

**13<sup>th</sup> June 2018****Agenda Item: 9****REPORT OF THE MONITORING OFFICER****LOCAL GOVERNMENT OMBUDSMAN DECISIONS - APRIL AND MAY 2018****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 April – May 2018.

**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 March.
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/](http://www.lgo.org.uk/)). The decisions are anonymous but the website can be searched by Council name or subject area.
5. A total of 4 decisions relating to the action of this Council have been made by the LGO in this period (attached at annex A). One complaint was deemed to be out of the LGOs jurisdiction as the complainant had already been to a tribunal.
6. The first complaint was about the Integrated Children's Disability Service and was partly upheld. The LGO found that there were delays in arranging a specialist occupational therapy assessment, and a failure to source respite care from a befriender service, for a period of 9 months. The LGO recommended a payment of £3000 and also a "back payment" of the personal budget amount for the befriending service.
7. The other two cases related to Adult Social Care, in the first case although some fault was found in how the Council first responded to a safeguarding referral, the LGO also found that this was acknowledged and rectified when the complaint was initially made to the Council and no further action was recommended. The second case was a complex one and involved a

number of different agencies, the LGO found fault with both the Council and the NHS Trust each organisation agreed to a number of remedies including identifying ways to collaborate more closely in future.

8. All actions recommended by the LGO have either been completed or are subject to an action plan to progress.
9. There were no themes highlighted within the complaints; the issues were individual to circumstances of each case.

## **Statutory and Policy Implications**

10. 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**

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

## **Financial Implications**

12. The financial payments will be made from existing departmental budgets.

## **Implications for Service Users**

13. 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**

That members consider whether there are any actions they require in relation to the issues contained within the report.

**Jayne Francis-Ward**  
**Monitoring Officer and Corporate Director Resources**

**For any enquiries about this report please contact:**

Jo Kirkby, Team Manager – Complaints and Information team

## **Constitutional Comments SLB (Standing)**

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 16/05/18)**

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