



CORPORATE GOVERNANCE COMMITTEE: 24 NOVEMBER 2025

JOINT REPORT OF THE CHIEF EXECUTIVE AND THE DIRECTOR OF CORPORATE RESOURCES

LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN PERFORMANCE ANNUAL REPORT 2024/25

Purpose of Report

1. The purpose of this report is to provide the Committee with a comprehensive overview of Leicestershire County Council's, ("the Council"), performance in relation to the findings by the Local Government and Social Care Ombudsman, ("the Ombudsman"), for the period 1 April 2024 to 31 March 2025. The Annual Report also presents comparative data to contextualise the Council's performance within the broader sector.

Policy Framework and Previous Decisions

2. Paragraph 6.6 of the Corporate Governance Committee's Terms of Reference¹ states the Committee has 'oversight of findings of maladministration against the Council by the Local Government Ombudsman and to agree whether to make voluntary payments or provide other benefits in such cases under section 92 of the Local Government Act 2000.' The Director of Law and Governance is authorised in consultation with the relevant Chief Officer to authorise such payments and benefits, subject to financial limits.
3. Additionally, paragraph 6.11 also states "To consider reports from the Local Government and Social Care Ombudsman in relation to investigations into complaints made against the Council."
4. At its meeting on 29 November 2009 this Committee, in line with its role and responsibilities, agreed that reports on complaints handling should be submitted on an annual basis for members consideration following receipt of the Ombudsman's annual review letter.
5. The Local Government Act 2000 is the primary statutory provision that empowers local authorities to make payments where they are satisfied that maladministration has or may have occurred. Section 92² specifically enables relevant authorities to make a payment or offer some other form of benefit where they are satisfied that maladministration has, or may have, occurred.

¹ <https://democracy.leics.gov.uk/documents/s186985/Appendix%20-%20CGC%20TOR%20-%20FINAL.pdf>

² <https://www.legislation.gov.uk/ukpga/2000/22/section/92>

6. This report also discharges the Monitoring Officer's statutory duty under Section 5(2) of the Local Government and Housing Act 1989, to report where maladministration has been identified.

Background

7. The Ombudsman is the final stage for complaints about councils in England and its powers to investigate and make recommendations are established by the Local Government Act 1974. Its core purpose is to provide an independent, impartial, and free service to the public, investigating complaints where individuals believe they have suffered injustice due to maladministration or service failure by these bodies. If fault is found, the Ombudsman can recommend remedies, which may include apologies, service improvements, or financial remedy.
8. Each year, the Ombudsman publishes a comprehensive set of data reflecting its complaint-handling activity across England. This includes both national trends and local authority-level insights and is typically released via an 'Annual Review Letter' and accompanying datasets. The Ombudsman highlights three key focus areas: complaints upheld, compliance with recommendations and satisfactory remedy provided by the authority. The Council received its Annual Review Letter in May 2025³ and is attached as Appendix A to this report.
9. Leicestershire County Council's Local Government and Social Care Ombudsman Performance Annual Report 2024-2025 ("the Annual Report") is available at Appendix B.
10. For completeness, a summary of other complaint-related reports produced on an annual basis is included at Appendix C.

Summary of the Annual Report

11. The Annual Report provides insights into the Council's performance in respect of the Ombudsman from a multi-year and 2024/25 perspective. It presents key data and trends, including the volume and categories of complaints, decision outcomes, uphold rates, and compliance with Ombudsman recommendations. The report also benchmarks the Council's performance against other English county authorities.

Number of Complaints and Enquiries Received by the Ombudsman for the Council

12. The number of complaints and enquiries received has risen from 52 in 2020/21 to 122 in 2024/25 with a 17.3% (104) increase between 2023/24 and 2024/25; this mirrors a rising trend for the average for English county authorities.
13. Cases categorised by the Ombudsman as 'Education and Children's Services' present with the highest proportion across all three years shown within the Annual Report; this is consistent with the volume seen at Ombudsman level. The table below shows the top three categories making up most cases.

