
REPORT TO:	COUNCIL	AGENDA ITEM: 18
DATE OF MEETING:	29TH SEPTEMBER 2011	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	FRANK McARDLE CHIEF EXECUTIVE (EXT. 5702)	DOC: U:\JAYNE\Commtee\COMMRE P\Ombudsman Annual Review 1011.doc
SUBJECT:	LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW LETTER 2010/11 AND UPDATE ON RECENT DEVELOPMENTS TO THE OMBUDSMAN SERVICE	REF: J Beech
WARD(S) AFFECTED:	ALL	

1.0 Recommendations

- 1.1 To accept the Local Government Ombudsman's Annual Review 2010/11 and to note further developments to the Ombudsman service.
- 1.2 To note that there were no decisions of maladministration against the Authority during 2010/11.

2.0 Purpose of Report

- 2.1 This report will provide Members with a summary of statistics on complaints made to the Local Government Ombudsman ("LGO") against this Authority during the year 2010/11.
- 2.2 It will also bring Members up to date on developments in the LGO service in relation to the introduction of Statements of Reasons and changes to complaint categories and decision descriptions.

3.0 Detail

- 3.1 On 24th June 2011, the Council received the Annual Review Letter for the period 2010/11 from the LGO, setting out a table of statistical data for the year ending 31st March 2011 and a note to help with the interpretation of the statistics. A copy of the statistics and note is attached at **Annexe 'A'**.

Enquiries and Complaints received

- 3.2 The Ombudsman Advice Team deals with all initial contacts and gives advice to people who want to make a complaint. The Advice Team recorded 10 enquiries about this Council during 2010/11 and 6 complaints were forwarded to the investigation team at the Ombudsman's Office. The complaints they considered were spread between planning and development (3), housing (2) and environmental services, public protection and regulation (1).

Complaint outcomes

- 3.3 The Ombudsman's Office made decisions on 6 complaints about the Council in 2010/11. In any one year, there can be a difference in the number of complaints received and the number of decisions made. This is because some decisions will have been made on complaints received in the previous year and not all the complaints received in 2010/11 will have been decided by 31st March.
- 3.4 During the year, there were four decisions of no maladministration, one local settlement and one matter was outside the LGO's jurisdiction.

Liaison with the Local Government Ombudsman

- 3.5 The LGO made 3 initial enquiries to the Council during 2010/11 and the average response time was 19 days. This is well within the target of 28 days.

LGO developments

- 3.6 The LGO have stated that they want their work to be transparent and their decisions to be clear and comprehensible. During the past year, they have changed the way they communicate decisions and reasons.

Statements of Reasons

- 3.7 When the Ombudsman reaches a decision on a complaint, the Council and complainant are both sent a 'statement of reasons' covering all the substantive issues and the decision, along with a brief covering letter. This replaces the previous practice of setting out these issues in the form of a letter. The statement of reasons is set out in a simple, clear format. Every statement of reasons is anonymised and in addition to sending copies to the complainant and Council, the Ombudsman can also publish all or part of the statement, if it is considered to be appropriate. There will be a publications policy, setting out when and how the LGO will publish statements, in due course.

Changes to complaint categories

- 3.8 The LGO have reviewed and revised the way they categorise complaints, with the introduction of 8 main categories, each with a varying number of sub-categories. The main categories are:
- Environmental services, public protection and regulation
 - Highways and transport
 - Housing
 - Planning and development
 - Adult care services
 - Benefits and tax
 - Education and children's services
 - Corporate and other services

Decision descriptions

- 3.9 The LGO have changed the way they summarise/describe decisions. The main impact is at a detailed level of their internal data so that it more closely follows the wording in governing legislation and adds greater precision. The published description of decisions will not change significantly. The term 'local settlement' will no longer be used and is replaced by '*investigation discontinued – injustice remedied*' or '*investigation complete, satisfied with authority's actions, not appropriate to report*'.
- 3.10 The decision descriptions that will be published under Part 3 of the Local Government Act are:
- Out of jurisdiction
 - Not to initiate an investigation (formerly Ombudsman's discretion)
 - To discontinue investigation injustice remedied (formerly local settlement)
 - To discontinue investigation (formerly Ombudsman's discretion)
 - Investigation complete, satisfied with authority's actions, not appropriate to issue report
 - Investigation complete – report issued

This provides a clear distinction between decisions:

- not to start an investigation
 - not to pursue an investigation that has been started, and
 - when an investigation has been completed
- 3.11 It is important for people who complain, and for effective use of public resources, that investigators make a sound and justified decision about whether or not to start an investigation as quickly as possible. The LGO have commented that they appreciate the Council's co-operation in responding to 'preliminary' or 'informal' enquiries for the information they need to make those decisions. They recognise that those responses are not 'counted' in the statistics on response times.
- 3.12 During the coming year, the Ombudsman will review the statistics provided in annual reports to councils.

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.

7.0 Conclusion

7.1 The Annual Review Letter 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 Letter also keeps the Council informed of further developments in the LGO service.

8.0 Background Papers

- Annual Review Letter 2010/11 from the Local Government Ombudsman
- LGO Link Newsletters Nos. 8 and 9