

**15<sup>th</sup> March 2018****Agenda Item: 11****REPORT OF THE MONITORING OFFICER****LOCAL GOVERNMENT OMBUDSMAN DECISIONS JANUARY AND  
FEBRUARY 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 January –February 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 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/](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 6 decisions relating to the action of this Council have been made by the LGO in this period (attached at annex A). No fault (in relation to the Council) was found in any case. Three cases were found to be out of jurisdiction because:
  - the matter had been the subject of a court decision
  - the matters complained of had occurred too long ago (2012)
  - the complainant did not have the service users consent
6. In one Adult Social Care matter fault was found with a Care Home (the service user was self-funding), the Council's safeguarding investigation and follow up was not found to be at fault.
7. There were no themes highlighted within the complaints; the issues were individual to circumstances of each case.

## **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. None

## **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.

**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)**

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 16/02/18)**

There are no specific financial implications arising directly from this 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