³ <https://www.lgo.org.uk/documents/councilperformance/2025/leicestershire%20county%20council.pdf>

Case Category	2022/2023		2023/24		2024/25	
Education and Children's Services	67	57%	67	64%	73	60%
Adult Social Care	29	25%	26	25%	30	25%
Highways and Transport	15	13%	8	8%	14	11%
TOTAL		95%		97%		96%

14. As highlighted in the Corporate Complaints and Compliments Annual Report 2024/2025, the Special Educational Needs and Assessment Service (SENA) is continuing its efforts to improve communication and the duration of the needs assessment.
15. The number of complaints received per 100,000 Leicestershire residents increased from 7.4 in 2020/21 to 16.4 in 2024/25; this growth is in line with the trend for English county local authorities.
16. In 2024/25 the Council's rate (16.4) placed it mid table (11th), with the best performing local county authority being Nottinghamshire, with a rate of 11.1 and the lowest performing being Devon, with a rate of 29 per 100,000 residents. When this metric is viewed at category level, the Council's placement remains approximately mid-table for all three categories shown in the table above and better performing than the average.

Cases Decided by the Ombudsman

17. Not all contacts the Ombudsman receives represent failings, and helpfully, there is distinction between decision categories offering a more nuanced view of Ombudsman demand and performance.
18. The number of enquiries and complaints reviewed and decided by the Ombudsman has fluctuated over the five reporting years and remains below the average, except in 2022/23, where it sits slightly higher (127 vs. 118).
19. The number of cases decided in 2024/25 increased by 28% (122) from 2023/24 (95).
20. In 2024/25 36 cases were referred back for local resolution ; this compares to 26 in 2023/2024.
21. In 2024/25, 40 (33%) of the 122 cases received by the Ombudsman were deemed appropriate to be investigated. This compares to 37% (35 out of 95) in 2023/24.
22. The key decision category is 'Upheld' as these are cases which have been investigated, and the Ombudsman found evidence of fault or has found the organisation offered a suitable remedy early on.

Upheld Complaints

23. The Ombudsman uses two key metrics in relation to 'Upheld' cases (a lower value for each metric signifies better performance):
 - a) 'Uphold Rate' which shows how often an organisation gets things wrong and is expressed as a percentage of the investigations the Ombudsman completes.

b) Upheld decisions per 100,000 residents (metric available since 2022/2023).

24. The rate at which cases are upheld has shown a generally positive trend over the past five reporting years by remaining lower than the average. It should be noted that changes implemented by the Ombudsman to its investigation processes in 2022/23 have contributed to an increase in the average of complaints being upheld.
25. The number of upheld decisions per 100,000 residents also shows a generally positive performance over the last three years (being the period in which data is available), remaining lower than the average in the two most recent years.
26. From a 2024/25 perspective, the number of decisions where a complaint has been upheld per 100,000 residents positions the Council firmly in the middle of the distribution, which reflects better than average performance whilst also indicating room for further improvement and the potential to learn from those performing better than Leicestershire:

County local authority	Total complaints & enquiries decided	Number investigated	Number of cases upheld	Uphold rate 2024/25 Avg. 89%	Upheld decisions per 100,000 residents Avg. 5.3
Nottinghamshire	85	16	14	88%	1.7
Lincolnshire	76	16	13	81%	1.7
Norfolk	106	24	19	79%	2.0
Hampshire	179	38	30	79%	2.1
Warwickshire	72	17	15	88%	2.4
Cambridgeshire	79	23	18	78%	2.6
Oxfordshire	84	22	22	100%	2.9
East Sussex	106	28	21	75%	3.8
Kent	291	76	63	83%	3.9
Gloucestershire	97	34	29	85%	4.4
Leicestershire	122	40	33	83%	4.5

27. It is difficult to determine, from the data alone, which of the above county local authorities are a true comparator without understanding their model for complaint handling service structures. A continued focus on benchmarking against top-performing authorities and understanding the factors behind mid-table placement will support ongoing improvement.
28. In 2024/25 33 (83%) of the 40 cases investigated were upheld, this compares to 29 (83%) out of 35 cases in 2023/2024. A determination of an 'Upheld' outcome is typically more straightforward in instances where statutory timescales have not been met, for example statutory timescales for Special Education Needs Assessments.
29. 19 (58%) of the 33 upheld cases related to Education and Children's Services, with 79% (15) of those 19 relating to Special Educational Needs.
30. This is to be expected given the volume profile of complaints and enquires received by the Ombudsman in respect of the county. Additionally, this reflects the Ombudsman's national caseload profile. In the Annual Review of Local Government

Complaints 2024-25 report, the Ombudsman observes, 'Education and Children's complaints, and in particular the growing issues with special educational needs provision, made up 27% of the cases we received during the year, and made up 48% of cases we upheld. We found fault in more cases this year, with 91% upheld. We continue to maintain the view that urgent change is required to national policy on support for young people with special educational needs and disabilities, and we await the Government white paper, now expected in Autumn 2025.'

