

**REPORT BY THE MONITORING OFFICER
ANNUAL REVIEW LETTER FROM THE LOCAL GOVERNMENT OMBUDSMAN
AND FINDING OF MALADMINISTRATION**

Annual Review letter

- A1 The Local Government Ombudsman (LGO) produces an annual summary of statistics on complaints made to them about the Council. The report for the year ended 31 March 2013 is attached at Appendix 1.
- A2 In 2012/13 the LGO received 31 complaints about the County Council. This is below average for county councils. It also compares well with previous years (2009/10 – 42 complaints; 2010/11 – 45 complaints; 2011/12 – 42 complaints).
- A3 Unlike previous years, the LGO is only providing data on the number of complaints received and not the detailed data which sits behind it. They have changed their business processes and as a result they do not have a consistent set of data for the year. They hope to rectify the situation in next year's annual letter.

Maladministration

- A4 On 29 July 2013, the County Council received a report from the Local Government Ombudsman of an investigation into a complaint against Gloucestershire County Council and another local authority.
- A5 The case relates to a young person and, because of the nature of the case and the risk that the young person may be identified, the Ombudsman is required to report without naming or identifying the complainant or other individuals. She has also decided not to publish the report or issue a press release. The Council is required to follow suit. The finding is that there has been maladministration and injustice caused by the County Council.
- A6 Section 5 of the Local Government and Housing Act 1989 requires the Council's Monitoring Officer to prepare a report in respect of any instances of maladministration or injustice, consulting as far as practicable with the Head of Paid Service and the Chief Financial Officer. That report must be sent to all

County Councillors and be considered by the Council at a meeting. This report fulfils that requirement.

- A7 We have already accepted the findings and agreed to remedy the injustice through a written apology; reviewing relevant policies and procedures; staff training; and financial payments totalling £3,000.
- A8 The Ombudsman's report (exempt appendix 2) and the County Council's response (exempt appendix 3) are attached to the full Council agenda for elected members. Any further detail or discussion about the report would need to be in exempt session.

RECOMMENDATIONS

To note the Local Government Ombudsman's Annual Review Letter 2012/13.

To note the finding of maladministration and injustice caused by the County Council and endorse the actions taken to improve services and prevent such a situation occurring in the future.

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