



ADJUDICATION AND REVIEW COMMITTEE AGENDA

7.30 pm	Thursday 17 April 2014	Town Hall
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Members 10: Quorum 4

COUNCILLORS:

Conservative (5)	Residents' (2)	Labour (1)	Independent Residents' (1)	UKIP Group (1)
Frederick Thompson (Vice-Chair) Robert Benham Rebecca Bennett Pam Light Barry Oddy	Barbara Matthews (Vice-Chair) John Mylod	Denis O'Flynn	Michael Deon Burton	Ted Eden

**For information about the meeting please contact:
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AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(if any) – receive.

3 DISCLOSURES OF PECUNIARY INTEREST

Members are invited to disclose any pecuniary interests in any of the items on the agenda at this point of the meeting. Members may still disclose a pecuniary interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 12)

To approve as a correct record the minutes of the meeting held on 30 January 2014 and to authorise the Chairman to sign them

5 QUARTER 4 OVERVIEW - CORPORATE COMPLAINTS AND MEMBER/MP ENQUIRIES - PRESENTATION

6 MINUTES OF A MEETING OF THE ADJUDICATION & REVIEW - (STANDARDS - HEARINGS SUB-COMMITTEE)

Report to follow

7 CHANGES TO THE DECISION REASONS USED BY THE LOCAL GOVERNMENT OMBUDSMAN (Pages 13 - 18)

8 UPDATE ON LGO ACTIVITY FOR THE YEAR 1 APRIL 2013 - 31 MARCH 2014 (Pages 19 - 34)

Andrew Beesley
Committee Administration
Manager

**MINUTES OF A MEETING OF THE
ADJUDICATION AND REVIEW COMMITTEE
Town Hall
30 January 2014 (7.30 - 10.15 pm)**

Present:

COUNCILLORS

Conservative Group	Frederick Thompson (Vice-Chair, in the Chair)
Residents' Group	Barbara Matthews (Vice-Chair) and John Mylod
Labour Group	Denis O'Flynn

Apologies for absence were received from Councillors Ted Eden, Robert Benham, Barry Oddy and Rebbecca Bennett.

The Chairman reminded Members of the action to be taken in an emergency. There were no declarations of pecuniary interest.

All decisions were taken with no votes against.

27 MINUTES

The Minutes of the Meeting held on 17 October 2013 were agreed and signed by the Chairman.

28 ADULT SOCIAL CARE ANNUAL REPORT (COMPLAINTS & COMPLIMENTS) 2012-13 AS PRESENTED TO INDIVIDUALS OSC

Members were informed that there had been a number of changes across the local authority with the increasing pressures on budgets and making savings, which were likely to continue for the next few years. That did not mean that standards might fall or that the way in which Adult Social Care dealt with complaints should be diminished in any way, but central to the understanding of how well or poorly a service was being delivered was the perception of the service users themselves, and it was this vital outcome measure that drove both the shape and the performance of the service being delivered.

Officers stated that how complaints were addressed informed the service beyond the individual activity itself. It was also how the service as a whole performed and within that how it impacted on its culture and values. Where there were common themes, they might have implications both for the providers and commissioners of services which needed to be understood and acted upon.

With the recent changes in the health authority, it was important that the necessary links/relationships were made in order to ensure that future complaints continued to be dealt with in a coordinated and cooperative way. It was even more important that where complaints covered both Adult Social Care and Health that areas, improvement were identified and that this was fed back through the appropriate channels to ensure change.

The Committee was reminded that Public Health had now come under the responsibility of the local authority and that, with the recent changes in complaints regulations for Public Health this now reflected the Adult Social Care and Health complaints regulations. Going forward, consideration would need to be given on how complaints relating to Public Health were to be dealt with.

In conclusion, Officers referred to the continued improvements in the way in which the service addressed complaints and that this was an on-going process.

Members asked about various aspects surrounding some of the statistics before them and were informed that where there had been a rise in response times, these were not all due to the Service, but could be attributed to external agencies.

The Committee **noted** the report and suggested that in future it might prove more informative if the report differentiated between in-house and external service provision and also provided some comparison with previous years as figures in isolation provided no indication as to whether improvement had, or had not occurred.

29 **CHILDREN & YOUNG PEOPLE'S SERVICES ANNUAL COMPLAINTS & COMPLIMENTS REPORT 2012-13 AS PRESENTED TO CHILDREN'S SERVICES OSC**

The report before the Committee provided information about the numbers and types of complaints handled by the Children and Young People's Service during 2012/13 and how they were dealt with to minimise the impact of justifiable concerns and to reduce the likelihood of future complaints. Some of the key messages that arose from the report during 2012/13 were that:

The overall number of complaints was around 180 and within this figure 46 matters had been raised by MP's and Councillors. The use of a Pre Stage 1 process (27) had been very successful in resolving many initial concerns, with only five cases escalating to the formal stage 1 process while the overall number of Stage 1 complaints had decreased by five.

Matters raised through a Councillor or MP were monitored through their own individual corporate processes.

There had been a consistent approach with complaints made by the Children's Advocacy Service. The number of Stage 1 complaints which had escalated to a Stage 2 complaint had increased in 2012/13 by one.

There was one Stage 3 complaint for the municipal year 2012/13. This Stage 3 complaint was still on-going and would continue into 2013/14.

Members were informed that for 2012/13, 43 compliments had been received in relation of the good work Children and Young People's Services had carried out.

In the same period, five complainants had approached the Local Government Ombudsman (LGO). The outcomes of these complaints were: two referred back as premature complaints and investigated locally as statutory Stage 1 complaints. One was outside LGO jurisdiction, one was an enquiry and one complaint was investigated by the LGO with the outcome being a local settlement without penalty against the Council.

The Committee was informed that most complaints were initiated by parents and very few by children and young people and that the majority of complaints related to the quality of service, alleged poor behaviour of staff (nothing of a "questionable" nature, however) and disputed decisions.

A number of future actions had been identified as a result of the Annual Complaints and Compliments Report 2012/13. Most were continuous development matters but with one or two specific new actions. Key to on-going improvement was the continuation of the staff training programme.

In conclusion, Members were informed that the Council currently had a corporate complaints model which captured non-social care complaints, principally education and children's services activity. These complaints systems were statutory and had separate defined and differing regulated processes.

The Committee **noted** the report and concurred with observations made by the Overview and Scrutiny Committee that in future it might prove more informative if the report provided some comparison with previous years performance as figures in isolation provided no indication as to whether improvement had, or had not occurred and so were of limited value.

30 LEARNING & ACHIEVEMENT COMPLAINTS REPORT 2012-13 AS PRESENTED TO CHILDREN'S SERVICES OSC

The report before the Committee provided information about the numbers and types of complaints handled by the Learning & Achievement Service during 2012/13 and how they were dealt with to minimise the impact of justifiable concerns and to reduce the likelihood of future complaints. Some of the key messages that arose from the report during 2012/13 were that all corporate complaints had been captured on the Customer Relations Management System (CRM) and that matters raised through Councillor or MP routes were now monitored through the new processes.

This Service also operated a Pre Stage 1 means to attempt to informally resolve matters. It had been used within the Children and Young People's Services since 2005 and continued to be a very successful process. During the period covered by the report the process had been adapted to incorporate education enquiries.

Four complainants had approached the Local Government Ombudsman (LGO) during the period. One was referred back to the Council (and was subsequently taken as an investigation which was still on-going); one was not investigated, one closed after investigation without fault and the fourth ended as a Local Settlement with a £300 penalty.

Members learned that the majority of complaints related to the quality of service and that as part of the continued review of the underlying causes of complaints, a number of future actions had been identified and would be implemented as standard practice in the future.

In conclusion, the Committee was informed that currently, the Council had a corporate complaints model that recorded non-social care complaints which captured complaints/compliments received by the Learning and Achievement Service.

The Committee **noted** the report

31 **HOUSING SERVICES REPORT AND UPDATE OF PROGRESS IN THE RE-UNIFICATION OF THE COMPLAINTS HANDLING PROCESS**

Members were reminded that at its previous meeting on 17 October, the Head of Homes and Housing had provided them with a summary of how the retained Housing service and the former Homes in Havering QA team was being re-integrated. This report was the one they requested which was to inform them how that work was continuing and what the future held for complaints management across Housing and the Directorate.

