

AUDIT COMMITTEE

13 September 2017

Local Government Ombudsman's Annual Review Letter 2016/17

Report of Interim Internal Audit and Assurance Manager

PURPOSE OF REPORT

To enable the Committee to consider the Local Government Ombudsman's Annual Review Letter for the year ending 31 March 2017.

This report is public

RECOMMENDATIONS

(1) That the report is noted.

1.0 Introduction

- 1.1 Members of the public can request the Local Government Ombudsman (LGO) for an independent review if they are not satisfied with a local authority's handling of, or conclusions from a complaint. If the LGO finds the local authority is at fault, he recommends actions for the local authority to remedy the fault.
- 1.2 The LGO sends an Annual Review letter to each local authority setting out statistics about complaints that have been referred to him about that authority during the financial year. The LGO also publishes an Annual Review of complaints statistics for all local authorities.

2.0 2016/17 Annual Review Letter

- 2.1 The LGO's Annual Review Letter for 2016/17 is appended to this report for Members' information. The LGO received 15 complaints and enquiries against the Council in 2016/17, compared to 12 received in 2015/16. There were also 17 decisions made compared to 17 in 2015/16. It should be noted that 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 A comparison with the other Lancashire district councils suggests that these levels are more in line with the norm and provide a reasonable benchmark to evaluate the Council's future performance in relation to complaints.
- 2.3 The Ombudsman has chosen not to include a 'compliance rate' this year; instead, from April 2016 the Ombudsman's will seek evidence that recommendations have been completed from Council's.
- 2.4 Members will note that 3 of the Ombudsman's decisions relate to complaints which were investigated in detail, 2 of which were upheld. This compares to 3 detailed investigations in 2015/16, 2 of which were upheld. A list of all the complaints with a

summary of decisions is published on the LGO website at:
<http://www.lgo.org.uk/decisions/>

2.5 The 2 complaints against the Council which were upheld by the LGO were:

- a) A complaint concerning the Council not enforcing conditions of a caravan site license resulting in the complainant's home suffering from sewage back up and flooding for the last three years. The Council accepted that it was at fault for not acting soon enough to identify and implement a permanent solution to problems at the site. The Ombudsman therefore concluded that the Council should apologise and pay £450 in recognition of the distress caused. The Council is also required to identify other people affected on the site and look to pay a similar remedy.
- b) A complaint concerning the Council allowing an event to take place on a park in 2015 which breached the terms of a 2005 licence. The Ombudsman found that although the Council had put in place a noise management plan and had offered to engage with the complainant and other residents about the event, the Council could have better explained its position in correspondence with the complainant. The Ombudsman therefore requested the Council apologise.

3.0 2016/17 Annual Review of Local Government Complaints

3.1 The Ombudsman's overall Annual Review of local government complaints is available online at <http://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews>

4.0 Conclusion

4.1 Both upheld complaints have now been closed by the LGO following implementation of their recommended actions.

4.2 The report is for noting.

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
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None directly arising from this report
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FINANCIAL IMPLICATIONS

None directly arising from this report
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SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments
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LEGAL IMPLICATIONS

None directly arising from this report
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MONITORING OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments
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BACKGROUND PAPERS

Ombudsman's Annual Review Letter 2016/17
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