



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter to Leeds City 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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to assist with your 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.

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

As you are a local Social Services authority I want to take this opportunity to draw your attention to an issue of significant public interest. In the last two years I have issued reports following complaints from people living in Blackpool, Liverpool and Sheffield about failings in home care services provided under contract.

In each case a vulnerable person was placed at significant risk as a result of carers failing to visit, calling late and failing to provide the specified care. Tragically, in one case the actions of a carer resulted in a death. Complaints had been made to all three Councils but no effective action had been taken. Although the services were provided under contract, it seems clear that similar problems could occur even if the carers are directly employed. I urge you to ensure that senior staff responsible for care services to adults are aware of the issues raised by these reports (which can be found on our web-site) and consider whether action needs to be taken by your Council. The 2006 report of the Commission for Social Care Inspection 'Time to Care? An Overview of Home Care Services for Older People in England' provides very useful contextual information.

Complaints received

Volume & Character

During the year my office received 343 complaints against the Council. That is less than the 382 received in the previous year but such variation is can arise from year to year with no apparent causes. What may, however, be of some significance is the reduction in complaints about education which have more than halved from 79 to 34. This may well reflect an improved situation from last year when there was a reorganisation of secondary education.

Complaints about housing benefit have also fallen from 11 to five. Both figures, especially the latter, are very low given the size of the Council's population and can be taken as indicative of a good service.

Complaints about housing remain relatively high at 121, about 35% of the total received. I commented last year on a similar figure for 2005/06 (then 37%) and suggested that this might benefit from some analysis by the Council. I now ask the Council to let me know the outcome of the analysis and action that it proposes as a result.

Decisions on complaints

Reports and local settlements

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

I published a report about one complaint during the year. This concerned significant delays in providing adaptations at the home of a disabled person. Compensation of £5,000 was made together with payment for the costs of a much needed holiday for the family. The Council accepted fault and made necessary changes to its procedures and policy.

A further 85 cases were resolved by local settlement leading to financial payments totalling £29,471.00.

Seven of these cases concerned school admission appeals. My investigations found maladministration including the Council presenting a muddled case; out of date information being used; a parent being given insufficient notice of an appeal hearing; and the Chair of an appeal panel being overbearing. Such faults are easily avoided. The Council's responses to our recommendations for local settlement (usually with a fresh appeal) were positive.

I am also encouraged by the way that the Council has responded generally to complaints about school admissions. The relevant staff prepared a schedule of all such complaints decided by my office (the majority proving unfounded) and identified learning points and the need, where appropriate, for changes. That is a commendable and positive response which ought to reduce still further any maladministration. There have been positive and helpful meetings between our staff about this area of work. A training session was provided by an Assistant Ombudsman for members of the appeals panels.

Another complaint resolved by local settlement concerned homelessness. The Council wrongly declined to see a landlord's notice to quit as valid. This led to a mother and her three young children not receiving appropriate help as required by the law. She was given no temporary accommodation for three weeks and when she was eventually accommodated the premises were of such poor quality that she felt unable to stay. Compensation of £2,000 was made and the Council has offered assurances that it will put things right for the future.

327 complaints were determined in the year. Of these 82 were premature as the Council had not been given prior opportunity to investigate and respond. There were referred to the Council to be dealt with through the appropriate complaints procedure. 27 complaints were outside my jurisdiction.

We received a relatively high number of complaints about refuse collection during the year, 19 compared to 11 for the previous year. This is certainly higher than I would expect and I know that the Council was to investigate. It would be helpful to know the outcome of the investigation.

Your Council's complaints procedure and handling of complaints

I am not aware of any general problems with the way the Council deals with complaints from members of the public. The Council has had the benefit of two training courses on good complaint handling from members of my staff during the year.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training is very positive.

The range of courses is expanding in response to demand. 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 and 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 different 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

During the year, an Assistant Ombudsman met representatives of the Planning Department to discuss issues of mutual concern.

There are some favourable comments from investigators about how the Council responded to enquiries. Examples include “couldn’t have been more proactive”, “amazingly quick” and “have bent over backwards to help complainant”. The efficient and courteous service provided by the Liaison Officers is much appreciated.

The Council responds on average to our enquiries on complaints within just under 29 days. That is very close to our target figure of 28 days and at this is a commendable given the number of enquiries (154). It is also an improvement on last year’s figure of over 32 days. There has been a significant improvement in the time taken to respond to complaints about school admissions. We give these complaints priority, and ask the Council to respond to enquiries within a challenging timescale of 14 days. The Council all but met that figure. The averages do not hide any significant delays. Some responses do still take too long – eg one about a housing complaint took 62 days and a number of others over 50 and I encourage the Council to do more to avoid this.

A significant case from the past became relevant again during the year. This was a case reported on several years ago about asbestos in houses in the Armley area resulting in a very significant settlement and the Council accepting commitments to act well into the future. The Council felt that all the necessary actions had been taken and the matter should be closed. An Assistant Ombudsman met staff at the Council and in consultation with me, agreed the Council’s proposals. I commend the Council for all it has done in resolving this difficult and expensive issue and for having the good sense to involve my office before any final actions.

LGO developments

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and we will discuss with you the implications for your Council.

I hope you have received our latest special report about telecommunication masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex
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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	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	14	5	7	34	121	78	52	4	0	28	343
2005 / 2006	13	11	12	79	127	54	61	5	2	18	382
2004 / 2005	11	4	11	47	112	41	68	4	2	13	313

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	1	86	0	0	91	40	27	82	245	327
2005 / 2006	5	84	0	0	136	38	18	97	281	378
2004 / 2005	3	65	0	0	100	37	27	52	232	284

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	154	28.9
2005 / 2006	198	32.2
2004 / 2005	175	28.0

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