In addition, the Committee was informed – in outline - the proposal to restructure complaints handling within the Children, Adults and Housing directorate which would see the complaints handling function moved from the Homes and Housing Service and repositioned in a single, directorate wide complaints team. The report also updated Members on the actions taken to unify the complaints processes established by the former Homes in Havering and retained Housing Service following the re-integration of the two housing service elements.

The re-integration of the Arm's Length Management Organisation (ALMO) Homes in Havering back into the Council began in October 2012. The senior management restructure that followed in early 2013 moved the Homes and Housing service from the Culture and Community directorate into Children, Adults and Housing. After this, a further decision was made during the summer that the performance, complaints and information governance functions of the former ALMO and the Council's retained

Housing service should transfer into the Business and Performance division of Children's Adults and Housing in order to centralise all of the directorate's performance and complaints resources and expertise into a single service in which best practice could be shared for the benefit of all.

The proposal now in its consultation phase was that the complaints team currently located within Homes and Housing would move into the Complaints, Information and Communications team within Business and Performance, with the Complaints Manager reporting to the Complaints, Information and Communications Team Manager. The Complaints Manager role would be re-designated as the Senior Complaints and Information Officer (Homes and Housing).

Members were informed that the officers working on housing-related complaints were entirely funded from the Housing Revenue Account (HRA). There was no proposal to reduce the number of staff working on housing complaints or to require those staff to work on non-housing complaints, which would breach the HRA ring fence. There were no HRA efficiencies accruing from this restructure.

The Committee **noted** that:

1. The two complaints teams within the former Homes in Havering and the retained Housing Service had now been combined.
2. Consultation was currently under way on the proposal to form a Children, Adults and Housing directorate-wide complaints function by moving the Housing Complaints Team from the Homes and Housing Service into the Business and Performance Service within the Children, Adults and Housing Directorate.
3. The draft Service Level Agreement (SLA), between Homes and Housing and Business and Performance had been considered and observations made which could then be considered during the SLA's finalisation.

32 CRM & CORPORATE COMPLAINTS & STATISTICAL UPDATE

Members received a presentation from the Head of Exchequer Services providing them with an update on Corporate Complaints, Member and MP Enquiries for the four months from 1 September – 31 December 2013. The Committee was informed that not only had the number of complaints increased over the same period in 2012 (340 against 300), but the number of cases completed within 10 working days had also increased (273 as opposed to 186 – or a rise of 18%) and which represented an 80% success rate.

The services with the highest proportion of complaints remained the outward facing ones: StreetCare (127) and Homes and Housing (100). Regulatory Services (which now included Trading Standards, Licensing and Environmental Health) had 39 cases.

Performance Indicators – which set the target for responding to complainants within 10 working days at 90% - had shown a steady improvement for the past four quarters and at the end of Q2 2013/14 had reached 82%.

By far the most common reason for complaints given to the Council was customers being unhappy with the service provided (63), whilst challenges made to Council decisions (47) was the second most common cause of complaint.

Escalation of a complaint from Stage One to Stage Two had been set at a maximum of 10%. The average across the four months was 7% and in September and December this had fallen to 5% well below the PI set.

Member & MP Enquiries:

In the same period, MP and Member enquiries had numbered 1,319 compared with 1,153 in the same period in 2012/13. Of these 1,159 had been responded to within ten working days compared with 931 the previous year – a rise to 88% from 81%.

By far the largest number of enquiries concerned StreetCare (888 – 765 of which were responded to within 10 working days). Homes and Housing related enquiries was the second highest area of concern with 193 – of which 185 had a response within ten working days. The Performance Indicator of 90% of enquiries responded to within 10 working days was almost attained in the second quarter of 2013/14 (88% - 81% for the same period the previous year), but, unlike complaints, there had not been a steady, quarter on quarter improvement.

The Committee **noted** the oral update and thanked Mr Potter on his professional input to the committee as this was his last presentation to it.

33 REPORT ON THE GOVERNMENT REPORT ON PROPOSED CHANGES TO THE ORGANISATION OF THE LGO SERVICE IN ENGLAND

The Committee was informed that the Government – in its programme of review and revision of public services – had commissioned a review of the Local Government Ombudsman's service.

Members were reminded that in November 2013, Robert Gordon CB had published his report on his governance review of the Local Government Ombudsman Service. He had been invited by the Secretary of State for Communities and Local Government to undertake this at this time because the organisation was in a process of change brought about in no small part by the significant reduction in its funding and that the original three independent Ombudsmen for England model was by now considered to be less than fit for purpose. In the wake of Tony (now Sir Tony) Redman's retirement and the long-term sickness absence of Ms Seex (the second Ombudsman of the triumvirate) the time seemed opportune for a re-appraisal of the service, its governance arrangements and its structure in

order that it could efficiently and effectively discharge its functions in the future. The Report contained five recommendations. Those recommendations were that:

1. There should in future be **one** Local Government Ombudsman presiding over an integrated process for handling complaints against bodies within the jurisdiction of the Local Government Ombudsman Service.
2. An early opportunity should be found to make the limited legislative changes to provide for a single local government ombudsman in England.
3. In recognition of actual, proposed and likely future changes to public service delivery and taking account of pressure on public finances, consideration should be given to the creation of a unified public services ombudsman in the medium term.
4. The Local Government Ombudsman Service and the Parliamentary and Health Service Ombudsman should continue to build on their current commitment to closer joint working, proactively engaging in substantial initiatives to achieve economies, to harmonise processes and to provide the public with a clearer route to redress and
5. The Commission for Local Administration in England should be strengthened by administrative action.

If these proposals were implemented, the Committee was informed that it would probably mark the most significant change to the Ombudsman structure in England since its introduction in 1974.

The Committee **noted** the report and asked that it be kept informed of future progress in relation to these proposals.

34 **REPORT ON THE UPDATE ON LGO ACTIVITY FOR THE YEAR TO DATE**

The Committee was presented with a range of statistical material to show the impact of LGO activity on the Council's services throughout the year to date. Changes to the way in which the LGO operated had had an impact on the way in which she interacted with local authorities. Changes had been seen to the methodology used and decisions reached by the Ombudsman over the past 18 months and the report sought to alert Members to those changes and anticipate what the effects of those changes were likely to have on the relationship between the Council and the Ombudsman in the foreseeable future and whether changes in the way in which the Council managed complaints referred or investigated by the Ombudsman might be necessary.

The previous ten months or so had seen a very noticeable shift in emphasis concerning the treatment of complaints by the LGO. The number of

referrals for example, had dropped to almost zero over the past six months whilst there had been a surge in formal enquiries (usually about whether a complainant had passed through all stages of the council's complaints process) and these had tended to lead to either provisional views (normally confirming that the Council had done nothing wrong) or final decisions (most frequently that the matter was "outside the Ombudsman's jurisdiction").

The net effect was that whilst the number of LGO contacts remained at a level comparable to earlier years, the Council was receiving more enquiries or "instant" decisions and full investigations were few and even then, findings against the Council were rare.

The Committee was asked to note that it might not be a coincidence that during the same period – when the LGO found herself with fewer resources to pursue investigations and had to "cherry pick" which to invest resources in – the number of complainants seeking to have their complaint escalated to Stage Three of the council's complaints process had increased. It was known that whilst the LGO's "Council First" policy (introduced during 2010/11) was designed to deter complainants short-circuiting local authorities' complaints processes and making use of the Ombudsman's service to pursue their complaint against a council on their behalf, the LGO still pursued a respectable number of complaints.

In conclusion, Members were informed that more recently, the insistence that complainants return to council complaints processes appeared more routinely applied and this was borne out in the change in emphasis of the Ombudsman's involvement in matters referred to her. At this point in time it was not possible to predict how the situation would develop. It might be the start of a new trend or could simply be an aberration caused by internal reorganisation and that "business as usual" would return after the current upheaval.

Either way, Members were asked to be aware that – coupled with the Gordon Report already dealt with – it was likely that there could be a prolonged period of change about to encompass the Ombudsman's activities and that would almost certainly require some adaption by local authorities.

The Committee **noted** the report

35 **UPDATE ON STAGE THREE ACTIVITY FOR THE YEAR TO DATE & SUGGESTED CHANGES**

The Committee was reminded that since 2010 the Council had been developing and refining its Corporate Complaints process and, in tandem with it, the transition to Stage Three and the conduct of Stage Three itself has evolved.

