

**Local Government Ombudsman (LGO) and Housing Ombudsman Service (HOS) cases
& Stage Three and decisions on Standards issues
Monthly Update**

The following few pages are intended to provide Members with an overview of complaints considered by councillors at Stage Three of the Corporate Complaints process or by the Local Government and Housing Services Ombudsmen.

This is but a brief summary and I can provide you with additional details about activity within your ward should you require it. There is also a link to much more detail concerning all cases considered by the LGO should you wish to see what complaints have been brought against the council. If you require any further information about that database, please contact my colleague Jacqui Barr (extn. 2439).

LGO Current Position: to 31 July 2014, cases by Ward

In the following PDF will be found a chart showing current Ombudsman activity shown in Service Area within Directorates. As there were six cases open at 31 March, they have been brought forward as part of the overall statistics. These are included in the "year to date" figures and I have added a summary for those cases added during July.

Definitions of Ombudsman terms:

This will be the last time this table is included in this briefing. If there are any changes, they will be notified here for three or four months.

<i>Decision Reasons from 1 April 2013</i>	<i>What changed in February 2014</i>	<i>Decision Reasons from 1 April 2014</i>
<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>Not upheld: No further action</i>
<i>To discontinue investigation</i>		<i>Upheld: Maladministration and Injustice</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, No Injustice</i>
	<i>Investigation complete: No Maladministration</i>	<i>Not upheld: No Maladministration</i>
	<i>Investigation complete and report issued: Maladministration and Injustice</i>	<i>Report issued: Upheld; maladministration and injustice</i>
<i>Investigation complete and appropriate to issue a report S30(1)</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>

LGO's Annual Letter:

The LGO's Annual Letter was received during July and will be considered by the Adjudication & Review Committee at its meeting on 6 August after which it may be referred for wider reference and comment. More will be made available in the August update.

Ombudsman Cases summary:

During **July** the Council received three new contacts from the Ombudsman. One concerned a school appeal which was received, responded to in three days and received both a provisional view and final decision before the end of the month – which was that the complaint was not upheld and there was no maladministration. There were two enquiries received during the month one relating to traffic and parking, the other to housing – both were responded to within five working days and so far, no further action has come from the Ombudsman. One additional final decision was received (in respect of an open investigation) and that too was "not upheld: no maladministration".

The Housing Ombudsman Service

There was one new notification from the Housing Ombudsman during July which is being addressed by the service.

Stage Three Member reviews:

During July there was one new notification – concerning housing maintenance. This is currently proceeding. There was one case considered by Members at IAP on 3 July concerning benefits and Tax which was not upheld and at an IAP held on 24 July, a housing complaint was adjourned in order for the Service to apply a new procedure. This will be reviewed again in August.

Standards issues:

There was one hearing conducted under the Standards procedures during July and the outcome was that the issues involved did not breach the Code of Conduct.

Other information:

We are continuing to add to the final decisions from the Ombudsman and these can be viewed on the Intranet and can be accessed via:

<https://intranet.havering.gov.uk/index.aspx?articleid=21830>

You will find a general page with other links to various LGO organisations and links to further pages set out in complaint categories and within each of these will be found PDFs containing the LGO final decisions. A glossary of abbreviations used with the decisions will be found on the general page. In future, decisions will be added as they are received.

Grant Söderberg, (extn) 3091, e-mail: grant.soderberg@havering.gov.uk

Ombudsman Activity: by Ward

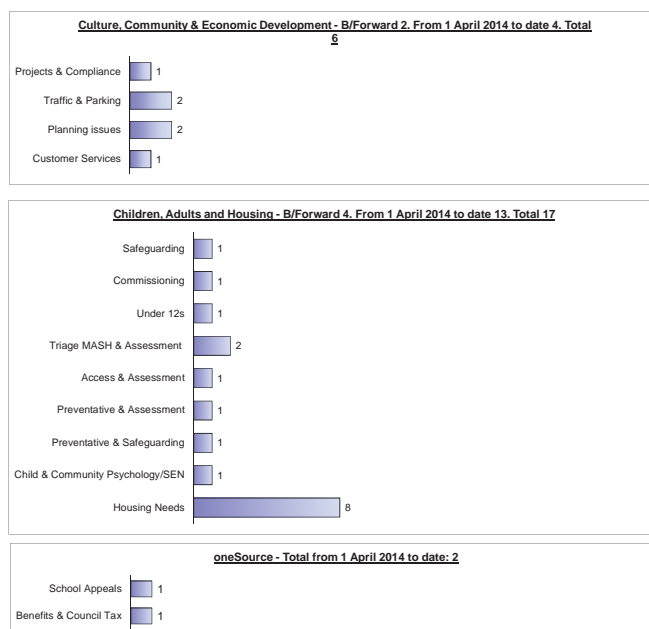
Detailed summary of Ombudsman activity by service area within Directorate & Service and by wards. Wards **not shown** have **no** Ombudsman activity within them. Wards and services highlighted contain the highest activity **to date**. Includes six cases brought forward from 2013/14.

