



*Serving You*

## **Health and Adult Social Care Overview and Scrutiny Committee**

**16 January 2025**

### **Adult Social Care Complaints and Compliments Annual Report**

**1 April 2023 to 31 March 2024**

Report from: Lee-Anne Farach, Director of People and Deputy Chief Executive

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#### **Summary**

This annual report provides information on the number, type and other information on adult social care complaints received during the period April 2023 to March 2024. It also highlights some examples of the positive things people have said about the provision of adult social care in Medway over the same period.

#### **1. Recommendations**

1.1. The Committee is requested to note the report.

#### **2. Budget and policy framework**

2.1. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 requires local authorities to have in place procedures for dealing with complaints relating to Adult Social Care.

2.2. There is a further statutory requirement to produce and publish an annual report specifying the number of complaints received, the number of complaints which the Council decided were well-founded, and the number of complaints that the Council has been informed have been referred to the Local Government and Social Care Ombudsman (LGSCO).

2.3. In accordance with the Council's constitution, paragraph 22.2 (c)(iii) of the Overview and Scrutiny rules, this Committee is responsible for the review and scrutiny of all the functions and duties of the Council under relevant legislation in force, relating to residential and day care, domiciliary care, respite care and social work for older people, adults with physical disabilities, adults with mental health problems, learning disabilities and homecare services.

### 3. Background

- 3.1. The aim of adult social care is to make sure that local people get the best possible care during the times in their lives when they need help. There may be occasions when things go wrong or when people are unhappy with the service they receive. When this happens people should, and have a right to, complain. The Council's complaints arrangements focus on dealing with problems quickly and effectively, putting things right and learning from complaints to improve services.
- 3.2. It is important to reflect on the compliments and thanks received, which provide a valuable insight into the provision of adult social care services. This report highlights some examples of the positive things people have said about the provision of adult social care services, and the professionalism and commitment of staff.
- 3.3. The Council uses complaints and compliments as important learning opportunities to make changes and improvements to our services.

### 4. Analysis of complaints 1 April 2023 to 31 March 2024

- 4.1. The following table provides the headline figures for stage 1 complaints:

<b>Complaints for 1 April 2023 – 31 March 2024</b>	<b>No. complaints</b>
Complaints brought forward from 31 March 2023	<b>2</b>
Complaints received	<b>98</b>
Total complaints handled	<b>100</b>
Complaints responded and closed	<b>89</b>
Complaints withdrawn	<b>6</b>
Complaints awaiting a response at 31 March 2024	<b>2</b>

- 4.2. Monthly breakdown of stage 1 complaints from 1 April 2023 to 31 March 2024.

	April	May	June	Q1	July	Aug	Sep	Q2	Oct	Nov	Dec	Q3	Jan	Feb	Mar	Q4	Total
Complaints brought forward	2	7	6	<b>2</b>	9	7	7	<b>9</b>	10	9	7	<b>10</b>	12	4	4	<b>12</b>	<b>2</b>
Complaints received	8	8	9	<b>25</b>	8	9	13	<b>30</b>	10	8	9	<b>27</b>	6	4	6	<b>16</b>	<b>98</b>
Complaints responded to	2	8	6	<b>16</b>	10	9	10	<b>29</b>	9	10	4	<b>23</b>	13	4	4	<b>21</b>	<b>89</b>
Complaints withdrawn	1	1	0	<b>2</b>	0	0	0	<b>0</b>	2	0	0	<b>2</b>	1	0	1	<b>2</b>	<b>6</b>
Complaints responded to within 20 days.	1	8	6	<b>15</b>	9	8	10	<b>27</b>	8	10	4	<b>22</b>	10	4	4	<b>18</b>	<b>82</b>
% responded to within 20 days*	50%	100%	100%	<b>94%</b>	90%	89%	100%	<b>93%</b>	89%	100%	100%	<b>96%</b>	77%	100%	100%	<b>86%</b>	<b>92%</b>
% acknowledged within 3 days	100%	100%	100%	<b>100%</b>	100%	100%	100%	<b>100%</b>	100%	88%	100%	<b>100%</b>	100%	100%	100%	<b>100%</b>	<b>99%</b>
Complaints carried forward to next qtr	7	6	9	<b>9</b>	7	7	10	<b>10</b>	9	7	12	<b>12</b>	4	4	5	<b>5</b>	<b>5</b>

