

Member Report

Corporate & Ombudsman Complaints Monitoring Update Report

Report to: Governance Committee

Report from: Chief Executive

Portfolio: Resources

Report Date: November 2025

Decision Type: For Information

Council Priority All priorities

1.0 Summary of report

1.1 The purpose of this report is to provide Members with the findings of the Local Government and Social Care Ombudsman's ('Ombudsman') annual letter covering the 1st April 2024 to 31 March 2025. Additionally, the report is to provide Members with the Council's current position regarding the implementation of the Ombudsman's new Complaint Handling Code ('Code').

2.0 Recommendation

2.1 It is recommended that Members note the summary of complaints activity processed by the Complaints team for the last year and the findings of the Ombudsman's annual letter covering the 1st April 2024 to 31 March 2025.

2.2 In order to provide reassurance that the Council has effective and efficient complaints handling processes, Members are recommended to note the summary of complaint activity processed by the Complaints team during the first two quarters of this financial year (1st April 2025 to 31st March 2025).

2.3 The Ombudsman will use the Code within its assessment of complaints and recommendations from the 1st April 2026. From this date non-compliance will be highlighted by the Ombudsman within its investigations and public reports. As part of the annual reporting requirements under the Code, Councils must undertake a self-assessment, therefore, although the provisions of the Code are not yet being formally used by the Ombudsman in assessing the Council, it is recommended that Members note the findings of the Council's first annual self-assessment to demonstrate the Council's compliance, ahead of the implementation date.

3.0 What are the objectives of the report and how do they link to the Council's priorities

3.1 This report supports our goal to drive improvement across Council services. Public experience of local services is at the heart of our thinking with the aim to resolve complaints in a structured and timely manner. The Council has three main complaint procedures that are utilised when processing complaints, the selection of which is dependent on the subject nature of the complaint. The three complaint procedures are:

- Statutory Children and Families Social Care Complaints Procedure - is a three-stage procedure and is used when complaints fall under the Children Act 1989. Complaints are predominantly from children, parents or someone who has parental responsibility for a child who is adopted, in foster care, looked after, or any person who it is considered has a sufficient level of interest in a child's welfare. A statutory annual report for the period

of the 1st April 2024 to 31 March 2025 has been produced on the complaint activity for this procedure and this can be found using the following link [Children and Families - Complaints Compliments Annual Report 2024-25.pdf \(PDF, 739.91KB\)](#) The annual report was presented to the Children and Families Scrutiny Committee in September 2025 and published on the Council's internet.

- Statutory Adult Social Care Complaints Procedure – is a one-stage procedure and is used when complaints are made by someone receiving an adult social care service, by a relative/friend of someone receiving an adult social care service or by someone who is affected by something an adult social care service has or had not done. A statutory annual report for the period of the 1st April 2024 to 31 March 2025 has been produced on the complaint activity for this procedure and can be found using the following link [Adult Social Care - Complaints Report 24-25](#) The annual report was reported to the Adult Scrutiny Committee in July 2025 and published on the Council's internet.
- Corporate Complaints Procedure – is a two-stage procedure which was approved by the Governance Committee in April 2024, bringing it in line with the Ombudsman's new Code, issued to councils to provide guidance about good administrative practice. The complaints procedure is intended to be an accessible and resolution-focussed system, where, if a resolution is not possible at Stage 1 and the complainant remains dissatisfied, the procedure allows for a more formal Stage 2 investigation to be conducted.

3.2 Ultimately, the complainant is always able to take the complaint to the Ombudsman and, every year, an Annual Letter is published summarising details of the complaints they have considered from all three of the Council's complaint procedures.

3.3 Corporate Complaints Received 2024-25 Financial Year

During this period, 83 complaints were handled under Stage 1 of the corporate complaint's procedure. There has been a significant decrease in the number of stage 1 complaints received from the previous year where 97 complaints were received.

Of the 83 Stage 1 complaints received, 34 progressed to Stage 2 of the complaints process where a more detailed investigation was undertaken by a senior officer in the relevant service area. This figure compares to 29 complaints that progressed to stage 2 last year.

3.4 Ombudsman Activity

The annual review letter from the Ombudsman was received on the 21st May 2025, a copy of which can be seen in Appendix 1. For the year ending 31st March 2025, the Ombudsman received 36 complaints for the Council. These are complaints where the individual remains dissatisfied with the responses provided by the Council, or where the complainant has taken their complaint direct to the Ombudsman at an earlier stage.

