

## **APPENDIX 7**

### **EXTERNAL REVIEW BY THE LOCAL GOVERNMENT OMBUDSMAN AND THE HOUSING OMBUDSMAN**

#### **The Local Government Ombudsman (LGO)**

The LGO provides a free independent and impartial service to the public. They provide an initial point of contact for those wishing to make a complaint through a telephone contact centre in Coventry, or if a person remains dissatisfied following the examination of a particular matter by the Council. Protocols are in place between the Council and the LGO that provide for the majority of cases to be considered through the Council's own procedures before any investigation is considered by their office.

Leaflets and information about the LGO are available at Council offices and all those who exhaust the Council's and the Gateshead Housing Company's procedures (where appropriate) are provided with the leaflet. The day to day management of the relationship with the LGO is undertaken by a dedicated officer who acts on behalf of the Chief Executive in this respect.

During the year the LGO investigated seventeen complaints. Of these, seven were closed following a detailed response from the Council and two were not upheld. A summary of the LGO's findings and the actions taken by the Council for each of the eight cases upheld partially or fully is detailed below:-

#### **Case One**

The Ombudsman found fault at how the Council responded to requests to cut back trees on land it owned behind the complainant's home. The fault caused confusion, uncertainty and time and trouble for the complainant who arranged for contractors to remove the trees.

The Council complied with the Ombudsman's request to pay the complainant the cost of removal of £600.

#### **Case Two**

The Ombudsman found evidence of some fault in the Council's safeguarding process which caused some uncertainty for the complainant although it did not bring into question the overall outcome of the safeguarding investigation.

The Ombudsman recommended some procedural improvements in addition to those already made by the Council.

#### **Case Three**

The Ombudsman determined that the Council had failed to respond properly to the complaint about the damage its contractors caused to property during installation of a level access shower.

The Council agreed to pay the complainant £1,000 in reimbursement for the damage caused.

#### Case Four

The Council's contractor installed a handrail at the complainant's home without consulting her and she was worried about the stability of the steps into which the handrail was cemented.

The Council agreed to replace the handrail in consultation with the complainant.

#### Case Five

The Ombudsman determined that there was fault by the Council in arranging care for the complainant's mother following a discharge from hospital. This was exacerbated by poor communication with the complainant which caused confusion and uncertainty.

The Council agreed to pay £250 compensation to the complainant.

#### Case Six

The Ombudsman determined that the Council failed to disclose the ecologist's advice on the presence of bats for a property sale and delayed responding to a complaint.

The Council apologised to the complainant and agreed to pay £350 in compensation. It also agreed to remind officers of the need to ensure that all relevant information obtained during consultation on a sale is included in the information provided to potential purchasers.

#### Case Seven

The Ombudsman determined that the Council was at fault in the way it changed the complainant's father's respite allocation dates without proper notification.

The Council acknowledged this, reviewed the arrangements for respite and re-set the dates and the Ombudsman considered that this remedied the injustice.

#### Case 8

The Ombudsman determined that the Council failed to draw up a care plan for the complainant's mother after her eligible needs were assessed.

However, the Council had informed the complainant of the planned arrangements and she had accepted them. It had also explained how to identify disability related expenditure but the complainant did not do so. Neither the complainant nor her mother suffered any injustice as a result of this.

The Local Government Ombudsman's Annual Review is available on their website at [www.lgo.org.uk](http://www.lgo.org.uk).

### **The Housing Ombudsman**

From 1 April 2013, the Localism Act 2011 extended the jurisdiction of the Housing Ombudsman to cover all social landlords, including Councils. The Housing Ombudsman is able to consider housing complaints in so far as they relate to the provision or management of housing. The Local Government Ombudsman continues to investigate complaints about allocations and the lettings policy.

During 2016/17, the Council was contacted by the Housing Ombudsman in respect of six cases. Of these:

- Three cases had not exhausted the Housing Company's complaints procedure.
- One case was not within Housing Ombudsman's jurisdiction.
- One case, the Housing Ombudsman determined that there was service failure and ordered compensation of £100 to be paid for the time and trouble to pursue the complaint. It was also recommended that the Housing Company consider reviewing its policy in relation to inspections being carried out following repairs.
- One case, the Housing Ombudsman determined that there was maladministration and ordered total compensation of £450 for inconvenience be paid.