Directorate	Service	Service Delivery Area	Brooklands	Cranham	Goostays	Hacton	Mawneys	Pettis	Romford Town	South Hornchurch	Squirrels Heath	St Andrews	O/S Borough	Grand Total
Culture, Community & Economic Development	Regulatory Services	Projects & Compliance			1									1
		Planning Issues									2			2
	Corporate & Customer Transformation	Customer Services	1											1
		Traffic & Parking					1					1		2
Children, Adults and Housing	Homes & Housing	Housing Needs	1		2				2			2	1	8
	Learning & Achievement	Child & Community Psychology/SEN				1								1
	Children's Services	Triage MASH & Assessment								2				2
		Under 12s	1											1
	Adult Services	Preventative & Safeguarding											1	1
		Preventative & Assessment						1						1
		Access & Assessment											1	1
		Commissioning											1	1
		Safeguarding									1			1
oneSource	Exchequer & Transactional Services	Benefits & Council Tax									1			1
	Legal & Governance	School Appeals		1										1
Grand Total			3	1	3	1	1	1	2	2	4	3	4	25

Ward Totals for the month of: JULY					
Directorate	Service	Service Delivery Area	Cranham	St Andrews	Grand Total
Culture, Community & Economic Development	StreetCare	Traffic & Parking		1	1
oneSource	Legal & Governance	School Appeals	1		1
Grand Total			1	1	2

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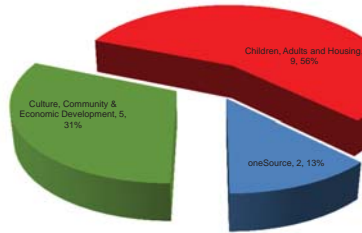
Ombudsman investigations: By Service Area in Group Directorates From 1 April 2014 (including open cases brought forward)



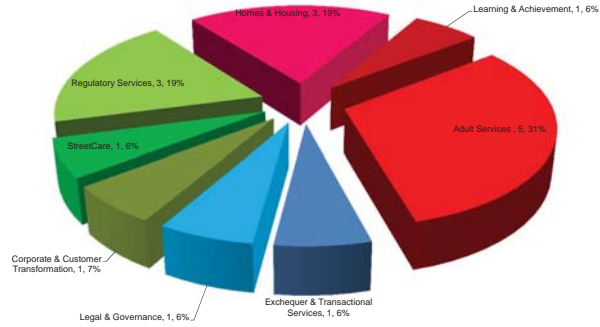
As at: 04/08/2014

Evaluation of Ombudsman Activity

Directorate Involvement - Total of complaint elements from the LGO
(whether investigated or not) to 31 July 2014: 10
(6 cases were brought forward from 2013/14)



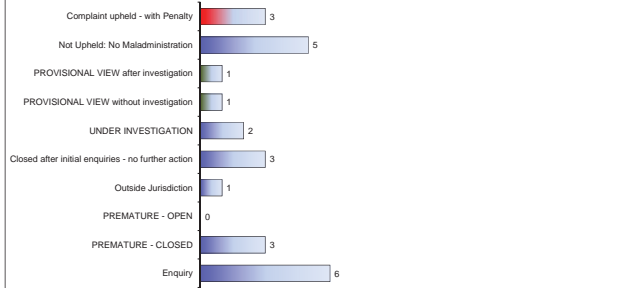
Service Area Involvement - Total complaint elements from the LGO
(whether investigated or not) to 31 July 2014: 10
(6 cases were brought forward from 2013/14)



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Evaluation of Ombudsman Activity

Total of ALL complaints received between 1 April 2014 - 31 March 2015: 25
Including enquiries and premature complaints referred back to the Council and dealt with under the Corporate Complaints procedure



