

Local Government Ombudsman (LGO) and Housing Ombudsman Service (HOS) cases and decisions on Standards issues

Monthly Update

The following 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, cases by Ward

In the following PDF will be found a chart showing current Ombudsman activity displayed 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.

Ombudsman Cases summary:

During October the LGO contacted the Council five times. Of these, there were four distinct cases. Two cases concerned school appeals. One was an enquiry which was responded to and to date has gone no further, the other was an enquiry which was responded to and followed by an LGO decision which found no fault. Of the other two cases, one related to housing and was an LGO decision which was that there was nothing for the Ombudsman to investigate, the other was a Premature case referred back to the Council relating to a complaint about the withdrawal of a child from school without permission. This case is currently proceeding to court and the LGO was informed about this so at the moment the LGO is taking no further action.

At the close of October, there remained three cases remaining open, each of which was awaiting the Ombudsman's final decision and a further case referred to the Council back in September which involved Council Tax issues.

The Housing Ombudsman Service

During October there were no new notifications from the Housing Ombudsman, though one case which he had referred to the Council earlier in the year was to be allocated to a complaint resolution officer – when one became available (and this might not happen for several months due to a large backlog). As has been observed previously, the HOS is not as well developed as the LGO and is very much under-resourced for the remit of monitoring social landlord complaints across England. Whilst Havering is fortunate in that there are not many referrals from the HOS, the ones which the Council does receive take an inordinate length of time to resolve.

Standards issues:

There was no activity under the Standards procedures during October.

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 ten cases brought forward from 2014/15.

Directorate	Service	Service Delivery Area	Brooklands	Cranham	Gooshays	Hacton	Harold Wood	Havering Park	Heaton	Hylands	Mawneys	Pettits	Rainham & Wennington	Romford Town	South Hornchurch	Upminster	O/S Borough	Grand Total
Children, Adults and Housing	Adult Services	Preventative & Assessment		1	2												1	4
		Access & Assessment					1						1				1	3
		Quality & Brokerage															4	4
		Adult Care - Non service-specific incident															1	1
	Housing	Housing Needs			2				2		1	2		2	1		1	11
		Estate Services & Other Issues						2										2
	Children's Services	Adoption, Fostering & Placements							2							1		3
	Learning & Achievement	Education Provision & Commissioning									2							2
		Attendance, Behaviour & Traveller Support						1										1
Communities & Resources	Regulatory Services	Planning issues								1		1						2
		Environmental Health		3														3
	StreetCare	Traffic & Parking												2	1	1	1	5
		Highways	1			2								2			2	7
	Customer Services	Blue Badges				2												2
oneSource	Finance	Fraud							1									1
	Exchequer Services	Council Tax															2	2
	Appeals Secretariat	School Appeals		2										1				3
Corporate & Member Issues	Corporate	Corporate														2		2
Grand Total			1	6	4	4	1	3	5	1	3	3	1	7	2	4	13	58

