

OMBUDSMEN COMPLAINTS

Executive Summary

The Committee is responsible for the oversight of payments in cases of maladministration that are neither disputed nor significant (which are dealt with by the Monitoring Officer).

This report provides details of recent complaints to the Local Government & Social Care Ombudsman and the Housing Ombudsman.

Recommendations

The Committee is requested to:

RESOLVE That the position regarding complaints to the Local Government & Social Care Ombudsman and the Housing Ombudsman be noted.

The Committee has authority to determine the above recommendations.

Background Papers: None that are public.

Reporting Person: Peter Bryant, Head of Democratic and Legal Services / Monitoring Officer
Ext. 3030, E Mail: Peter.Bryant@woking.gov.uk

Contact Person: Peter Bryant, Head of Democratic and Legal Services / Monitoring Officer
Ext. 3030, E Mail: Peter.Bryant@woking.gov.uk

Date Published: 11 September 2019

1.0 Introduction

- 1.1 The Council's Constitution provides for the Standards and Audit Committee to have "oversight of payments in cases of maladministration which are neither disputed nor significant (which are dealt with by the Monitoring Officer)." Full Council retains responsibility for "disputed/significant payments in cases of maladministration".
- 1.2 At its meeting on 7 July 2016, the Committee asked for an annual report on Ombudsmen complaints. The Local Government & Social Care Ombudsman provides Councils with an Annual Review letter in July each year. It is, therefore, sensible for the annual report to be submitted to the September meeting of the Committee.

2.0 Ombudsmen

- 2.1 The Council is subject to the oversight of two Ombudsmen, the Housing Ombudsman and the Local Government & Social Care Ombudsman.
- 2.2 The Housing Ombudsman considers complaints arising from the provision of housing by the Council if the complainant is not satisfied with the outcome of New Vision Homes/the Council's consideration of the complaint.
- 2.3 The Local Government & Social Care Ombudsman considers complaints arising from the provision of other, non-housing, services by the Council if the complainant is not satisfied with the outcome of the Council's consideration of the complaint.

3.0 Complaints Submitted to the Ombudsmen

- 3.1 A copy of the 2019 Annual Review letter from the Local Government & Social Care Ombudsman is appended to this report. This details (i) the complaints and enquiries received by the Ombudsman and (ii) the decisions made by him for the year ended 31 March 2019.
- 3.2 It can be seen from the Annual Review letter that the Council was the subject of thirteen complaints and enquiries to the Ombudsman, with the Ombudsman deciding thirteen cases during the period concerned (note:- the thirteen decisions do not all relate to the thirteen complaints).
- 3.3 One complaint was the subject of a finding of maladministration, with no injustice, by the Ombudsman. This related to the Council's investigation of a complaint of noise and dust from building work. The Ombudsman found fault with the Council's initial approach to the complaint. In all other respects, the Council investigated the relevant issues properly and was not at fault. The complainant did not suffer significant injustice, so no remedy was required.
- 3.4 The Housing Ombudsman does not issue an Annual Review letter. This report, therefore, details cases considered by the Housing Ombudsman since those referred to in last year's annual report, i.e. the period between 1 September 2018 and 31 August 2019.
- 3.5 The Housing Ombudsman has issued one decision. This related to a complaint of anti-social behaviour. The Housing Ombudsman was satisfied that there was no maladministration in respect of the underlying subject matter of the complaint. However, there had been service failure in the handling of the complaint. The Council was ordered to pay a total of £50 to the complainants in recognition of the distress and inconvenience caused by this.
- 3.6 A complaint relating to the Council's response to a complaint about repairs is being considered by the Housing Ombudsman.

4.0 Conclusions

- 4.1 Although it would be preferable for there to be no complaints to the Ombudsmen, this is never going to happen due to (i) the varied nature of the services provided by the Council and (ii) the number of recipients of those services. That said, the number of complaints and findings is not disproportionate. There are no matters of concern which the Monitoring Officer needs to bring to the attention of the Committee

5.0 Implications

Financial

- 5.1 None.

Human Resource/Training and Development

- 5.2 None.

Community Safety

- 5.3 None.

Risk Management

- 5.4 None.

Sustainability

- 5.5 None.

Equalities

- 5.6 None.

REPORT ENDS