



**Cabinet**  
**October 15<sup>th</sup> 2025**

Local Government and  
Social Care  
Ombudsman's  
Complaint Handling  
Code

Public



## Local Government and Social Care Ombudsman's Complaint Handling Code

<b>Responsible Officer:</b>	Tim Collard		
email:	Tim.Collard@shropshire.gov.uk	Tel:	01743 252756
<b>Cabinet Member</b> (Portfolio Holder):	Councillor Alex Wagner		

### 1. Synopsis

The report summarises the requirements set out within the Local Government and Social Care Ombudsman's Complaint Handling Code (Appendix 1) and follows the annual customer feedback report considered by Cabinet in July. The annual report included a self-assessment against the Code (attached as Appendix 2). This report summarises key features of the Code and next steps for implementation. Further internal work has taken place within the last few months to set out a detailed operational action plan to assist implementation by the Feedback and Insight Team and complaint investigators across the Council.

### 2. Executive Summary

2.1. Implementation of the Local Government and Social Care Ombudsman's (LGSCO) Complaint Handling Code (referred to as 'the Code') links to the Shropshire Plan priority of healthy organisation.

2.2. The LGSCO's Complaint Handling Code has been issued as "advice and guidance" for all local councils in England under section 23(12A) of the Local

Government Act 1974. The Ombudsman has asked local authorities to start applying the Code as soon as possible and to ensure implementation by the end of March 2026. The Code only applies to complaints where there is no statutory process in place although supporting guidance covers all complaint processes.

- 2.3. Baroness Taylor of Stevenage, Parliamentary Under-Secretary of State at the Ministry of Housing, Communities and Local Government, wrote to all Council Leaders at the end of August 2025 to confirm that it was the Government's view to ensure that "decisions with local implications are taken locally". This means that the Code will not become mandatory in line with the Ombudsman's request. The letter reads: *"I would encourage all councils to consider adopting the Code into their own complaint handling processes, and to consider further how best they can ensure that resident's voices are heard during the day-to-day delivery of public services."*
- 2.4. The LGSCO will use the Code within its assessment of complaints and recommendations from April 2026. From 1st April non-compliance will be highlighted by the Ombudsman within investigations and public reports.
- 2.5. The Deputy Leader as the assigned Portfolio Holder formally responsible for complaints, and the Leadership Board have indicated that the Code should be applied by Shropshire Council, although using what has been described as a 'best endeavours' approach. In other words, we will seek to implement the Code as far as possible, and as soon as possible, to meet the good practice standards set out by the Ombudsman, whilst recognising that a lack of additional resource for implementation may present practical challenges and some delays.
- 2.6. The dominant view presented at Transformation and Improvement Overview and Scrutiny Committee on 8<sup>th</sup> September 2025 is that Shropshire Council is currently not in a position to allocate additional resource to implement the Code and compliance with a best endeavours approach outlined above was supported. This report provides an opportunity for any further discussion and comment by Cabinet.
- 2.7. As part of annual reporting, local authorities are asked to complete a self-assessment to demonstrate compliance with the code. Shropshire Council presented a self-assessment within the annual Customer Feedback Report covered within Cabinet's meeting in July (attached as Appendix 2). The self-assessment highlighted the key areas of work required and these are summarised within this report.
- 2.8. The Ombudsman Code requires significant changes across a number of areas. A detailed operational action plan has been produced, and this report summarises the main areas of activity.

### 3. Recommendations

That Cabinet:

- 3.1 Support the application of the Code from 1<sup>st</sup> April 2026, focusing on compliance whilst acknowledging that resource challenges may lead to some practical challenges and delays and noting that action may be taken by the Ombudsman in respect of any failures to implement the Code in full from the new financial year.

- 3.2 Acknowledges that collective effort will be required across the Council to ensure that complaints are prioritised appropriately.
- 3.3 Support the requirement within the Code for Oversight and Scrutiny of the complaints handling processes and annual reporting to Elected Members (to include the Ombudsman's annual letter and performance data).