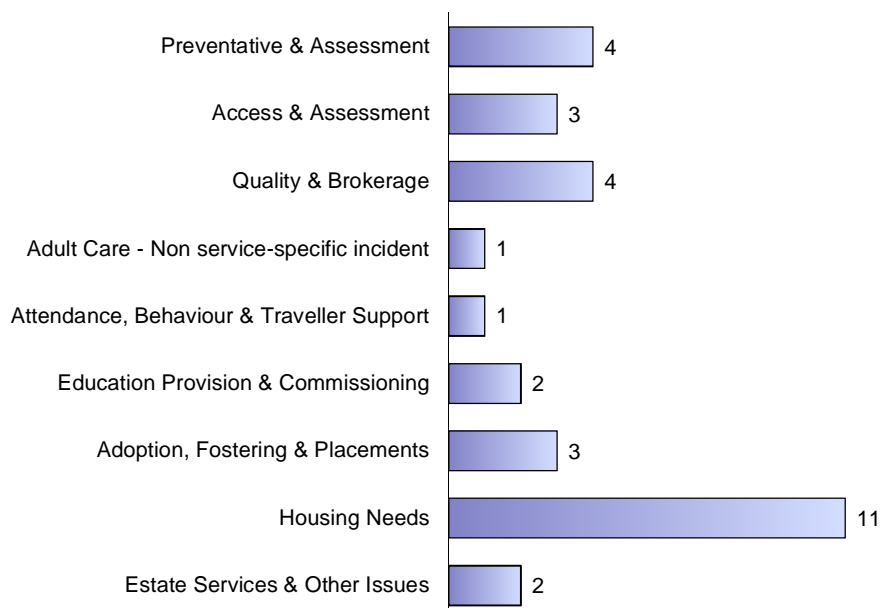
Ombudsman Activity: by Ward

Ward Totals for the month of OCTOBER						
Directorate	Service	Service Delivery Area	Cranham	Havering Park	Romford Town	Grand Total
Children, Adults and Housing	Housing	Estate Services & Other Issues		1		1
	Learning & Achievement	Attendance, Behaviour & Traveller Support		1		1
oneSource	Appeals Secretariat	School Appeals	2		1	3
Grand Total			2	2	1	5

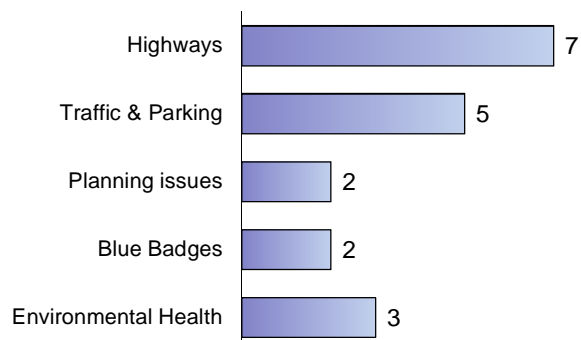
Ombudsman investigations: By Service Area in Group Directorates

From 1 April 2015 (including open cases brought forward)

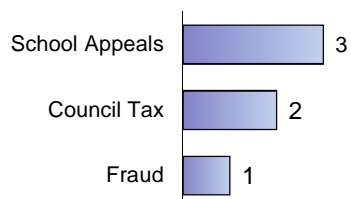
Children, Adults and Housing - B/Forward 5. From 1 April 2015 to date 26. Total: 31



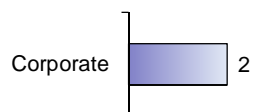
Communities & Resources - B/Forwards 5. From 1 April 2015 to date 14. Total: 19