The report summarised the changes which the Committee had brought about during that time and made suggestions of further refinements in order to ensure the continued provision of a robust, efficient and cost-effective

service for complainants and the Council especially in the current climate of financial constraint and transformation. Members were reminded that:

- By 2010 the old adversarial form of hearing had been replaced by an inquisitorial one which had speeded up the process and placed the control of the hearing back into their hands.
- In 2012 the Committee had agreed to trialling Initial Assessment Panels (IAPs) - taken from the (by then) defunct Standards Committee - as a way to deal with complaints informally and quickly, without the necessity (and cost) of a formal hearing. The process allowed a complainant to proceed to a formal hearing if the IAP considered that was appropriate.
- Between 2010 and 2012 there had been a dramatic fall in the number of cases being referred to Members, but during 2013 there was a steady rise in Stage Three requests being received and actioned.
- During the past three years there had been changes to the terminology used for the Stage Three process itself which moved from an “Appeal” via “Hearing Request” to the current “Member Review”. This last most accurately described the function Members engaged in (particularly but not limited to) the IAP element. Members were invited to consider a complainant’s claims in the context of what the Service ought to have been providing and to view that provision (or alleged failings) in the light of reasonableness and natural justice which was consistent with the expectations of such external bodies as the Local Government Ombudsman.
- IAPs were now fixtures in the Council’s diary on a monthly basis usually falling on the forth – but on occasion the third – Thursday of the month. If there were no complaints ready in time, any coming forward would be held over to the next IAP scheduled date. Any complaint adjourned by a Panel could either wait for the following IAP or, if Members are so minded, an ad-hoc meeting could be arranged.

Complaints were now recorded sooner and there was a growing number of complaints which commenced, but not completed either by the complainant withdrawing or by the process stalling because the complainant did not provide the Council with a formal statement of complaint which is the starting-point for Stage Three.

The Committee was asked whether - In order to ensure that complaints did not remain “outstanding” for an unreasonable period of time – it would endorse some form of limitation to the amount of time complainants could be allowed to take without informing the Council of any exceptional circumstances. Currently, every complainant received 20 working days in which to provide their case. How much longer did the Committee consider would be reasonable before the complainant was informed the process had been terminated.

The Committee was also presented with a request to add flexibility to the Stage Three process. From time to time an issue might arise which, by its

very nature (perhaps needing to be handled with sensitivity or involving matters which fell outside the usual scope of corporate complaints), would be inappropriate to follow the normal procedure of issuing a Member Review form and passage through an IAP. In such exceptional circumstances - would the Committee allowing the matter to be dealt with in a more flexible manner, perhaps by proceeding directly to a formal hearing? If the Committee was agreeable, in such cases, the Chairman would be consulted and if agreed, the clerk would make arrangements to deal with the complaint as appropriate.

In conclusion, Members were informed that whatever happened at the forthcoming local elections, there would continue to be a need for complaints to be resolved, if not by officers, then by the review and judgement of Members. Because the position of local authorities was very much in a fluid state – which showed no sign of ending – changes to the way in which complaints were managed and resolved might continue to evolve for the foreseeable future. Unless Members themselves chose to relinquish their role in the process (and Havering was one of a diminishing number of authorities which retained a three stage complaints process in which councillors were a part), there would always be a need to ensure that complaints were effectively and efficiently addressed in a cost-effective manner and this would undoubtedly involve further refinement to the process to make that a deliverable reality.

Whilst it was true to say that 2013/14 had seen an upturn in complaint escalation to Stage Three, the outcomes were more transparent and more easily available to inform future action than at any time previously. As technology (and on-going reduction to Council funding meant that all Council services had to evolve to be more efficient and effective), it was hoped that what was learned from the decisions and outcomes of complaints would become useful tools for ensuring that future service delivery incorporated those outcomes to help raise standards of good practice and help minimise any recurrence of those issues in the future.

The Committee **noted** the report and **decided** to make the following refinements to the Stage Three process.

1. Once a Member Review form had been sent to a complainant, they would continue to be given 20 working days in which to provide a response. If no response was received in that time and there was no indication of any exceptional reason why the form could not be completed and returned, the Stage Three process would be terminated and the complainant informed of their right to approach the Local Government Ombudsman as the Council's Complaints procedure was ended.
2. If an issue arose which, by its very nature (perhaps needing to be handled with sensitivity or involving matters which fell outside the usual scope of corporate complaints), would be inappropriate to follow the normal procedure of issuing a Member Review form and passage through an IAP. The matter would be dealt with in a more

flexible manner, perhaps by proceeding directly to a formal hearing. In such cases, the Chairman would be consulted and if agreeable, the clerk would make arrangements to deal with the complaint as appropriate.

Chairman

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ADJUDICATION & REVIEW COMMITTEE

30 January 2014

Subject Heading:

**CHANGES TO THE DECISION
REASONS USED BY THE LOCAL
GOVERNMENT OMBUDSMAN**

CMT Lead:

Helen Edwards, Director of Legal & Governance

Report Author and contact details:

Grant Soderberg, Committee Officer
01708 433091
grant.soderberg@haverling.gov.uk

Policy context:

The effective and efficient provision of public services

Financial summary:

None associated with this report

**Has an Equality Impact Assessment
(EIA) been carried out?**

Not required.

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The Local Government Ombudsman from time to time revises the terminology used to describe decisions given. These reasons are used to form the basis of her Annual Report to councils as well as sign-posting decisions on the LGO web-site. There was a change in 2012/13, but there has been a much more comprehensive change which could have a significant impact on the public's perception of how the Council is managing its provision of services.

RECOMMENDATIONS

That the Committee

1. Note the changes made by the LGO to the decision reasons.
2. Decide whether this information should be passed to the Chairs of the Overview and Scrutiny committees when they have been appointed after the Local Government elections.

REPORT DETAIL

1. Over the past few years, the Local Government Ombudsman (LGO/Ombudsman) has made changes to the terms she uses to summarise her findings. These have included: Ombudsman's discretion, outside jurisdiction (OJ), local settlement (LS) as well as maladministration (with or without injury)
2. The last changes – which were notified to councils ahead of their introduction and commenced with the beginning of the municipal year – changed the focus of how the findings were worded. Out of jurisdiction was split and the discontinued investigation was condensed whilst the completed investigations were simply re-worded to more closely resemble the split between issuing a report (the most serious finding) or not issuing a report. The overall number of categories remained the same: 6.
3. During the recent months, the LGO has reconsidered how she should record her decisions and – without any prior notification – commenced the implementation of a partial change in February 2014.
4. Whilst not changing the lower scale of decisions (the two OJ categories and the “not to investigate” and “discontinued investigation”) the remaining two categories were each split into three. (see the appended e-mail for details).
5. On April 1 the LGO implemented the second part of her rationalisation of decisions removing the bottom tier of four and replacing them with three categories which, more or less covered the scope of the previous decisions.
6. The rationale given in the e-mail dated 3 April (attached) is that the Ombudsman will now give her decisions “in terms of upholding and not upholding” It also purports to make the decision reasons “more transparent and easier ... to understand”.
7. The biggest single factor in the new terminology is the prevalence of the word “maladministration” – six of the (now) nine categories contain the term. The justification given about using it is that: “... it is not how significant the

fault is that decides whether there is maladministration. If there has been administrative fault, *then it is maladministration*". (italics, mine).

8. In the past, it has been usual for the Ombudsman to reserve the term "maladministration" for when a Report was issued. In future, this will appear whether a Report is to be issued or not.
9. In the new categories, there are four elements where maladministration is upheld and two where the case for maladministration has not been upheld. Three categories cover the issue of a Report (even where maladministration has not been found) and three where no Report is to be issued (and that includes a category where maladministration and injury has been found).
10. The biggest impact will undoubtedly be the use of the term "maladministration" after such a long time of its being reserved for the most serious (and reported) failures of local administration. In the public perception the increased use of this term might suggest that councils are beginning to fail. It is an emotive term and because it has in the past been used sparingly, its sudden prevalence is likely to provoke interest at the very least.
11. The notification e-mail has been passed to all senior officers (and the changes notified through the Calendar Brief Ombudsman update), but the Committee might consider that this has been such a significant change that it ought to be brought to the attention of the new Chairs of the Overview and Scrutiny committees (OSCs) when they are appointed at Annual Council so that the OSCs are aware of how the LGO is now recording her decisions, whether formal Reports are issued or not.