## Report

### 4. Risk Assessment and Opportunities Appraisal

- 4.1. Effective monitoring and follow-up of complaints provides the opportunity to minimise risks through the identification of themes, areas of concern and opportunities for remedial actions, learning and improvements.
- 4.2. The complaints process plays an important part in capturing residents' opinion of Shropshire Council's services, where there may be shortcomings and how these can be rectified. Having an effective and open comment, complaint and feedback process is commonly referred to within external assessment and inspection processes including Ofsted, CQC, Corporate Peer Reviews and the recent Best Value Guidance.
- 4.3. Failure to comply with the Code will result in negative findings by the Ombudsman and potentially public interest reports (see section 11 for more information).

Risk	Mitigation
Failure to comply with the Code will result in non-compliance reported within individual case findings, public reports and annual letters.	Shropshire Council must be in a position to demonstrate action towards Code implementation and prioritise implementation of core requirements by the end of March 2026.
Staff wellbeing could be negatively impacted through the impact of the Code which adds to complaint handling requirements significantly (at the same time other pressures are increasing such as more frequent persistence and abusive behaviour from some customers)	Staff supervision and support with complex cases can help ease pressures but some additional capacity will be required to address additional requirements and growing workloads.
The Ombudsman requests use of new key performance indicators (KPIs). These new measures could highlight under performance against other local authorities (benchmarking research has suggested very different resource allocations and caseload volumes elsewhere).	Shropshire Council will need to make use of new data available from other local authorities to monitor changes and seek to make use of any good practice available.
Failure to meet new timescales for complaint handling.	Performance reporting and regular service reports highlight overdue cases. Senior manager involvement is

	necessary to promote compliance and address failure to respond.
Awareness of the Code requirements is not currently in place across the whole organisation.	Staff training, guidance and communications work will be planned to ensure all members of staff understand what will be required of them.

## 5. Financial Implications

- 5.1. Shropshire Council continues to manage unprecedented financial demands, and a financial emergency was declared by Cabinet on 10 September 2025. The overall financial position of the Council is set out in the monitoring position presented to Cabinet on a monthly basis. Significant management action has been instigated at all levels of the Council reducing spend to ensure the Council's financial survival. While all reports to Members provide the financial implications of decisions being taken, this may change as officers and/or Portfolio Holders review the overall financial situation and make decisions aligned to financial survivability. All non-essential spend will be stopped and all essential spend challenged. These actions may involve (this is not exhaustive):
- scaling down initiatives,
  - changing the scope of activities,
  - delaying implementation of agreed plans, or
  - extending delivery timescales.
- 5.2. Investment is required to enable Shropshire Council to fully implement and comply with the Ombudsman's Complaint Handling Code. A detailed operational action plan has been produced highlighting required resources, and this can be shared internally with the Leadership Board should closer oversight be required. It was acknowledged at Transformation and Improvement Overview and Scrutiny Committee on 8<sup>th</sup> September 2025 that it may not be possible to find additional resources to implement the Code, and any implementation will need to be possible through the re-allocation of existing resources.

## 6. Climate Change Appraisal

- 6.1. There are no direct effects on the council's climate change agenda. The majority of complainants now chose digital communication options, reducing environmental impact of more traditional methods (face to face and postal options).

## 7. Background

- 7.1. The Local Government and Social Care Ombudsman Complaint Handling Code ('the Code', see Appendix 1), sets out a process for organisations to apply with regard to non-statutory complaints (i.e. those that do not relate to the provision of social care). In the past local authorities have been able to design their own corporate complaint processes. The Code aims to bring processes in line with a single set of standards and timescales. The Ombudsman also hopes it will help to create a positive complaint handling culture amongst staff and individuals. The

Code aligns with the Housing Ombudsman's timescales, generating significant benefits for organisations managing complaints under both Ombudsman services.