Of the 36 complaints received:

- 8 of these complaints were not for the Ombudsman to investigate – these include complaints brought to the Ombudsman before the council was given a chance to consider them or the complainant may have contacted the wrong Ombudsman.
- 23 complaints were assessed and closed – these include complaints where the law says the Ombudsman is not allowed to investigate, where the Ombudsman considered there was no fault by the Council or where investigating the complaint would be a poor use of public funds.

- 5 complaints were investigated - these are complaints where the Ombudsman considers a further investigation is required to ascertain if there is fault/no fault as it is not evident from the information provided by the complainant or the Council. Additionally, this may also cover instances where fault is recognised by the Council, and an investigation is required to ascertain whether a suitable remedy was provided by the council early on in the complaints process.

Of the 5 complaints investigated by the Ombudsman, 2 were not upheld and no further action taken. Of the 3 remaining upheld complaints, the Ombudsman concluded that the Council had already put in place a suitable remedy for 2 of the complaints. Regarding the remaining complaint, the Ombudsman felt that the Council had not fully addressed the complaint and asked the Council to issue a letter of apology to the complainant.

Based on this information, the number of upheld decisions per 100,000 residents for the Council is 2.2. This compares very favourably to the average for authorities of similar size which is 5.3 upheld decisions per 100,000 residents.

The table below illustrates the current figures ending 31 March 2025 compared to previous years activity.

For Year ending 31 March	Complaints made to Ombudsman	Investigated	Upheld	Not Upheld
2025	36	5	3	2
2024	27	4	3	1
2023	25	11	11	0
2022	30	6	5	1
2021	16	7	5	2
2020	31	4	1	3

3.5 Upheld Complaints

During an Ombudsman investigation, the Council is required to fully cooperate by responding to questions and providing additional information / documentation to explain any rationale behind the decisions the Council has made. The Ombudsman will take a decision based on their investigation and suggest a remedy where this is appropriate. In some cases, the Council may have already provided a remedy before the Ombudsman receives the complaint. As part of the Ombudsman's investigation, they may consider the remedy provided by the Council as satisfactory and complete the investigation on that basis. The details of most complaints are anonymised and published on the Ombudsman website.

Below is a summary of the 3 upheld complaints received this year:

23014732 (Resources – Benefits & Tax) - Mr X complained that the Council provided confusing information about his council tax and housing benefit repayments. The Ombudsman reviewed the breakdown and explanation provided to Mr X by the Council and considered this as a satisfactory remedy to address Mr X's complaint.

24009132 (Resources – Benefits & Tax) – Mr Z complained about the way the Council assessed his council tax and that the Council failed to award a single person's discount. The Ombudsman reviewed the information sent to the complainant by the council and considered this a satisfactory remedy to Mr Z's complaint.

24003770 (Resources – Benefits & Tax) – Ms Y complained that the Council ended her council tax support following a change in her income circumstances. Although the Ombudsman did not

fully investigate this complaint (the complainant could use her appeal rights to a tribunal) the Ombudsman felt that the Council did not properly respond to her request for a further explanation of her council tax support assessment. Following notification from the Ombudsman the Council issued a written apology to address the distress caused to the complainant.

3.6 By benchmarking upheld decisions across the Tees Valley area, we can see some consistency with neighbouring councils:

	Complaints Received	Investigated	Upheld	Upheld - remedy agreed before complaint reached the Ombudsman	Upheld - by 100,000 resident population *
Redcar	36	5	3	2	2.2
Darlington	23	6	6	2	5.4
Hartlepool	26	4	2	1	2.1
Middlesbrough	41	6	6	1	3.9
Stockton	30	8	8	3	4.0

* The National Average for authorities of this type is 5.3 upheld decisions per 100,000 residents

3.7 Compliance

During the reporting period it is noted that the Council were 100% compliant in implementing the Ombudsman's recommendations.

3.8 Performance Reporting and Continuous Learning Improvements

Accountability and transparency are integral to a positive organisational culture, and we are required to report on a wider learning and improvement gained from complaints. As reported to the committee in June 2025, this will be undertaken by utilising the suggested key performance indicators set out in the good practice guides to provide quarterly performance reports on all three of the complaint's procedures. These quarterly reports are now provided to all Directorates via senior management meetings (SMT's) and directorate management meetings (DMT's). These reports assist the Council's services to determine an expected performance level and ascertain if these levels are realised and implement actions if they are not.