Identifying multiple contacts from the Ombudsman for the year 1 April 2014 to 31 March 2015

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

Children, Adults & Housing		
Homes & Housing	I E → P P D E → D E	
Adult Services	I I I I D I	
Children's Services	E → P E	17
Learning & Achievement	I	14
Culture, Community & Economic Development		
Regulatory Services	I D D	
StreetCare	D E	
Corporate & Customer Transformation	I	
oneSource		
Council Tax & Benefits	D	
Business Rates		
Asset Management		
School Appeals	I	
General & Member Issues		
Notes:		
		Complaint Elements
		Individual Complaints
		25
		22

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	Culture, Community & Economic Development				Children, Adults & Housing						oneSource										
	StreetCare	Public Protection	Planning & Building Control	Customer Services	Learning & Achievement	Children's Services	Business & Performance	Adult Services	Homes & Housing (Housing Needs)	Homes & Housing (Estate & Maintenance)	School Appeals	Council Tax & Benefits	Business rates	Asset Management	General: Member & non 'Service specific' issues	Complaint Elements under Investigation	Complaint Elements - PVs Recd whether Investigated or not	Completed/Omb D./OSJ/No Inv.	Premature - or enquiries	Total of Complaint Elements	
Complaints under investigation - "A":	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2	2	12	9	25
Provisional Views Received - "B":	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0					
Complaints determined:																					
Report issued: Upheld; maladministration and injustice	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0		
Report issued: Upheld; maladministration, no injustice	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0		
Report issued: Not upheld; no maladministration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0		
Upheld; maladministration and injustice	0	0	1	0	1	0	0	0	1	0	0	0	0	0	0	0			3		
Upheld; maladministration, no injustice	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0		
Not upheld; no maladministration	0	0	1	1	0	0	0	1	0	0	1	1	0	0	0	0			5		
Closed after initial enquiries - out of jurisdiction	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			0		
Closed after initial enquiries - no further action	1	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0			2		
Not upheld: No further action	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0			2		
Complaint Elements Completed - not Premature - "C":	1	0	3	1	1	0	0	1	3	0	1	1	0	0	0	0			12		
Prematures & LGO enquiries - "D":	1	0	0	0	0	3	0	0	5	0	0	0	0	0	0	0				9	
Totals - A, B, C & D:	2	0	3	1	1	3	0	5	8	0	1	1	0	0	0	0	25				

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Local Government Ombudsman Referrals: 1 April 2014 – 31 March 2015 - Analysed by Month

22 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
6 Ongoing Complaints (Investigations only) b/fwd from 2013/14	3	5	5	3	0	0	0	0	0	0	0	0
16 New Complaints were reported from 1 April 2013 to date (including Prematures & enquiries)	2	1	0	0	0	0	0	0	0	0	0	0
Of which 3 were Premature - normally L2 complaints referred back to the Council	0	1	0	2	0	0	0	0	0	0	0	0
and 3 were enquiries by the LGO which have NOT been changed by further actions	0	3	4	0	0	0	0	0	0	0	0	0
7 were not investigated (decisions already made by the LGO e.g. OSJ, Provisional View etc.)	1	0	0	0	0	0	0	0	0	0	0	0
and 1 Provisional View on investigated cases currently pending LGO decision	3	0	2	2	0	0	0	0	0	0	0	0
7 Investigations completed	0	0	0	0	0	0	0	0	0	0	0	0
Leaving 1 Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)	0	0	0	0	0	0	0	0	0	0	0	0
During the year to date 2 cases have received a substantive response in an average of 15 working days												
There have so far been 7 cases which were not "investigated" - though some may have required a response to LGO questions												
There are currently 2 complaints awaiting an initial response												
There is currently 0 premature complaint being processed												

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

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
0 Ongoing Complaints (Investigations only) b/fwd from 2012/13	11	7	5	8	5	4	9	4	4	4	8	3
72 New Complaints were reported from 1 April 2013 to date (including Prematures & enquiries)	0	1	2	2	0	1	0	0	0	1	3	0
Of which 10 were Premature - normally L2 complaints referred back to the Council	0	0	0	0	0	0	0	0	1	1	2	0
and 4 were enquiries by the LGO which have not been superseded by a later Ombudsman "decision"	6	3	2	4	5	2	5	2	2	2	2	2
37 were not investigated (decisions already made by the LGO e.g. OSJ, Provisional View etc.)	0	0	0	0	0	0	1	0	0	0	0	0
1 Provisional View on investigated cases currently pending LGO decision	0	0	2	0	5	2	1	1	0	4	1	0
and 15 Investigations completed	0	0	0	0	0	0	0	0	0	0	0	0
Leaving 4 Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)	0	0	0	0	0	0	0	0	0	0	0	0
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

