

## **AUDIT COMMITTEE – 21 SEPTEMBER 2011**

# **LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW OF OXFORDSHIRE COUNTY COUNCIL**

### **Report by County Solicitor & Monitoring Officer**

#### **Introduction**

1. This report summarises the findings of the Local Government Ombudsman (LGO)'s Annual Review of Oxfordshire County Council for the year ended 31 March 2011. The Ombudsman has commented on the complaints made about the Council and our performance in handling them.
2. Under the Local Government Act 1974, the LGO has two main statutory functions:
  - To investigate complaints against councils (and some other authorities)
  - To provide advice and guidance on good administrative practice
3. Each year, the LGO issues an Annual Letter to each council providing a summary of the complaints dealt with by the LGO relating to that council. The Annual Letters also include comments about complaints-handling performance and arrangements.

#### **Exempt Information**

4. None.

#### **Ombudsman's Annual Review - findings**

##### *Complaints*

5. The LGO received 66 complaints and enquiries about the Council during the year 2010/11, an increase of 31 on 2009/10. As is the case nationally, much of the increase (18 instances) relates to referrals about 'Education and Children' issues – which rose from 11 to 29. The Ombudsman breaks the cases down as follows:
  - Adult Care - 11
  - Benefits & Tax - 1
  - Corporate and Other - 1
  - Education and Children - 29

- Environment and Public Protection - 0
- Highways - 15
- Planning and development - 4
- Other - 5

### *Outcome & handling*

6. Of these issues, 27 were eventually decided by the LGO (only 4 more instances than in 2000/10). This includes four matters that were outside her jurisdiction. No findings of maladministration were made against the Council. The Ombudsman's determinations were:

- Local settlement – 7
- No maladministration – 12
- Ombudsman's discretion – 4
- Outside jurisdiction - 4

### *Response times*

7. In 2009/10, the Council took an average of 28.4 days to respond to the Ombudsman's case enquiries. In 2010/11, the Council significantly improved upon this position, responding to more requests but within an average of 25.5 days. This is well within the Ombudsman's target of 28 days. This demonstrates a commitment by the Council to meeting the requirements of the Ombudsman in the interests of good public administration.

### *Training*

8. The LGO arranges training courses in complaints handling and investigations, as part of its advice and support role. Having benefited from this training in February 2010, the Council has not attended further events in 2010/11. However, following the devolution of complaints activity to directorates in January 2011, it is intended to take advantage of Ombudsman training on the investigation of complaints in the current year to assist in maintaining high standards.

### *Conclusion*

9. The LGO has changed her practice in reporting on Council's performance. Previously, the Annual Letter's included a detailed commentary on each authority's performance. Now, however, comments are only made if there is adverse performance. I am pleased to say that no such comments have been made about the County Council's performance.
10. The LGO made no findings of maladministration against the Council and has been satisfied with the council's willingness to find local settlements in the closure of seven cases. The council's response times are also an improvement on last year despite the higher number of referrals. Officers

who regularly deal with complaints are continuing to keep up to date with LGO best practice and advise staff accordingly.

## **Financial and Staff Implications**

11. None.

## **RECOMMENDATION**

12. **The Committee is RECOMMENDED to note and comment upon this report and on the Local Government Ombudsman's Annual Review of Oxfordshire County Council for 2010/11.**

Peter Clark  
Head of Legal & Democratic Services

Background papers: Local Government Ombudsman's Annual Review of Oxfordshire County Council 2009/10 – copy available on the Council's website at:

[www.oxfordshire.gov.uk/complaints](http://www.oxfordshire.gov.uk/complaints)

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