



ARTICLE NO: 2D

**CORPORATE AND
ENVIRONMENTAL OVERVIEW AND
SCRUTINY COMMITTEE**

**MEMBERS UPDATE
ISSUE: 1**

Article of: Borough Solicitor

Relevant Managing Director: Managing Director (People and Places)

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**SUBJECT: LOCAL GOVERNMENT OMBUDSMAN – PROVISIONAL STATISTICS
2011/12**

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To inform Members of the Council's performance in respect of the Local Government Ombudsman provisional statistics 2011/12.

2.0 BACKGROUND

2.1 The Local Government Ombudsman (LGO) produces annual reports giving details of complaints made against individual Councils during the preceding year. The Council's response to LGO enquiries and complaints are co-ordinated by the Legal and Member Services Manager.

2.2 The provisional figures have now been produced for 2011/12 and details of these are given below. The figures are subsequently incorporated into and published as part of the Ombudsman's Annual report later in the year.

2.3 I am pleased to advise that of the 5 cases that proceeded to an investigation during 2011/12 in each case the LGO decided to discontinue the investigation as the LGO found insufficient evidence that the Council was at fault. Therefore there have been no cases of Maladministration during the year. The 5 cases in which investigations were discontinued included 2 planning matters (both concerning planning applications) and 2 housing matters (one concerning Council house allocations and another concerning Council house repairs). The remaining case concerned an allegation that the Council had failed to maintain land and woodland it owns.

2.4 The total number of enquiries and complaints received by the LGO about the Council in 2011/12 was 27. As indicated above only 5 enquiries and complaints

actually proceeded to an investigation decision during 2011/12. The remaining number were considered by the LGO to be outside of jurisdiction, premature, or not warranting investigation.

- 2.5 By way of comparison in 2010/11 the total number of enquiries and complaints stood at 25. In that year 10 matters were forwarded to the investigative team but in each case there were no findings of maladministration. Of those 10 cases, 8 cases were discontinued, 1 case was considered to be outside jurisdiction and 1 was classed as "local settlement" (i.e. the investigation was discontinued because the actions suggested by the Council had been accepted as satisfactory by the Ombudsman)
- 2.6 The LGO record figures for the average time the Council takes to respond to their first enquiries on a complaint. This is measured in calendar days from the date the LGO sends their letter to the date that a substantive response is received. The LGO records response times by way of three categories: more than 36 days, 29 to 36 days and under 28 days. I am pleased to advise that the average response time for the Council for 2011/12 is shown as 22 days. In both 2008/9 and 2009/10 the average response time was also 22 days. In 2010/11 the response time was 19 days.

3.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 3.1 There are no significant sustainability impacts associated with this article and, in particular, no significant impact on crime and disorder. This article has no significant links with the Sustainable Community Strategy.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 4.1 Investigating and co-ordinating responses to enquiries and complaints made by the LGO takes up a significant amount of officer time both for the Legal and Member Services Manager and for the service area to which the complaint or enquiry is directed. Given the importance to the Council in satisfactorily resolving enquires and complaints made by the LGO this work steam will continue to receive a high priority.

5.0 RISK ASSESSMENT

- 5.1 This article is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this article.

Background Documents

*The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>
April 2012	LGO Provisional Complaint Statistics (non-confidential information)

Equality Impact Assessment

This article, concerning provisional LGO complaint statistics, does not have any direct impact on Members of the public, employees, elected Members and/or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

None.