suitability of temporary accommodation under review

#### 4 Cases with delays in completing remedies

No.	Service	Summary of case	Remedies	Delay
1	Education & Children's Services	<ul style="list-style-type: none"> <li>lack of children's social care support for his family after it carried out an Early Help assessment in 2019 and the actions of a social worker working with the family.</li> <li>Complaint handling</li> </ul> Fault found in complaint handling	<ul style="list-style-type: none"> <li>Apology</li> <li>Financial redress</li> </ul>	Target for Remedies 11/08/22 Remedies completed 13/10/22
2	Education & Children's Services	complained how the Council handled concerns she raised about its handling of her foster care placement  Fault found in complaint handling	<ul style="list-style-type: none"> <li>Apology</li> <li>Financial redress: £600</li> <li>Provide training and/or guidance,</li> <li>New appeal/review or reconsidered decision</li> <li>Provide information/advice to person affected</li> </ul>	Target Remedies: 21/12/22 Remedies completed: 17/01/23  Payment was delayed.  Evidence of training provided late