



ARTICLE NO:

**CORPORATE AND ENVIRONMENTAL
OVERVIEW AND SCRUTINY
COMMITTEE**

**MEMBERS UPDATE - 2020/21
ISSUE:**

Article of: Legal and Democratic Services Manager

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SUBJECT: LOCAL GOVERNMENT OMBUDSMEN – STATISTICS 2019/20

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 Ombudsmen statistics 2019/20.

2.0 BACKGROUND

- 2.1 The Council is overseen by two ombudsmen following changes brought about by the Localism Act 2011.
- 2.2 The Housing Ombudsman (HO) deals with complaints by Council housing tenants about matters such as estate management, repairs to Council house properties, rent and service charges, possession proceedings and mutual exchanges.
- 2.3 The Local Government and Social Care Ombudsman (LGSCO) deals with all other complaints against the Council across all the services it provides, including complaints by Council housing tenants about matters such as housing improvement grants, homelessness and statutory noise nuisance. The Council's response to enquiries and complaints received from the LGSCO and the HO are co-ordinated by the Legal & Democratic Services Manager supported by the Electoral Services Manager.
- 2.4 In July 2020 the LGSCO published an annual review letter which provides a summary of statistics on enquiries and complaints made in respect of the Council for the period 1st April 2019 to 31st March 2020. The annual review letter can be found at Appendix 1.
- 2.5 The HO does not currently publish an annual review of individual landlord performance. However, the Council's records indicate that the HO did not proceed to determine any complaints about the Council during 2019/20.

3.0 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN PERFORMANCE-2019/20

3.1 During 2019/20 the LGSCO made decisions on 9 enquiries and complaints about the Council.

3.2 Of those 9 matters, 3 were referred back to the Council for local resolution (because the Council had not had an opportunity to properly consider the enquiry or complaint), 4 were closed after initial enquires and 1 was deemed invalid due to insufficient information from the complainant. Only 1 complaint proceeded to an investigation.

3.3 This complaint concerned the granting of planning permission for a pet crematorium and whether the Council had considered all of the correct information. The LGSCO found that whilst the Council had provided a poor service through its provision of inconsistent information to the complainant in relation to the requirement for a permit for the cremator, the Council reached a final view which was consistent with its advice and decision at planning committee. Therefore the LGSCO found no fault in the actions of the Council and closed the complaint.

3.4 Further information regarding this complaint can be found at;

<https://www.lgo.org.uk/decisions/planning/planning-applications/19-006-508>

3.5 Using information provided by the LGSCO the table at Appendix 2 allows a comparison of the Council's performance with the 11 other non-unitary district councils within Lancashire. Of the 11 other non-unitary district councils, 5 had at least one complaint upheld, whilst 6 had no upheld complaints.

4.0 SUSTAINABILITY IMPLICATIONS

4.1 There are no significant sustainability impacts associated with this article and, in particular, no significant impact on crime and disorder.

5.0 FINANCIAL AND RESOURCE IMPLICATIONS

5.1 Investigating and co-ordinating responses to enquiries and complaints made to the Ombudsmen takes officer time for the Legal & Democratic Services Manager, Electoral 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 service users this work stream will continue to receive a high priority.

6.1 RISK ASSESSMENT

6.1 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.

7.0 HEALTH AND WELLBEING IMPLICATIONS

7.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) to this Article.

Equality Impact Assessment

This article is for information only and 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

Appendix 1: Local Government and Social Care Ombudsman – Annual Review Letter – West Lancashire Borough Council – 2019/20

Appendix 2: Local Government and Social Care Ombudsman - Table of Detailed Investigations – Lancashire Non-Unitary Councils – 2019/20