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**ANNUAL LETTER OF THE OMBUDSMAN**

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**Responsible Cabinet Member - Councillor John Williams, Leader**

**Responsible Director - Paul Wildsmith, Director of Corporate Services**

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**SUMMARY REPORT**

**Purpose of the Report**

1. The purpose of this report is to refer to Members the Annual Letter of the Ombudsman in relation to complaints against the authority.

**Summary**

2. The letter is very positive showing improvements in both the speed of response and a reduction in the overall number of complaints referred to the Local Government Ombudsman. The Council did not receive a single maladministration report during 2009/10.

**Recommendation**

3. It is recommended that:
  - (a) Cabinet welcomes the Annual Letter from the Local Government Ombudsman for 2009/10.
  - (b) Members note the improvement in response times and reduction in complaints.
  - (c) Members ask Directors to continue to support the work of the Corporate Complaints Unit in fostering a culture in which complaints are welcomed and responded to effectively.

**Reasons**

4. 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

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|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 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. |
| Sustainability                   | This report is for information to members and requires no decision. Therefore there are no issues in relation to sustainability.       |
| 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 seven and eleven.                                                                      |

## MAIN REPORT

### Information and Analysis

5. The report sets out the details of the complaints handled by the Local Government Ombudsman in relation to the Authority during the last municipal year.

### Response Times

6. The chart in **Appendix 2** of the Local Government Ombudsman's Annual Review, shows the response times for the Authority for the last three years. After being praised by the Ombudsman for the improvements made over the previous two years, the Authority has been able to further reduce the average response time following the introduction of a centralised recording system within the Corporate Complaints Unit. The Ombudsman comments:

'This continues the improvement on the last two years and the Council is to be congratulated for its efforts'.

7. The main reason why the Council is able to improve response times is the existence of the Corporate Complaints team. They are now able to prepare draft responses very quickly having dealt with them at Stage 2 of the complaints procedure. Previously the Borough Solicitor carried out this role, and gathered information by writing to relevant client departments for information. The reduction in time spent on handling complaints has enabled the Borough Solicitor to take on other management responsibilities like the Customer Contact Centre, Corporate Complaints Unit and Information requests.

### Complaint Outcomes

8. The Council did not receive any maladministration reports this year.
9. The Council received:
  - (a) seven local settlement reports compared to eleven in 2008/9
  - (b) eight no maladministration reports
  - (c) three ombudsman's discretion reports
  - (d) three outside of jurisdiction reports.
10. The reduction in local settlements reflects the improvement in Complaint Handling by the Corporate Complaints Unit. More complaints are resolved at Stage 2 of the Complaints procedure. Some of the settlements above result from the period prior to the creation of the Corporate Complaints Unit and there is scope for the figure to come down further. By handling and resolving the majority of complaints ourselves, we save officer time in dealing with Ombudsman complaints, and we provide a better service to the customer who is not required to pursue the complaint to the Ombudsman before reaching resolution.

## Number of Complaints

11. The Corporate Complaints Unit has continued to have a positive impact on the number of complaints referred to the Ombudsman. The number of complaints has fallen from 45 in 2007/8 and 35 in 2008/9 to 26 this year with only 17 being referred for investigation. This figure differs from the number of complaint outcomes (21) due to complaints in hand at the beginning and end of the year. This demonstrates the continuous improvement in the way the Authority investigates complaints under its internal procedure(s). This does have a direct impact on the resources that managers across the organisation have had to spend on Complaints handling. Although it is a hidden efficiency saving, it has freed managers up to spend time delivering and improving services rather than dealing with Ombudsman complaints.

## Breakdown of Complaints

12. See table below

| Year    | Adult Care Services | Benefits | Children and Family | Education | Housing | Public Finance | Planning and BC | Transport and Highways | Other | Total |
|---------|---------------------|----------|---------------------|-----------|---------|----------------|-----------------|------------------------|-------|-------|
| 2007/8  | 2                   | 0        | 1                   | 5         | 5       | 2              | 8               | 14                     | 6     | 45    |
| 2008/9  | 1                   | 0        | 2                   | 1         | 5       | 3              | 9               | 5                      | 9     | 35    |
| 2009/10 | 2                   | 1        | 1                   | 1         | 2       | 2              | 9               | 3                      | 5     | 26    |

## LGO Developments

13. In April 2010 the Ombudsman launched the first pilot phase of a complaints service extending their jurisdiction to consider parent and pupil complaints about state schools in four local authority areas (Barking and Dagenham, Cambridgeshire, Medway and Sefton). This power was introduced by the Apprenticeships, Skills, Children and Learning Act 2009.

14. The Secretary of State no longer considers complaints about schools in these areas.

15. In September 2010 a further 10 schools are set to join the pilot and it is intended that by September 2011 the Ombudsman's jurisdiction will cover all state schools in England.

## Outcome of Consultation

16. There has been no consultation on this report.