

ITEM **4**

Report to: Audit Committee
Date of meeting: 30th September 2009
Report of: Head of Legal and Property Services
Title: Ombudsman's Annual Review

1.0 **SUMMARY**

1.1 Attached as Appendix A is a copy of the Ombudsman's Annual Review of it's dealings with the Council for the financial year 2008/2009

2.0 **RECOMMENDATIONS**

2.1 That the Annual Review be noted.

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Report approved by: Managing Director

3.0 **DETAILED PROPOSAL**

3.1 Attached at Appendix A is the Ombudsman's Annual Letter now called Annual Review detailing the complaints it received against the Council from members of the public in the financial year 2008/2009

3.2 As members will note from reading the Review the Ombudsman has operated an advice team single point of contact for all enquiries and new complaints since 1st April 2008 therefore the Review has not made any comparisons with previous year's statistics as the Ombudsman feels that would be misleading

3.3 In 2008/2009 the Ombudsman received 26 enquiries and complaints about the Council of which 12 were forwarded for further investigation. The majority of complaints related to planning (8) with 6 passed for investigation. The remainder passed for investigation were parking (2),

homelessness, council tax, private sector housing and a complaint relating to a refund over gym membership.

- 3.4 In addition the Ombudsman decided 17 complaints against the Council in the same period. The figures do not match with those in 3.3 above as some decisions may have related to complaints actually received in the previous accounting year but not finalised, and some cases still being outstanding at the end of this accounting period.
- 3.5 Of those 17, 5 were classified as local settlements. Two were linked complaints relating to a decision of the Council to withdraw ASBO proceedings, 1 was a planning related matter, 1 related to the failure to refund gym membership and the final one related to failure to consider a request for a parking permit correctly. 9 cases the Ombudsman decided not to pursue, either because there was no or insufficient evidence of any fault by the Council or there had been no injustice caused if any fault had been evidenced. In 3 cases the Ombudsman found he had no jurisdiction.
- 3.6 The Council's average response time for responding to first enquiries improved over previous years to 15.5 days, however the Council only received 2 such enquiries as opposed to 11 in 2007/2008.
- 3.7 The only other thing to note from the Annual review is that from October 2009 the Ombudsman intends to publish statements of reasons for any Local Settlements.

4.0 **IMPLICATIONS**

4.1 **Financial**

- 4.1.1 The Head of Strategic Finance comments that There are no financial implications in this report. Any payments of compensation agreed with the Ombudsman come out of the budgets of the requisite service area.

4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Legal and Property Services comments that there are no legal issues in this report.

4.3 **Equalities**

- 4.3.1 None

4.4 **Potential Risks**

None

- 4.5 **Staffing**
None
- 4.6 **Accommodation**
None
- 4.7 **Community Safety**
None
- 4.8 **Sustainability**
None

Appendices

Ombudsman's Annual Review

Background Papers

No papers were used in the preparation of this report.

File Reference

None