- 4.3. The following table shows the number of stage 1 complaints received in each of the last five years:

<b>Year</b>	<b>Volume of complaints</b>
2023-24	98
2022-23	85
2021-22	84
2020-21	99
2019-20	117

- 4.4. The following table shows the number of stage 1 complaints received in 2023-24, by service:

<b>Team</b>	<b>Total</b>
Financial Assessment	18
Locality 3	17
Locality 1	16
Locality 2	15
Client Financial Services	9
Integrated Discharge Team	8
Occupational Therapy	6
Commissioning	5
Placement ad Broker Team	3
Review and Transitions	2
AMPH and DOLS	2
Self-Directed Support	2
Client Financial Affairs	0
<b>Total</b>	<b>103*</b>

\*This is more than the 98 complaints received as several complaints involved more than one team

- 4.5. This table shows numbers of complaints received about the frontline teams in Adult Social Care (not including Partnership Commissioning Team and Client Financial Services) and compared them against previous years.

<b>2023-24</b>	<b>2022-23</b>	<b>2021-22</b>	<b>2020-21</b>	<b>2019-20</b>
62	63	68	68	83

- 4.6. Complainants accessed the complaints procedure in the following ways:

<b>Method of contact</b>	<b>No. complaints received</b>
Email	69
Telephone call	14
Letter	10
Email and letter	3
Online corporate complaint form	2
<b>Total</b>	<b>98</b>

## 5. Equality

- 5.1 The Council is committed to achieving equality of opportunity, access, and outcomes for all, through the delivery and commissioning of high-quality services that are accessible and fair, and mainstreaming equity and diversity across all service delivery activities. All new services commissioned are subject to a diversity impact assessment that compels service providers to think carefully about who the services are for and demonstrate how it intends to serve their needs. This gives the Council a better measure of the impact the services are having on the community.
- 5.2 Service users come from many different ethnic backgrounds, and many have disabilities. We will refer vulnerable adults to an advocacy service if they need assistance in making a complaint, and will make reasonable adjustments, for example by ensuring that a complainant who is visually impaired receives letters in large print. If a complainant is not able to send in a written complaint, we will see the complainant at a venue that is convenient and accessible for them, and we will organise a translator if the complainants first language is not English, or an interpreter if they use BSL.
- 5.3 This table shows the ethnicity of the service users who made a complaint or service users who had a representative to make a complaint on their behalf.

<b>Ethnicity</b>	<b>No. of complaints rec'd 2023-24</b>
White/British	86
Black/Caribbean	2
Black/any other background	2
Mixed/any other mixed background	2
Asian/Asian British/Any other background	1
White /Irish	1
White/Any other background	1
Any other Ethnic Group	1
Information not recorded	2
<b>Total</b>	<b>98</b>

- 5.4 In 2023-24, 7.7% of people from ethnic minority groups were in receipt of long-term care, compared with 7.7% in 2022-23, and 6.1% in 2021-22. The table does not consider service users who received short term care.

<b>Ethnic group</b>	<b>Medway</b>		<b>Peer Group</b>	<b>National</b>
	<b>22-23</b>	<b>23-24</b>	<b>22-23</b>	<b>22-23</b>
White	89.7%	89.5%	87.5%	81.9%
Ethnic minorities groups (total):	7.7%	8.2%	8.0%	12.6%
Mixed/Multiple ethnic groups	1.1%	1.1%	9.0%	1.4%
Asian/Asian British	3.0%	3.2%	4.8%	5.4%
Black/African/Caribbean/Black British	2.5%	2.9%	1.8%	4.7%
Other Ethnic Group	1.1%	1.0%	0.5%	1.1%
No data	2.8%	2.4%	4.5%	5.4%
2021 census Ethnic minorities	15.9%		-	18.3%

## 6. Responses to complaints

- 6.1. Medway Council aims to reply to social care complaints within 20 working days, although this may vary depending on the complexity of the case and the number of issues complained about. Some complaints can involve several teams and services, for example, client financial services, locality teams, commissioning, service providers and health services.
- 6.2. Performance in responding to complaints improved. In 2023-2024 92% of the responses were answered in 20 working days compared with 89% in 2022-23 and 83% in 2021-22.