oneSource - Total from 1 April 2015 to date: 6

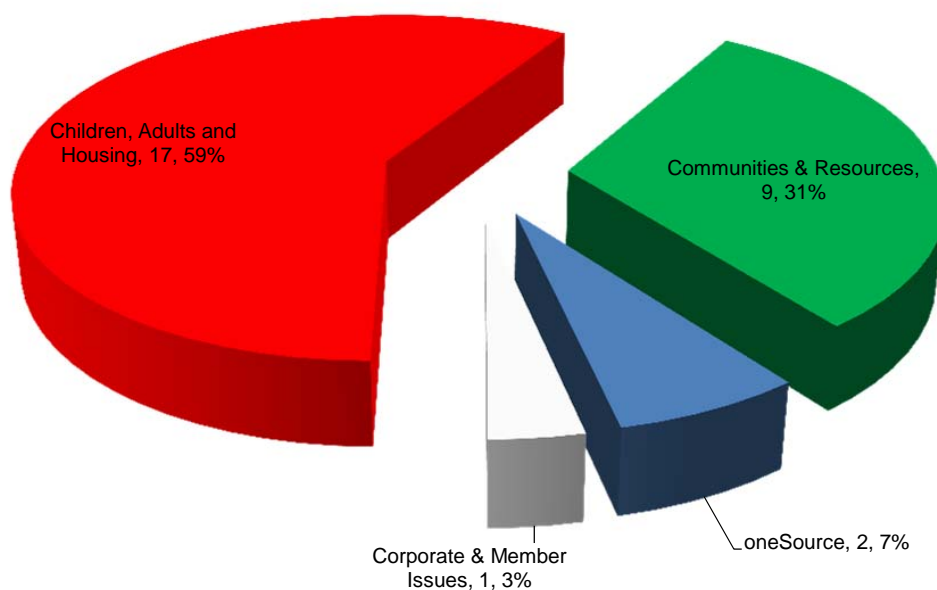


Corporate & Member Issues - Total from 1 April 2015 to date: 2

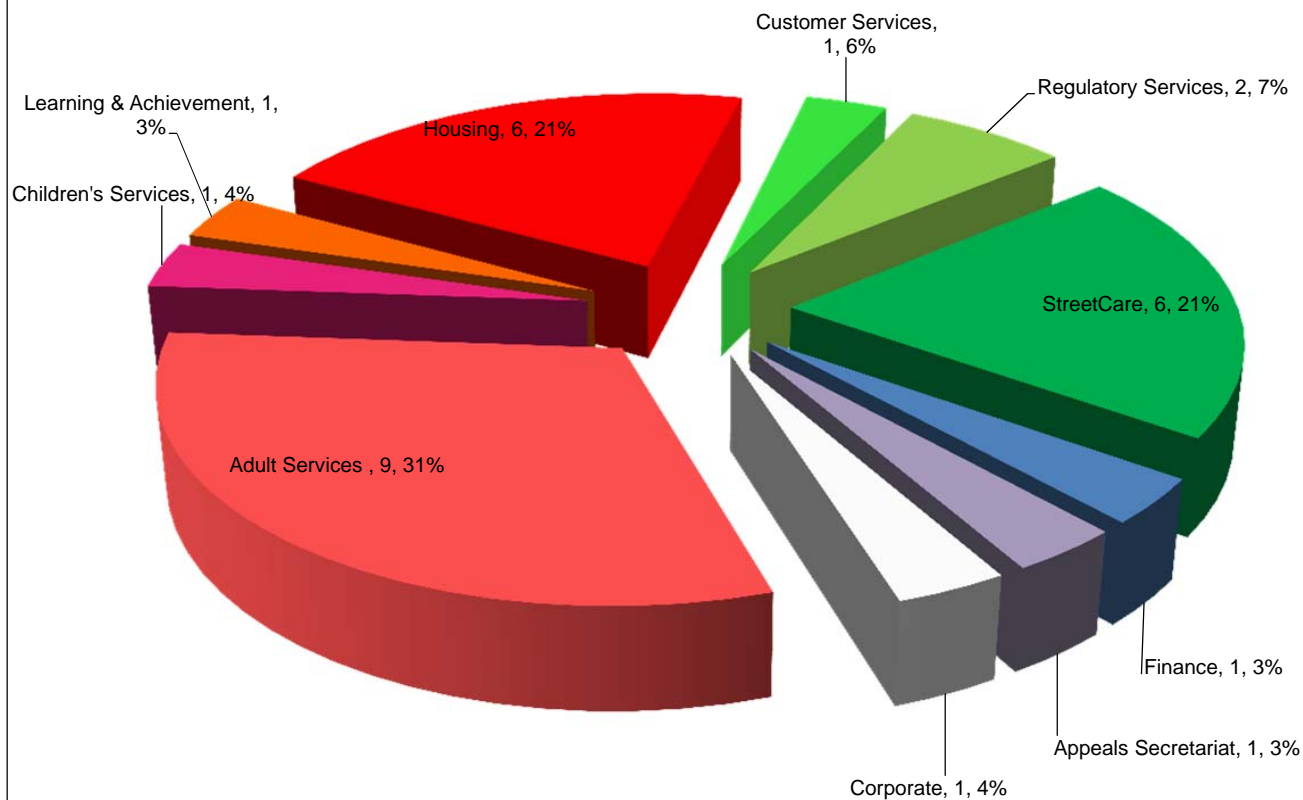


Evaluation of Ombudsman Activity

**Directorate Involvement - Total of complaints from the LGO
(excluding enquiries & referrals) to 31 October 2015: 20
(9 ongoing cases were brought forward from 2014/15)**

