

LOCAL GOVERNMENT OMBUDSMAN COMPLAINTS AND COMPLAINTS PANEL - 2003/04

PROGRAMME AREA RESPONSIBILITY: AUDIT AND PERFORMANCE MANAGEMENT

CABINET

3RD JUNE, 2004

Wards Affected

County-wide

Purpose

To note the figures for complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31 March 2004.

Key Decision

This is not a Key Decision.

Recommendation

THAT the report be noted.

Reasons

To note the Council's performance.

Considerations

1. 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.
2. 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 2003/04 and the three previous years.

	2000/01	2001/02	2002/03	2003/04
Total number of complaints determined by the Ombudsman	37	27	36	35
Total number of complaints to the Ombudsman settled locally.	8	5	5	3

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

3. As shown above, the majority of the complaints were found by the Ombudsman to be unfounded. In three cases however, the Council did agree to take some further action to resolve the complaint.
4. The table below sets out the number of complaints received by the Ombudsman by Directorate for 2003/04.

Directorate	LS	NM	OD	OJ	Total
Environment	1	9	6	8	24
Education	1			1	2
Policy and Community			2		2
Social Care and Strategic Housing		3	1	1	5
Treasurers			1		1
County Secretary and Solicitor	1				1
Chief Executive					0
Total	3	12	10	10	35

Key: LS – Complaint settled locally (no report)
 NM – No or insufficient evidence of maladministration
 OD – Ombudsman’s Discretion (i.e. not proceeded with for a variety of reasons)
 OJ – Outside Ombudsman’s Jurisdiction

Response Times

5. The table below shows the average time the council takes to respond to the Ombudsman’s first enquiries on a complaint. It is measured in calendar days from the date they send their letter/fax/email to the date that they receive a substantive response from the Council.

	First Enquiries	
	No. of First Enquiries	Avg no. of days to respond
2003/04	16	36.7
2002/03	24	33.1
2001/02	21	29.4

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 2003/04 it heard 8 complaints. One was upheld and one was partially upheld.

Directorate/ Department	No. of Complaints / Section	Outcome
County Treasurer’s	2 – Council Tax 1 – Revenue & Benefits Services	Not Upheld Partially Upheld
Environment	2 – Planning 2 – Engineering & Transportation 1 – Env. Health & Trading Standards	1 Upheld – 1 Not Upheld Not Upheld Not Upheld

Alternative Options

There are no alternative options.

Risk Management

Ombudsman findings of maladministration can result in compensation liability and risk the Council's reputation.

Consultees

None identified.

Background Papers

Ombudsman correspondence file.