

AUDIT COMMITTEE

Local Government Ombudsman – Annual Review 2009/10

19th January 2011

Report of Head of Governance

PURPOSE OF REPORT

The Commission for Local Administration in England has recently published its Annual Review and Report for 2009/10, which gives an overview of the work undertaken by the Ombudsmen, along with detailed statistics of complaints received and investigations carried out. This report highlights particular matters in the Annual report, which may be of interest to Members and sets out the Annual Review for this District.

This report is public

RECOMMENDATIONS

- (1) **That the Ombudsman's Annual Review for 2009/10 be noted**
- (2) **The Committee is requested to consider whether any comments should be submitted to the Ombudsman on the Annual Review.**

1.0 Introduction

1.1 Background

The Local Government Ombudsmen's stated purpose is to provide independent, impartial and prompt investigation and resolution of complaints of injustice caused through maladministration by Local Authorities and to offer guidance in promoting fair and effective administration in Local Government.

For administrative purposes the country is divided into three broad geographical areas. The three Local Government Ombudsmen are based at offices in London, Coventry and York. This Council will in future once again deal with the York Ombudsman. The council has been dealing with the Ombudsman at Coventry following the appointment of a former Council employee as an Ombudsman at the York office. The required time period since the Ombudsman worked at Lancaster City Council has now elapsed.

1.2 Key Issues in 2009/2010

The Local Government Ombudsmen have included in their Annual Report the following main issues based on national statistics, which are summarised for Members' information: -

(a) Performance

In 2009/10 the Ombudsmen received a total of 18,020 complaints, compared with 21,012 in the previous year – a decrease of 14.2 per cent. Housing and planning complaints remain the largest two categories of complaint. Within the education category, school admission complaints and enquiries have reduced slightly, after increases in the previous two years. However, there were small increases in the number of complaints and enquiries about special educational needs and school transport.

Adult social care complaints have gone up from 4 per cent of the total in 2008/09 to 6 per cent in 2009/10. At the start of the year, new arrangements were introduced for complaints about adult social care. A single local resolution stage replaced the previous three-stage procedure. It is likely that, in the early phase of these new arrangements, cases have been reaching the Ombudsmen more quickly.

Children's care services complaints also increased slightly, from 4 per cent in 2008/09 to 5 per cent in 2009/10. The proportion of 'other' complaints and enquiries is quite significant partly due to the inclusion of several hundred enquiries on matters that were not local government related that are handled by the LGO Advice Team.

(b) Promoting Awareness and Providing Advice

The Ombudsman reminded councils that part of its role is to provide advice and guidance about good administrative practice. It also provides customer friendly leaflet developed to reflect the new approach to first contact with complainants provided by the LGO Advice Team. Guidance notes and training courses are provided for council officers involved in co-ordinating complaints responses. Training courses are offered for all levels of local authority staff in complaints handling and investigation and are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. Every Council is sent an Annual Review which summarises the Ombudsmen's experience of handling their complaints and may contain suggestions for improvements where relevant. This Council's Annual Review is appended to the report..

A digest of cases is also published each year illustrating the nature of the work and type of complaints most commonly received.

(c) Website

Further information regarding the Annual Report and other publications can be found on the Ombudsmen's Website. The address is: <http://www.lgo.org.uk>.

2.3 Complaints against Lancaster City Council

The purpose of the Annual Review is to give the Ombudsman's reflections on the complaints received against this Council and dealt with by the Ombudsman's Office over the last year. It is intended that the review will provide a useful addition to other information held by the Council and highlight how people experience or perceive the services offered and in particular will: -

- Help the Council learn from the outcome of complaints;
- Underpin effective working relations between the Council and the Ombudsman's Office;
- Identify opportunities for the Ombudsman and his staff to provide assistance that a Council may wish to seek in bringing improvements to its internal complaint handling;
- Provide complaint-based information that the Council might find useful in assessing and reviewing the Council's performance.

Annual Reviews have been published on the Ombudsman's website and shared with the Audit Commission.

A copy of the Ombudsman's Annual Review in respect of Lancaster City Council is attached for Members' information.

2.0 Proposal Details

- 2.1 The Committee is requested to consider whether any comments should be submitted to the Ombudsman on the form of the Annual Review.
- 2.2 Since April 2006, the Information Management Officer (IMO) has been responsible for co-ordinating replies and ensuring that Service based officers keep to the average response times required by the Ombudsman, currently 28 calendar days. This post was vacant from late 2007 to early 2010 when this responsibility was taken over by the Transformation Manager. The IMO post was therefore vacant for most of the period covered by the 2009/10 review. The newly recruited Information Management Officer will need to be trained on handling of Ombudsman complaints and this should lead to an improvement on the response times. As indicated in the Annual Review, the Local Government Ombudsmen offer open courses at different locations.
- 2.3 The Information Management Officer transferred from Information Services to Governance in December 2010, and it is the intention of the Head of Governance to monitor Ombudsman complaints and the preparation of the Council's responses, to ensure that there is an improvement in response times.

3.0 Consultation

- 3.1 There has been no consultation

4.0 Options and Options Analysis (including risk assessment)

- 4.1 There are no options, as the report is for noting, although it would be open to the Committee to respond to the Annual Review if it so wished.

CONCLUSION OF IMPACT ASSESSMENT
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct impact

LEGAL IMPLICATIONS

There are no direct legal implications

FINANCIAL IMPLICATIONS

There are no direct financial implications. The cost of any training required by the Information Management Officer will be met from the Legal training budget.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

None.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and her comments incorporated in the report.

BACKGROUND PAPERS

1. [Local Government Ombudsman Annual Report 2009/10](#)
2. [Local Government Ombudsman Annual Review 2009/10](#)

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