

## Report to Cabinet

**Subject:** Review of complaints received by the Council and Annual Review Letter – Local Government Ombudsman

**Date:** 8 August 2013

**Author:** Council Solicitor and Monitoring Officer & Corporate Director  
(Chief Financial Officer)

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### Wards Affected

Not applicable.

### Purpose

To inform Members of the receipt of the Annual Review letter from the Office of the Local Government Ombudsman and the complaints dealt with by the Council through the internal Complaints Procedure during the year 2012-13.

### Key Decision

This is not a Key Decision

### Background

1.1 Members will be aware of the Council's arrangements for dealing with formal complaints full details of which are available on the website. The departmental analysis of complaints by Service Manager appears below. Members are to note that some of the columns will not add up because some complaints have not been dealt with entirely within the year and therefore fall outside the monitoring period.

1.2 Between 1 April 2012 and 31 March 2013, the Council received 287 complaints which are broken down into individual service areas as follows:

Service	Number of complaints received	Upheld/partially upheld at Stage 1	Not Upheld at Stage 1
Customer Services and IT	24	19	5
Elections and Member Services	1	0	0
Housing and Localities	14	0	13

Service	Number of complaints received	Upheld/partially upheld at Stage 1	Not Upheld at Stage 1
Legal Services	0	0	0
Leisure and Culture	54	41	9
Parks and Street Care	17	16	1
Planning & Economic	8	1	4
Public Protection	14	2	11
Revenue Services	82	24	47
Sustainability and Assets	5	3	1
Waste Services	68	63	0
<b>Totals</b>	<b>287</b>	<b>169</b>	<b>91</b>

- 1.3 Where a complaint is not upheld in full or in part, the complainant may ask for it to be considered further under Stage 2 of the complaints procedure. 18 complaints were considered under Stage 2 between 1 April 2012 and 31 March 2013 as follows:

Service	Number of complaints considered at Stage 2	Upheld/partially upheld at Stage 2	Not Upheld at Stage 2
Customer Services and IT	0	0	0
Elections and Member Services	0	0	0
Housing and Localities	1	0	1
Legal Services	0	0	0
Leisure and Culture	1	0	1
Parks and Street Care	0	0	0
Planning & Economic	1	0	1
Public Protection	1	0	1
Revenue Services	7	3	4
Sustainability and Assets	1	1	0
Waste Services	6	3	2
<b>Totals</b>	<b>18</b>	<b>7</b>	<b>10</b>

- 1.4 If the complainant is not happy with the response at Stage 2 he or she is entitled to refer the complaint to the Local Government Ombudsman. Between 1 April 2012 and 31 March 2013, 4 complaints were made to the Ombudsman, only 2 of which were referred to the Council as part of a formal investigation. In relation to those 2 complaints, there were no findings of maladministration against the Council.

Service	Days taken to respond to LGO	Decision of LGO
Public Protection	28	To discontinue investigation – injustice remedied
Housing and	25	To discontinue

Localities		investigation
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- 1.5 The Annual Review letter for the year ended 31 March 2013 is attached at Appendix 1. The Ombudsman has notified the Council that they will not be producing annual letters for individual councils, about complaints received against them, in the same way as in previous years. This is because they have changed the way they handle complaints part way through the year, and therefore any statistics will not provide a comparable picture throughout the year. However the Ombudsman has confirmed that annual letters next year will provide more detailed statistics. The letter at Appendix 1 appears in the new format and the Ombudsman is asking for contributions on what annual letters should look like in the future to better meet our needs.
- 1.6 The Ombudsman has also announced that they will be publishing all decisions on complaints they receive after 1 April 2013. The reasons given for this are:
- So that the public and bodies in their jurisdiction see the full range of decisions and can feel reassured that they are fair, thorough and impartial.
  - Publishing decisions also recognises the key role they play in helping to ensure that public services are accountable to the public, who use and fund those services.
  - Greater transparency of decision making means greater transparency of public services.

Decision statements will be published on the Ombudsman website at [www.lgo.org.uk](http://www.lgo.org.uk) no earlier than three months after the date of the final decision. The information published will not name the complainant or any individual involved with the complaint. The Ombudsman also retains discretion not to publish a decision, for example where it would not be in the interests of the person complaining to publish or where there's a reason in law not to.

### **Proposal**

- 2 It is proposed that Cabinet note the report.

### **Alternative Options**

- 3 There are no Alternative Options.

### **Financial Implications**

- 4 None arising from this report.

### **Appendices**

- 5 Appendix 1 – Local Government Ombudsman Annual Review Letter.

## **Background Papers**

6 None identified.

## **Recommendation**

**THAT** Cabinet notes the contents of the report.

## **Reasons for Recommendations**

7 To alert the Executive to the contents of the Local Government Ombudsman Annual Review Letter and raise awareness of the complaints received by the Council during 2012-13.