

North East Derbyshire District Council

Standards Committee

14 December 2017

Local Government Ombudsman Annual Review Letter

Report of the Strategic Director

This report is public

Purpose of the Report

- To review the annual review letter of the Local Government Ombudsman (LGO), **Appendix A** attached to this report

1 Report Details

The Council received its Annual Review letter from the Local Government Ombudsman on the 20th July 2017. It contains information on how many complaints and enquiries had been referred to the Local Government Ombudsman and how many complaints were upheld or referred back for local resolution.

There were 11 complaints and enquiries received in total by the Local Government Ombudsman see **Appendix B** attached to this report.

There were 13 decisions made by the Local Government Ombudsman see **Appendix C** attached. 6 were closed after initial enquiries, 3 were referred back for local resolution, 1 complaint was not upheld and 1 other complaint was upheld – maladministration no injustice. Complaint 15020683 and complaint 16005530 were dealt with together and was upheld by the Local Government Ombudsman – maladministration and injustice with compensation paid of £250. There were 2 complaint decisions included in the 2016/17 report from the 2015/16 report No's: 15019471 and 15020334.

2 Conclusions and Reasons for Recommendation

Following the review of the Compliments, Comments and Complaints Policy and Procedure in October 2014, this joint policy was brought in with a view to improving the corporate complaint procedure. Mandatory training is continuously rolled out quarterly across the Strategic Alliance, making officers more aware of the complaint handling process. This provides a consistent approach in the way that all officers across both Councils effectively deal with Compliments, Comments and Complaints.

3 Consultation and Equality Impact

3.1 Not applicable, for information only.

4 Alternative Options and Reasons for Rejection

4.1 Not applicable, for information only.

5 Implications

5.1 Finance and Risk Implications

5.1.1 The Council is at risk of recommendations or decision by the Local Government Ombudsman if complaints are not handled well.

5.1.2 In cases of maladministration, financial penalties can be imposed by the Local Government Ombudsman.

5.1.3 In the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the information Commissioner's Office can issue decision notices and impose significant fines.

5.2 Legal Implications including Data Protection

5.2.1 The policy allows compliance with the Local Government Act 1974 and guidance set out by the Local Government Ombudsman. It is also in line with the requirements of the Data Protection Act 1998, Freedom of Information Act 2000 and Environmental, Information Regulations 2004

5.3 Human Resources Implications

5.3.1 Not applicable.

6 Recommendations

6.1 That Standards Committee receive the annual review letter of the Local Government Ombudsman and notes the outcomes as detailed in the report.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Affected</p>	N/A
<p>Links to Corporate Plan priorities or Policy Framework</p>	Transforming Our Organisation – Good Governance

8 Document Information

Appendix No	Title
Appendix A	Letter from the Local Government Ombudsman
Appendix B	List of enquiries received by the Local Government Ombudsman
Appendix C	Decisions made by the Local Government Ombudsman
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Not applicable	
Report Author	Contact Number
Strategic Director	Ext: 7218