3.9 In Year Performance Monitoring

Under the Code, there is a responsibility to provide 'the Member Responsible for Complaints' ('Member' being the Governance Committee) with regular information to provide insight on the organisation's complaint handling performance. To demonstrate this a summary of the complaint's activity for the period of 1st April 2025 to 30 September 2025 (Quarter 1 & 2) is provided below:

- Service Requests – a total of 408 service requests were received. 33 recorded under the statutory children's procedure, 29 recorded under the statutory adult's procedure and 346 recorded under the corporate procedure.
- Complaints – a total of 61 complaints were received. 8 recorded under the statutory children's complaint procedure, 16 recorded under the statutory adult's complaint procedure and 37 recorded under the corporate complaint's procedure.
- Compliments – a total of 527 compliments were received. 243 recorded under the

statutory children's procedure, 271 recorded under the statutory adult's procedure and 13 recorded under the corporate procedure.

- Ombudsman Complaints - a total of 9 Ombudsman complaints were received. 4 recorded under the statutory children's procedure, 3 recorded under the statutory adult's procedure, and 2 recorded under the corporate procedure. Of the 9 complaints 1 complaint remains open (awaiting the Ombudsman's final decision) and 8 have been closed, with the Ombudsman confirming that they are not going to investigate the complaint.
- Lessons Learnt from Complaints – Work is currently being undertaken to finalise a procedure to record and monitor learning opportunities for the complaints we receive. Although a comprehensive procedure is not available at the present time for corporate complaints, we do record and monitor learning opportunities for the statutory children's complaints procedure and the statutory adults' complaints procedure.

There have been 9 statutory children's complaints where learning points have been noted of which 5 have been actioned. Similarly, there have been 5 statutory adult's complaints where learning points have been highlighted of which 1 has been actioned.

- Vexatious Complainants – In a small number of cases where a complainant's behaviour may become unacceptable, the Council has a duty to protect its staff from conduct, which is abusive, offensive, or threatening. This is undertaken via the Council's Vexatious Complainant procedure. There are currently 5 people that are subject to communication restrictions under this procedure. Additionally, 1 person has received an official warning under the procedure, this will expire on the 28th January 2026.

3.10 Annual Self-Assessment Against the Code.

The Code includes a requirement for local authorities to undertake a self-assessment against the Code and to report progress within an annual report. The Code states '*The annual complaints performance and service improvement report should be reported through the organisation's governance arrangements and published on the section of its website relating to complaints*'.

The Council's 2025 self-assessment is attached at Appendix 2 and was carried out by the Council's Corporate Complaints Manager. The findings demonstrate compliance with 57 elements of the Code (green), 5 elements where it was considered partial compliance or further monitoring was required to make a full determination (orange), and 1 element where it was considered there was no compliance with the Code (red) as the process has not been implemented yet. For each element where full compliance is not realised, an action has been provided in comments section. It is envisaged that compliance will be in place for April 2026.

4.0 What options have been considered

This report is for information.

5.0 Impact Assessment

- 5.1 **Climate Emergency Impact** – There is no specific impact arising from this report.
- 5.2 **Health and Safety** – There are no direct implications from this report on Health and Safety.
- 5.3 **Social Value** - An effective complaints system is one which helps an organisation to learn. The oversight and governance of complaints and working with Ombudsman Investigators to remedy

any maladministration, provides an opportunity to contribute to business improvement and to demonstrate social value.

- 5.4 **Legal** - Corporate complaints processing is good practice, and a policy of the Council incorporated into the Constitution. It is a requirement to work with the Local Government and Social Care Ombudsman to address dissatisfaction.
- 5.5 **Financial** – There are no direct implications from this report on financial resources.
- 5.6 **Human Resources** – There are no direct implications from this report on human resources.
- 5.7 **Equality and Diversity** - There are no direct implications from this report on equality and diversity.

6.0 Implementation Plan

- 6.1 This report is for information.

7.0 Consultation and Engagement

- 7.1 This report has been reviewed by the Resources Directorate Management Team and Executive Management Team who have supported the commitment and continuous improvement of corporate complaints management.

8.0 Appendices and Background Papers

- 8.1 Appendices included in this report:

Appendix 1 – Local Government & Social Care Ombudsman Annual Review Letter 2025.

Appendix 2 – Self-Assessment – Complaints Handling Code

9.0 Contact Officer

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