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Scrutinising complaints against Council

26 July 2023



The **Epsom and Ewell Borough Council** met Tuesday 25th July. Questions arose surrounding the Annual Report of the Audit and Scrutiny Committee 2022-2023.

The report is ‘designed to ensure the Council meets its statutory and local responsibilities’. However, concerns were raised about the report.

Cllr. **Chris Ames**, (Labour Court Ward), spoke out against adoption of the report. He stated ‘the report misses out key events’ which should not be ignored. He referred to the absence of a letter issued by the **Local Government and Social Care Ombudsman**’s Office regarding complaints to the Council. This letter was ‘not presented to the committee’ and thus the committee was ‘deprived of the ability to carry out scrutiny of this important issue’.

The Ombudsman’s letter, published online, provides feedback on the Council’s work in 2023. The letter details how they had ‘noted difficulties’ in dealing with the Epsom and Ewell Borough Council in previous years. These difficulties a ‘result of poor communication and late responses to our enquiries’ but does proceed to mention how this has ‘improved’.

Cllr **Kate Chinn**, (Labour Court Ward), echoed the concerns raised by Cllr Ames and spoke of further concerns. Chinn recounted a previous meeting in which ‘a member of the public asked a question and a supplementary question’. The Council saw the supplementary question as a ‘second (unrelated) question so it was deemed inadmissible’. It was only when Chinn emailed the then monitoring officer that it was ‘agreed it was indeed a supplementary question’. Training was required to prevent this happening again.

Cllr Chinn spoke about a complaint she’d recently been emailed. The complaint centred around how ‘the council’s complaints procedure had not been followed. The complaint had to be made three times before it was recorded and then it was not progressed’.

Chinn finished by adding that she believes ‘this report should document the year’s failures in governance’ as well as ‘actions required to remedy them’. Until the report indicates these failures it shouldn’t be received as ‘a full account of the committee’s work for the year 22-23’, she concluded.

The Council received the report and did not refer it back to the Audit Committee.

The **Local Government and Social Care Ombudsman** has today (26th July) released a report stating the South-East gave rise to the second highest level of complaints (16%) behind the London Area.

In the South East:

- The overall uphold rate for the region stood at 76%, above the average of 74% for all regions;
- 33% of complaints and enquiries received were about Children and Education, above the average for all regions (24%) and the highest share across regions.
- 234 upheld decisions in Children and Education, of which Surrey CC made up 56, Kent CC 39, Oxfordshire CC 29 and Hampshire CC 27; together accounting for 65% of the region’s upheld decisions in this area.
- Had the highest uphold rate of any region for Children and Education at 86%, compared with a national average of 84%
- 14% of complaints and enquiries received were about Planning & Development, above the England average of 12%.
- Lower than average percentage shares for Housing (10% compared with average of 15%) and Highways & Transport (7% compared with average of 12%).

Complaints are accepted by the Ombudsman’s office only after the local authority in question has acknowledged the complaint. The complainer may turn to the Ombudsman if he or she is not satisfied with the outcome of the local authority’s complaint procedure.

The figures below reflect the complaints that proceeded to the Ombudsman and not those that were finalised through the Councils’ own complaint processes.

For the year 2022/2023 in respect of **Epsom and Ewell Borough Council** the Ombudsman “Referred Back for Local Resolution” 6 complaints, “closed after initial enquiries” 10 complaints, upheld 2 complaints and did not uphold 2.

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In respect of **Surrey County Council** the Ombudsman "Referred Back for Local Resolution" 46 complaints, "closed after initial enquiries" 55 complaints, upheld 68 complaints and did not uphold 13.

Paul Najsarek, Local Government and Social Care Ombudsman, said:

"We all want decent education services for our children, quality care for our loved ones when they are in need, and the reassurance of a safety net if we fall on hard times but all too often the complaints we receive show this isn't what people experience.

"We know councils face huge challenges, so it is more important than ever for them to focus on the getting the basics right in services for residents and handling complaints effectively. Although local authorities often get things right, we frequently find councils repeating the same mistakes, ploughing ahead and not taking a step back to see the bigger picture.

"Our latest statistics shed light on the harsh realities people across the country face in crucial aspects of their lives. Council leaders now need to focus on learning from common faults and injustices so they can make a significant difference to the people our local authorities serve."

Reporting by George Schofield and Sam Jones

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