

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**GENERAL PURPOSES COMMITTEE**

**7 September 2009**

**Report of the Chief Executive**

**Part 1- Public**

**Matters for Information**

**1 OMBUDSMAN'S ANNUAL REVIEW 2008/09**

**Summary**

**To report receipt of the Ombudsman's Annual Review for 2008/09.**

- 1.1** The annual review by the Local Government Ombudsman has been received and is appended to this report for Members' information.
- 1.2** There has been a change to the way in which the Ombudsman handles complaints and this is reflected in the manner in which complaints information is now presented. The Ombudsman Service now comprises an Advice Team and an Investigative Team. The Advice Team tries to resolve issues at an early stage, particularly when a complaint is premature because, for example, the complainant has not made use of a Council's own complaints procedure before approaching the Ombudsman. The Advice Team only passes to the Investigative Team those cases where a Council's own complaints procedure has failed to resolve a dispute and where it is felt there are grounds to investigate a Council's actions.
- 1.3** Members will note from Appendix 2 to the Ombudsman's Annual Review that the statistics presented reflect this approach with a table that shows the number of cases dealt with by the Advice Team and another that shows the outcome of cases determined by the Investigative Team. These show that the Advice Team dealt with 10 enquiries and complaints, of which only three were subsequently referred to the Investigative Team. They also show that the Investigative Team determined 3 cases although these are not necessarily the 3 cases that were referred in 2008/9 by the Advice Team as some of those may not have been determined by the end of March 2009 and there may have been live cases brought forward from 2007/08 that were determined in 2008/09.
- 1.4** These changes to the way in which the Ombudsman captures and presents complaints information means that year on year comparisons cannot be made in this first year of change as is explained in the second paragraph of the Annual Review.

- 1.5** The Ombudsman continues to analyse data relating to determined complaints in a number of ways, including by county groupings. That does provide a basis for year on year comparisons and also enables judgements of performance to be made relative to the performance of other councils. I have therefore included the Kent data as an annex after the Ombudsman's Annual Review for Members' information.
- 1.6** I am sure Members will be pleased to see that the number of determined complaints for this Council fell from 7 in 2007/08 to 3 in 2008/09. This was yet again the lowest figure in Kent and for the 18th year in succession there were no findings of maladministration against the Council.
- 1.7** Members will note that the Ombudsman commented as follows: **"It seems to me that the importance the Council places on its complaints process is reflected both in the low volume of complaints received by our office, and its helpful approach to enquiries."** The Ombudsman has not identified any particular issues for this Council to address. Overall, I believe the Council can be pleased that it continues to provide its services in a manner that does not generate a high level of complaints to the Ombudsman and that yet again no maladministration has been found.
- 1.8 Legal Implications**
- 1.8.1 None.
- 1.9 Financial and Value for Money Considerations**
- 1.9.1 Not applicable.
- 1.10 Risk Assessment**
- 1.10.1 Not applicable.

Background papers:

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Nil

David Hughes  
Chief Executive