



**ARTICLE NO: 2D**

**CORPORATE AND ENVIRONMENTAL  
OVERVIEW AND SCRUTINY  
COMMITTEE**

**MEMBERS UPDATE - 2017/18  
ISSUE: 2**

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**Article of: Borough Solicitor**

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**SUBJECT: LOCAL GOVERNMENT OMBUDSMEN – STATISTICS 2016/17**

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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 2016/17.

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**2.0 BACKGROUND**

2.1 The Council is overseen by two ombudsmen following changes brought about by the Localism Act 2011.

2.2 From 1<sup>st</sup> April 2013 the Housing Ombudsman (HO) has dealt 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. In June 2017 the Local Government Ombudsman (LGO) renamed itself the Local Government and Social Care Ombudsman to aid greater recognition of its role in the care sector. The LGO deals with all other complaints against the Council 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 LGO and the HO are co-ordinated by the Legal and Member Services Manager.

2.3 In July 2017 the LGO published an annual review letter which provides a summary of statistics on enquiries and complaints made in respect of the Council for the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017. The annual review letter can be found at Appendix 1.

2.4 The HO does not currently publish a yearly report on individual landlord performance. However, I have provided an overview of the Council's performance for the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017 at paragraph 4.1 of this update, derived from the statistics held by the Council.

### **3.0 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN PERFORMANCE-2016/17**

- 3.1 During 2016/17 the LGO made decisions on 8 enquiries and complaints about the Council.
- 3.2 Of those 8 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), 2 were closed after initial enquires, 1 was incomplete/invalid and in 1 matter the complainant was given advice by the LGO about why the complaint could not be considered. Only 1 complaint proceeded to an investigation and in respect of that matter the LGO found that the Council had not been at fault. Accordingly the complaint was not upheld.
- 3.3 Using information provided by the LGO I have prepared a table (Appendix 2) to allow a comparison of the Council's performance with the other non-unitary district councils within Lancashire. Only 5 (including West Lancashire) had no complaints upheld against them.

### **4.0 HOUSING OMBUDSMAN PERFORMANCE – 2016/17**

- 4.1 During 2016/17 the HO made decisions on 2 complaints. In respect of both complaints the HO found that there had been no maladministration on the part of the Council. Accordingly, the complaints were not upheld.

### **5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

- 5.1 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.

### **6.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 Investigating and co-ordinating responses to enquiries and complaints made to the Ombudsmen takes 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 service users this work stream will continue to receive a high priority.

### **7.1 RISK ASSESSMENT**

- 7.1 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.

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### **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 – 2016/17

Appendix 2: Local Government and Social Care Ombudsman - Table of Detailed Investigations – Lancashire Non-Unitary Councils – 2016/17