

Meeting of the Cabinet – 12th September 2007

Report of the Director of Law and Property

Annual Letter 2006/07 from the Local Government Ombudsman in respect of Complaints Made Against the Council

Purpose Of Report

1. To consider the content of the Annual Letter 2006/07 from the Local Government Ombudsman in respect of complaints received against this Council and dealt with by the Ombudsman's office over the year ending 31st March, 2007.

Background

2. Attached as Appendix 1 to this report is a copy of the Annual Letter of the Local Government Ombudsman for the year ended 31st March, 2007 setting out his reflections about the complaints received against the Council and dealt with by his office over the last year. Attached as Appendices 2 and 3 are statistical data covering a 3-year period and a note to assist interpretation of the Commission's statistics.
3. The conclusions that can be drawn from the information contained in the letter and the statistical information in Appendix 2 to the letter on the Council's activities are that
 - There has again been an increase in the number of complaints received in the period to 31st March, 2007 of 21 from last year mainly due to housing and planning matters. The Ombudsman comments that the last few years show a sustained trend of rising complaints and the Council may wish to consider whether any special factors that affect these services although in the latter case there had been a rise in planning complaints nationwide.

- In respect of the 97 complaints determined in the year to 31st March, 2007 no formal reports finding maladministration causing injustice, formal reports finding maladministration but causing no injustice to the complainant and formal reports finding no maladministration by the Council were issued by the Ombudsman. 15 complaints were determined by way of local settlement whilst in respect of 31 complaints no maladministration was found. Of the remaining complaints, 34 were premature complaints, 6 were discontinued at the Ombudsman's discretion and 11 were outside his jurisdiction.
 - Regarding the outcome of complaints received, outline details in respect of 9 of the 15 complaints settled by way of local settlement are set out on pages 2 and 3 of the Annual Letter. Compensation was paid in respect of some of the complaints outlined in the letter, and the sample indicated does illustrate the range of measures comprising a local settlement.
 - The favourable comment made on the Council's promptness in settling complaints.
 - That, given the continuing number of premature complaints the possible need for the Council's complaints process to receive further publicity and/or for further training to be given to staff so they can advise customers fully on the process.
 - Although the number of enquiries made of the Council have increased there has been continuing improvement in the Council's response time in the period to 31st March, 2007 now averaging 27.4 days. This is within the deadline of 28 days given to councils to respond and is particularly commendable given the increased number of enquiries. The Ombudsman is grateful for the speedy response time.
4. The Ombudsman has also requested that consideration be given to the posting of his Annual Letter on the Council's website.

Finance

5. There are no direct financial implications arising from the content of this report. Compensation determined, arising from an investigation by the Local Government Ombudsman, will be met from existing directorate budgets.

Law

6. The Commission for Local Administration was created under Parts 1 and 3 of the Local Government Act, 1974.

Equality Impact

7. This report accords with the Council's Equality and Diversity Policy. The role of the Ombudsman affords a system of complaint and redress to members of the public who feel they have been subject to maladministration by the Council.

Some of the complaints made concern children and young people and so, dependent on the remedy proposed, if any, there may have been either a direct or indirect impact on them.

Recommendation

8. That the information contained in the report, and Appendices to the report, submitted be noted and that the Chief Executive and Directors be requested to review their internal arrangements, as appropriate, to ensure that requests for information on complaints received are dealt with by the date requested so that responses can be submitted to the Ombudsman's office within the time scales set.
9. That the Annual Letter be posted on the Council's website following this meeting.

John Probert

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DIRECTOR OF LAW AND PROERTY

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BACKGROUND PAPERS

Annual Letter from the Local Government Ombudsman for the year ended 31st March, 2007.