

## 14. LOCAL GOVERNMENT OMBUDSMAN AND COMPLAINTS PANEL – 2002/03

Report By: County Secretary and Solicitor

### Wards Affected

County-wide

### Purpose

1. To inform Members of the figures for complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31 March 2003.

### Background

2. The Local Government Ombudsman's office investigates complaints about councils with the aim of putting things right if they have gone wrong: it is unbiased and independent. Ombudsmen have similar powers to the High Court to order anyone to produce information or documents for their investigation. Their investigations are carried out in private and there is no charge for their service. They provide an invaluable service to users of public services and are an independent means of monitoring aspects of council performance.
3. The Council's Best Value Performance Improvement Plan 2002/03 set targets for the number of complaints to the Ombudsman classified as maladministration. There have been no such findings against the Council since it was set up in 1998. The table below shows the total number of complaints determined by the Ombudsman for Herefordshire in 2002/03 and the three previous years.

	1999/00	2000/01	2001/02	2002/03
Total number of complaints determined by the Ombudsman	38	37	27	35
Total number of complaints to the Ombudsman settled locally.	2	8	5	5

4. As shown in paragraph 5, most of the complaints were found by the Ombudsman to be unfounded. In five cases however, the Council did agree to take some further action to resolve the complaint.
5. The table below sets out the number of complaints received by the Ombudsman by Directorate for 2002/03.

Directorate	LS	NM	OD	OJ	Total
Environment	4	12	2	1	19
Education	1	10	-	2	13
Policy and Community	-	-	-	-	0
Social Care and Strategic Housing	-	-	-	1	1
Treasurers	-	1	-	1	2
County Secretary and Solicitor	-	-	-	-	0
Chief Executive	-	-	-	-	0
<b>Total</b>	<b>5</b>	<b>23</b>	<b>2</b>	<b>5</b>	<b>35</b>

**Key:** LS – Complaint settled locally  
 NM – No or insufficient evidence of maladministration  
 OD – Ombudsman's Discretion (ie not proceeded with for a variety of reasons)  
 OJ – Outside LGO's Jurisdiction

## Complaints Panel

6. The Complaints Panel meet to hear unresolved complaints from members of the public following review at level 1 (by the local manager) and level 2 (by Director). The Panel comprises the Chief Executive and two Group Leaders advised by the County Secretary and Solicitor. During 2002/03 it heard 13 complaints. Two were upheld.

Directorate/Department	No. of Complaints / Section	Outcome
County Treasurer's	1 – Financial Policy & Audit Services 2 – Revenue & Benefits Services	1 Upheld (FP & AS) 2 Not Upheld
Environment	6 – Planning 1 - Public Rights of Way 1 - Trading Standards	1 Upheld (Planning) 7 Not Upheld
Policy & Community	1 – Policy & Community	Not Upheld
Social Care & Strategic Housing	1 – Housing	Not Upheld

7. The Ombudsman has produced an Annual Report on overall performance for 2001/02 which shows overall complaints are beginning to show a decline particularly in the area of housing benefit. The Ombudsman found maladministration in just over 1% of the cases dealt with nationally in 2001/02. The cost of determining complaints rose slightly to £484 per complaint. Nationally, the largest number of complaints concern Housing, mainly housing benefit, followed by Planning and Education.

## RECOMMENDATION

**THAT the report is noted.**

## BACKGROUND PAPERS

- None

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Further information on the subject of this report is available from  
 Marie Rosenthal, County Secretary and Solicitor on (01432) 260200