	0-20 days	21-25 days	26 -40 days	Total
Number of responses	82	0	7	89
% of responses	92%	0%	8%	100%

- 6.3. The following table describes the types of issues raised between 1 April 2023 and 31 March 2024 and shows how often they were upheld.

Complaint type	Not Upheld	Upheld	Total
Lack of, or poor, communication	7	14	<b>21</b>
Delay in providing a service/review	3	10	<b>13</b>
Delay in completing financial assessment	6	4	<b>10</b>
Disagreed with a financial assessment	6	4	<b>10</b>
Service provided	2	8	<b>10</b>
Lack of support	6	3	<b>9</b>
Standard of residential care	3	2	<b>5</b>
Behaviour or attitude of staff	4	0	<b>4</b>
Discharge from hospital	2	2	<b>4</b>
Delay in sending invoices	0	3	<b>3</b>
Delay in sending out care plans	0	2	<b>2</b>
Delay in allocating a social worker	1	0	<b>1</b>
<b>Total</b>	<b>40</b>	<b>52</b>	<b>92*</b>

**\*The total number of issues complained about is greater than the 89 responses sent in 2023-24 as one complaint can be about several issues**

- 6.4. Analysis of issues complained about:
- The number of upheld complaints about lack of communication **decreased** to 14 (16%) compared with 20 (24%) in 2022-23, and 12 in 2021-22.
  - The number of upheld financial complaints **increased** to 11 compared with 3 in 2022-23, and 10 in 2021-22.
  - **No complaints** were upheld about the behaviour and attitude of staff compared with 1 in 2022-23, and 1 in 2021-22.
- 6.5. 21 (24%) complainants were not satisfied with the initial response to their complaint compared with 20 (23%) in 2022-23 and 21 (27%) in 2021-22

6.6. 17 complainants were satisfied after receiving a further written response, two complainants remained dissatisfied following the further response and were signposted to the LGSCO, and two complainants referred their complaint to the LGSCO immediately after the initial response.

## 7. Local Government and Social Care Ombudsman (LGSCO)

7.1. Only four complainants referred their complaints to the LGSCO compared with nine in 2022-23 and twelve in 2021-22.

7.2. The LGSCO also assessed or investigated and closed four complaints in 2023-24.

7.3. The table below shows the outcome of the LGSCO investigations.

Closed - no further action	1
Upheld - fault and injustice	1
Not upheld - no fault	1
Premature	1
Total	4

7.4. The outcomes of the four complaints are as follows,

7.5. A complaint made by a mother on behalf of her daughter which alleged that Medway Council failed to provide her mother with an invoice for several months, was **closed after the Ombudsman made initial enquiries**.

7.6. The Council had carried out a financial assessment for her daughter in September 2022 to determine how much she should contribute towards the cost of her care. The mother complained after she received an invoice for care charges incurred by her daughter between December 2021 and January 2023 as she had not received invoices for several months.

7.7. The Council reviewed the account and established that the delay in issuing her invoices was due to an update in its systems. It sent an invoice for the daughter's care charges from April 2023 and offered her a repayment plan. The Council also explained it would be issuing monthly invoices going forward.

7.8. The Ombudsman noted that the Council had acknowledged the fault, apologised, and offered the daughter a repayment plan, and found that as the outstanding invoice represented valid care charges, the injustice to the daughter was minimal because she would always have been expected to make these payments.

7.9. The Ombudsman did not investigate the case as an investigation would therefore be unlikely to provide a worthwhile outcome for her. **Final decision: Closed after initial enquiries - no further action.**

7.10. The Ombudsman **upheld a complaint** from a daughter that there was a delay in providing information about the cost of her mother's care, and that carers did not turn up or were late, meaning that her mother was left a long time

between visits. The daughter also complained that she did not receive any support as an informal carer. She said this caused avoidable distress and inconvenience as her mother could not afford to pay the accrued charges, and she had missed out on an opportunity to contest the charges.

