

## APPENDIX 5

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

#### The Local Government and Social Care Ombudsman

The Local Government and Social Care Ombudsman 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 Local Government and Social Care Ombudsman 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 Local Government and Social Care Ombudsman 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 Local Government and Social Care Ombudsman is undertaken by a dedicated officer who acts on behalf of the Chief Executive in this respect.

During the year the Local Government and Social Care Ombudsman investigated twenty eight complaints. Of these, sixteen were closed after initial enquiries and six were not upheld. A summary of the Local Government and Social Care Ombudsman's findings and the actions taken by the Council for each of the six cases upheld partially or fully is detailed below:-

Case	Ombudsman's Decision	Remedy
1.	The Council incorrectly sent an attachment of earnings order to the complainant's employer.	The Council agreed to pay £150 to the complainant.
2.	There was fault in the information and advice the Council provided to the complainant and her son.	The Council apologised and agreed to pay £300 to the complainant and review the special educational needs advice it gave to parents and children to ensure that they are aware of their rights.
3.	There was fault in the Council's assessed fees for residential care for the complainant's aunt.	The Council apologised, agreed to reduce the fees for six weeks and to pay the complainant £100.
4.	The Council did not properly consider a request for home to school transport for a fostered child	The Council apologised, agreed to pay the identified and future costs of home to school transport and £750

		to the complainant and reviewed its policies for the provision of home to school transport to looked after children with independent fostering agency placements.
5.	The Council did not confirm it had amended details about the complainant's nephew's report as promised.	No remedy justified.
6.	The Council was at fault for not posting a site notice to advertise a planning application.	The Council apologised and agreed to pay the complainant £100.

The Local Government and Social Care Ombudsman now monitors his specific recommendations to remedy any fault he finds and follows up with Councils to seek evidence that the recommendations have been implemented. The Local Government and Social Care Ombudsman has confirmed that the Council complied with his recommendations on time for all of the above cases in 2018/19.

The Local Government and Social Care 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 and Social Care Ombudsman continues to investigate complaints about allocations and the lettings policy.

During 2018/19, the Council was contacted by the Housing Ombudsman in respect of seven cases. Of these:

- Three cases had not exhausted the Housing Company's complaints procedure.
- One case was not within the Housing Ombudsman's jurisdiction.
- One case awaiting Housing Ombudsman's response
- One case there was no maladministration after investigation.
- One case, satisfactory redress had been offered to the complainant.