

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**10 SEPTEMBER 2015**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION**

**Leader of the Council – Councillor Cook**

#### **LOCAL GOVERNMENT OMBUDSMAN (“Ombudsman”) COMPLAINTS – THE LOCAL AUTHORITY REPORT FOR STOCKTON 2014/15**

1. Summary

This report provides Cabinet with details of the Ombudsman’s annual review letter for the Council for 2014/15.

2. Recommendations

It is recommended that the report be considered and received.

3. Reasons for the Recommendations

To ensure Members are aware of the position regarding complaints to the Ombudsman about the Council.

4. Members’ Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council’s code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member’s judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

### **Disclosable Pecuniary Interests**

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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**SUMMARY**

The report provides Cabinet with details of the Ombudsman’s annual review letter for the Council for 2014/15.

**RECOMMENDATIONS**

It is recommended that the report be considered and received.

**DETAIL**

1. The Ombudsman has published the annual summary of statistics on the complaints received about the Council for the year ended 31 March 2015.
2. Copies of the review letter and statistics tables are attached at **Appendix 1** to the report.

**Annual Review Letter**

3. The review letter provides links to the following:-
  - A workbook for Councillors explaining how they can support local people with their complaints.  
  
[www.local.gov.uk/web/guest/publications/-/journal\\_content/56/10180/7159167/PUBLICATION](http://www.local.gov.uk/web/guest/publications/-/journal_content/56/10180/7159167/PUBLICATION)
  - ‘My expectations’ a service standard framework document describing what good outcomes for people look like if complaints are handled well.  
  
via [www.lgo.org.uk](http://www.lgo.org.uk)
  - The Governments review report of public sector ombudsman (“Better to serve the public”)  
  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/416656/Robert\\_Gordon\\_Review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416656/Robert_Gordon_Review.pdf)

## **Statistics Tables**

4. Also at **Appendix 2**, as a comparison, is a copy of the 2013/14 Ombudsman's annual report for the Council.
5. When comparing the two statistics tables, it can be seen that:-
  - Complaints/enquiries received in 2014/15 increased by 25%
  - Complaints/enquiries about adult care services increased three fold.
  - Complaints/enquiries about education/childrens services doubled.
  - Complaints/enquiries about benefits and tax halved; and
  - Complaints/enquiries about planning and development reduced by two thirds.
6. The significant increase in Ombudsman complaints/enquiries for Stockton in the last two years are reflected nationally and the Ombudsman has highlighted how Council complaints systems are coming under increasing pressure, with more complaints and more complaints that are complex and time consuming, at a time when the resources available to manage them are reducing.
7. As regards the 47 decisions made by the Ombudsman in relation to Stockton's complaints in 2014/15, four were upheld. However, the Ombudsman was satisfied in each case by the Council's response to the complaints and no formal reports were issued during the year.

## **FINANCIAL AND LEGAL IMPLICATIONS**

### **Financial**

8. None as a direct result of this report, but the increasing number of complaints and their complexity inevitably involve increased officer time and expense.

### **Legal**

9. There are no direct legal implications arising from the report. They may, however, arise on a case by case basis, depending on the particular circumstances of the complaint and related decision.

## **RISK ASSESSMENT**

10. Existing management/operational systems and procedures are sufficient to control and minimise the risks arising to low to medium status.

## **COUNCIL PLAN IMPLICATIONS**

11. Organisational and operational effectiveness.

## **EQUALITY IMPACT ASSESSMENT**

12. There is no requirement for an assessment in relation to this report.

## CONSULTATION

13. A copy of this report, and the annual review letters and statistics will be accessible to all Council Members via agenda, and a copy of the 2014/15 annual review letter will be emailed to all Members.

Director of Law and Democracy

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Background Papers:

None

Ward(s) and Ward Councillors:

The report affects all Members

Property Implications:

None