

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO POLICY & FINANCE COMMITTEE

meeting date: TUESDAY, 13 SEPTEMBER 2022
 title: OMBUDSMAN REPORT AND ANNUAL REVIEW LETTER
 submitted by: MARSHAL SCOTT - CHIEF EXECUTIVE
 principal author: MAIR HILL - HEAD OF LEGAL AND DEMOCRATIC SERVICES

1 PURPOSE

1.1 To inform Committee about the Annual Review Letter from the Local Government Ombudsman (LGO) and its report following an investigation; and to seek Committee's approval of actions arising from this.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives - } The Council aims to be a well-managed Council.
- Corporate Priorities - } Complaints to the Ombudsman and the process of resolving complaints and responding to the Ombudsman's investigation, helps to improve the way the Council delivers services.
- Other Considerations - }

2 BACKGROUND

2.1 The Local Government Ombudsman Service publishes an annual review letter for each Council. A copy of this Council's annual review letter is attached as Appendix 1, this relates to the year ending 31 March 2022.

2.2 The annual review letter provides a summary of the following information:

- The number of complaints upheld
- Compliance with the Ombudsman's recommendations
- Satisfactory remedies provided by the authority

2.3 As can be seen from the attached report, the Ombudsman investigated 4 complaints of which 1 was upheld. The Ombudsman has issued a separate report dated 14 July 2022 (but embargoed until 18 August 2022) relating to the complaint which was upheld. A copy of that report is enclosed as Appendix 2. The report finds fault in that the Council had not provided evidence that it had carried out all the recommendations it had agreed with the Ombudsman in April 2021.

2.4 As a result, the Ombudsman has made a recommendation that within 3 months of the report the Council should provide, the Ombudsman with evidence that:

1. It has implemented its new policy on Reasonable Adjustments for disabled people;
2. It now keeps adequate records relating to decision on reasonable adjustments for disabled service users; and
3. its officers are aware of the Council's new policy and its obligations under equalities legislation.

2.5 The Council had provided the Ombudsman with evidence that the policy had been communicated to Heads of Service by the Chief Executive with instructions for them to implement it within their service and that the policy appeared on the Council's website. Since the report was issued the Council has now provided further evidence

to demonstrate that recommendations 1 and 2 have been complied with and the LGO has confirmed that these recommendations are now complete.

- 2.6 With regard to recommendation 3, the Council has also provided the LGO with details of refresher training on the Equalities Act 2010 to be provided to CMT and all Heads of Service by Bethan Evans along with details of how this training will be provided to all officers in each directorate thereafter by the Head of Legal and Democratic Services, the Head of Human Resources, and the relevant Head of Service. The LGO has confirmed that this training is sufficient for it to confirm compliance with recommendation 3. Compliance will be confirmed once the training has taken place. The Council will therefore have complied with all recommendations in the Ombudsman's report.

3. ISSUES

- 3.1 Whilst the Council has taken steps and has complied with recommendations of the LGO report it is important that it uses this finding as a learning opportunity to ensure that not only is it compliant but that it seeks excellence in customer service and ensures that people with disabilities can access its services as easily as those without. This is the approach which the LGO itself took following a finding by the court in 2017 that it had failed to provide reasonable adjustments to a person with disabilities. In May 2022, the LGO published a useful report for Council's entitled "Equal access: Getting it right for people with disabilities – Focus report: learning lessons from complaints May 2022". A copy of this report is enclosed as Appendix 3. Committee will note the various common issues and learning points which are highlighted within it. There is also a list of positive steps which Councils can take to improve services as well as scrutiny questions for Councillors.

- 3.2 In order to ensure that the Council's equality duties embraced at all levels of the organisation it is proposed that the following actions are taken:

3.2.1 Training on the Equalities Act 2010 should be included in the induction training programme for new officers. The training provided should be reviewed at least annually, but in any event whenever amendments are made to the Equality Act 2010.

3.2.2 Training on the Equalities Act 2010 to be provided to current members and be incorporated into the induction programme for new members. This will provide members with the requisite knowledge to enable them to scrutinise the Council's functions and hold it to account.

3.2.3 A further report be brought to Committee setting out how the Council meets the steps for promoting good practice set out in the LGO guidance and/or how it proposes to ensure that it does;

3.2.4 A equalities working group be established to carry out a comprehensive review of all aspects of the Council's Equality Act duties and make recommendations to Committee.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:

- Resources – Resources will be required in order to carry out the actions set out above in terms of officer time in consideration of the issues but also in implementing the changes proposed.
- Technical, Environmental and Legal – N/A.

- Political – N/A.
- Reputation – Taking on board the recommendations of the Ombudsman and taking steps to demonstrate and build upon the Council's compliance with its equality duties will enhance the reputation of the Council.
- Equality & Diversity – The actions set out above will have a positive impact on equality and diversity and will ensure that the Council strives for excellence in customer service.

5 RECOMMENDED THAT COMMITTEE:

- 5.1 Approve the proposed actions set out at paragraph 3.2 of this report.

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HEAD OF LEGAL AND DEMOCRATIC SERVICES

MARSHAL SCOTT
CHIEF EXECUTIVE

BACKGROUND PAPERS

For further information please ask for Mair Hill, extension 4418.