- 7.11. The outcome of the LGSCO investigation was that Medway Council failed to give appropriate information and advice regarding home care charges, failed to review her mother's care and support plan when the mother raised concerns about the care provider, and delayed issuing the first invoice for six months. It also noted that the Council had failed to process a carer's direct payment, and that there was no care plan.
- 7.12. The Council agreed with the LGSCO's recommendations to apologise to the mother and make a payment of £150 for the stress caused by Medway Council's mistakes. The daughter was offered a repayment plan. **Final decision: Upheld - Fault and injustice.**
- 7.13. A complaint from a husband that Medway Council had refused to adapt his property to enable his wife to leave the house and had failed to provide sufficient respite care and support for him as a care giver, was **not upheld.**
- 7.14. The husband said that his wife was housebound and suicidal, and that he was exhausted.
- 7.15. The LGSCO concluded that there was no fault in how Medway Council had made decisions about the practicality of any adaptations to the husband's house. A surveyor concluded that an adaption could be made to the back door, but any other adaptations were not reasonable or practicable. The LGSCO found that Medway Council had assessed his wife's care needs and developed a care and support plan. The Council had also offered support at night as respite for the husband, as there was no suitable residential respite placement for his wife. **Final decision: Not upheld - No Fault.**
- 7.16. The Ombudsman considered one complaint to be premature and passed it to Medway Council to investigate.
- 7.17. The Local Government and Social Care Ombudsman publishes a range of decisions, guidance notes and focus reports throughout the year, offering all authorities the opportunity to learn from national trends.
- 7.18. It recently released its [Annual Review of Local Government Complaints for 2023-24](#), specifically highlighting the pressures that authorities are experiencing nationally due to an increased demand for Adult Social Care and a lack of workforce resilience, noting the need for the issue to be raised as a national priority.

## 8. Learning from complaints

- 8.1. The Manager for Social Care Complaints reports on lessons learnt from complaints and compliments in the quarterly reports to the Director of People and Deputy Chief Executive, the Assistant Director, the Heads of Service, and at performance management meetings.

- 8.2. There were several complaints about staff from locality teams and financial services about staff not answering or not returning phone calls. Staff should make every effort to return calls.
- 8.3. There were several complaints about the complainant's confusion regarding the cost of residential placements and home care. All staff need to be clear about the financial assessment process and ensure that service users and their relatives receive the leaflets explaining the financial assessment process, for example the six-week enablement and how the service user's contribution to the cost of their residential care is assessed.
- 8.4. Staff should ensure that the service users and relatives are kept informed about the efforts to source a placement.
- 8.5. A complainant was upset about the information written in a report and the team manager explored with the social worker how the information could have been written in a more sensitive way and shared with the person before sending the report.
- 8.6. As part of a financial assessment, forms are sent to the service user or financial representative to complete. If these forms are not returned in a timely way the financial assessment team send a standard letter explaining to the service user that they will be charged the full cost for their care if the information is not received. One complainant said that she was in hospital when the email was sent, and she was very upset when she was sent an invoice for the full cost of her care.
- 8.7. Another complainant said he had problems with his eyesight and cannot read emails.
- 8.8. Staff should ask service users their preferred means of communication and check if the service user received the email before sending an invoice for the full cost of their care.
- 8.9. Relatives should be informed about the outcome of a safeguarding investigation.

## 9. Learning from compliments

- 9.1. Medway Council is proud to receive many compliments and thanks from people who are satisfied with Medway Council's Adult's Services and who are happy about the way the social workers work with them. Compliments provide valuable information about the quality of our services and identify what is working well.
- 9.2. Compliments about Medway's Adult Social Care increased. There were **61 compliments** about Adult Social Care compared with 30 in 2022-23, 20 in 2020-21 and 14 in 2019-20. These are some examples of the compliments received.
- 9.3. A son-in-law sent an email complimenting the outstanding care, compassion and kindness given to his mother-in-law by the staff at her care home. His mother-in-law gained weight and was cared for in a thoughtful and



professional manner throughout her stay. The care at the care home was outstanding and her life ended peacefully in the presence of family and the staff.

