

REPORT FOR DECISION

MEETING: STANDARDS COMMITTEE

DATE: 20 AUGUST 2009

SUBJECT: OMBUDSMAN COMPLAINTS

REPORT FROM: MONITORING OFFICER

CONTACT OFFICER: C SHILLITTO, DEPUTY HEAD OF DEMOCRATIC SERVICES

TYPE OF DECISION: COUNCIL (NON KEY DECISION)

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: This report summarises information on complaints against the Council received by the Ombudsman for 2007/2008 and 2008/2009.

OPTIONS & RECOMMENDED OPTION The Committee is asked to note the information contained within the report.

IMPLICATIONS:

Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework?	Yes	No
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Financial Implications and Risk Considerations:	Director of Finance and E-Government to advise regarding risk management - None
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Statement by Director of Finance and E-Government:	There are no financial implications arising directly from this report.
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Equality/Diversity implications:	Yes	No
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Are there any legal implications? Yes No

Staffing/ICT/Property: None

Wards Affected: All Wards

Scrutiny Interest: Resource

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council
		Standards Committee	

1.0 BACKGROUND

- 1.1 At the last meeting of the Committee held on 28 May 2009, statistics relating to Ombudsman complaints received in respect of the Council were submitted for the year ended 31 March 2009. It was reported that the statistics formed part of the Ombudsman’s Annual Review which has now been received.
- 1.2 The Committee asked that a further report be submitted once the annual review had been received and that comparative information from last year’s report be provided.

2.0 INFORMATION FROM THE 2008/2009 REPORT

- 2.1 A change in the way in which the Ombudsman operates means that the statistics about complaints received in 2008/2009 are not directly comparable with those from 2007/2008. Since 1 April 2008, the new LGO Advice Team has been the single point of contact for all enquiries and new complaints. The increased filtering that this new arrangement provides enables citizens to make informed decisions about whether or not to put their complaint to the Ombudsman.
- 2.2 During the year the Ombudsman’s Advice Team received a total of 61 enquires and complaints against Bury MBC. Of these, 28 were forwarded for investigation. The greatest number of complaints and enquires (13) concerned housing matters, with nine about education, eight about planning and building control and six relating to transport and highways.
- 2.3 The Ombudsman will often discontinue enquiries into a complaint when a Council takes or agrees to take action that is considered to be a satisfactory response. These are known as Local Settlements. In 2008/2009, 27.4% of all

complaints determined, and within the Ombudsman's jurisdiction, were local settlements. For Bury, 11 were decided in this way.

A breakdown of these is as follows:-

Homelessness	4
Housing Allocations	1
Housing Repairs	1
Managing Tenancies	1
Regeneration & Improvement	2
Miscellaneous	1
Waste Management	1

2.4 The Local Government Advice Team dealt with enquiries shown at Appendix 1 in the following way:

- Formal/Informal Prematures : Ombudsman refers complaint back to the Council for investigation (formal) or advises the complainant to go back to the Council (informal).
- Advice Given : The advice referred to is when the complaint is not one the Ombudsman can investigate.
- Forwarded to the investigative team (resubmitted prematures) : The complainant has gone back to the Council, remains dissatisfied and has resubmitted his/her complaint to the Ombudsman.
- Forwarded to the investigative team (new) : Complaints which are considered appropriate for the Ombudsman to investigate.

2.5 The decisions of the LGO Investigative Team are recorded as follows:

MI reps	:	Formal report finding maladministration causing injustice.
LS	:	Local Settlements.
M reps	:	Formal report finding maladministration but causing no injustice to the complainant.
NM reps	:	Formal report finding no maladministration by the Council.
Omb disc	:	Ombudsman discontinues an investigation.
Outside jurisdiction	:	Not one the Ombudsman can investigate.

3.0 INFORMATION FROM THE 2007/2008 REPORT

3.1 In 2007/2008, 60 complaints were received against the Council. Details are set out in Appendix 2 attached. Over a third of these complaints (22) were about housing. At the August 2008 meeting, at the request of Members, information was provided on the complaints made in respect of housing.

4.0 CONCLUSION

- 4.1 As reported, the revised arrangements put in place by the Ombudsman have meant that direct comparison with last year has not been possible. However, next year's Annual Review will enable direct comparisons to be made.
- 4.2 Members are asked to consider if they would like further information on any aspects of the report.

List of Background Papers:-

Information from the Local Government Ombudsman. Annual review documents for all local authorities are available on the LGO website (www.log.org.uk/Councils/Performance)

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