

1 February 2018**Agenda Item: 7****REPORT OF THE MONITORING OFFICER****LOCAL GOVERNMENT OMBUDSMAN DECISIONS NOVEMBER AND
DECEMBER 2017****Purpose of the Report**

1. The purpose of this report is to inform the Committee about the Local Government Ombudsman's (LGO) decisions relating to the Council in the period November – December 2017.

Information

2. The Committee has asked to see LGO decisions regularly and promptly after the decision notice has been received. This report therefore gives details of all the decisions received since the last report to this Committee in December.
3. The LGO provides a free, independent and impartial service to members of the public. It looks at complaints about Councils and other organisations. It only looks at complaints when they have first been considered by the Council and the complainant remains dissatisfied. The LGO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the LGO finds that something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the LGO aims to get the Council to put it right by recommending a suitable remedy.
4. The LGO publishes its decisions on its website (www.lgo.org.uk). The decisions are anonymous but the website can be searched by Council name or subject area.
5. A total of 9 decisions relating to the action of this Council have been made by the LGO in this period (attached at annex A). In 6 cases no maladministration was found, or the LGO decided he could not add to the investigation already conducted by the Council. Half of these related to Adult Social Care and Health, and the other 3 to the Place Department. In addition 1 case was deemed to be out of the jurisdiction of the LGO, as it related to matters considered in court.
6. In the remaining 2 cases some maladministration was found and remedies recommended. The first of these was a complex Adult Social Care case, in which there were 7 points of complaint. The LGO found "no fault" in relation to 6 of these, and in relation to the 7th recommended an apology, which has been offered. The final case relates to adult learning provision provided by Inspire on behalf of the Council. The LGO found that the complainant had to wait longer to receive training than he could reasonably have expected. Although a

provider was found, it was not, at that stage, the complainant's preferred option; so Inspire, on behalf of the Council, agreed to pay the complainant £880 so he can arrange his own training.

7. There were no themes highlighted within the complaints; the issues were individual to circumstances of each case and reflect the diversity and complexity of the services provided by the Council.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

9. The decisions attached are anonymised and will be publically available on the LGO's website.

Financial Implications

10. One payment of £880 has been made to allow a complainant to source his own training and was made from existing budgetary provision.

Implications for Service Users

11. All of the complaints were made to the LGO by service users, who have the right to approach the LGO once they have been through the Council's own complaint process.

RECOMMENDATION/S

That members consider:-

1. Whether there are any actions they require in relation to the issues contained within the report.

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Monitoring Officer and Corporate Director Resources

For any enquiries about this report please contact:

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Constitutional Comments SLB 05/01/2018

Governance & Ethics Committee is the appropriate body to consider the content of this report. If the Committee resolves that any actions are required it must be satisfied that such actions are within the Committee's terms of reference.

Financial Comments (SES 05/01/18)

The financial implications are set out in the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All