
ANNUAL LETTER OF THE LOCAL GOVERNMENT OMBUDSMAN

Responsible Cabinet Member - Councillor Bill Dixon, Leader

Responsible Director – Paul Wildsmith, Director of Resources

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to refer Members to the annual letter of the Local Government Ombudsman (LGO) in relation to complaints and educational appeals against the Authority (Appendices 1 and 2).

Summary

2. The letter is once again positive; the Council continued to respond to initial enquiries within 28 days and did not receive any maladministration reports during 2011/12.
3. While the Council saw an increase in the overall number of complaints it received during 2011/12 fewer complainants referred their complaint to the LGO.

Recommendation

4. It is recommended that Cabinet welcomes the annual letter from the LGO for 2011/12.

Reasons

5. The recommendations are supported to enable the Local Authority to continue to learn from complaints, improve services provision and increase efficiency.

**Paul Wildsmith
Director of Corporate Services**

Background Papers

No background papers were used in the preparation of this report.

Lee Downey : Extension 2401

S17 Crime and Disorder	This report is for information to members and requires no decision. Therefore there are no issues in relation to crime and disorder.
Health and Well Being	This report is for information to members and requires no decision. Therefore there are no issues in relation to health and wellbeing.
Carbon Impact	This report is for information to members and requires no decision. Therefore there are no issues in relation to Carbon Impact.
Diversity	This report is for information to members and requires no decision. Therefore there are no issues in relation to diversity.
Wards Affected	This report affects all wards equally.
Groups Affected	This report is for information to members and requires no decision. Therefore is no impact on any particular group.
Budget and Policy Framework	This report does not recommend any changes to the budget or policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	This report contributes to all of the five delivery themes.
Efficiency	Efficiency issues are highlighted in paragraphs four and eight.

MAIN REPORT

Information and Analysis

6. The report sets out the number of complaints received and determined by the LGO in relation to the Authority during the last municipal year. The report also provides an analysis of the trends in complaints numbers and sets out details of developments in relation to the LGO.

Number of complaints received by LGO

7. The complaints forwarded for investigation by the LGO during 2011/12 were categorised as follows:

LGO Category	No of Cases
Adult Social Care	2
Benefits & Tax	2
Corporate & Other Services	2
Education & Children's Services	3
Environmental Services & Regulation & Public Protection	2
Highways & Transport	2
Housing	0
Planning & Development	4
Total	17

8. In 2010/11 34 complaints were forwarded for investigation by the LGO. Although the Council received 114 more complaints during 2011/12 than it did in 2010/11 there was a significant reduction in the number of people who referred their complaint to the LGO following investigation under the Council's complaints procedures.
9. While the LGO anticipated the increased demand for their service they experienced during 2010/11 to continue in light of the ongoing pressures on public services in the current financial climate, they actually experienced a 4.3% decrease in the number of complaints and enquiries received.
10. The 50% decrease in the number of complaints referred to the LGO following investigation under the Council's complaints procedures is significantly higher than 4.3% and in part can be attributed to the robust procedures implemented by the Council in relation to complaints handling and the fair and consistent approach taken by the Council when dealing with complaints.
11. Complaints about Education and Children's Services accounted for the biggest decrease in complaints referred to the LGO during 2011/12. With the second biggest decrease being in relation to complaints about Planning and Development.

Complaint Outcomes

12. The outcomes of cases on which the LGO reached a view during 2011/12 are as follows:

Finding	No of Cases
<i>Not Investigated</i>	<i>11</i>
No power to investigate	3
No reason to use exceptional power to investigate	3
Investigation not justified & Other	5
<i>Investigated</i>	<i>12</i>
Not enough evidence of fault	5
No or minor injustice & Other	5
Injustice remedied during enquiries	2
<i>Report</i>	<i>0</i>
Total	23

LGO Developments

13. The pilot scheme giving the LGO jurisdiction over the internal management of schools was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education.
14. From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). The Council is in the process of ensuring robust arrangements are in place for the handling of these complaints.
15. The LGO has launched a new series of focus reports to develop their role in supporting good local public administration and service improvement.
16. From this year the LGO will publish all decisions in relation to complaints on their website to increase their openness and transparency, and enhance their accountability.

Outcome of Consultation

17. There has been no consultation on this report.