

# REPORT TO GOVERNANCE AND AUDIT COMMITTEE

REPORT OF: LUCY YOULES LEGAL SERVICES MANAGER  
(MONITORING OFFICER)

REPORT NO: LEG054

DATE: 24<sup>TH</sup> SEPTEMBER 2009

<b>TITLE:</b>	LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL LETTER
<b>FORWARD PLAN ITEM:</b>	NO
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	NOT APPLICABLE
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	NOT APPLICABLE

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	CORPORATE GOVERNANCE – COUNCILLOR PAUL CARPENTER	
<b>CORPORATE PRIORITY:</b>	CORPORATE GOVERNANCE	
<b>CRIME AND DISORDER IMPLICATIONS:</b>	NON APPLICABLE	
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	THIS REPORT IS PUBLICLY AVAILABLE ON THE COUNCIL'S WEBSITE <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a> via the local democracy link	
<b>INITIAL EQUALITY IMPACT ASSESSMENT</b>	<b>Carried out and appended to report?</b>  Not applicable	<b>Full impact assessment required?</b>  No
<b>BACKGROUND PAPERS:</b>	NONE	

## **1. INTRODUCTION**

- 1.1** Each year the Local Government Ombudsman for this district produces an annual review. The annual review for the period from the 1<sup>st</sup> April 2008 to the 31<sup>st</sup> March 2009 is attached to this report as the **Appendix**.
- 1.2** The Ombudsman's annual review provides a summary of the complaints received about this Council. It does not provide details of individual complaints but gives an overview to assist the Council in determining how customers experience and perceive the services of the Council. Generally, no trends or themes are evident from the nature of complaints which cause the Ombudsman cause for concern.

## **2. RECOMMENDATIONS**

It is recommended that the Governance and Audit Committee note the Local Government Ombudsman's annual letter for the period up to the 31<sup>st</sup> March 2009.

## **3. DETAILS OF REPORT**

- 3.1** From the **Appendix** attached, you will see that the Ombudsman received a total of 27 enquiries and complaints about this Council during the period the 1<sup>st</sup> April 2008 to 31<sup>st</sup> March 2009. Of those 27 enquiries, 11 were forwarded to the Ombudsman for consideration, 8 required advice from the Ombudsman and 8 were forwarded to the Council to deal with as premature complaints. Of the 11 complaints considered for investigation, 4 complaints were resubmitted premature complaints. During that period the Ombudsman concluded 12 complaints (including one complaint from the complaints investigated during the period 2007/2008) with the following decisions:-

Local Settlements - 2  
Findings of no maladministration - 4  
Outside jurisdiction - 5  
Ombudsman discretion not to pursue - 1

- 3.2** Comparisons with previous years statistics are difficult with a change in the way the Ombudsman has operated this year. This years statistics include the number of enquiries received where advice is given to allow enquirers to make the decision whether or not to complain. Such advice was given in 8 cases where no subsequent complaint was made. Last year 17 complaints were received.
- 3.3** The Council made good progress last year in the number of days taken to respond to complaints with an average of 18.5 days. This has slipped to 35 days. This clearly requires attention.

**3.4** Both matters where local settlements were made related to housing issues. One related to a request to be re-housed where the applicant accepted the offer of accommodation as satisfactory settlement and the other to an application for disabled facilities grant where an apology was accepted for the delay in dealing with an application. No compensation was awarded in either case.

**4. OTHER OPTIONS CONSIDERED AND ASSESSED**

Members are asked to consider any appropriate action they would wish to see taken to address the issues raised in the annual letter.

**5. COMMENTS OF SECTION 151 OFFICER**

The annual letter refers to 2 local settlements. Both of the local settlements had no financial implications. There is no financial implication arising from this report.

**6. COMMENTS OF MONITORING OFFICER**

The Monitoring Officer will attend committee to deliver this report and provide further information relating to the complaints received if required.

**7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

Any comments received will be reported to the committee.

**8. CONCLUSION/SUMMARY**

This report informs members of the Ombudsman's annual review. It is given for information and consideration of further action.

**9. CONTACT OFFICER**

Lucy Youles – Legal Services Manager (Monitoring Officer) 01476 406106  
[l.youles@southkesteven.gov.uk](mailto:l.youles@southkesteven.gov.uk)