- 7.2. The Code has been issued as “advice and guidance” for all local councils in England under section 23(12A) of the Local Government Act 1974.
- 7.3. The Ombudsman will use the Code within its assessment of complaints and recommendations from April 2026. From 1st April non-compliance will be highlighted by the Ombudsman within investigations and public reports. Continued/recurrent fault, serious fault or non-compliance with a recommendation are usually addressed through the use of public interest reports. Non-compliance with the Code will be considered a reason for using a public interest report. These reports require the organisation involved to make a public announcement and the Ombudsman will promote the report in the media. If a public interest report (recently renamed by the Ombudsman to just ‘report’) is used, then local authorities have three months from the date of the report to formally consider the report and any recommendations made. The report should be considered at a high decision-making level such as full Council, Cabinet or another Committee with delegated authority. The authority must then send a formal written response to the Ombudsman explaining what steps it has taken or will take to comply with the recommendations in the report. The additional requirements of Code will necessitate a significant change in ways of working across the Council.
- 7.4. Whilst there are significant resource implications of the new requirements, the Deputy Leader (as Portfolio Holder responsible for complaints), has indicated that the Code should be implemented to the extent that it is possible to do so and as soon as possible, using a “best endeavours” approach. This report provides an opportunity for any further discussion and comment by Cabinet.
- 7.5. There are limited resources available within the Feedback and Insight Team and within the service areas responding to complaints. Existing service and budget pressures mean that implementing the Code and its new requirements presents a formidable task. Collective effort will be required across the Council to enable progress to be achieved.
- 7.6. Whole organisation effort will be required to implement the Complaint Handling Code. There are actions for all members of staff and those who investigate complaints (team and service managers). Development of a new complaints handling procedure, new guidance materials, training, IT changes and other actions will need to be coordinated by Shropshire Council's Feedback and Insight Team (including complaints officers). As explained above, a detailed operational plan has been drafted to address this. Complaints officers handle the corporate and statutory processes for recording and responding to formal comments, compliments and complaints (the Complaints Monitoring Officer leads corporate stage 2 complaints and takes on the role as the Ombudsman link officer). The new Code and its associated guidance documents also impact the statutory children's and adults social care complaints procedures to a degree (the Ombudsman suggests some new ways of working should be applied across all procedures).

## 8. Self-assessment

- 8.1 The Complaints Handling Code includes a requirement for local authorities to undertake a self-assessment against the Code and to report progress within an annual report. A self-assessment is included as Appendix 2 (this was included within the 2024/25 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 response to the report from the relevant governance arrangement should be published alongside this*'.
- 8.2 The self-assessment, carried out by the Feedback and Insight Team Leader concludes compliance with those 27 elements of the code (green colour coded), 23 elements are considered partly in place (yellow), and it is considered that Shropshire Council is not complying with 16 elements (orange). There is significant work required before Shropshire Council could report compliance with all areas of the Code.

## 9. Main requirements of the Code

- 9.1 The detailed action plan produced to support Code implementation, covers areas of change and all implementation work. Key elements are summarised briefly below:
- 9.2 **Changes to procedures:** Shropshire Council will need to review all published complaint procedures including the statutory procedures to align them with the new Code and its guidance. Main areas of work include:
- Significant changes will be necessary to bring Shropshire Council's corporate complaints procedure in line with the Code (for example definitions, exclusions, timescales, outcomes to include resolved etc.)
  - The Ombudsman has clarified that the Code will not apply to Public Health complaints and requires local authorities to set out this process separately (in the same way as statutory complaints processes).
  - Updates for staff on applying more specialised elements of complaints procedures (e.g. joint complaints and provider complaints).
  - The Ombudsman requires local authorities to adopt a remedies policy and procedure. This may have monetary cost implications.
  - New national guidance on Unreasonable Actions means Shropshire Council's Unreasonably Persistent and Vexatious Customers Procedure will need to be reviewed and updated.
- 9.2 **Changes in complaint timescales and requirements at stages 1 and 2:** There are a significant number of requirements in this area, and a detailed action plan is in place to ensure key issues are not missed. Some examples include:
- Guidance on triage and steps to improve handling of service requests.
  - Clear recording of extension requests and reasons.
  - 10 working day stage 1 response timescales (plus a 10 working days extension).
  - 20 working day stage 2 response timescales (plus a 20 working day extension).
  - Guidance on complaint escalation.
- 9.3 **Staff training and guidance:** The Ombudsman has produced a wide range of guidance documents and requests that these are used to produce local resources

and support for staff (such as additional template letters, example responses, checklists etc.). Suggestions include:

- Guidance on how to advise someone to complain.
- Guidance and advice for staff to follow when a complaint is made about them.
- Guidance for staff when complainants make a complaint related to their human rights.
- Use of representatives and consent.
- Guidance on reasonable adjustments and accessible communications.
- Training for investigating officers.
- Updates to the guidance and templates available for the Unreasonably Persistent and Vexatious Customers Procedure.