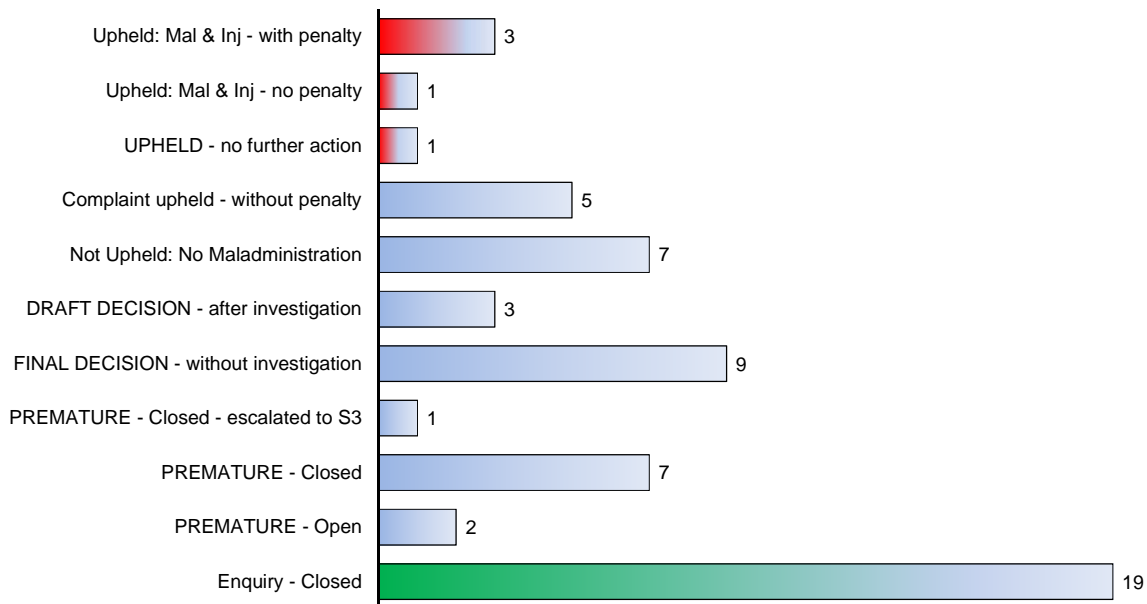


**Service Area Involvement - Total complaints from the LGO
(excluding enquiries & referrals) to 31 October 2015: 20
(9 ongoing cases were brought forward from 2014/15)**



Evaluation of Ombudsman Activity

Total of ALL complaints received between 1 April - 31 October 2016: 49
Plus 9 cases brought forward: 58
 (Includes enquiries and premature complaints referred back to the Council to be dealt with under its Corporate Complaints procedure)



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

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

Children, Adults & Housing

Housing: D E E → P E → P D E E → D

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

26 19

Communities & Resources

(from 1 January 2015)

Regulatory Services: E
 Public Health: E → P → D
 StreetCare: E → P E → P D I E → P D
 Corporate & Customer Transformation: E → I
 Parks & Open Spaces:

15 9

oneSource

Council Tax & Benefits: E → P
 Finance: D
 Legal Services:
 School Appeals: E E → D