IMPLICATIONS AND RISKS

Financial implications and risks:

None associated with this report.

Legal implications and risks:

There are no direct legal implications arising from this report.

Human Resources implications and risks:

There are none associated with this report.

Equalities implications and risks:

There are none associated with this report

BACKGROUND PAPERS

None

From: Nicky Watson <N.Watson@lgo.org.uk> on behalf of policyandcomms <policyandcomms@lgo.org.uk>
Sent: 03 April 2014 15:07
To: Nicky Watson
Subject: LGO - new decision reasons

****Apologies if you have received this email already. We've had a number returned by the mail server so it's been sent again to make sure everyone receives it.****

Dear Link Officers

We have been considering how we describe our decisions to our complainants, our bodies in jurisdiction, to the public at large and to Parliament.

We will now describe our decisions in terms of upholding or not upholding, which brings us closer in practice to how other Ombudsman schemes and many local authorities describe their decisions. The new decision reasons are more transparent and easier for people to understand.

Some of you may have already noticed that we made a minor change in how we describe our decisions in February 2014. The table below describes the decision reasons we have used on the bottom of our letters for 2013/14 (including the February changes) and the decision reasons we will use from 1 April 2014. In terms of the annual letters we will be sending shortly, we will use the decision reason descriptions from 1 April 2013.

Decision Reasons from 1 April 2013	What changed in February 2014	Decision Reasons from 1 April 2014
<i>Not in jurisdiction (OJ) and no discretion</i>	<i>No Change</i>	<i>Closed after initial enquiries – out of jurisdiction</i>
<i>Not in jurisdiction (OJ) and discretion not exercised</i>		<i>Closed after initial enquiries – no further action</i>
<i>Not investigated</i>		
<i>To discontinue investigation</i>		<i>Not upheld: No further action</i>
<i>Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B)</i>	<i>Investigation complete: Maladministration and Injustice</i>	<i>Upheld: Maladministration and Injustice</i>
	<i>Investigation complete: Maladministration, No Injustice</i>	<i>Upheld: Maladministration, No Injustice</i>
	<i>Investigation complete: No Maladministration</i>	<i>Not upheld: No Maladministration</i>
<i>Investigation complete and appropriate to issue a report S30(1)</i>	<i>Investigation complete and report issued: Maladministration and Injustice</i>	<i>Report issued: Upheld; maladministration and injustice</i>
	<i>Investigation complete and report issued: Maladministration, No Injustice</i>	<i>Report issued: Upheld; maladministration, no injustice</i>
	<i>Investigation complete and report issued: No Maladministration</i>	<i>Report issued: Not upheld; no maladministration</i>

It is important to be clear about what the Local Government Act 1974 says about how the Ombudsman may decide a complaint. The law does not require LGO to issue a public report for us to make a finding of maladministration. Section 30(1B) specifically allows LGO to complete an investigation without issuing a public report. The act of completing an investigation requires a decision to be made about whether there

has been maladministration and injustice. The Ombudsman has delegated the authority to make decisions under section 30(1B) to investigators.

LGO has been completing cases in this way for the last year – it is only our descriptions of the decision at the bottom of our letters that has changed. Our decision statements include our conclusions about whether there has been maladministration, though we often refer to it as fault as a more plain English term. Maladministration is deliberately not defined in law; it is for LGO to decide whether a particular set of circumstances amount to maladministration. In general terms, it is “administrative fault by the body in jurisdiction”. In the past, the term maladministration was often reserved for reports, where the fault is likely to have been significant. However, it is not how significant the fault is that decides whether there is maladministration. If there has been administrative fault, then it is maladministration.

Legal judgements have described maladministration as: bias, neglect, inattention, delay, incompetence, ineptitude, perversity and arbitrariness.

Previous Ombudsmen have given examples which include: rudeness; partiality; refusal to answer reasonable questions; neglecting to inform a complainant of his or her rights or entitlement; knowingly giving advice which is misleading or inadequate; ignoring valid advice or overruling considerations which would produce an uncomfortable result for the overruler; offering no redress or manifestly disproportionate redress; showing bias; faulty procedures; failure by management to monitor compliance with adequate procedures; and cavalier disregard of guidance which is intended to give equitable treatment of those who use a service

We are also aware that, while the Ombudsman does not require an authority to report findings of maladministration issued under section 30(1B) to its members, there is other legislation placing requirements on a council’s Monitoring Officer with regard to reporting a finding of maladministration. While we recognise this may mean a change in your own practices and reporting arrangements, we consider this is an important step to increase the transparency and accountability of LGO.

We will cover other developments and information from the Ombudsman in the next LGO Link newsletter - due out later this month.

Local Government
OMBUDSMAN



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ADJUDICATION & REVIEW COMMITTEE

17 April 2014

Subject Heading:

**UPDATE ON LGO ACTIVITY FOR THE
YEAR 1 April 2013 – 31 March 2014**

CMT Lead:

Helen Edwards, Director of Legal & Governance

Report Author and contact details:

Grant Soderberg, Committee Officer
01708 433091
grant.soderberg@havering.gov.uk

Policy context:

The effective and efficient provision of public services

Financial summary:

None associated with this report

Has an Equality Impact Assessment (EIA) been carried out?

Not required.

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The appended pages show the figures for complaints received by the Ombudsman and which the Council has been notified.

RECOMMENDATIONS

That the Committee note the report

REPORT DETAIL

1. During the past twelve months, the Council has seen a much changed approach by the Local Government Ombudsman (LGO / Ombudsman) to complaints received by her from those who considered the Council's services had not been provided in an appropriate manner.
2. As will be seen from the attached charts, the largest single change was the reduction in the number of issues referred back to the Council to be dealt with through its Corporate Complaints procedure (Premature cases) from 49 in 2010/11 to 10 this year.
3. It will also be seen that there has been a dramatic rise in the number of "enquiries" made by the LGO – most of which were followed-up by either an LGO decision (not to investigate, no evidence of fault, outside jurisdiction and the like).
4. During the year, there have been far fewer actual investigations conducted by the LGO than the Council has experienced for many years. Whether this is the beginning of a new trend, it is too soon to say, but clearly, with far less funding at her disposal, the Ombudsman is – along with all public services – having to make more strategic choices about how and where to allocate resources and clearly, one way of conserving those resources is to cherry-pick the cases her investigators spend their time on.
5. Even so, it is remarkable that during the whole twelve months there have only been two cases which have attracted penalties (totalling £205.00). The rest – 26 (which included four cases open at the end of the year and two which were discontinued) - generally found that the Council had done nothing wrong or, if it did find fault, that it was not enough to cause "injustice".
6. Looking forward, this is about to change as the Ombudsman has redefined the decision terminology (in her view, to return it to the intentions expressed in the 1974 Local Government Act and "upholding" and "not upholding" complaints (which, she suggests, is akin to the terminology of local authorities).
7. For the foreseeable future, decisions will be shown with far more use of the term "maladministration" and it may well be that the Council will have to weather unwarranted criticism (possibly in the press) as Ombudsman decisions are more noticeably couched in the terms "maladministration and (or without) Injustice".

IMPLICATIONS AND RISKS

Financial implications and risks:

None associated with this report. Though there have been cost implications associated with the amount of time spent on processing and dealing with the LGO's investigations as well as costs to those services found to have been at fault.

Legal implications and risks:

There are no direct legal implications from this report.

Human Resources implications and risks:

There are none associated with this report – though services will find that some complex investigations could absorb considerable officer time and energy in providing the information requested by the Ombudsman.