117 Cases referred by the Ombudsman (may contain more than one COMPLAINT element)												
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
15 Cases (Investigations) b/fwd from 2011/12	5	14	9	8	8	5	7	10	4	12	10	10
102 New Cases were reported from 1 April 2012 to date (including Prematures & enquiries)	2	5	6	3	2	1	0	1	2	3	2	2
Of which 29 were Premature - normally L2 complaints referred back to the Council	2	3	0	1	4	2	2	2	1	3	3	4
and 27 were "informal" enquiries by the LGO/AT	0	3	2	1	1	0	3	3	0	5	5	4
27 were not investigated (decisions already made by the LGO: OSJ, Omb's Discretion PV etc.)	0	0	0	0	0	0	0	0	0	0	0	0
0 Provisional Views open at the month end pending Final Decision and closure	1	11	1	2	1	3	3	1	3	5	3	0
and 34 Investigations completed	0	0	0	0	0	0	0	0	0	0	0	0
Leaving 0 Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)	0	0	0	0	0	0	0	0	0	0	0	0
During the year to date 18 new cases have been responded to in an average of 29 calendar days												
There has/have also been 9 new cases which have not needed any response at all												
There is/are currently 0 complaints (including L2 referrals) awaiting initial response												
The Ombudsman's anticipated response time is currently 28 calendar days												
15 cases were brought forward from 2011/12 (including 2 Prematures), responded to in an average of 27 days												
The average of all 33 investigations requiring a response is 28 days												

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Stage Three Activity: by Ward

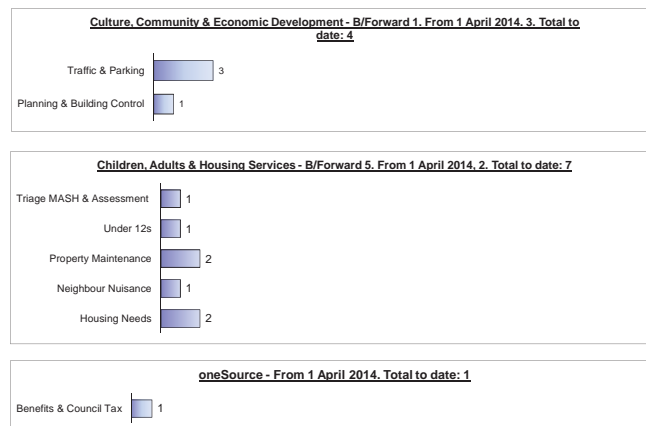
Detailed summary of **Stage Three** Hearing requests by service area within Directorate & Service and by wards. Wards **not shown** have **no** complaints activity within them. Wards and services highlighted contain the highest activity **to date**. **ALL outstanding cases (including those commenced before 31 March 2014) are shown.**

Directorate	Service	Service Delivery Area	Brooklands	Cranham	Elm Park	Gooshays	Havering Park	Heaton	Petits	Rainham & Wennington	Romford Town	South Hornchurch	Out of Borough	Grand Total
Culture, Community & Economic Development	StreetCare	Traffic & Parking			1		1		1					3
	Regulatory Services	Planning & Building Control										1		1
Children, Adults & Housing	Homes & Housing	Neighbour Nuisance				1								1
		Property Maintenance		1				1						2
		Housing Needs	1							1				2
	Children's Services	Under 12s	1											1
		Triage MASH & Assessment											1	1
oneSource	Exchequer & Transactional Services	Benefits & Council Tax								1				1
Grand Total			2	1	1	1	1	1	1	1	1	1	1	12

