

Report to: **Governance Committee**

Date: **26 June 2018**

By: **Assistant Chief Executive**

Title of report: **Report of the Local Government and Social Care Ombudsman**

Purpose of report: **To consider the Local Government and Social Care Ombudsman's report**

RECOMMENDATION:

The Committee is recommended to consider the contents of the Local Government and Social Care Ombudsman's report in respect of complaint reference 16013883 and endorse the Council's actions in response to the complaint.

1. Background

1.1 The Local Government and Social Care Ombudsman (LGO) has power under the Local Government Act 1974 to investigate and issue Reports concerning allegations of maladministration or service failure. Details of complaints made to the LGO are reported to members at Cabinet and Council through the Council quarterly monitoring report. The Governance Committee also receives an annual complaints report which sets out the annual report received from the LGO.

1.2 The LGO has issued the report attached at Appendix A following an allegation of maladministration by the Council in the exercise of its functions. The LGO has concluded that there was maladministration on the part of the Council and that this caused injustice to the complainant. The LGO has issued a public report which includes recommendations. The report is issued under s31 of the 1974 Act. The report must be reported to Council (or an appropriate Committee) who must consider the report and confirm within three months the action it has taken or proposes to take. The terms of reference of the Governance Committee include the consideration of reports from the LGO where there has been a finding of maladministration, and to exercise the powers and duties of the County Council in respect of the making of payments or the provision of other benefits in cases of maladministration.

1.3 The full report is attached at Appendix A. By way of summary Mrs X complained the Council-run service her daughter was referred to for non-attendance at school, was unhelpful and caused her distress. She said allegations that her daughter was bullied were ignored. The LGO found that consideration of the alleged bullying was not recorded or explained to Mrs X, and as a result Mrs X was left with the impression that such allegations had been dismissed and not relevant to the process. The LGO considered that the Council handled the matter in an insensitive way that caused distress to Mrs X.

1.4 The LGO recommended the following action:

- (i) The Council has already agreed to consider improving its record-keeping of meetings where there is no-one present to represent the child or parent.
- (ii) The Council should also apologise in writing to Mrs X and her daughter for the distress caused by the insensitive way it handled the non-attendance referral when it was made aware of bullying allegations.

1.5 The Chief Executive has written to Mrs X apologising for the distress that the Council's fault caused.

2. Recommendation

2.1 The Committee is recommended to consider the contents of the Local Government and Social Care Ombudsman's report in respect of this complaint and to endorse the Council's actions in response to the report.

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Background Documents