Equalities implications and risks:

There are none associated with this report

BACKGROUND PAPERS

None

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Ombudsman Activity: by Ward

Detailed summary of Ombudsman activity by service area within Directorate & Service and by wards. Wards not shown have no Ombudsman activity within them. Wards and services highlighted contain the highest activity to date . Only cases from 1 April 2013 shown .																				
Directorate	Service	Service Delivery Area	Brooklands	Cranham	Elm Park	Emerson Park	Gooshays	Hacton	Harold Wood	Havering Park	Heaton	Hylands	Mawneys	Pettits	Romford Town	Squirrels Heath	St Andrews	O/S Borough	Not Given	Grand Total
Culture, Community & Economic Development	Customer Services	Customer Services														1				1
		C/T Issues					1												1	2
		Benefits									1									1
		Traffic & Parking								2	2	1			2				6	13
	StreetCare Regulatory Services	Planning Issues					1		2		2				3	1	3			12
		Environmental Health												1						1
		Projects & Compliance					2													2
	Public Protection	Trading Standards																1		1
	Corporate & Customer Transformation	Customer Services	1																	1
	Resources	Exchequer Services	Benefits & Revenues	1			1					2				1	3	1	1	7
Asset Management		Property Services		1																1
Legal & Democratic Svcs		School Appeals		1																1
Homes & Housing		Maintenance								2										2
Children, Adults and Housing		Housing Needs	2				1	2							5	6		2	1	19
		Estate Services			1						1					2				4
		Home Ownership					2													2
		Council Rent													1					1
	Learning & Achievement	Child & Community Psychology/SEN						1												1
		Safeguarding & Standards								2										2
		Unspecified																	1	1
	Adult Social Care	Access & Assessment															1			1
		Preventative & Safeguarding																	2	2
		Commissioning																	1	1
Children's Services	Preventative & Assessment												2	2	1				5	
	Child Protection		1																1	
	Permanency																	2	2	
General	General	4							1											
Grand Total			8	3	1	1	7	3	2	7	8	1	3	8	13	12	1	22	2	102

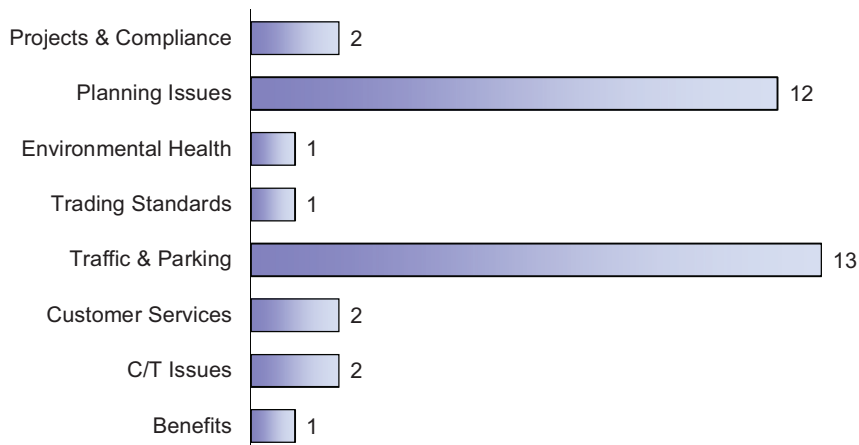
Ombudsman Activity: by Ward

Ward Totals for the month of: MARCH						
Directorate	Service	Service Delivery Area	Brooklands	Squirrels Heath	Pettits	Grand Total
Culture, Community & Economic Development	StreetCare	Traffic & Parking			1	1
	Corporate & Customer Transformation	Customer Services	1			1
Resources	Exchequer Services	Benefits & Revenues		1		1
Children, Adults and Housing	Adult Social Care	Preventative & Assessment			1	1
Grand Total			1	1	2	4

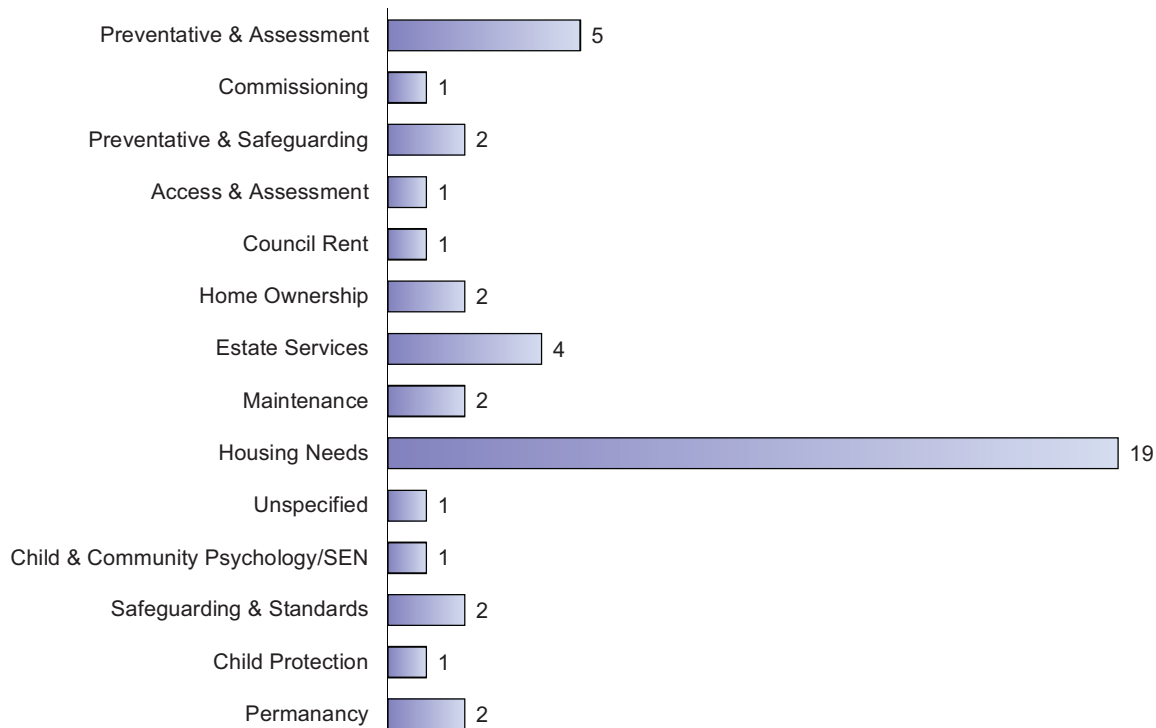
Ombudsman investigations: By Service Area in Group Directorates

From 1 April 2013

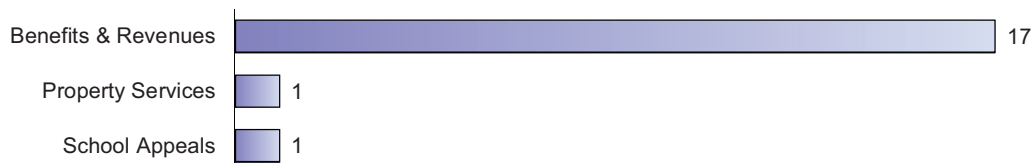
Culture, Community & Economic Development- Total from 1 April 2013 to date: 34



