



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Buckinghamshire 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

We received 101 complaints during the course of the year; a drop of over 20% over last year's equivalent figure; largely accounted for by a reduction of 30% in education complaints. All but eight of the 71 education complaints were about education admissions and once again largely about the conduct of admission appeals; a large and significant reduction from last year's figure of 95 education admissions cases. I am uncertain of the reasons for such a decrease and would welcome any comments or ideas you may have about it.

There were roughly the same number of Social Services complaints this year as last but the balance has shifted with a larger number of adult care complaints this year than last, and a reduction in children and family social services complaints.

Decisions on complaint

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.

The measure of administrative fault causing injustice is not the total number of decisions by my office but the number of settlements and formal reports which found maladministration and injustice. I did not issue any reports against your Council this year. We decided 130 cases this year; some 14 more than last year. Of that total, there were 18 local settlements of which 15 were school admissions complaints. In none of the admissions cases was there any financial compensation merited but most involved offering fresh appeal panels to the parents. The Council queried suggestions for local settlements in a number of these cases (in particular four cases involving the junior school Head's failure to submit an order of suitability by the relevant date) but eventually agreed to them despite certain strongly-held misgivings and I believe that that approach is praiseworthy.

There were two local settlements in social services complaints, the most significant of which was a case in which there were a number of failures to deal effectively with the mother of a child whom the Social Services' Department was having separate dealings with. A payment of £1,000 was agreed for the considerable additional stress caused to the complainant and I sincerely hope that the review of procedures in this area has brought greater clarity and certainty to what social workers should say to worried parents in similarly difficult situations.

Finally, I want to mention the Special Educational Needs case in which the provision in the child's Statement was not made for some seven months. Although the Council did settle this complaint, I thought I would use this opportunity to underline just how important I and my colleagues feel that such provision is in assisting school age children with special educational needs, and the sometimes disproportionate effects that either a lack of provision, or a delay in providing the additional help and

support which has been identified in a Statement, can have. Nonetheless, I am grateful to the officers for recognising and quantifying the lost provision and making payments to both parent and child for the time and trouble and anxiety caused

Your Council's complaints procedure and handling of complaints

We referred 11 complaints back to your Council during the course of the year as it did not seem that it had yet been afforded a reasonable opportunity of dealing with it; once again a very low proportion (about 8%) of total decisions compared to the national figure of 28%. I think this is a reflection, as in earlier years, of the high number of complaints about school admissions which we would normally consider despite them not having exhausted a local authority's corporate complaints procedure due to their urgency.

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

We made 73 first enquiries during the course of the year and the average response time was 25.4 days compared with the average time of 23.8 days the previous year but remains within my target of 28 days. I would like to acknowledge the continued willingness of your officers to negotiate local settlements in cases where there has sometimes been fault identified by my investigators but on occasion simply because the Council itself has identified a failure that needs to be put right.

One of my investigators visited your Council and talked to Appeal Panel members and officers and I gather that his presentation on our work was well received and valued by his audience and of course we would endeavour to meet any like requests in the future.

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.

Tony Redmond
Local Government Ombudsman
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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	Housing	Other	Planning & building control	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	8	3	71	0	6	2	0	11	101
2005 / 2006	2	9	102	2	2	1	1	7	126
2004 / 2005	5	4	89	0	3	1	0	6	108

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	18	0	0	77	10	14	11	119	130
2005 / 2006	0	23	0	0	67	11	9	6	110	116
2004 / 2005	0	14	0	0	30	7	8	6	59	65

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	73	25.4
2005 / 2006	86	23.8
2004 / 2005	62	20.6

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