- 9.4. A son expressed his sincere appreciation for a social worker's compassion and understanding of the problems he was facing and her reassurance that help could be found.
- 9.5. A wife emailed a social worker's manager: *"I just wanted to write and let you know how amazing X is, she is a credit to Medway Social Care. The first time X visited my husband I got the sense that she really cared and wanted to help. We appreciate all the help we have received. I would like to thank X for her professionalism, commitment, communication, and general work ethic"*.
- 9.6. A daughter thanked a staff member for visiting her mother. Her mother thought the worker was wonderful and she could not believe the amount of support that had been given to her in such a small space of time.
- 9.7. A wife and carer emailed to compliment a social worker: *"I want to thank Z for supporting and caring for my husband, arranging for him to go to Age UK 3 days a week and when the time came founding the right residential placement for him. Z was always available by phone and her visits helped so much."*
- 9.8. A daughter emailed the social worker's manager: *"I am writing this email as I feel very strongly that a member of your staff, X, is praised for her exceptional work. X was appointed to my mother (who suffers with dementia) a month or so ago. Since that day she has worked tirelessly to help support our family in any way she possibly can. Her compassion and empathy are second to none. She has communicated with us at every hurdle to check up on us too. Her understanding of dementia is a very positive attribute. She has been incredible support at such a stressful time for us, we are truly thankful for her time, care, and dedication to her job. She really is one in a million."*
- 9.9. A daughter thanked a social worker for her support: *"R was very helpful and is a great credit to the service. I cannot thank you enough for today, I honestly thought I was going to cry. You don't know what your visit meant to me and dad. Dad is over the moon and totally on board with the plan, first time I have seen him this on board and happy for a long time."*
- 9.10. A relative emailed a social worker: *"THANK YOU for all you did for us in arranging Q's discharge from hospital. We know the journey was a challenging one, but you never gave up. On behalf of our family, we are very grateful to you and wish you well as you journey through life. Thank you and God bless you."*
- 9.11. A family member sent a thank you card to two officers; one in a Locality Team and one in the Brokerage Team, for supporting their relative to move to a residential placement.
- 9.12. Two daughters emailed to thank a social worker for her continued support and assistance. They stated *"I have to say that your attention to detail, follow up, giving explanations are clear, easy to understand and second to none. It makes our lives a lot easier, and you've made it so much easier to navigate"*

*for our father. You are and will be going forward “a breath of fresh air” and so very much appreciated.”*

- 9.13. *A refugee from Ukraine emailed “I came to England with my daughter. I have a social worker. I want to express my deep gratitude to her. She helps us a lot. The woman is very kind and sympathetic. She is communicative in her work. I have very strong support from her. I always received valuable advice from her. it is very difficult for a foreigner to get used to another country, but she helped me in this. Thank you so much.”*
- 9.14. *A staff member from supported accommodation sent an email: “I just wanted to thank X for the support she gave to K. I cannot begin to say how very helpful X was and is a great credit to your service.”*
- 9.15. *A daughter emailed to say that the occupational therapist was excellent. “He is professional, appropriately friendly, informative, patient, knowledgeable and caring. He explained to my Mum what he believed needed to be done to make her safer in her home, and actively listened to what she had to say. This all made everything go well. He is a credit to your department.”*
- 9.16. *A carer emailed to thank an occupational therapist and said that she appreciated the OT’s telephone call to say she would deliver the bath step to assist the carer’s mother in getting into the bath. The carer wrote: “I am indebted to you and genuinely feel extremely grateful to you personally and to all individuals who have acted to alleviate my overwhelming concerns.”*
- 9.17. *A wife emailed an OT “I recently lost my husband; I am 80 years old I was very nervous about having a bath when there was no-one in the house. I am in good health but had nothing to hold onto whilst getting in and out of the bath. The OT was so helpful. She really put me at my ease. She phoned to say someone from Mediquip. would be installing two rails. I couldn’t believe that she had got me an appointment so swiftly. The man from Mediquip was lovely and made a lovely job of the rails. I would like to thank the OT for the trouble she took to get this work done. I can now have my bath and I really feel so much safer.”*
- 9.18. *A daughter emailed an OT: “It is with a broken heart I tell I you that Dad died last night. Thank you so much for everything you did to get him mobile. Sitting in that chair and getting out of that room meant EVERYTHING to him. I’m glad you gave him that before he left this world. Thank you.”*
- 9.19. *A service user emailed an OT after his lift was installed: “I want to personally reiterate, that the OT did a first-class job, and we are very grateful for her speedy and comprehensive response.”*
- 9.20. *An OT received an email from a service user: “Bless your heart, you have no idea how you’ve made such a difference to my mood. I feel that someone cares about me and my situation for the first time in 10 years, that makes me hopeful that I can possibly enjoy the rest of whatever life I have left, thank you so much.”*

