

Principles of good administrative practice

December 2018

Ombudsman's introduction to the principles



We have published guidance on 'Good Administrative Practice' since 1993, and have always used this as a benchmark for the standards we expect when we investigate the actions of local authorities. Given the significant changes that have re-shaped local government in the intervening years, we felt it was both timely and necessary to refresh this guidance. Six core principles sit at the heart of this document. Although deceptively simple, we hope they will help frame a shared understanding of what is meant by good administration.

These principles are not unique to my organisation, or to our sector. Similar standards have been adopted by Ombudsmen across the UK, and are widely recognised as best practice. Most importantly, these core principles are closely aligned to those used by our sister organisation, the Parliamentary and Health Service Ombudsmen, enabling us to take a common approach, as we increasingly work together to jointly investigate concerns that cross organisational boundaries.

These principles are rooted in our casework findings, drawing on our extensive body of knowledge about good and bad practice, built over many years of experience. While they will underpin our assessment of performance in individual cases, it is important to stress they are intended as a broad framework, not a checklist to be rigidly applied. They are a compass, not a map.

The statutory tests we apply will of course remain the same: is there evidence of maladministration or service failure and, if so, has this led to an unremedied injustice? If we decide a council has not followed our six principles, we will not automatically find maladministration or service failure. We will, as ever, continue to decide each case on its own merits by considering the unique circumstances of each situation.

Increasingly where we do find fault, we will try to work with bodies in our jurisdiction to identify who else has been affected, and to recommend systemic changes that might help avoid a recurrence of problems in future. We believe complaints should be a catalyst for learning and a tool for scrutiny.

These principles provide clarity for both complainants and bodies within our jurisdiction. We hope they will foster a shared understanding of what we expect from public service providers, and help explain the questions we will ask in deciding whether maladministration and service failure have occurred.

Ultimately, I hope these principles will help ensure good administrative practice continues to remain at the heart of local government decision-making, guiding the governance and delivery of local services in the way it has for decades before.

A handwritten signature in black ink, appearing to read 'M. King'.

Michael King

**Local Government and Social
Care Ombudsman**

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Principles of good administration

1. Getting it right

- > Following the law and taking the rights of those concerned into account
- > Following the organisation's policy and guidance
- > Taking proper account of established good practice
- > Providing effective services, using appropriately trained and competent staff
- > Taking reasonable, timely decisions, based on all relevant considerations

Examples of what good looks like

- > Complying with service timescales with a statutory basis by planning and prioritising resources
- > Explaining and responding to any delays proactively
- > Giving staff free rein to use their professional judgement to meet properly assessed service needs
- > Ensuring organisations working on a council's behalf adhere to that council's policies, guidance, good practice and legislation

2. Being service-user focused

- > Ensuring people can access services easily, including those needing reasonable adjustments
- > Informing service users what they can expect and what the organisation expects of them
- > Keeping to commitments, including any published service standards
- > Dealing with people helpfully, promptly and sensitively, taking account of their individual circumstances
- > Responding to service users' needs flexibly and, where appropriate, coordinating a response with other service providers
- > Recognising and respecting the diversity of service users and adopting an inclusive approach

Examples of what good looks like

- > Retaining continuity for service users when services are changed
- > Setting expectations for service users by having and communicating appropriate guidance
- > Understanding the individual circumstances of a case – not falling back on 'blanket policies'
- > Having appropriate skills and capacity to effectively contract manage third party suppliers delivering services on behalf of the council
- > Implementing contractual arrangements with suppliers to maintain service standards and provide clarity on the responsibility for managing concerns and complaints

3. Being open and accountable

- > Being open and clear about policies and procedures and ensuring information, and any advice provided, is clear, accurate and complete
- > Stating the criteria for decision making and giving reasons for decisions
- > Handling information properly and appropriately
- > Keeping proper and appropriate records
- > Taking responsibility for actions

Examples of what good looks like

- > Consulting with stakeholders and service users prior to changing service arrangements
- > Ensuring frontline staff are fully briefed and equipped to support service users to make informed decisions, particularly when there are changes to eligibility criteria
- > Maintaining transparency in the light of complex service delivery arrangements

4. Acting fairly and proportionately

- > Being impartial and treating people with respect and courtesy
- > Treating people without unlawful discrimination or prejudice, and ensuring no conflict of interests
- > Dealing with people and issues objectively and consistently
- > Ensuring decisions and actions are proportionate, appropriate and fair

Examples of what good looks like

- > Explaining clearly the rationale for decisions and recording them – ensuring any contractors mirror this behaviour
- > Having clear and accessible appeal routes
- > Being alive to the need for reasonable adjustments to ensure no person is placed at a disadvantage in using a service due to a disability

5. Putting things right

- > Acknowledging mistakes and apologising where appropriate
- > Putting mistakes right quickly and effectively
- > Providing clear and timely information on how and when to appeal or complain
- > Operating an effective complaints procedure, which includes offering a fair and appropriate remedy when a complaint is upheld

Examples of what good looks like

- > Making complaints procedures clear and visible
- > Ensuring the quality of complaint investigation is the same whether it's handled by the council or a contractor

6. Seeking continuous improvement

- > Reviewing policies and procedures regularly to ensure they are effective
- > Asking for feedback and using it to improve services and performance
- > Ensuring the organisation learns lessons from complaints and uses them to improve services and performance

Examples of what good looks like

- > Building into third party contracts the opportunities for review and learning from feedback
- > Disseminating and embedding relevant learning from feedback and lessons learned from complaints within the organisation
- > Being proactive in sharing complaints information with scrutiny functions

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