

STANDARDS COMMITTEE – 2ND NOVEMBER 2006

THE OMBUDSMAN'S ROLE

Report of the: Monitoring Officer

Status: For consideration

Executive Summary: The Assistant Ombudsman recently gave a presentation to the Association of Council Secretaries and Solicitors (Acscs) on the role of the Ombudsman and current issues.

This report supports the Key Aim of advising Members on the role of the Ombudsman and current issues.

Portfolio Holder Cllr. Loney

Head of Service Head of Legal and Committee Services – Christine Nuttall

Recommendation: Members are requested to note the report.

Background

- 1 Understanding the role of the Ombudsman is an essential part of good administrative practice.

Introduction

- 2 With this in mind the Association of Council Secretaries and Solicitors invited Mr. Richard Shaw, the Assistant Ombudsman to come and speak at a meeting held at Sevenoaks District Council on the 15th September 2006.

Summary of the Presentation

- 3 Mr. Shaw handed out copies of the power-point slides which accompanied his presentation and these are set out in the appendix to this report.
- 4 Mr. Shaw proceeded to give a clear and informative talk on the Ombudsman's role, current trends in the nature of complaints and new ways of working which were being introduced.
- 5 Some of the significant points were:
 - a. Delay remains the biggest complaint;
 - b. Education admissions complaints are a major and complicated source of complaint;

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- c. Planning and neighbour nuisance complaints are increasing;
 - d. These increases are balanced by decreases in other areas such as benefits;
 - e. If an authority's system of complaints handling is poor, the Ombudsman is less likely to accept local settlements;
 - f. The number of formal reports issued hit a low of 129 in 2005/06 – one third were education admissions cases;
 - g. The Ombudsman is becoming concerned that the annual number of formal reports is too low and it is likely that there will be an increase;
 - h. There is some public dissatisfaction with and pressure on the Ombudsman (e.g. the web-site Ombudsmanwatch);
 - i. Research has indicated that the actual decisions of the Ombudsman often come as a complete shock to complainants;
 - j. There is a big move to deal with complaints in ways which will manage their expectations better and provide early, personal and continuing contact with the Ombudsman's office e.g. by telephone;
 - k. IT and e-mail will be used much more in the processes to save time;
 - l. The Ombudsman's publications point at ways to avoid maladministration, with the lessons from decisions in difficult areas – see in particular Special Reports on
 - i. Decriminalised parking enforcement
 - ii. School Admissions
 - iii. Telecommunications Masts
 - The Ombudsman runs training sessions which are value for money and get positive feedback from attenders.
 - The feedback from the meeting with Mr. Shaw was equally positive and the meeting thanked him for his presentation.
- 6 The last power-point slide of Mr. Shaw's presentation is particularly interesting as it sets out a summary of the different jurisdictions of the Local Government Ombudsman and the Standards Board for England.

Key Implications

Financial Implications

- 7 There are no financial implications identified by this report.

Legal Implications

- 8 It is important for Councillors and Independent Members to understand the role of the Ombudsman and current issues to avoid acts of maladministration and to enable the authority to work effectively with the Ombudsman.

Sources of Information: Power-point slides entitled “The Ombudsman’s role and current issues” Richard Shaw Assistant Ombudsman Commission for Local Administration in England

Contact Officer(s): Christine Nuttall – ext. 7245

Dr. Pav Ramewal
Corporate Resources Director

RISK ASSESSMENT STATEMENT

Understanding the role and current issues affecting the Ombudsman is an essential part of customer care and local authorities are becoming more aware of the benefits in enhancing customer relations helping the authority to learn and improve and providing a better public service.