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REPORT TO:	COUNCIL	AGENDA ITEM: 14
DATE OF MEETING:	27 <sup>TH</sup> SEPTEMBER 2012	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 1112.doc
SUBJECT:	LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW LETTER 2011/12 AND UPDATE ON 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 2011/12.
- 1.2 To note that there were no decisions of maladministration causing injustice against the Authority during 2011/12.

## **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 2011/12.
- 2.2 It will also bring Members up to date on developments in the LGO service.

## **3.0 Detail**

- 3.1 On 22<sup>nd</sup> June 2012, the Council received the Annual Review Letter for the period 2011/12 from the LGO, setting out a table of statistical data for the year ending 31<sup>st</sup> March 2012. A copy of the statistics is attached at **Annexe 'A'** and a guidance note on interpretation of the statistics is attached at **Annexe 'B'**.
- 3.2 The statistics include the number of enquiries and complaints received by the LGO Advice Team, the number forwarded by the Advice Team to the Ombudsman's Investigative Team and decisions made on complaints about this authority. The decision descriptions have been changed to more closely follow the wording in Ombudsman legislation and to give greater precision.

### **Enquiries and Complaints received**

- 3.3 The Ombudsman Advice Team deals with all initial contacts and gives advice to people who want to make a complaint. The Advice Team recorded 9 enquiries about this Council during 2011/12, of which 4 were forwarded to the investigation team at the Ombudsman's Office. The complaints were spread between Corporate and Other Services (1), Environmental Services and Public Protection and Regulation (6) and Planning and Development (2).

## **Complaint outcomes**

- 3.4 The Ombudsman's Office made decisions on 5 complaints about the Council in 2011/12. The Ombudsman decided not to investigate 2 of the complaints and in the other 3 complaints, 2 investigations were discontinued due to there being not enough evidence of fault and 1 was discontinued under the Ombudsman's general powers.
- 3.5 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 2011/12 will have been decided by 31st March.
- 3.6 There are no figures given for response times, as none of the complaints referred to above reached the stage of formal investigation by the Ombudsman.
- 3.7 The Local Government Ombudsman has commented that she is pleased to say that she has no concerns about this authority and there are no issues arising from the complaints which she wants to bring to the authority's attention.

## **LGO Developments**

### Changes in the Ombudsman's role

- 3.8 From April 2013, as a result of the Localism Act 2011 (Section 181), local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman ("IHO"). The LGO is working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

### Publishing Decisions

- 3.9 The LGO is planning to launch an open publication scheme during the next year, where it will be publishing on its website the final decision statements on all complaints. The LGO believes that making more information publicly available will increase openness and transparency, and enhance accountability.
- 3.10 The aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

### Focus Reports

- 3.11 The LGO launched a series of focus reports during 2011/12 to develop its role in supporting local public administration and service improvement, drawing on the learning arising from casework in specific service areas. Subjects have included the use of bankruptcy powers, homelessness, school admissions and using lessons from complaints to improve public services.
- 3.12 The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement. In the bankruptcy focus report, for example, the LGO pointed out the factors that councils should take into account in making decisions about using bankruptcy to recover council tax, and urged councils to have formal, published debt recovery policies covering bankruptcy. A survey of local government revenue officers provided positive feedback on this report, with 85% finding it useful. The focus reports can be accessed on the LGO website: [www.lgo.org.uk/publications/advice-and-guidance](http://www.lgo.org.uk/publications/advice-and-guidance)

#### **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 2011/12 from the Local Government Ombudsman
- LGO Link Newsletters Nos. 10 and 11