6 4

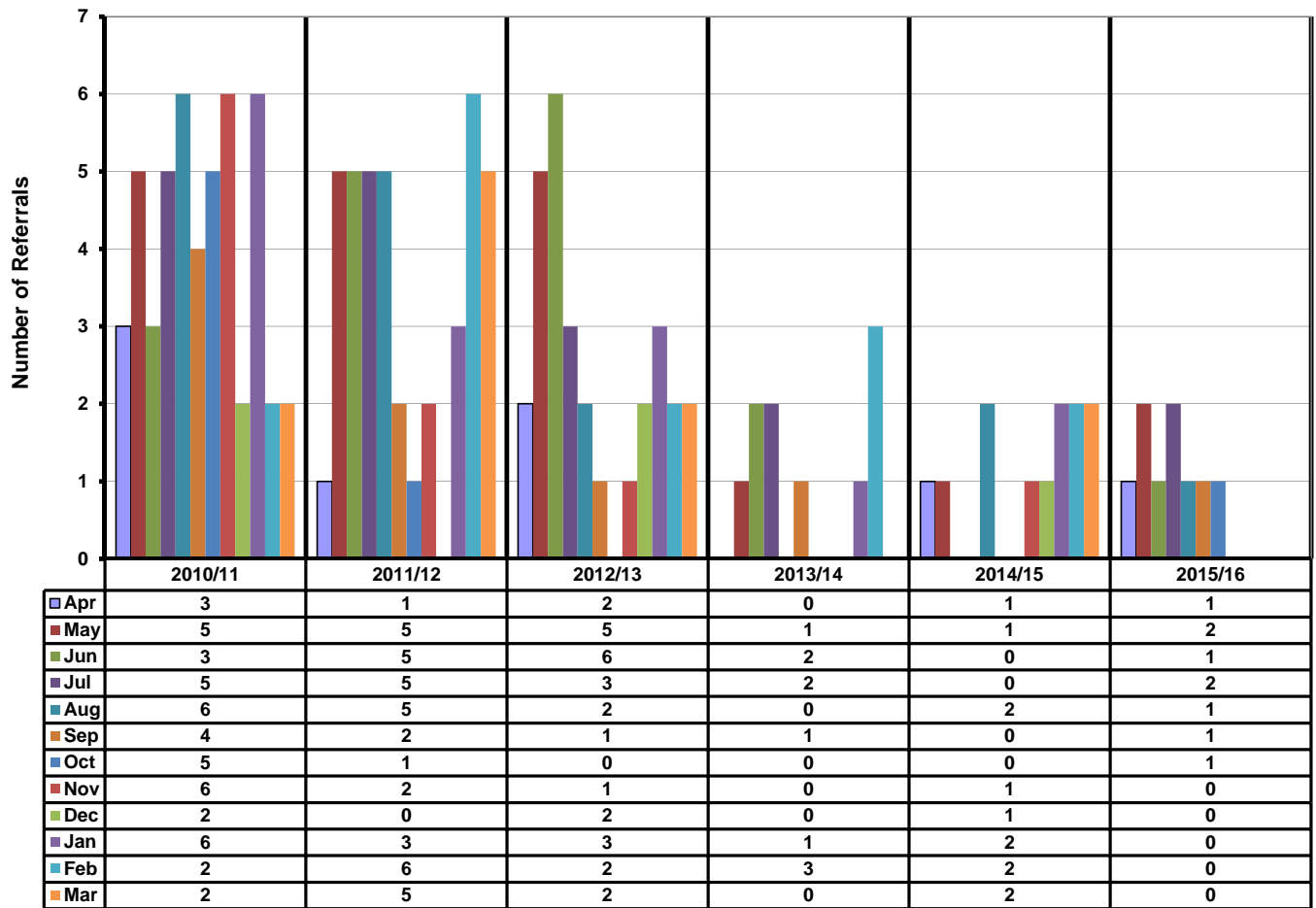
Corporate & Member Issues: E → D

2 1

Notes:

49 33

LGO Referrals - Premature Complaints - year-on-year



Year	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	Grand Total
Prematures:	49	40	29	10	12	9	149
Cases Referred:	45	59	73	62	42	24	305
Total:	94	99	102	72	54	33	454

Local Government Ombudsman Complaint Elements - by Service 1 April - 31 October 2016:

(NINE cases were brought forward from 2014/15)

2014/15 BVPI target for formal reports of maladministration and injustice is 0 and no more than 8 instances where penalties are awarded

Communities & Resources															Children, Adults & Housing					oneSource																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
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Local Government Ombudsman Referrals: 1 April – 31 October 2016 - Analysed by Month

42 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
9 Brought Forward Complaints from 2014/15 (Investigations only) including 4 Draft Decisions												
33 New Complaints were reported from 1 April 2015 to date (including Prematures & enquiries)	6	5	6	5	3	4	4	0	0	0	0	0
Of which 9 were Premature - normally L2 complaints referred back to the Council	1	2	1	2	1	1	1	0	0	0	0	0
and 4 were enquiries by the LGO which have NOT been changed by further actions	1	1	0	0	1	1	1	0	0	0	0	0
12 were not investigated (decisions already made by the LGO e.g: OSJ, Draft Decisions etc.)	3	1	1	1	2	2	2	0	0	0	0	0
3 Draft Decisions on <u>investigated cases</u> currently pending LGO decision	0	0	0	0	0	3	0	0	0	0	0	0
and 14 Investigations completed	2	0	4	3	4	1	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)												

During the year to date **8** cases have received a substantive response in an average of **19 working days**
 There have so far been **12** cases which were not "investigated" - though some may have required a response to LGO questions
 There are currently **0** complaint awaiting an initial response

