

AUDIT COMMITTEE

Local Government Ombudsman—Annual Review 2014/15

16th September 2015

Report of Chief Officer (Governance)

PURPOSE OF REPORT

To enable the Committee to consider the Local Government Ombudsman's Annual Review Letter for the year ending 31 March 2015.

This report is public

RECOMMENDATIONS

(1) That the Ombudsman's Annual Review Letter be noted.

1.0 Introduction

- 1.1 Members of the public can go to the Local Government Ombudsman (LGO) for an independent review of their complaint if they are not satisfied by what a local authority has done. If the LGO finds the local authority is at fault, she recommends actions for the local authority to put things right.
- 1.2 The LGO sends an Annual Review letter to each local authority setting out statistics about complaints that have been referred to the LGO about that authority during the financial year. The LGO also publishes an Annual Review of complaints statistics for all local authorities. .

2.0 2014/2015 Annual Review Letter

- 2.1 The LGO's Annual Review Letter for 2014/15 is appended to this report for Members' information. She received 22 complaints and enquiries against the Council in 2014/15, compared to 19 received in 2013/14. There were 21 decisions made compared to 23 in 2013/14. Not every decision relates to a complaint made within the 12 month period. Some of the complaints registered within this period may not have been finalised and decisions made within this period may have been registered in the previous year.
- 2.2 Members will note that 2 of these decisions relate to complaints investigated in detail; one was upheld. This compares to 6 detailed investigations in 2013/14 of which 3 were upheld. A list of all the complaints with a summary of decisions are published on LGO website at: <http://www.lgo.org.uk/decisions/>.
- 2.3 The upheld complaint against the Council was about Disabled Facilities Grants. This complaint was received in 2013/14 and for that reason, it does not appear in the schedule of "complaints received" in the appended Annual Review letter. It was categorised under Adult Care Services. Disabled Facilities Grant complaints are included within either Children Services or Adult Care complaints depending on the age of the complainant.
- 2.4 Members will note that the Council was not found at fault for defects in the property following Disabled Facilities Grant works. The Council was found at fault for its delay in following up enforcement action to complete remedial works after it identified hazards at the property. This left the complainant and her household in unacceptable housing

conditions for longer than necessary. The Council subsequently completed the remedial work and recharged the landlord. It also sent an apology letter to the complainant and paid her £600 for injustice caused as recommended by the LGO.

3.0 2014/2015 Annual Review of Local Government Complaints

- 3.1 In its Annual Review of local government complaints, which is available at <http://www.lgo.org.uk/publications/annual-reviews/>, the LGO noted that the general number of complaints referred to her remained the same. She further stressed that a higher volume of complaints does not necessarily mean poorer standards of service, but may indicate a council's open approach of listening to feedback and using complaints as an early indicator of potential issues.
- 3.2 Members may wish to note that the focus report entitled: "*Not in My Back Yard: Local People and the Planning Process*" which explains the role of the LGO in the planning and development process has been highlighted in this review. Members might wish to note that this publication acknowledges the appropriateness of Officers giving advice about risk of costs associated with potential appeals in cases where a decision contrary to recommendation in planning cases is contemplated. Such advice has attracted complaints from objectors in the past.

4.0 Conclusion

- 4.1 The report is for noting.

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| CONCLUSION OF IMPACT ASSESSMENT |
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| (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing) |
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| None arising directly from this report |
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| LEGAL IMPLICATIONS |
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| There are no direct legal implications |
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| FINANCIAL IMPLICATIONS |
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| There are no direct financial implications |
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| OTHER RESOURCE IMPLICATIONS |
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| Human Resources: |
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| None |
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| Information Services: |
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| None |
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| Property: |
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| None |
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| Open Spaces: |
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| None |
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| SECTION 151 OFFICER'S COMMENTS |
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| The Section 151 Officer has been consulted and has no further comments. |
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| MONITORING OFFICER'S COMMENTS |
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| The Monitoring Officer has been consulted and has no further comments. |
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| BACKGROUND PAPERS | Contact Officer: R. Kotonya |
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| Annual Review Letter 2014/15 | E-mail: rkotonya@lancaster.gov.uk |