9.4 **Public communications and support for customers:** The Code will require the following action to communicate with members of the public:

- New complaints leaflets and forms (used when online reporting is not possible).
- Changes to webpages.
- Changes to the definition of complaints and stronger signposting to service request processes to ensure formal complaint investigations are not a first step in raising a concern.
- Increased promotion of complaint processes through public surveys and engagement channels.

9.5 **Third-party complaint handling:** The Ombudsman has suggested quite significant changes to the approach taken when handling third-party complaints. The changes will mean a complete review is required locally and key areas of focus will need to include:

- A review of the current standard wording used within contracts. (This includes a range of different requirements).
- Improved reporting of complaints data by commissioned services (already required within some contracts but not consistently adhered to).
- Additional work to provide two versions of complaints responses (one for the complainant and another for the commissioned provider).
- Improved use of contracts with advocacy and advice services to support complaint handling.

9.6 **Oversight and reporting:** The Code and supporting guidance includes the following:

- Improvements to internal and external reporting of non-compliance with complaint processes.
- Improved reporting of learning from complaints, better evidencing service improvements, for both internal and public audiences (engagement is recommended through citizen forums etc.).
- More robust action in relation to remedies, particularly when serious fault has been identified and there is a need to consider financial remedies.
- The suggestion that local authorities should consider the increased use of mediation and advocacy services and alternative processes such as appeals, reviews to avoid complaint processes being used when a more suitable alternative should be in place.
- Annual self-assessment against the Code.
- Introduction of the role 'Member responsible for complaints'.
- Scrutiny of complaints processes.



- Emphasis on the role of senior oversight, with the Complaints Manager expected to engage with the Monitoring Officer and Section 151 Officer.
- Clear governance arrangements including risk assessment, business continuity planning, and quality monitoring.

- 9.7 **Data collection:** Guidance associated with the Code calls on local authorities to collect additional data for the following purposes:
- Introduce new Key Performance Indicators (to allow benchmarking with other local authorities and standardisation of complaints reporting). There is also the suggestion that these should be applied to statutory processes outside of the Code.
  - Collect and monitor equalities data.
  - Gather feedback on the complaints process and measure satisfaction.
  - Gather feedback from staff involved in the complaints process (particularly those complained about).
  - Collect data on reasonable adjustments, remedies/actions and exclusions.
- 9.8 The [Complaint Handling Code](#) is supported by 11 guidance documents (8 main documents and other more detailed guidance on key themes). These have been reviewed to develop the operational action plan and may inform further internal resources for staff members. The guidance documents demonstrate five main areas of focus: procedures and robust complaint handling; accessibility and support for complainants; improving practice to remedy of complaints early; ensuring complaint handling by commissioned services meets required standards; and the effective management of complainants' unreasonable actions.

## 10. Conclusions

- 10.1 The required changes set out within the Ombudsman's Complaints Handling Code and its associated guidance are significant. Full and swift implementation is challenging within the current resources available. A full implementation plan has been prepared and since it is operational will be made available to Leadership Board.
- 10.2 Prioritisation of actions will be essential to deliver as many changes as possible in advance of April 2026 when non-compliance will become part of the Local Government and Social Care Ombudsman's consideration at case level and within public reporting. It is recommended that the following actions are prioritised:
- Changes to the corporate complaints procedure to use the definitions of complaints and service requests set out within the Code, exclusions and new timescales.
  - Development of guidance for staff investigating complaints.
  - New public communication about the complaints process including leaflets and web pages.
  - Demonstration of reasonable adjustments and complaint remedies action.
  - Demonstration of management oversight, scrutiny and robust performance monitoring and reporting.
- 10.3 Members are asked to use the annual reporting and scrutiny process in 12 months' time to review progress and the self-assessment which will highlight any compliance failures.



**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Shropshire Council Customer Feedback Annual Report 2020/21, 2021/22, 2022/23, 2023/24, 2024/25.

<b>Local Member:</b>	All
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**Appendices** [Please list the titles of Appendices]

1. LGSCO Complaint Handling Code
2. Shropshire Council's Self- assessment