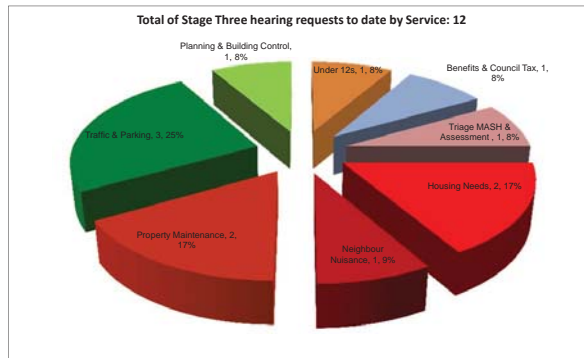
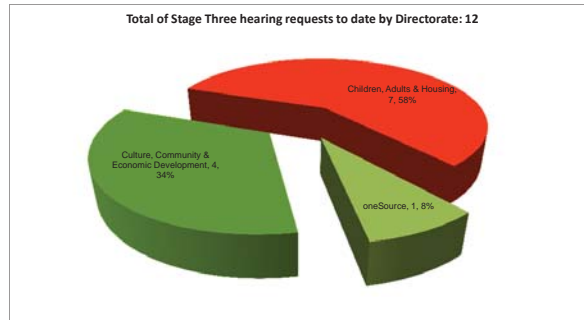
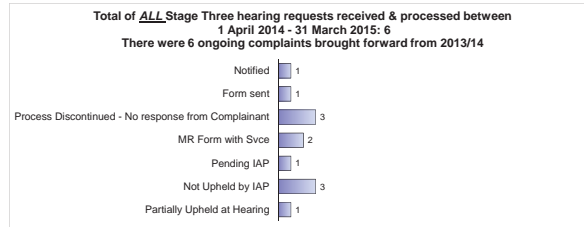
Ward Totals for the month of: JULY				
Directorate	Service	Service Delivery Area	Cranham	Grand Total
Children, Adults & Housing	Homes & Housing	Property Maintenance	1	1
Grand Total			1	1

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Stage Three Activity: By Service Area in Group Directorates



Evaluation of Stage Three Activity



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Stage Three Complaints - by Service 1 April 2014 - 31 March 2015: (Six cases were brought forward from 2013/14)

	Culture, Community & Economic Development				Children, Adults & Housing							oneSource			General: Member & non 'Service specific' issues	
	StreetCare	Trading Standards, Licensing & Environmental Health	Planning & Building Control	Culture & Leisure	Learning & Achievement	Children's Services	Business & Performance	Adult Services	Homes & Housing (Housing Needs)	Homes & Housing (Estate & Maintenance)	School Appeals	Benefits & Council Tax	Business rates	Asset Management		
PROCESS	Potential S3 complaint notified:-	0	0	0		0	0			0	1		0			1
	Awaiting return of S3 MR form from complainant:-	0	0	0		0	1			0	0		0			1
	Complaint discontinued:-	2	0	1		0	0			0	0		0			3
	Awaiting Service response:-	0	0	0		0	0			1	1		0			2
	Awaiting IAP:-	0	0	0		0	0			1	0		0			1
OUTCOME	Complaint not upheld at IAP:-	1	0	0		0	0			0	1		1			3
	Complaint PARTIALLY upheld at IAP:-	0	0	0		0	0			0	0		0			0
	Complaint upheld at IAP:-	0	0	0		0	0			0	0		0			0
	Awaiting Hearing:-	0	0	0		0	0			0	0		0			0
	Complaint not upheld by hearing:-	0	0	0		0	0			0	0		0			0
	Complaint PARTIALLY upheld by hearing:-	0	0	0		0	1			0	0		0			1
	Complaint upheld by hearing:-	0	0	0		0	0			0	0		0			0
	Total complaints:-	3	0	1	0	0	2	0	0	2	3	0	1	0	0	12

Stage Three Complaints: 1 April 2014 – 31 March 2015 - Analysed by Month

12	Total number of Stage Three requests	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Mar
6	Cases b/fwd from 2013/14											
6	Stage Three request notified [memo]	3	0	2	1	0	0	0	0	0	0	0
6	Stage Three requests OPENED from 1 April 2014 to date	1	0	3	2	0	0	0	0	0	0	0
Of which	3 Did not proceed / Process Discontinued	0	2	0	1	0	0	0	0	0	0	0
3	Were not upheld by IAP	0	2	0	1	0	0	0	0	0	0	0
0	Were partially upheld by IAP	0	0	0	0	0	0	0	0	0	0	0
0	Were upheld by IAP	0	0	0	0	0	0	0	0	0	0	0
0	Were not upheld at Hearing	0	0	0	0	0	0	0	0	0	0	0
1	Was partially upheld at Hearing	1	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
Leaving	5 Ongoing open - and notified - cases											

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