

**LOCAL GOVERNMENT OMBUDSMAN –  
LOCAL SETTLEMENT OF COMPLAINT  
(Report by the Director of Central Services)**

**1. INTRODUCTION**

- 1.1 Under the Council's Scheme of Delegation, the Chief Executive, after consultation with the Chairman of the Panel, has the authority to settle locally complaints to the Local Government Ombudsman and to offer compensation of up to a maximum of £1,000. The delegation requires the submission of a report to the next ensuing meeting of the Corporate Governance Panel advising Members of the action taken.
- 1.2 The Ombudsman has recommended the local settlement of a complaint, which involved an application for housing. Details of the case are set out below for the Panel's information.

**2. THE COMPLAINT**

- 2.1 The case in question related to a complaint that the Council failed to identify and assess the complainant and her family's housing needs and place her in the appropriate banding, which has resulted in her losing out on successfully bidding for houses within the correct banding and has been offered inappropriate houses, which did not meet the needs of her autistic son. The case originated in February 2010 with the submission of a complaint to the Ombudsman.
- 2.2 Having investigated the complaint, the Ombudsman concluded that the Council had made an error in that it had failed properly to upgrade the complainant's housing priority following a medical assessment. The Council has accepted that there was an error in the way the complainant's priority was assessed and has apologised. The Ombudsman has decided that this amounts to maladministration.
- 2.3 The Ombudsman also has found that, as a result of the error, the complainant missed out on being successful on one property. Having received this preliminary view, the Council has agreed that it will endeavour to make a local settlement with the complainant.

**3. THE SETTLEMENT**

- 3.1 The Ombudsman has suggested that a payment of £500 should be made in recognition of the time and inconvenience to which the complainant has been put in making a complaint and following it up. The Ombudsman deemed this to be a reasonable settlement and one which would obviate the need for further investigation on his part. The Council accepted this recommendation.
- 3.2 The complainant disputed this recommendation but, on review, the Ombudsman confirmed his recommendation.

- 3.3 The Chairman of the Panel has agreed to the recommended payment and this has been made to the complainant. The complaint will be recorded in the Ombudsman's annual statistics as one that has been settled locally.
- 3.4 The process for the assessment of medical information has been reviewed and changed. It now involves a series of checks to ensure that this type of mistake should not happen again.

#### **4. CONCLUSION AND RECOMMENDATION**

- 4.1 This case has been settled in accordance with the authority delegated to the Chief Executive, after consultation with the Chairman of the Panel. Under the circumstances, it is

##### **RECOMMENDED**

that the Panel note the action taken to settle this complaint in accordance with the Council's Scheme of Delegation.

#### **BACKGROUND PAPERS**

File POL/18 held in the office of the Director of Central Services.

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