

**CABINET MEETING – 2 November 2011**  
**EXECUTIVE SUMMARY SHEET – PART I**

**Title of Report:**

Ombudsman's Annual Review 2010 - 2011

**Author(s):**

Joint report of the Chief Executive and the Executive Director of Commercial & Corporate Services

**Purpose of Report:**

To advise Members of the number and outcome of complaints considered by the Local Government Ombudsman during 2010-11. To inform Members of the extended powers of the Ombudsman.

**Description of Decision:**

Cabinet is asked to note the contents of the Ombudsman's annual review and in particular that there were no findings of maladministration against the council for the municipal year 2010-2011.

**Is the decision consistent with the Budget/Policy Framework?** N/A

**If not, council approval is required to change the Budget/Policy Framework**

**Suggested reason(s) for Decision:**

It is relevant to note the findings in the context of the council's performance in dealing with complaints.

**Alternative options to be considered and recommended to be rejected:**

There are no alternative options submitted for consideration.

**Is this a "Key Decision" as defined in the Constitution?** No

**Is it included in the Forward Plan?** No

**Relevant Scrutiny Committee:**

Management



**ANNUAL REVIEW AND COMPLAINTS TO OMBUDSMAN 2010-2011****Report of the Chief Executive and the Executive Director of Commercial & Corporate Services****1. Purpose of Report**

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**2. Description of Decision**

Cabinet is asked to note the contents of the Ombudsman's annual review and in particular that there were no findings of maladministration against the council for the municipal year 2010-11.

**3. Background**

The Local Government Ombudsman has recently issued her eighth annual review to the council, see Appendix 1 attached. The format has changed this year and does not include the Ombudsman's reflections on the Council's performance.

**4. Current Position**

4.1 A total of 17 complaints were *received* by the Ombudsman for investigation. A drop of nine on the previous year. The highest volume area being Children's Service but many of these concerned school admission appeals.

4.2 The Ombudsman made a *determination* on 15 complaints. This figure is different from the number of complaints *received* as not all complaints are determined in the same year they are received. This figure is exactly half of the number determined last year.

In only four of the cases determined, did the Ombudsman consider that there was action that should be taken to remedy the situation. The outcome in three of the four local settlements was to offer a fresh appeal to parents whose child had not been successful at the first appeal.

**5. Comparison with Tyne & Wear Authorities**

5.1 One of the other Tyne and Wear councils received a maladministration finding during this period and Sunderland City Council remains the only council in Tyne and Wear not to have had such a finding in since 2002.

5.2 It should also be noted that of the Tyne and Wear Authorities, the fewest complaints and enquiries dealt with by the Ombudsman related to Sunderland. Additionally, Sunderland had the lowest number of premature complaints made to the Ombudsman, indicating that the council's in-house complaints procedure is both visible and trusted by complainants to deal with their concerns. Only one complainant resubmitted their premature complaint

to the Ombudsman after the Council's opportunity to resolve it. The Tyne and Wear average being nine. The Ombudsman asks councils to respond to her enquiries within 28 days. This council's average response time was just 15 days, by far the fastest of the Tyne and Wear region.

## **6. Changes to the Ombudsman's Jurisdiction**

The following changes all have implications for the council.

### **6.1 Adult Social Care**

From October 2010 Ombudsman had the power to deal with complaints about privately arranged and funded adult social care. To date no residents of the City have complained to the Ombudsman about privately arranged and funded care.

### **6.2 School Complaints**

The pilot phase extending the Ombudsman's jurisdiction to cover complaints about schools was launched in April 2010. Sunderland was not part of the pilot phase. The new Education Bill will rescind the Ombudsman's jurisdiction from July 2012.

## **7. Reasons for the Decision**

It is relevant to note the findings in the context of the council's performance in dealing with complaints.

## **8. Alternative Options**

There are no alternative options submitted for consideration.

## **9. Background Papers**

Local Government Ombudsman annual review to the council.