

Local Government OMBUDSMAN

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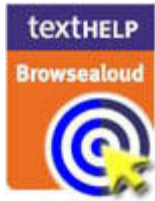
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Note on interpretation of local authority statistics

Complaints and enquiries received

For **2008/09 - 2011/12** statistics, this information shows the number of complaints and enquiries received by the LGO Advice Team broken down by service area and in total, and how they were dealt with. A change in the way we operate from April 2008 means that these statistics are not directly comparable with statistics from previous years. How complaints and enquiries were dealt with is explained as follows:

- **Premature complaints:** The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it back to the council as a ‘premature complaint’ to see if the council can itself resolve the matter. These are ‘formal premature complaints’. We now also include ‘informal’ premature complaints here, where advice is given to the complainant making an enquiry that their complaint is premature. The total of premature complaints shown in this line does not include the number of resubmitted prematures ([see below](#)).
- **Advice given:** These are enquiries where the LGO Advice Team has given advice on why the LGO would not be able to consider the complaint, other than the complaint is premature. For example, the complaint may clearly be outside the LGO’s jurisdiction. It also includes cases where the complainant has not given enough information for clear advice to be given, but they have, in any case, decided not to pursue the complaint.
- **Forwarded to the investigative team (resubmitted prematures):** These are cases where there was either a formal premature decision, or the complainant was given informal advice that their case was premature, and the complainant has resubmitted their complaint to the LGO after it has been put to the council. These figures need to be added to the numbers for formal/informal premature complaints ([see above](#)) to get the full total number of premature complaints. They also needed to be added to the ‘forwarded to the investigative team (new)’ to get the total number of forwarded complaints.
- **Forwarded to the investigative team (new):** These are the complaints that have been forwarded from the LGO Advice Team to the Investigative Team for further consideration. The figures may include some complaints that the Investigative Team have received but where we have not yet contacted the council.

Services areas: In 2010/11, we have changed our category system, so these are slightly different from previous years.

For 2007/08 statistics, this information shows the number of complaints received by the LGO, broken down by service area and in total within the periods given. These figures include complaints that are made prematurely to the LGO ([see above](#) for more explanation) and that we send to the council to consider first. The figures may include some complaints that we have received but where we have not yet contacted the council.

Investigative team decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the periods given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team (or the number of complaints received in 2007/08)** because some complaints are made in one year and decided in the next. Below we set out a key explaining the outcome categories.

For **all complaints in 2011/12** they are:

Not investigated

These are cases where the Ombudsman has decided not to investigate for one of the following reasons:

- **No power to investigate:** There are some things the law does not allow them to investigate, such as personnel matters, and matters that affect all or most of the people living in a council's area.
- **No reason to use exceptional power to investigate:** For some matters, while the law says the Ombudsmen should generally not investigate, it gives an exceptional power to do so.
- **Investigation not justified and other:** In addition to the law not allowing the LGOs to investigate certain matters, there will be some complaints where the LGOs use their general power not to pursue the complaint. This can be for a variety of reasons, including that the injustice claimed does not warrant the public expense of the LGO's involvement or that another organisation could deal with the matter better.

Investigated

These are cases where we have discontinued an investigation for one of the following reasons:

- **Not enough evidence of fault:** Decisions where the Ombudsman found insufficient evidence that the body complained against was at fault.
- **Injustice remedied during enquiries:** Decisions where, during the course of the investigation, the body complained against remedied or agreed to remedy any injustice caused, and the Ombudsman was satisfied with the action taken or agreed.
- **No or minor injustice and other:** Decisions where the Ombudsmen used their general power to discontinue the investigation. This can be for a variety of reasons,

but the most common is that any injustice caused does not justify the public expense of pursuing the matter further.

Report issued

Where the LGO has issued a report on a completed investigation. Almost all reports issued in 2011/12 had findings of maladministration causing injustice.

For **adult social care complaints in 2010/11** they are:

- Out of jurisdiction
- Not to initiate an investigation (formerly Ombudsman's discretion)
- To discontinue investigation injustice remedied (formerly local settlement)
- To discontinue investigation (formerly Ombudsman's discretion)
- Investigation complete, satisfied with authority's actions, not appropriate to issue report
- Investigation complete – report issued.

For **2007/08 - 2010/11** statistics (excluding adult social care statistics in 2010/11):

- **MI reps:** where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.
- **LS (local settlements):** decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the LGO as a satisfactory outcome for the complainant.
- **M reps:** where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.
- **NM reps:** where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.
- **No mal:** decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.
- **Omb disc:** decisions by letter discontinuing an investigation in which we have exercised the LGO's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.
- **Outside jurisdiction:** these are cases which were outside the LGO's jurisdiction.
- **Premature complaints:** the 2007/08 statistics include figures for premature complaints which would equate to 'formal prematures' as [explained above](#).

Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

Average local authority response times

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands. (Not available for 2011/12.)

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