



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Hampshire County Council
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

Volume

The number of complaints I received against your Council reduced from 75 to 58. I note that the unusually high number in 2005/06 had been inflated by a group of 27 complaints about the same issue.

Character

When I wrote to you last year I noted that there had been a significant increase in the number of complaints about social services, and this trend has continued this year, with complaints about adult care services increasing from 11 to 13, and complaints about children and family services increasing from four to eight. Complaints about education also continued to increase, from 15 to 18 this year. I received twelve complaints about highways matters, the same number as in the previous year. The remainder of the complaints spanned a number of service areas.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

During the year I made 56 decisions on complaints against your Council. Of these, 11 were referred back to the Council as it appeared you had not had sufficient opportunity to consider them through your own complaints procedure. Of the remainder, 31 were not upheld because there was insufficient evidence of administrative fault or significant injustice and eight were about matters which were outside my jurisdiction.

I therefore upheld six complaints, and each of these cases the Council agreed to settle locally.

Four of the cases settled locally were complaints about highways. In one, the Council failed to demonstrate that it had taken into account the transport needs of elderly and disabled people when deciding to remove subsidy from bus services, as required by the Transport Act 1985. The Council in this case agreed to review its policy to ensure that the statutory duty is fulfilled and to ensure proper consideration is given to the question in a review of transport provision in the complainant's area. In another highways complaint, the Council failed to determine promptly its responsibilities in respect of the clearance of overgrown vegetation from a footway, and failed to respond to complaints about the issue. The Council agreed to apologise and pay the complainant £100 in recognition of the

inconvenience and time and trouble caused, and provide her with a reliable point of contact for any future concerns about the footway.

Another complaint settled locally concerned adult care services. In this case the Council had failed to give written notice to the complainant's landlord despite having persuaded him to sign a document giving it authority to relinquish the tenancy. The Council also failed to arrange to clear the property of the complainant's unwanted possessions. To remedy this complaint the Council agreed to meet the costs of £1105 incurred in respect of the notice period and flat clearance.

In all, the Council paid compensation of £1355 in respect of the complaints I upheld. I welcome the Council's willingness to remedy a complaint where there appears to have been some fault.

I did not need to issue any reports against your Council this year.

Your Council's complaints procedure and handling of complaints

The number of complaints referred back to the Council to deal with under its own complaints procedure is increasing, but the proportion remains below the national average. I note that the Council's website contains clear information about the complaint procedure as well as links to information about my office.

We also received three complaints which had previously been referred back to your office. One of those complaints has been determined and was not upheld. The remaining two complaints are still under consideration by my investigators.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open courses for groups of staff from smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

Liaison with the Local Government Ombudsman

My staff made enquiries of your Council on 24 cases during the year. The average response time was 33.2 days. While this is outside the target response time of 28 days, it is a welcome improvement on the previous year when the average response time was 48.2 days. This may be a result of the Council's appointment of additional complaint investigation officers. I am grateful for these improvements and I recognise that the average response time this year has been affected by enquiries on two adult care services complaints for which the average response time was 67.5 days.

I am pleased that two of your complaints officers were able to attend the link officer seminar here in Coventry last November. I hope that they found the event useful.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

J R White
Local Government Ombudsman
The Oaks
No 2 Westwood Way
Westwood Business Park
Coventry
CV4 8JB

June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Children and family services	Education	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	13	8	18	5	2	0	0	12	58
2005 / 2006	11	4	15	1	0	2	30	12	75
2004 / 2005	3	2	12	4	2	0	3	10	36

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	6	0	0	21	10	8	11	45	56
2005 / 2006	0	3	0	0	15	35	10	8	63	71
2004 / 2005	0	4	0	0	16	5	9	5	34	39

See attached notes for an explanation of the headings in this table.

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	24	33.2
2005 / 2006	17	48.2
2004 / 2005	15	34.7

Average local authority response times 01/04/2006 to 31/03/2007

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0