Children, Adults and Housing -Total from 1 May 2013 to date: 44



Resources - Total from 1 May 2013 to date: 19

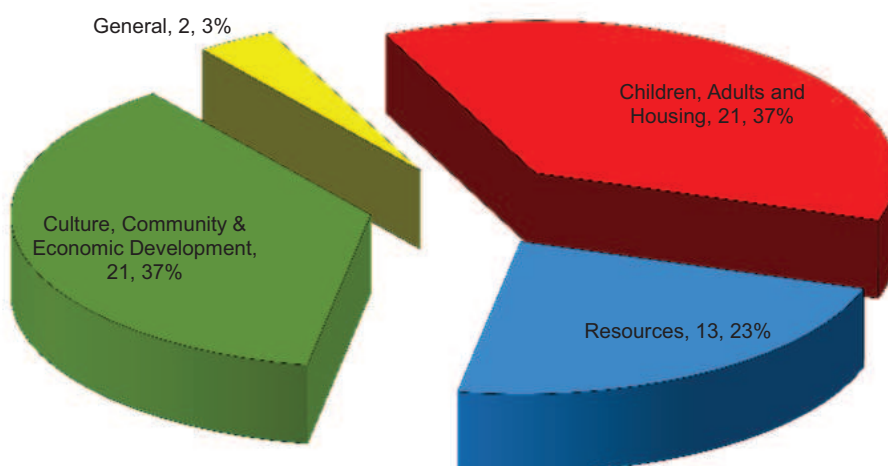


General & Member Issues - Total to date: 5

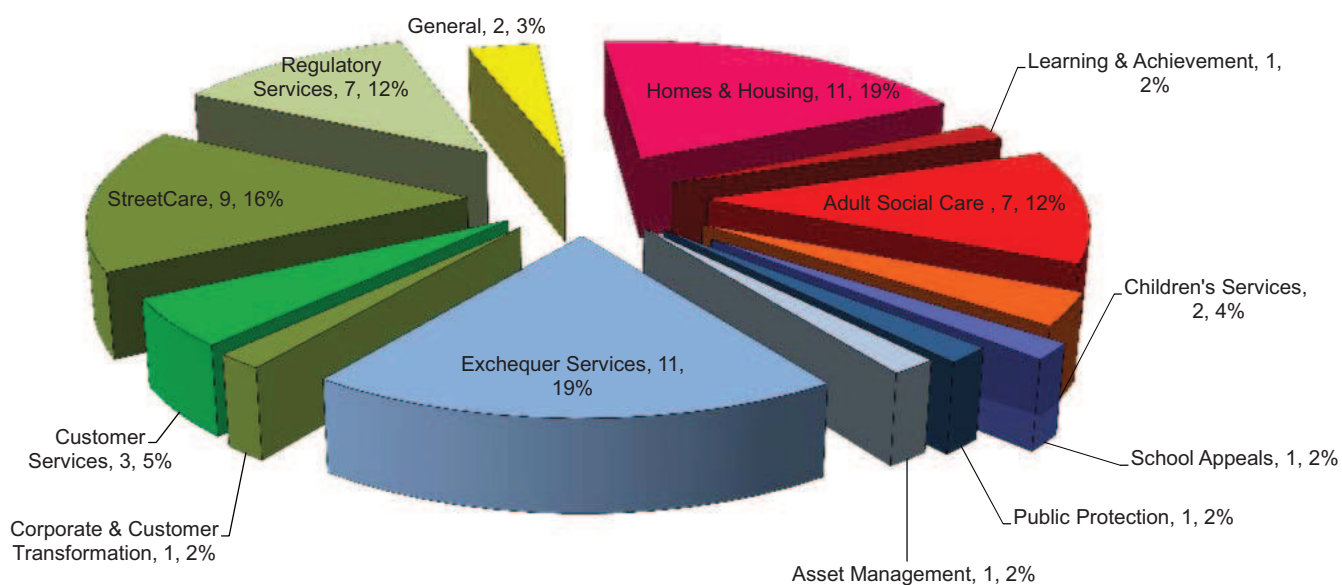


Evaluation of Ombudsman Activity

Directorate Involvement - Total of complaint *elements* from the LGO (*whether investigated or not*) to 31 March 2014: 57
Referrals from the Ombudsman dealt with as Corporate Complaints (Prematures) or Enquiries are not shown

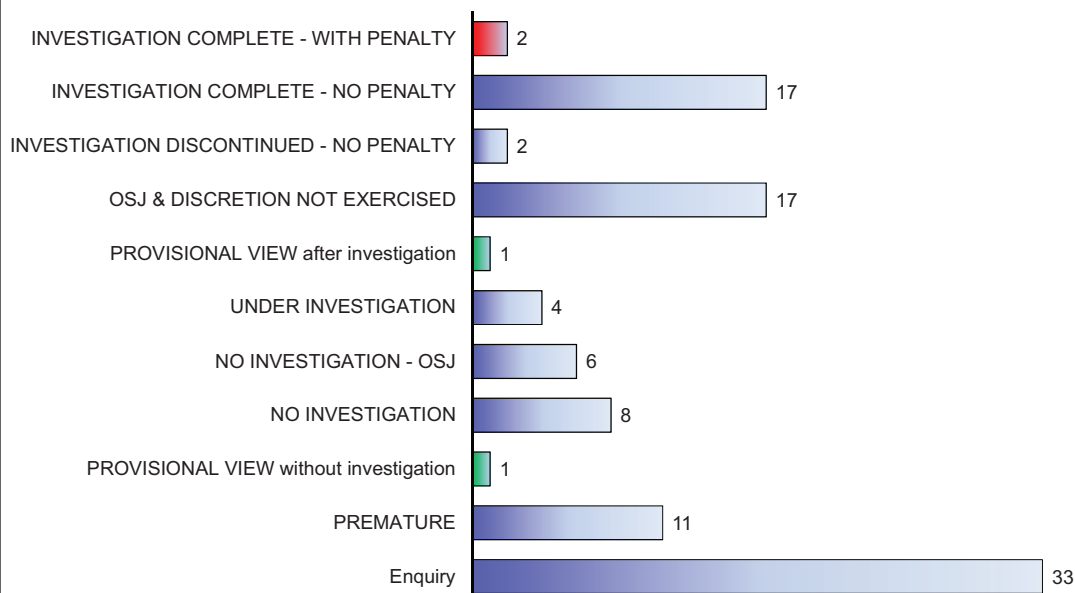


Service Area Involvement - Total of complaint elements from the LGO (*whether investigated or not*) to 31 March 2014: 57
Referrals from the Ombudsman dealt with as Corporate Complaints are not shown



Evaluation of Ombudsman Activity

Total of ALL complaints received between 1 April 2013 - 31 March 2014: 102
including enquiries and premature complaints referred back to the Council & dealt with under the Corporate Complaints procedure



Identifying multiple contacts from the Ombudsman: Year to 31 March 2014

KEY: E = Enquiry, P = Premature, D = LGO Decision (without investigation), I = Investigation by LGO

Children, Adults & Housing

Homes & Housing	E→D	E→I	P	D	E→P	P	E→P	E→I	E→I	D	E→D	E→I	I	E→D	D
Adult Services	E→P	E→P													
Children's Services	D	I	E	D	D	E	I	E→I							
Learning & Achievement	E→P	D	E→D	I											
	I														

44

30

Culture, Community & Economic Development

Regulatory Services	D	I	D	I	I	I	E→P	E→D	E→D	D	E	E→P
Revs & Bens (pre Move)	D	E	I									
StreetCare	E→D	I	E→D	D	D	D	I	E→P	D	D		
Corporate & Customer Transformation	D	D										

Complaint ELEMENTS

34

Individual COMPLAINTS

28

Resources

Exchequer Services	D	E	I	D	I	E→D	D	E	D	I	D	D	E	E→D	E
Asset Management	D														
School Appeals	I														
General & Member Issues	E→P→E→D														
	D														

NOTE: Three complainants in ONE planning issue. LGO treated it as one investigation, though it will show in the LGO's annual figures as three complaints

NOTE: One complaint resulted in four entries

NOTE: One complaint began in one Svce & went to another but was still the same LGO reference and so not counted.

