

AUDIT COMMITTEE 30th November 2013

Title of paper:	Ombudsman Annual Letter	
Director(s)/ Corporate Director(s):	Claire Richmond Director of Policy, Performance and Communications Interim	Wards affected: All
Contact Officer(s) and contact details:	Lynne North Customer Liaison Officer Lynne.north@nottinghamcity.gov.uk	
Other officers who have provided input:		
Relevant Council Plan theme(s):		
Relevant Council Plan Strategic Priority:		
World Class Nottingham		
Work in Nottingham		
Safer Nottingham		
Neighbourhood Nottingham		
Family Nottingham		
Healthy Nottingham		
Serving Nottingham Better		✓
Summary of issues (including benefits to customers/service users):		
<p>The Ombudsman sends each Local Authority an annual letter setting out the details of the enquiries dealt with on our behalf.</p> <p>The Ombudsman has changed its business processes during the course of 2012/13 so therefore would not be able to provide us with a consistent set of data for the entire year. We have only been presented with the total number of complaints received this year with no further detailed information</p>		
Recommendation(s):		
1	Members are asked to note the contents of the report.	

1 BACKGROUND

- 1.1 Each year all local authorities are provided with a letter from the Ombudsman Appendix One shows the letter from the Ombudsman for the period April 2012 to March 2013.
- 1.2 Nottingham City Council is still the responsible body for complaints about housing provided by Nottingham City Homes and their figures are included in our Annual Letter. The Ombudsman itself has split the Housing into its own Ombudsman service, this however has had no effect on how we manage or calculate the housing figures for review. See appendix Three for a brief on this

2 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Complaints need to be used to influence service improvement and therefore to increase Citizen satisfaction.

2.2 This year we are presented with a very brief letter where we are showing as a Unitary Authority the average cases are 36 and we have received 53. When looking at this we need to take into account we are 16 cases less than last year and when compared to the Core Cities we are the second lowest, please see table attached as Appendix Two.

I believe as an authority we are improving year on year and this shows in our communications with the LGO, If measured this year our response times would have been even better than last year.

We continue to have a good working relationship with the LGO teams which is one of the tools which enables us to provide a better service to the citizens of Nottingham

We have now been using the Have Your Say corporate system for recording compliments, comments & complaints for a year, which is giving us invaluable information of how to improve our services and responses to our citizens.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 None

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

4.1 There are no financial implications directly linked with this report.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

5.1 Timely responses to enquiries from both customers and the Local Government Ombudsman are essential to the reputation of the authority

6 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

6.1 none

7 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

7.1 none

Appendix One

16 July 2013

Local Government OMBUDSMAN

By email

Mr Ian Curryer
Chief Executive
Nottingham City Council

Dear Mr Curryer

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2013. This year we have only presented the total number of complaints received and will not be providing the more detailed information that we have offered in previous years.

The reason for this is that we changed our business processes during the course of 2012/13 and therefore would not be able to provide you with a consistent set of data for the entire year.

In 2012/13 we received 53 complaints about your local authority. This compares to the following average number (recognising considerable population variations between authorities of a similar type):

District/Borough Councils-	10 complaints
Unitary Authorities-	36 complaints
Metropolitan Councils-	49 complaints
County Councils-	54 complaints
London Boroughs-	79 complaints

Future development of annual review letters

We remain committed to sharing information about your council's performance and will be providing more detailed information in next year's letters. We want to ensure that the data we provide is relevant and helps local authorities to continuously improve the way they handle complaints from the public and have today launched a consultation on the future format of our annual letters.

I encourage you to respond and highlight how you think our data can best support local accountability and service improvements. The consultation can be found by going to www.surveymonkey.com/s/annualletters

LGO governance arrangements

As part of the work to prepare LGO for the challenges of the future we have refreshed our governance arrangements and have a new executive team structure made up of Heather Lees, the Commission Operating Officer, and our two Executive Directors Nigel Ellis and

Michael King. The Executive team are responsible for the day to day management of LGO.

Since November 2012 Anne Seex, my fellow Local Government Ombudsman, has been on sick leave. We have quickly adapted to working with a single Ombudsman and we have formally taken the view that this is the appropriate structure with which to operate in the future. Our sponsor department is conducting a review to enable us to develop our future governance arrangements. Our delegations have been amended so that investigators are able to make decisions on my behalf on all local authority and adult social care complaints in England.

