

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Corporate Governance Committee 29 June 2009  
**AUTHOR/S:** Chief Executive / Customer Service Coordinator

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### **LOCAL GOVERNMENT OMBUDSMAN – ANNUAL REVIEW 2008/09**

#### **Purpose**

1. To provide the Corporate Governance Committee with a summary of the Local Government Ombudsman's annual review 2008/09.
2. This is not a key decision.

#### **Background**

3. The Local Government Ombudsman acts on behalf of the public to investigate complaints and concerns regarding councils and other public bodies. When investigating a complaint the Ombudsman examines the way in which the council has acted, and seeks to identify whether maladministration has taken place, and if so whether that maladministration has caused injustice to the complainant.
4. The Local Government Ombudsman provides a summary of the complaints received about South Cambridgeshire District Council within an annual review (appendix 1) to the Chief Executive.

#### **Considerations**

5. A change in the way the Local Government Ombudsman operates means that the statistics about complaints received in 2008/09 are not directly comparable with those from 2007/08. Since 1 April 2008 the new Local Government Ombudsman Advice Team has been the single point of contact for all enquiries and new complaints. As a result of this change the number of calls handled by the Ombudsman has increased significantly. The Ombudsman now provides comprehensive information and advice to callers at the outset with a full explanation of the process and possible outcomes. This enables callers to make a more informed decision about whether putting their complaint to the Ombudsman is an appropriate course of action.
6. The change in the way the Ombudsman operates means direct comparisons with some of the previous year's statistics are difficult and could be misleading. As a result the Ombudsman's annual review focuses mainly on the 2008/09 statistics without drawing those comparisons.

#### **Enquiries and complaints received**

7. The Local Government Ombudsman received 30 complaints and enquiries during the year. The largest category was Planning and Building Control with 11, six related to Housing matters, three to Benefits, two to Finance, one for transport and highways and seven were categorised as "other".

8. Four complaints were treated as premature and a further seven were given advice (usually to make a complaint direct to the Council). The remaining 19 were investigated as new or resubmitted complaints.

### **Complaint outcomes**

9. The Local Government Ombudsman made decisions on 17 investigations during the year. 10 of these concluded no evidence of maladministration. In another two the Ombudsman used his discretion not to investigate the complaint any further. Three complaints were deemed outside of the Ombudsman's jurisdiction and two were subject to local settlements. Decisions on two complaints remain outstanding.
10. A local settlement is a complaint where, during the course of the investigation, a council takes or agrees to take some action that the Ombudsman considers to be a satisfactory response to the complaint.
11. South Cambridgeshire District Council paid a total of £750 compensation in settling two complaints. In one case the Council's attempt to recover an overpayment of housing benefit inappropriately resulted in a delay in the commencement of a new tenancy. The complainant was offered £500 compensation for the delays and to cover expenses from the postponed removal. This offer was made without any recommendation from the Ombudsman's office. The Ombudsman was pleased to see this proactive approach to settle what was a complex complaint.
12. The second settlement was for £250. The complainant was offered compensation for delays and lack of advice during an antisocial behavior complaint which meant the case did not get to court as promptly as it might have done.

### **Liaison with the Local Government Ombudsman**

13. The Council's average response time was 37.5 days. The Ombudsman commented that he had hoped to see further improvement towards the expected target of 28 days. The lack of improvement may partly be attributed to the vacant Customer Service Coordinator position for six months of the year. With the role now filled the Customer Service Coordinator will work with service areas to ensure responses meet the target of 28 days.

### **Complaint handling training**

14. During 2008/09 the Local Government Ombudsman provided training in Effective Complaint Handling to South Cambridgeshire District Council employees on two separate courses. The training was well received by all involved.

15. Financial	Failure to resolve complaints effectively may result in the Local Government Ombudsman awarding costs against the Council.
Legal	The Local Government Ombudsman has statutory powers with which it can oblige Council officers to attend its offices rather than submitting comments/responses in writing.
Staffing	Responding to Local Government Ombudsman enquires requires significant staff time.
Risk Management	Failure to respond to complaints effectively and promptly is detrimental to the Council's reputation.
Equal Opportunities	None.

## Consultations

16. Provisional information provided by the Local Government Ombudsman was reported to the Senior Management Team on 8 May 2009.

## Effect on Strategic Aims

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| 17. | <b>Commitment to being a listening council, providing first class services accessible to all.</b><br>The complaints process provides a vital channel for customers to feedback information relating to their experience of our services. This information should inform service planning and reviews and identify improvements to service delivery that will contribute to providing first class services accessible to all. |
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## Recommendations

18. The Corporate Governance Committee is asked to note the contents of this report and the Local Government Ombudsman's annual review.

**Background Papers:** the following background papers were used in the preparation of this report:

The Local Government Ombudsman's Annual Review 2008/09

**Contact Officer:** Paul Knight – Customer Service Coordinator  
Telephone – 01954 713309

**Appendix 1** – The Local Government Ombudsman's Annual Review 2008/09