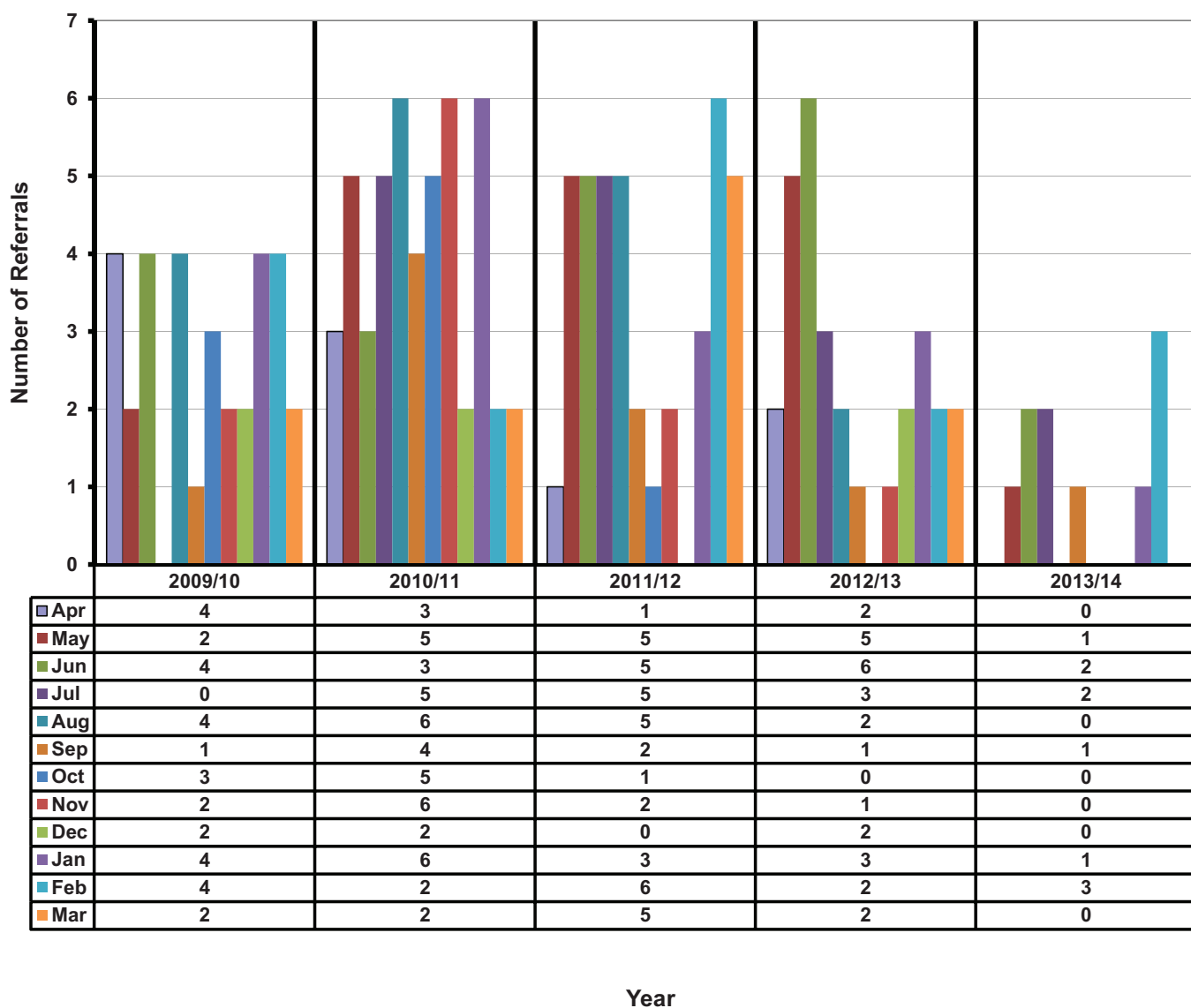
5

2

102

72

LGO Referrals - Premature Complaints - year-on-year



Year
Prematures:
Cases Referred:
Total:

2009/10	2010/11	2011/12	2012/13	2013/14	Grand Total
32	49	40	29	10	160
59	45	59	73	62	298
91	94	99	102	72	458

Local Government Ombudsman Complaint Elements - by Service 1 - 28 April 2013 (Pre Restructure) and also 29 April 2013 - 31 March 2014 (Post Restructure):
(No cases were brought forward from 2012/13)

2012/13 BVPI target for maladministration is 0 and for local settlement (with penalty) is no more than 8 Provisional year-end statistics pending LGO figures

From 29 April 2013 - revised Directorates & Services

	Finance & Commerce						Social Care & Learning						Culture & Community						F&C					
	Culture & Community			SCL			Housing			Children, Adults & Housing			Culture, Community & Economic			Children & YP's Services			StreetCare			Development & Building Control		
Public Protection	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Housing Issues	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
StreetCare	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Customer Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Benefits & Revenues	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Homes & Housing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Learning & Achievement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Development & Building Control	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaints under investigation - "A":	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Provisional Views Received - "B":	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaints determined:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Investigation complete & report issued S30(1)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Investigation complete (with financial penalty)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Investigation complete (no financial penalty)	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Investigation discontinued	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
No investigation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSJ & discretion not exercised	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OSJ & no discretion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaint Elements Completed - not Premature - "C":	1	1	2	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Prematures & LGO enquiries - "D":	0	1	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals - A, B,C & D:	1	2	3	1	3	2	1	1	1	5	10	17	7	17	1	1	1	1	1	1	1	1	1	1

Complaint Elements under Investigation	4	+	2	+	52	+	44	=	102
Complaint Elements - PVs Recd whether investigated or not	2								
Completed/Omb D./OSJ/No Inv.	52								
Premature - or enquiries	44								
Total of Complaint Elements	102								

0
2
17
2
8
17
6
52

44

102

72	Referrals from the Ombudsman (by reference number) - could include multiple elements: enquiry, premature and investigation											
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Of which and and and Leaving	0 Ongoing Complaints (Investigations only) b/fwd from 2012/13											
	72 New Complaints were reported from 1 April 2013 to date (including Prematures & enquiries)											
	10	7	5	8	5	4	9	4	4	4	8	3
	4	0	1	2	0	1	0	0	0	1	3	0
	37	0	0	0	0	0	0	0	1	1	2	0
	1	6	3	2	4	5	2	5	2	2	2	2
	16	0	0	0	0	0	1	0	0	0	0	0
	4	0	2	0	5	2	1	1	0	4	1	0
	Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)											
	20	cases have received a substantive response in an average of 15 working days										

During the year to date	20	cases have received a substantive response in an average of 15 working days										
There have so far been	37	cases which were not "investigated" - though some may have required a response to LGO questions										
There are currently	1	complaints awaiting an initial response										
There is currently	0	premature complaint being processed										

The Ombudsman's anticipated response time is currently 20 working days

Cases referred by the Ombudsman (may contain more than one COMPLAINT element)												
117	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
15	Cases (Investigations) b/fwd from 2011/12											
102	New Cases were reported from 1 April 2012 to date (including Prematures & enquiries)											
29	5	14	9	8	8	5	7	10	4	12	10	10
27	2	5	6	3	2	1	0	1	2	3	2	2
27	2	3	0	1	4	2	2	2	1	3	3	4
27	0	3	2	1	1	0	3	3	0	5	5	4
0	0	0	0	0	0	0	0	0	0	0	0	0
34	1	11	1	2	1	3	3	1	3	5	3	0
0	Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)											

During the year to date	18	new cases have been responded to in an average of
There has/have also been	38	new cases which have not needed any response at all
There is/are currently	1	complaints (including L2 referrals) awaiting initial response
The Ombudsman's anticipated response time is currently 28 calendar days		
cases were brought forward from 2011/12 (including 2 Prematures), responded to in an average of		
The average of all	33	investigations requiring a response is

10	Cases (Investigations) were b/fwd from 2010/11												
Of which	99	New Cases were reported from 1 April 2011 to date - by month											
	39	new Premature - normally L2 (but incl. LGO/LGOAT informal enquiries)											
	13	were not investigated (decisions already made by the LGO: OSJ, Omb's Discretion etc.)											
	41	Investigations completed (or Provisional Views received) - analysed by month:											
	Leaving	15	Cases currently Ongoing (not Prematures) or to be c/fwd (if open at 31 March)										
		</											

The 10	cases brought forward from 2010/11, were responded to in an average of 23 days											
The average of all 61 investigations requiring a response is 24 days												

Stage Three Activity: by Ward

Detailed summary of **Stage Three** Hearing requests by service area within Directorate & Service and by wards. Wards **not shown** have **no** complaints activity within them. Wards and services highlighted contain the highest activity **to date**. **ALL outstanding cases (including those commenced before 31 March 2013)** are shown.

Directorate	Service	Service Delivery Area	Brooklands	Cranham	Elm Park	Gooshays	Hacton	Having Park	Heaton	Hylands	Mawneys	Pettits	Romford Town	South Hornchurch	Squirrels Heath	Upminster	O/S Borough	Grand Total
Culture, Community & Economic Development	Culture & Leisure	Parks & Open Spaces								1				1				2
																		5
	StreetCare	Traffic & Parking			1							1				1	1	
		Street Cleaning & Environmental Maintenance		1			1											
Resources	Regulatory Services	Projects & Compliance				2										1		3
	Asset Management	Property Services		1														1
	Exchequer Services	Housing Benefits													1			1
Children, Adults & Housing	Homes & Housing	Neighbour Nuisance				2									1			3
						2				1								3
			1										1					4
						1												1
	Children & YP's Services	Permanency															1	1
		Safeguarding & Standards							1									1
General		Under 12s	1															1
		General	1														1	2
	Grand Total		3	2	1	8	1	1	1	1	1	1	1	2	2	2	3	30

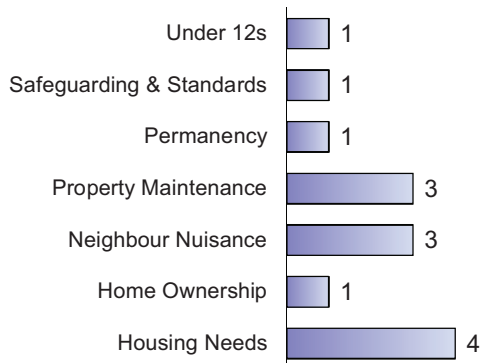
Ward Totals for the month of: MARCH				
Directorate	Service	Service Delivery Area	Brooklands	Grand Total
Children, Adults & Housing	Homes & Housing	Neighbour Nuisance		1
				1
		Housing Needs	1	2
Grand Total			1	3