Publishing decisions

Last year we wrote to explain that we would be publishing the final decision on all complaints on our website. We consider this to be an important step in increasing our transparency and accountability and we are the first public sector ombudsman to do this. Publication will apply to all complaints received after the 1 April 2013 with the first decisions appearing on our website over the coming weeks. I hope that your authority will also find this development to be useful and use the decisions on complaints about all local authorities as a tool to identify potential improvement to your own service.

Assessment Code


Earlier in the year we introduced an assessment code that helps us to determine the circumstances where we will investigate a complaint. We apply this code during our initial assessment of all new complaints. Details of the code can be found at:

www.lgo.org.uk/making-a-complaint/how-we-will-deal-with-your-complaint/assessment-code

Annual Report and Accounts

Today we have also published *Raising the Standards*, our Annual Report and Accounts for 2012/13. It details what we have done over the last 12 months to improve our own performance, to drive up standards in the complaints system and to improve the performance of public services. The report can be found on our website at www.lgo.org.uk

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin
Local Government Ombudsman
Chair, Commission for Local Administration in England

Appendix Two

Within the core cities we are the second best performing authority

Council	Complaints	Local Authority	Primary Urban Area
Newcastle City	36	282,400	832,500
Nottingham City	53	308,700	677,200
Sheffield City	79	557,400	815,700
Manchester City	79	510,800	1,892,500
Bristol City	86	432,500	698,600
Liverpool City	90	469,700	791,700
Leeds City	150	757,700	757,700
Birmingham City	227	1,085,400	2,439,600

Of the 53 cases closed this year I am able to report on 41 of these which fall into the new reporting, we as an authority have in place. The remaining 12 cases are from past years and I don't have the information on them following the new reporting from the LGO

The majority of the 41 cases are LGO decision not to investigate, this can be for a number of reasons such as on initial investigation She agreed we had followed process or her outcome would be the same as the one the Council had come to. Premature cases are where the citizen has gone to the LGO before completing or going through the Council's Complaints process

Department	Section	Not to Investigate	No Maladministration	Premature	No Jurisdiction
NCH		6		6	1
Development	planning	2	1		1
Development	Property	1	2		
Development	Housing	1			
Resources	Council Tax	2	1	2	1
Resources	Legal			1	
Communities	Community Protection	2	1		1
Communities	Sports Culture & Parks	1			
Communities	Neighbourhood Services	1			
Childrens & Families	Schools Admissions	4			
Childrens & Families	Adult Residential Services			1	
Childrens & Families	Access & Crisis Team	1			

Appendix Three

The Local Government Ombudsman changes (Briefing note)

The LGO are changing the way it works, it will from April 1st 2013 publish its decisions online, it will also encourage all housing complaints to be considered by a local review first.

Housing complaints will have their own LGO who will be using;

- **Tenant Panels** – a group of tenants who can be asked to consider a complaint and see if they feel it has been handled correctly, then make suggestions as to how it could have been resolved. Tenant Panels are set up by Tenants and run by Tenants, the only involvement the council has, is to let the LGO have a list of their names and contact details.
- **Designated Person** – A councillor or MP to whom a tenant with a complaint who is not satisfied the complaint has been resolved to their satisfaction can ask for the complaint to be referred for review. This review is undertaken as a designated person and not as a councillor or an MP.

The Tenant Panel or Designated Person do not have the power to over rule a complaint decision but do have the ability to offer a different solution which the housing office may or may not wish to take.

Once this process or 8 weeks has passed then the citizen can take their complaint to the Housing Ombudsman if necessary.

Publicising information

The LGO is now going to start publishing all of the decisions on complaints they receive after April 1st 2013 on line. This makes them the first public sector ombudsman scheme to do so.

Decision statements will be published on the LGO web site at www.lgo.org.uk no earlier than 3 months after the date of the final decision. The information published will not name the complainant or any individual involved with the complaint.

The reason for this is to re-enforce an open and accountable ombudsman service, having transparent decision making process. The decisions will be published so that the public and bodies in their jurisdiction see the full range of decisions and can feel re-assured that they are fair, thorough and impartial. This is also to ensure public services are accountable to the public, who use and fund those services.

The LGO also retain the discretion not to publish a decision, for example where it would not be in the interests of the person complaining to publish or where there is a reason in law not to.

The Annual Letter

As a result of these changes there will be no annual letter this year as any statistics will not provide a comparable picture though out the year.

In July we will receive a letter including high level information about the complaints to the Council, we will also be invited to contribute to a consultation on what the annual letters will look like in the future.

Lynne North
LGO Link Officer
64921