

North East Derbyshire District Council**Standards Committee****24 July 2014****Local Government Ombudsman Annual Review Letter 2013/14****Report No ADGMO/21/14/SS/MK of the Assistant Director – Governance and Monitoring Officer**

This report is public

Purpose of the Report

- To advise of the end of year statistics for Council complaints dealt with by the Local Government Ombudsman.

1 Report Details

- 1.1 The Local Government Ombudsman provides an independent arbitrator service for complaints against local authorities once the internal complaints framework has been exhausted.
- 1.2 Attached to this report as **Appendix A** is the annual review letter from the Ombudsman. This is the first year they have produced details of complaints in this format and they are therefore not directly comparable with previous years.
- 1.3 The letter shows that the Ombudsman received 13 complaints relating to the Council in 2013/14. Though a slight increase on last year's figure of 11, this is still good when compared with similar-sized councils in Derbyshire. Table 1 below illustrates.

Table 1. Complaints and enquiries received by category 2013/14

Local Authority	Benefits & Tax	Corporate & Other Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Planning & Development	Total
Amber Valley BC	2	2	2	1	3	12	22
High Peak BC	2	3	3	0	3	9	20
Bolsover DC	9	3	1	0	1	4	18
Chesterfield BC	2	2	2	2	4	4	16
NE Derbyshire DC	1	3	2	0	2	5	13
Erewash BC	3	0	1	0	0	6	10
South Derbyshire DC	0	1	0	0	3	3	7

- 1.3 Members will be aware that complaints relating to the Council's role as social landlord transferred to the Local Government Housing Ombudsman last year. The Housing Ombudsman expects local authorities to resolve complaints as far as they can, involving members if need be in the capacity of a 'Designated Person', before they get to Ombudsman stage. To date, the Housing Ombudsman has not notified the Council or Rykneld Homes about any complaints received.
- 1.4 The Ombudsman made decisions in respect of 16 complaints against the Council in 2013/14. No cases of maladministration were found but one complaint was upheld. This concerned a planning issue where the complainant, amongst other issues, notified the Council that waste was being burnt near to where they lived. The Council failed to refer this on to the relevant statutory partner as required by law. If the Council had not rectified this it would have amounted to maladministration. The matter was, however, rectified and the case closed. Table 2 sets out the numbers and categories of decisions considered by the Ombudsman in respect of each district or borough council in Derbyshire for 2013/14.

Table 2. Decisions made (by local authority)

Authority	Advice given	Closed after initial enquiries	Incomplete/invalid	Referred back for local resolution	Upheld	Not upheld	% upheld*	Total
Amber Valley BC	0	6	3	7	3	7	30.0%	26
Bolsover DC	2	6	1	9	1	1	50.0%	20
High Peak BC	2	5	0	7	2	3	40.0%	19
Chesterfield BC	0	7	0	7	0	3	0.0%	17
NE Derbyshire DC	0	7	0	5	1	3	25.0%	16
Erewash BC	1	1	0	5	3	2	60.0%	12
South Derbyshire DC	1	4	0	2	1	0	100.0%	8

- 1.4 Under its new business model the Ombudsman has also provided local authority complaint statistics in one annual report which can be found on their website www.lgo.org.uk. The main headlines from that report are as follows:
- The number of new complaints registered with the Ombudsman in 2013/14 (18,436) was consistent with previous years;
 - The number of complaints about benefits and tax has increased by 26% nationally, perhaps reflecting changes to welfare reform;
 - Approximately 49% of complaints about benefits and tax were upheld, more than any other area of complaint;
 - The number of complaints about housing decreased by 39% although this was expected following the introduction of the Housing Ombudsman in 2013.
- 1.5 The Ombudsman is continuing to reform its working practices. Some of the changes are set out in the letter.

2 Conclusions and Reasons for Recommendation

2.1 To advise members of complaints referred to the Ombudsman.

3 Consultation and Equality Impact

3.1 Not applicable.

4 Alternative Options and Reasons for Rejection

4.1 None.

5 Implications

None.

6 Recommendations

6.1 That the report be noted.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	None.
Links to Corporate Plan priorities or Policy Framework	None.

8 Document Information

Appendix No	Title
A	LGO Annual Review Letter
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)	
None.	
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