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REPORT TO:	COUNCIL	AGENDA ITEM: 17
DATE OF MEETING:	9 <sup>TH</sup> JULY 2009	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	FRANK McARDLE CHIEF EXECUTIVE (EXT. 5702)	DOC:U:\JAYNE\Commtee\COM MREP\Ombudsman Annual Letter 0809.doc
SUBJECT:	LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW 2008/09 AND RECENT DEVELOPMENTS TO THE OMBUDSMAN SERVICE	REF: J Beech
WARD(S) AFFECTED:	ALL	

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## **1.0 Recommendations**

- 1.1 To accept the Local Government Ombudsman's Annual Review 2008/09 and to note further developments to the Ombudsman service which took effect from 1<sup>st</sup> April 2009.

## **2.0 Purpose of Report**

- 2.1 This report will inform Members of the reflections of the Local Government Ombudsman ("LGO") on the complaints received against this Authority and dealt with by the Ombudsman's Office during the year 2008/09.
- 2.2 It will also update Members on the new 'Council First' procedure for complaints, which came into effect from 1<sup>st</sup> April 2009, and the proposal to use 'Statements of Reasons' relating to decisions of the LGO following investigation of complaints.

## **3.0 Detail**

- 3.1 On 17<sup>th</sup> June 2009, the Council received the Annual Review for the period 2008/09 from the LGO, setting out a table of statistical data for the year ending 31<sup>st</sup> March 2009 and a note to help with the interpretation of the statistics. A copy of the statistics and note are attached at Annexe 'A'.

### **Changes to the Ombudsman's way of working and statistics**

- 3.2 A change in the way that the LGO operates means that the statistics about complaints received in 2008/09 is not directly comparable with those from 2007/08. Since 1<sup>st</sup> April 2008, the new LGO Advice Team has been the single point of contact for all enquiries and new complaints. The number of telephone calls to the service has increased significantly since then to more than 3,000 a month. The LGO Advice Team now provides comprehensive information and advice to people who telephone, write or e-mail. It enables citizens to make informed decisions about whether to put their complaint to the LGO. This means that direct comparisons with some previous

year statistics are difficult and could be misleading. Therefore, the Annual Review focuses mainly on the 2008/09 statistics without drawing those comparisons.

### **Enquiries and Complaints received**

- 3.3 The Ombudsman received a total of 14 enquiries and complaints about this Council during 2008/09. 10 complaints were forwarded to the investigation team, 3 about Planning and Building Control, 1 about Housing and 6 about other issues (including three about Licensing).

### **Complaint outcomes**

- 3.4 Of the 7 complaints determined by the Ombudsman, 3 were premature complaints which had been resubmitted to the Ombudsman because the person complaining was unhappy with the response they had received from the Council. During the year, no Ombudsman Reports were issued against the Council and there were no findings of maladministration or local settlements. The Ombudsman commented that, overall, the figures suggest that the Council's complaints procedure is working satisfactorily.

### **Liaison with the Local Government Ombudsman**

- 3.5 The LGO made 4 first enquiries to the Council during 2008/09 and the average response time was 25 days. This is a slight increase on previous years, however, the LGO commented that it was still well within the target of 28 days. It should be noted that the slightly increased response time was, to a large extent, as a result of dealing with two particularly lengthy and complex licensing complaints which required significant quantities of information/documentation to be produced to the Ombudsman, with input from a number of departments.

### **LGO developments**

#### 'Council First'

- 3.6 On 1<sup>st</sup> April 2009, the LGO implemented a new procedure called 'Council First'. This procedure requires all complainants to go through all stages of the Council's 'Comments, Compliments and Complaints' procedure before the LGO will consider the complaint. The LGO recognised that there would need to be some exceptions. These include where a matter is clearly urgent (e.g. complaints relating to homelessness), where the complainant's circumstances indicate a need for priority (e.g. complaints made by children and young people) or where the Council's Chief Executive has exercised discretion not to investigate further.

#### Statements of Reasons

- 3.7 The Local Government and Public Involvement in Health Act 2007 made provision for the LGO to publish statements of reasons relating to individual decisions of an Ombudsman following the investigation of a complaint. The proposal is that these statements will comprise a short summary of the complaint, the investigation, the findings and the recommended remedy. The statement, naming the Council but not the complainant, would usually be published on the LGO's website. The LGO plan to consult local authorities on the detail of these statements, with a view to implementing them from October 2009.

#### **4.0 Financial Implications**

- 4.1 None directly arising from this report.

#### **5.0 Corporate Implications**

- 5.1 The Corporate Plan theme 'Value for Money' and the priority 'High Standards of Corporate Governance' are reflected in having a good complaints system. It is an opportunity for the Council to show that it cares about providing a good service, and that it genuinely values feedback on whether there are any problems which need attention. It is, therefore, imperative that we get feedback, not only through our own complaints system, but also from the Ombudsman, and that this information is widely distributed to show that this Council takes complaints seriously and deals with them sympathetically.

#### **6.0 Community Implications**

- 6.1 One of the roles of the Local Government Ombudsman is to investigate complaints about Councils from members of the public. Their aim is to get Councils to put things right if they have gone wrong and if this has affected members of the public directly.
- 6.2 The LGO Advice Team now provides comprehensive information and advice to people who telephone, write or e-mail. It enables citizens to make informed decisions about whether to put their complaint to the LGO.

#### **7.0 Conclusion**

- 7.1 The Annual Review is a useful addition to other information held by the Council, highlighting how people experience or perceive its services. It should also be seen as an opportunity to continue to improve the services offered by the Council.
- 7.2 The Annual Review also keeps the Council informed of further developments in the LGO service.

#### **8.0 Background Papers**

- Annual Review 2008/09 from the Local Government Ombudsman
- LGO Link Newsletters Nos. 4 and 5