

Meeting of the Cabinet – 12th September, 2012

Report of the Director of Corporate Resources

The Local Government Ombudsman’s Annual Review Letter 2011/12

Purpose of Report

1. To consider the Annual Review Letter for 2011/12 from the Local Government Ombudsman in respect of complaints received against this Council and dealt with by the Ombudsman’s office over the year ending 31st March, 2012.

Background

2. Attached as Appendix 1 to this report is a copy of the Annual Review Letter of the Local Government Ombudsman for the year ended 31st March 2012.

The Ombudsman states that she is pleased to say that she has no concerns about the Council’s response times and that there are no issues arising from the complaints that she would want to bring to the Council’s attention.

3. Also attached as Appendix 2 is statistical information. Comments on this are as follows:-

- The number of enquiries and complaints received in 2011/12 – 84 – has again reduced slightly down from 88 in 2010/11; with a slight increase from 34 to 37 in the number of complaints passed to the investigative team.
- Of the 84 enquiries and complaints received the largest number (20) were in respect of housing, down by 8 on the previous year, a continuing trend. The next highest category was Planning and Development followed by Education and Children’s Services. Of the latter category these mainly relate to appeal hearings heard by Independent Appeals Panels.
- In respect of the 37 complaints determined in the year to 31st March, 2012, one formal report finding maladministration causing injustice was issued. This is the first such report in the last four years.

Seven complaints – down from 8, in 2010/11, were determined by way of remedy of injustice during enquiries whilst in respect of 22 complaints these fell into the categories of “not enough evidence of fault” and “no or minor injustice and other”. Of the remaining complaints seven were not investigated for the reasons stated in Appendix 2.

- Regarding the seven complaints determined by way of the remedy of injustice during enquiries, five related to housing issues with one each relating to Adult Care Services and Education and Children's Services. Compensation of £4450 has been paid in respect of these complaints.
- Details of the complaints made and investigated are attached at Appendix 3 to this report. In accordance with legal requirements anonymity in respect of the complainants has been maintained.

Finance

4. There are no direct financial implications arising from the content of this report. Any compensation determined, arising from an investigation by the Local Government Ombudsman, is met from existing Directorate budgets.

Law

5. The Commission for Local Administration was created under Parts I and 3 of the Local Government Act 1974.

Equality Impact

6. This report accords with the Council's Equality Policy. The role of the Ombudsman affords a system of complaint and redress to members of the public who feel they have been subject to maladministration by the Council. Some of the complaints made concern children and young people and so, dependent on the remedy proposed, if any, there may have been either a direct or indirect impact on them.

Recommendations

7. That the information contained in the report, and Appendices to the report, submitted be noted and that the Chief Executive and Directors be requested to:-
 - (a) Review their internal arrangements, as appropriate; and
 - (b) Continue to ensure that requests for information of complaints received are dealt with by the date requested. This will ensure that responses can be submitted to the Ombudsman's office within the timescale set and the Council's excellent performance on response times can be maintained.
8. That all Directorates continue to impose rigorous monitoring of complaint activity to ensure ongoing good practice and a continued reduction in complaints being received.
9. That the Annual Review Letter be posted on the Council's website.



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Director of Corporate Resources

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BACKGROUND PAPERS

The Local Government Ombudsman's Annual Review Letter for the year ended 31st March 2012.