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

58 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
4 Ongoing Complaints (Investigations only) b/fwd from 2013/14												
54 New Complaints were reported from 1 April 2014 to date (including Prematures & enquiries)	2	4	5	1	8	3	1	7	1	6	4	12
Of which 12 were Premature - normally L2 complaints referred back to the Council	1	1	0	0	2	0	0	1	1	2	2	2
and 4 were enquiries by the LGO which have NOT been changed by further actions	0	0	0	0	0	1	0	1	0	0	0	2
23 were not investigated (decisions already made by the LGO e.g: OSJ, Provisional View etc.)	0	3	4	0	4	1	0	3	0	2	2	4
3 Provisional View on <u>investigated cases</u> currently pending LGO decision	0	0	0	0	0	0	0	0	1	0	0	2
and 10 Investigations completed	2	0	2	1	0	0	1	2	1	0	0	1
Leaving 6 Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)												

During the year to date **11** cases have received a substantive response in an average of **17 working days**
 There have so far been **22** cases which were not "investigated" - though some may have required a response to LGO questions
 There is currently **4** complaint awaiting an initial response
 There are currently **2** premature complaints 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												
72 New Complaints were reported from 1 April 2013 to date (including Prematures & enquiries)	11	7	5	8	5	4	9	4	4	4	8	3
Of which 10 were Premature - normally L2 complaints referred back to the Council	0	1	2	2	0	1	0	0	0	1	3	0
and 4 were enquiries by the LGO which have not been superseded by a later Ombudsman "decision"	0	0	0	0	0	0	0	0	1	1	2	0
37 were not investigated (decisions already made by the LGO e.g: OSJ, Provisional View etc.)	6	3	2	4	5	2	5	2	2	2	2	2
1 Provisional View on <u>investigated cases</u> currently pending LGO decision	0	0	0	0	0	0	1	0	0	0	0	0
and 16 Investigations completed	0	0	2	0	5	2	1	1	0	4	1	0
Leaving 4 Cases currently being investigated (not Prematures or PVs) or to be c/fwd (if open at 31 March)												

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**

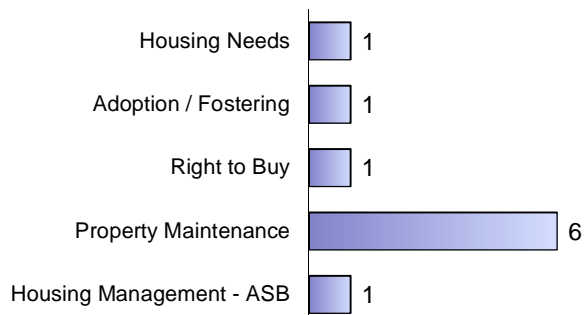
Stage Three Activity: by Ward

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	Gooshays	Hacton	Heaton	Havering Park	Hylands	Romford Town	Upminster	O/S Borough	Grand Total
Children, Adults & Housing	Children's Services	Adoption / Fostering								1		1
	Housing	Property Maintenance	1	2		1		1	1			6
		Housing Management - ASB		1								1
		Right to Buy					1					1
		Housing Needs	1									1
Communities & Resources	StreetCare	Traffic & Parking									1	1
		Highways	1		1							2
Grand Total			3	3	1	1	1	1	1	1	1	13

Stage Three Activity: By Service Area in Group Directorates

Children, Adults & Housing Services - B/Forward 4. From 1 April 2015, 6 - Total to date: 10

