

Rother District Council

Report to	-	Audit and Standards Committee
Date	-	22 June 2020
Report of the	-	Executive Director
Subject	-	Ombudsman Complaints Monitoring

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**Recommendation:** It be **RESOLVED:** That the report be noted.

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1. Details of the complaints made to the Local Government Ombudsman are reported to the Committee as and when they are determined throughout the year. On the 26 March 2020, the Local Government and Social Care Ombudsman suspended all complaint casework due to the Coronavirus pandemic and this is the reason why only a limited number of complaints are being reported.
2. Below are the cases which have been determined since the Committee's last meeting:

Reference	Details of the Allegation	Outcome
19 002 901	The complainant made a complaint on behalf of her daughter regarding the way the Council had handled her housing register application. The complainant alleges the Council did not follow its Allocations Policy before deciding her daughter was not eligible to join the housing register. The complainant says her daughter feels her medical needs justify the allocation of a place on the register and wants the Council to reconsider her case.	This complaint was upheld by the Ombudsman who found fault for not informing the complainant's daughter why it rejected her application or how she could appeal its decision. Remedy measures have been put in place where fault was found.
19 013 568	The customer is aggrieved about the Council's handling of matters relating to a Tree Preservation Order (TPO).	The Ombudsman cannot investigate the complaint because it falls outside their jurisdiction as there has been an appeal to the Planning Inspectorate.

3. A total of two complaints were made to the Local Government and Social Care Ombudsman covering the period 14 November 2019 to 27 May 2020 of which:
  - One has been upheld (Council found to be at fault)
  - One cannot be investigated

For the same period, Rother received 139 non-ombudsman complaints from 14 November 2019 to 27 May 2020 of which:

- 89 of these were non-complaints (treated as department service request)
  - 17 were resolved at initial stage (non-formal complaint resolution)
  - Three were a stage one complaint (responded to formally in writing)
  - Two were a stage two complaint (responded to formally by Head of Service)
  - 28 are currently awaiting determination/under investigation
4. Rother also decided to temporarily suspend all complaint investigations where there was no risk to public health or safety, following the coronavirus pandemic and the Ombudsman's announcement, whilst departments adjusted to a new way of working. Some departments were not fully staffed or needed access to essential equipment, and this is the reason why there are 28 complaints awaiting determination.
5. From 1 June, the Council will begin to start reviewing all outstanding complaints and prioritise those that have been waiting the longest. The response time for new complaints has also been temporarily changed to 40 working days to reduce pressure on departments and allow officers more time to conduct investigations.

Malcolm Johnston  
Executive Director

**Risk Assessment Statement**

There are no risks attributed to this report.