Stage Three Activity: By Service Area in Group Directorates

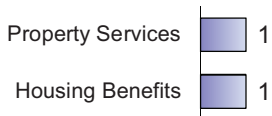
Culture, Community & Economic Development - Total to date: 12



Children, Adults & Housing Services -Total to date: 14



Resources - Total to date: 2



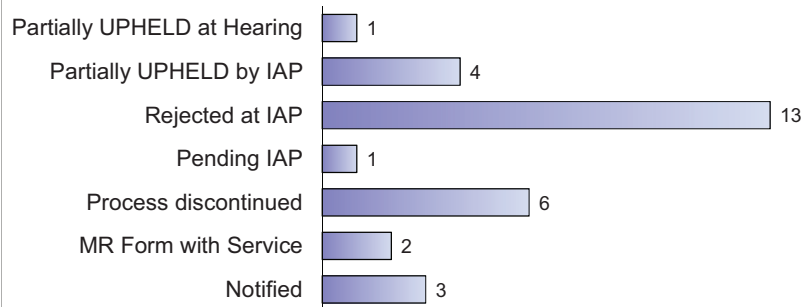
General & Member Issues - Total to date: 2



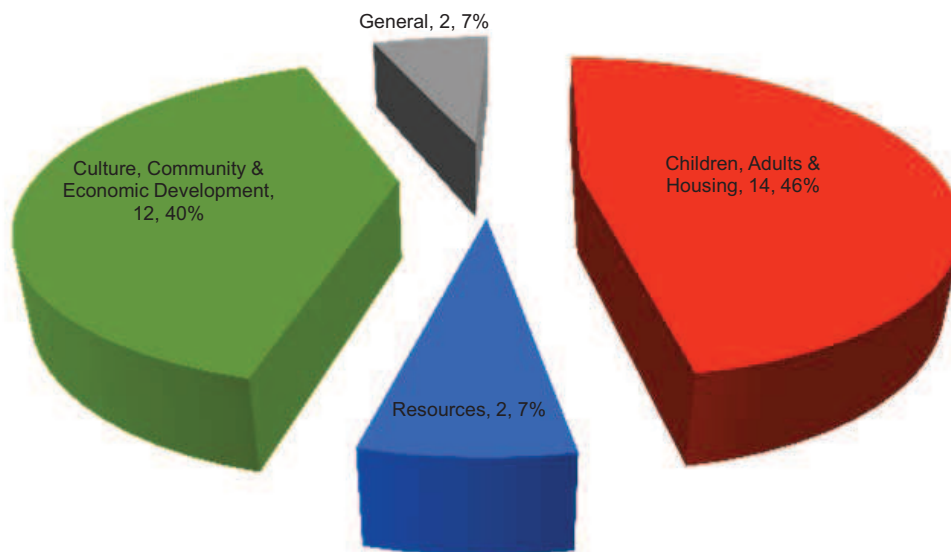
Evaluation of Stage Three Activity

Total of ALL Stage Three hearing requests received & processed between 1 April 2013 - 31 March 2014: 24

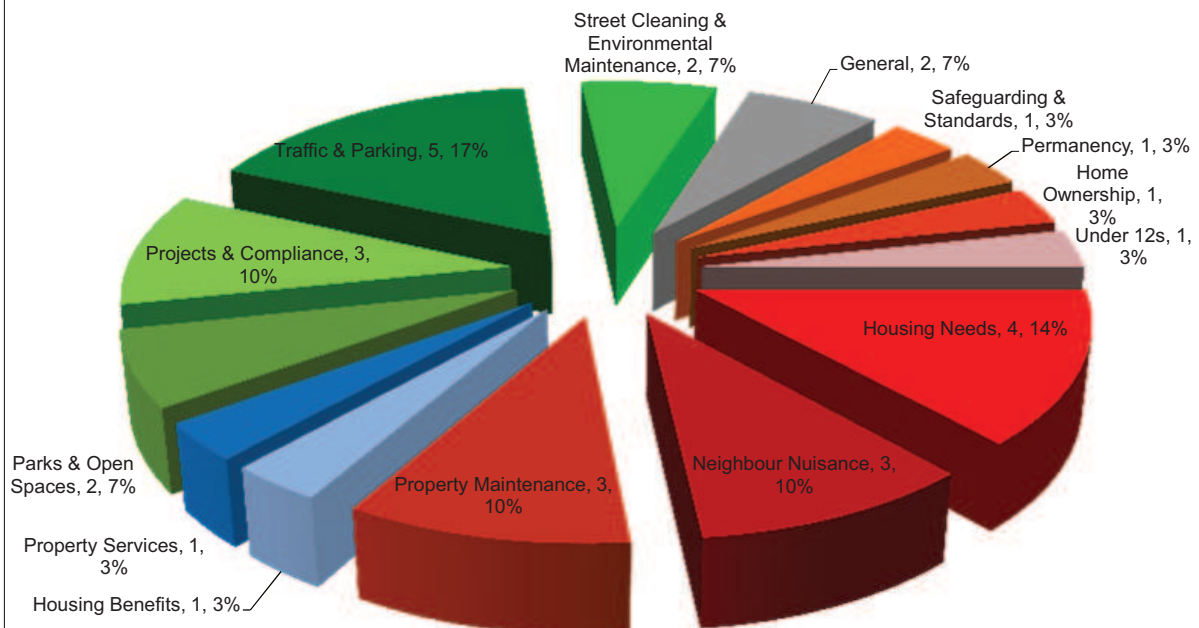
There were 6 ongoing complaints brought forward from 2012/13



Total of Stage Three hearing requests to date by Directorate: 30



Total of Stage Three hearing requests to date by Service: 30



Stage Three Complaints - by Service 1 April 2013 - 31 March 2014:
(Six cases were brought forward from 2012/13)

	Culture, Community & Economic Development				Children, Adults & Housing Services			Resources	
	Development & Building Control	Culture & Leisure	StreetCare		Children & YP Services	Homes & Housing		Exchequer Services	Assett Management
Stage Three requests to be processed:-	0	0	0		0	3		0	0
Awaiting return of S3 MR form from complainant:-	0	0	0		0	0		0	0
Complaint discontinued:-	1	1	1		1	1		0	0
Awaiting Service response:-	0	0	0		1	1		0	0
Awaiting IAP:-	0	0	1		0	0		0	0
Rejected at IAP:-	2	1	3		0	4		1	1
Complaint PARTIALLY upheld by IAP:-	0	0	2		0	2		0	0
Awaiting Hearing:-	0	0	0		0	0		0	0
Complaint UPHELD :-	0	0	0		0	0		0	0
Complaint NOT upheld:-	0	0	0		0	0		0	0
Complaint PARTIALLY upheld:-	0	0	0		1	0		0	0
Total complaints:-	3	2	7		3	11		1	2

3
0
6
2
1
13
4
0
0
0
1
30

Stage Three Complaints: 1 April 2013 – 31 March 2014 - Analysed by Month

		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Total number of Stage Three requests		0	0	0	0	0	0	0	0	0	0	0	3
Cases b/fwd from 2012/13		1	1	0	1	4	2	0	2	6	2	2	0
Stage Three request notified		0	0	0	0	1	0	0	0	1	2	2	0
New Stage Three requests made since 1 April 2013 to date		3	0	3	1	0	0	2	2	0	0	2	0
Did not proceed / Process Discontinued		0	0	0	0	0	0	0	0	0	0	3	1
Were rejected by the IAP		0	0	0	0	0	0	0	0	0	0	0	0
Were partially upheld by the IAP		0	0	0	0	0	0	0	0	0	0	0	0
were not upheld at Hearing		0	0	0	1	0	0	0	0	0	0	0	0
was partially upheld at Hearing		0	0	0	0	0	0	0	0	0	0	0	0
were upheld at Hearing		0	0	0	0	0	0	0	0	0	0	0	0
Open cases		0	0	0	0	0	0	0	0	0	0	0	0
Leaving	3												