- 9.21. A service user sent an email thanking an OT for all the support he gave her. She had broken her ankle following a fall at home. The OT arranged for two rails to be installed and this made her feel safe.
- 9.22. A service user emailed *"I want to thank your Occupational Therapy department for their excellent service. A lady came last week and advised on means of getting into and out of the bath. she also arranged for a handle to be installed in the shower which was done yesterday. P, the person that came to fit it acted most professionally. Thank you."*
- 9.23. A service user expressed that the OT was an incredibly compassionate and helpful person who made the challenging transition between placements much more manageable. He said that he would mention the OT in a poem he's writing.
- 9.24. There were other compliments from relatives and service users about how grateful they were for the service offered by occupational therapists. They stated that the OTs were compassionate, kind, professional, sensitive, understood their situation and that they really cared. They were impressed that their equipment was delivered and installed swiftly and were thankful for the positive difference the equipment had made to their lives. They also complimented staff from Mediquip.
- 9.25. A staff member in Client Financial Services was thanked for her prompt reply. She said *"I have to say you are the only person in the many councils I deal with who answers all queries very quickly. I do appreciate your efficiency."*
- 9.26. A relative thanked a staff member in the Client Financial Services team for sorting out the care package invoice.
- 9.27. The Self-Directed Service (SDS) received emails from relatives thanking them for helping to employ a carer for their mother.
- 9.28. A daughter emailed the manager of SDS team: *"I just want to say what a wonderful experience it has been dealing with your department. I think I spoke X initially, my father had just passed away and she was so sensitive, and empathic, while being so professional. She helped me so much and guided me through the process. So, thank you and your team. The Allpay card has enabled me to send my father to a lovely summer sports club". Thank you very much. I will never forget how kind X was to me."*
- 9.29. A parent emailed the SDS team *"We just wanted to let you and your team know how grateful we are and appreciate all the help and support with the Direct Payments which help my son by improving his social skills, re-connect with his friends and give him a purpose which is so important to him and us."*
- 9.30. A wife, who cares for her husband, emailed the manager of SDS team *"My husband said "having the direct payment has been wonderful and has been indispensable. He said it takes a lot of stress away from him and he didn't realise before how stressed he was by their situation. My husband said the break has made more difference than he ever believed possible."*

- 9.31. A relative emailed a staff member in the SDS team: *“I want to say thank you for all your support with Q and his direct payments. You responded quickly in all situations and dealt with it swiftly. That it makes my life so easy.”*
- 9.32. A mother emailed the manager of the SDS team: *“Y is so good at her work, she explained everything to us clearly. I’m so glad she came to see us. Y is so friendly and bubbly. Thank you for the service.”*

## 10. Risk management

- 10.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Not handling complaints properly and importantly not learning from complaints could put an adult at risk.	Good complaint handing, including the identification of improvement opportunities from complaints received, helps ensure that Medway Council provides services in a complete and timely way, minimising the possibility of a vulnerable adult being put at risk.	Improved management and control of complaint procedures, learning from complaint analysis, helps to identify and minimise potential risk or impact of risk to adults.	D III

For risk rating, please refer to the following table:

Likelihood	Impact:
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

## 11. Financial implications

- 11.1. The cost of the Customer Relations Team who are responsible for processing corporate and social care complaints, is met within the existing Business Support Directorate budget.

## 12. Legal implications

- 12.1. The statutory framework for the handling of representations (including complaints) under the The Local Authority Social Services and NHS Complaints Regulations 2009 and Statutory Guidance is summarised in [Appendix A](#). Local Authorities must publish an annual report of its consideration of representations under that framework.

## Lead officer contact

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## Appendices

Appendix A            The Local Authority Social Services and NHS Complaints Regulations 2009

Appendix B            Managing Complaints

Appendix C            The Role of the Local Government and Social Care Ombudsman (LGSCO)

## Background papers

None.