

WRITTEN STATEMENT OF A NON-KEY DECISION CABINET

ITEM:	LOCAL GOVERNMENT OMBUDSMAN DECISION
Members Present	Councillors: AW Johnson (Leader), D Harlow, PM Morgan (Deputy Leader), PD Price, P Rone.
Date of Decision:	13 October 2016
Exempt:	No
Confidential	No
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To inform cabinet of a decision by the Local Government Ombudsman (LGO) of maladministration and injustice, and confirm actions being taken in response.
Decision:	<p>THAT:</p> <ul style="list-style-type: none"> (a) the report and recommendations of the Local Government Ombudsman, at appendix 1, be considered; (b) the findings be accepted and the recommended actions agreed; and (c) in implementing the recommendations: <ul style="list-style-type: none"> (i) the director for adults and wellbeing undertake to apologise to the parties and ensure training is provided to social workers; and (ii) the monitoring officer makes the recommended payments.
Reasons for the Decision:	The Local Government Ombudsman has decided that there was maladministration (fault) causing injustice to Mr B and Mrs D. The Local Government Act 1974 requires that where such a decision is issued, that the report is publicised and considered.
Options Considered:	Not to accept the findings of the LGO. Although the ombudsman cannot compel the council to implement its recommendations, in practice councils almost always do act on them. There is no right of appeal against a decision by the LGO, but it is possible to seek judicial review where it is believed that the legal basis of a decision is flawed. This is not recommended as the LGO findings are based on evidence that is not disputed.
Conflict of Interest ■ (See below)	
Date the decision is due to take effect:	19 October 2016

COUNCILLOR AW JOHNSON
LEADER OF THE COUNCIL

..... Date: 13 October 2016

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.