31. Ombudsman cases categorised as fault and injustice can be found in the Annual Reports of Children's Social Care and Adult Social Care.

Remedy and Compliance Outcomes

32. When the Ombudsman finds fault in the way the Council carries out its duties, they consider if this caused an injustice to the person affected. If so, the Ombudsman makes recommendations about what the Council should do to put things right.
33. The Ombudsman has two key metrics in relation to remedy and compliance, which are covered below.

Satisfactory Remedy

34. The Ombudsman recognises cases where the Council has taken steps to put things right before the complaint reaches the Ombudsman. These are complaints the Council upheld, and the Ombudsman has agreed with the approach the Council took in offering to put things right. The Ombudsman uses a Satisfactory Remedy Rate metric to measure performance.
35. The Council's "Satisfactory Remedy Rate" improved significantly from 8% in 2020/21 to 30% in 2024/25 (24% in 2023/2024), outpacing the average which rose only from 8% to 10%. This indicates that the Council has become more effective at resolving complaints early and to the Ombudsman's satisfaction,

Recommendation Compliance

36. Cases where the Ombudsman recommended a remedy to put things right for the person affected are monitored for compliance. Its recommendations try to put people back in the position they were before the fault. The 'Compliance Rate' is the percentage of cases where the organisation provided satisfactory evidence of its compliance with the Ombudsman's recommendations.
37. The Council maintained a 100% compliance rate with Ombudsman recommendations across all five years reported.

Remedy Payments

38. The Ombudsman may recommend a remedy in the form of a payment which may contain elements for failure to provide a service, together with an element to recognise the complainants time and trouble to pursue the complaint.

39. The total value of remedy payments recommended by the Ombudsman has decreased over the last three years: £40,750 (2022/23), £27,222.15 (2023/24), and £21,113 (2024/25), with a 22% reduction between the last two periods.
40. Most financial remedies related to SEN assessments and adult care assessments/charging.

Public Reports

41. The Ombudsman issues public reports in cases where there is a wider public interest, including non-compliance with recommendations. These reports are published and remain available for ten years.
42. No public reports were issued in 2024/25. Three reports have been issued in respect of the Council during the last 10-year period, with the most recent being in 2023 and the oldest in 2020.

Resource Implications

43. There are no additional resource requirements arising from this report.

Equality and Human Rights Implications

44. There are no equality or human rights implications arising from the recommendations in this report.

Recommendations

45. The Committee is recommended to:
 - a) Note the contents of this report.
 - b) Provide comment and feedback on the Local Government and Social Care Ombudsman Performance Annual Report 2024-2025.

Background Papers

Corporate Governance Committee – 6 December 2024 - Local Government and Social Care Ombudsmen Annual Review 2023/24 - <https://democracy.leics.gov.uk/documents/s186963/Ombudsman%20Annual%20Review%202023-24%20and%20Complaint%20Handling%20Final.pdf>

Scrutiny Commission – 8 September 2025 - Corporate Complaints and Compliments Annual Report 2024 – 2025 - <https://democracy.leics.gov.uk/documents/s191394/Appendix%20-%20Corporate%20Complaints%20and%20Compliments%20Annual%20Report%202024-2025.pdf>

Children and Families Overview and Scrutiny Committee – 2 September 2025 - Children's Social Care Statutory Complaints and Compliments Annual Report 2024/2025 - <https://democracy.leics.gov.uk/documents/s191238/Childrens%20Social%20Care%20Statutory%20Complaints%20and%20Compliments%20Annual%20Report%202024-25.pdf>

Adults and Communities Overview and Scrutiny Committee – 1 September 2025 - Adult Social Care Statutory Complaints and Compliments Annual Report 2024-2025 - <https://democracy.leics.gov.uk/documents/s191247/Complaints%20Report%202024-2025.pdf>

Circulation under the Local Issues Alert Procedure

46. None.

Officer to Contact

Lauren Haslam, Director of Law and Governance

Tel: 0116 3056240

Email: lauren.haslam@leics.gov.uk

Alicia Lanham, Head of Business Services

Tel: 0116 3056240

Email: alicia.lanham@leics.gov.uk

List of Appendices

Appendix A - Local Government & Social Care Ombudsman Annual Review Letter 2024-25

Appendix B - Leicestershire County Council's Local Government and Social Care Ombudsman Annual Performance Report 2024-2025

Appendix C – Summary of Complaints and Compliments Reports

This page is intentionally left blank