EPSOM & EWELL TIMES
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19th November 2026

ISSN 2753-2771

EPSOM & EWELL TIMES

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Councillors dispute significance of EEBC's complaint rate

17 July 2026



Epsom and Ewell recorded Surrey's second-highest rate of upheld Local Government and Social Care Ombudsman complaints during 2025/26 — although officers and some councillors argued that the numbers were too small to indicate a systemic problem.

The Ombudsman received 18 complaints concerning EEBC, up from 15 in the previous year. Two were recorded as upheld, producing a rate of 2.4 upheld complaints per 100,000 residents. Only Spelthorne, at 2.8, had a higher rate among Surrey's borough and district councils.

At last night's Audit and Scrutiny Committee meeting Cllr **Alex Coley** (Independent Ruxley) asked why Epsom and Ewell's rate appeared markedly worse than most neighbouring authorities.

Cllr **Steve McCormick** (Conservative Woodcote and Langley) asked what weaknesses in the Council's first and second-stage complaints processes were causing cases to reach the Ombudsman and what service improvements would be put in place before the transfer to East Surrey Unitary Authority.

Assistant Director Andrew Bircher rejected the suggestion of systemic failure. He said the actual number of complaints was very low and that one of the two cases was classified as upheld even though the Ombudsman had not opened a full investigation. In that case, the Council had already accepted the complaint and taken satisfactory remedial action.

"I don't see that there is an issue to be concerned about here as we transition into the new East Surrey authority," he said.

Cllr **Robert Leach** RA Nonsuch) agreed that percentages based on one or two cases could be misleading. "When you're dealing with very small numbers, you really have to have a viability threshold," he said. "This is probably something barely worth reporting."

Refuse, rodents and reasonable adjustments

The first upheld case concerned repeated accumulations of refuse and fly-tipping near a resident's home, causing a rodent problem.

Following the Council's own stage-two investigation, it apologised and agreed to double waste collections and inspections, make the location a priority site and increase the presence of uniformed officers.

The Ombudsman decided that no further investigation was required because the Council had already remedied the injustice. Its system nevertheless recorded the complaint as upheld.

The second case concerned the Council's requirement that reports of planning breaches be submitted online or on a specified form.

The Ombudsman found that, after the complainant explained difficulties using their hands, the Council should have asked whether a reasonable adjustment was required. Its failure to do so caused uncertainty, although the Ombudsman could not say that an adjustment would necessarily have been granted.

The Council subsequently contacted the complainant and reminded officers of their anticipatory duty under the Equality Act.

Eleven data breaches

The report also disclosed 11 data breaches since the committee's February meeting.

Nine involved email. Two were reported to the Information Commissioner's Office, which took no further action beyond providing general advice.

The Council had also been notified of two complaints to the ICO concerning its responses to Freedom of Information requests. At the time of the committee meeting, both were still awaiting allocation to an investigator.

Under the new data legislation, residents will generally be required to complain to the Council about its handling of

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ISSN 2753-2771

personal information before taking the matter to the ICO.

Mr McCormick asked how the Council could guarantee that complaints about its own conduct would be investigated objectively and whether the financial and staffing implications had been calculated.

Mr Bircher said the Council's Business Support Team would provide an independent review through its existing two-stage complaints procedure. He could not say how the workload would be measured or reported under the new unitary council. "I dare say that this annual complaints report won't come to this committee next year because it won't exist," he said.

The committee noted the report.

Sam Jones – Reporter



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