

LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW 2012/13

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1. Purpose

- 1.1 To receive an update on the Annual Review 2012/13 of the Local Government Ombudsman.

2. Recommendations

To note the position regarding the Ombudsman's Annual Review 2012/13.

3. Issues and Choices

- 3.1 The LGO Annual Review letter was received on 16 July 2013. This year the LGO only presented the total number of complaints received and will not be providing the more detailed information that was offered in previous years.

The reason for this is that the LGO changed their business processes during the course of 2012/13 and therefore cannot provide a consistent set of data which would afford a comparison.

In 2012/13 31 complaints were received regarding the Council. This compares to an average of 36 complaints for Unitary Authorities.

The LGO will provide more detailed information in next year's letter.

- 3.2 Finding of Maladministration

Although the LGO has not made reference in her letter to any findings of maladministration this authority was the subject of one such finding.

Enquiries were received from the LGO in February 2011 relating to a complaint about the Children & Families service group.

In June 2011 the LGO conducted a review of the files held by the Council and subsequently interviewed officers in November 2011.

As a result of enquiries, in May 2012, the LGO issued Draft Key Facts, including the Ombudsman's Proposed Findings, and gave the Council an opportunity to comment.

In September 2012 revised Draft Key Facts were received which incorporated a number of amendments the Council had proposed, together with a list of the changed practices which had been put in place by the service addressing the issues highlighted in the Report.

The LGO issued a finding of maladministration with injustice on 25 March 2013 and indicated that she had decided to exercise her power under Section 30(7) of the Local Government Act 1974 to direct that the report not be made available to members of the public or advertised in the press. The Report concluded that the complainant had suffered injustice as a result of maladministration and required the Council under Section 31(2) of the Act to consider the Report and advise the LGO within three months of receiving it, the action it has taken or proposes to take.

A report of the Deputy Monitoring Officer was presented to Cabinet on 19 June 2013, in pursuant to section 5A of the Local Government and Housing Act 1989, under which the Monitoring Officer or his/her Deputy personally has a duty to report to Cabinet if it appears to him or her that any decision or omission by or on behalf of the Council, has given rise to any illegality or to any maladministration causing injustice, or is likely to do so.

The Leader of the Council wrote to the LGO on 26 June 2013 confirming the Executive's consideration of the Report and the resolution from Cabinet which constituted the Council's formal response for the purposes of Section 31 of the Local Government Act 1974.

The LGO wrote to the Council on 8 July 2013 indicating that she welcomed the action taken by the Council. The letter formally recorded that the LGO was satisfied with the Council's response in accordance with Section 31(2) of the Local government Act 1974.

4. **Implications**

4.1 Policy

The Council is committed to using the Complaints Procedure as a learning tool to improve customer service.

Resources and Risk

The Annual Review is reflective of the Council's handling of complaints and the Council faces reputational damage and loss of confidence of its citizens if satisfactory resolutions are not agreed and delivered.

No	Capital	No	Revenue	No	Accommodation
No	IT	No	Medium Term Plan	No	Asset Management

4.2 Carbon and Energy Management

None

4.3 Legal

Legal process and implications are addressed within the body of this report.

5. **Other Implications**

Yes	Equalities / Diversity	No	Sustainability	Yes	Human Rights
No	E-Government	Yes	Stakeholders	No	Crime and Disorder
No	Carbon and Energy Policy				

Background Papers:

None