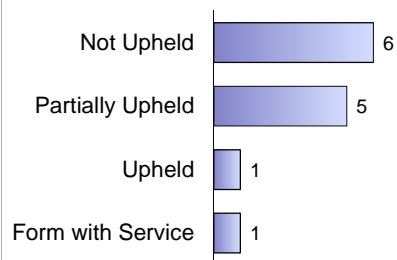


Communities & Resources B/Fprward 2. From 1 April 2015 1. - Total to date: 3

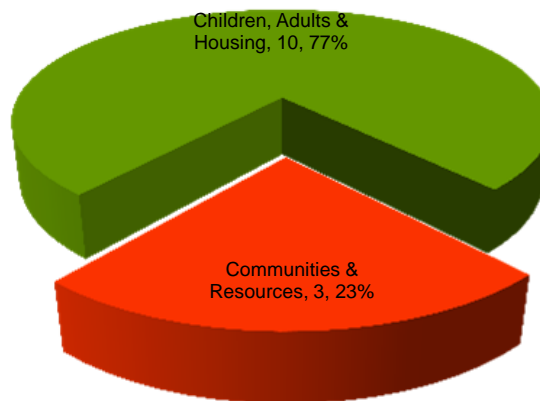


Evaluation of Stage Three Activity

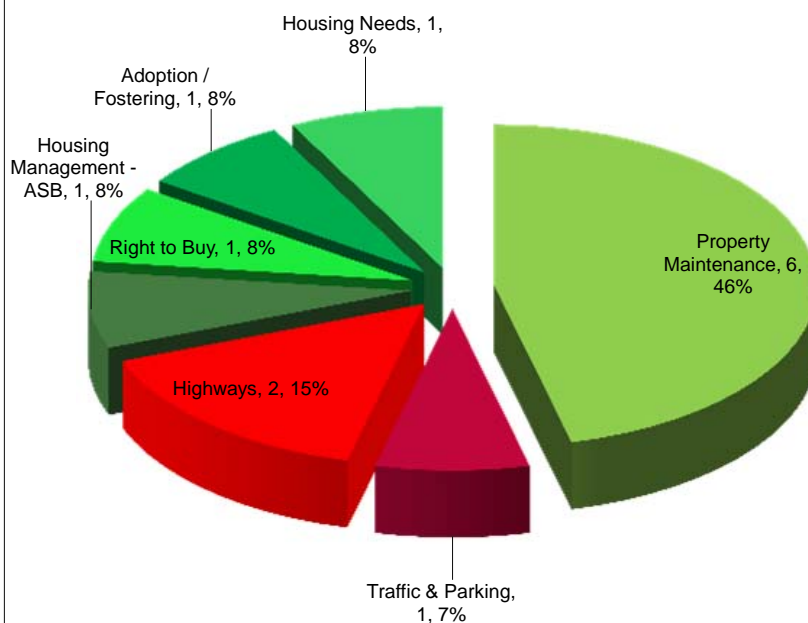
Total of **ALL** Stage Three hearing requests received & processed between
1 April - 31 October 2015: 7
There were 6 ongoing complaints brought forward from 2014/15



Total of Stage Three hearing requests to date by Directorate: 7 (plus 6 brought forward from 2014/15)



Total of Stage Three hearing requests to date by Service: 7 (plus 6 brought forward from 2014/15)



Stage Three Complaints - by Service 1 April - 31 October 2015:
(Six cases were brought forward from 2014/15)

	Communities & Resources				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	Housing (Housing Needs)	Housing (Estate & Maintenance)	School Appeals	Benefits & Council Tax	Business rates	Asset Management		
PROCESS	Potential S3 complaint notified and posted:-	0	0	0		0	0			0	0		0			0
	Awaiting return of S3 MR form from complainant:-	0	0	0		0	0			0	1		0			1
	Awaiting Service response:-	0	0	0		0	0			0	0		0			0
	Awaiting MRP or Adjudged:-	0	0	0		0	0			0	0		0			0
	Awaiting Hearing:-	0	0	0		0	0			0	0		0			0
OUTCOME	Complaint discontinued:-	0	0	0		0	0			0	0		0			0
	Complaint not upheld at MRP:-	2	0	0		0	0			0	4		0			6
	Complaint PARTIALLY upheld at MRP:-	0	0	0		0	0			1	3		0			4
	Complaint upheld at MRP:-	1	0	0		0	0			0	0		0			1
	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	0	0	0	1	0	0	1	8	0	0	0	0	13

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

13	Total number of Stage Three requests															
6	Cases b/fwd from 2013/14															
1	Stage Three requests notified & posted	0	0	1	0	0	0	0	0	0	0	0	0	0		
6	Stage Three requests OPENED from 1 April 2014 to date	2	1	1	0	0	2	0	0	0	0	0	0	0		
0	Did not proceed / Process Discontinued	0	0	0	0	0	0	0	0	0	0	0	0	0		
6	Were not upheld by MRP	1	0	2	0	2	0	1	0	0	0	0	0	0		
4	Were partially upheld by MRP	1	0	1	0	2	0	0	0	0	0	0	0	0		
1	Were upheld by MRP	1	0	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	0	0		
1	Was partially upheld at Hearing	0	1	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	0		
Leaving 1	Ongoing open cases															