



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Liverpool 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

In the year ending 31 March 2007, I received 188 complaints about your Council. This was a fall in number of 40 on the previous year. It is the second consecutive year where the number of complaints to me has fallen. Since 2004/05 the volume of complaints received has dropped by 27%.

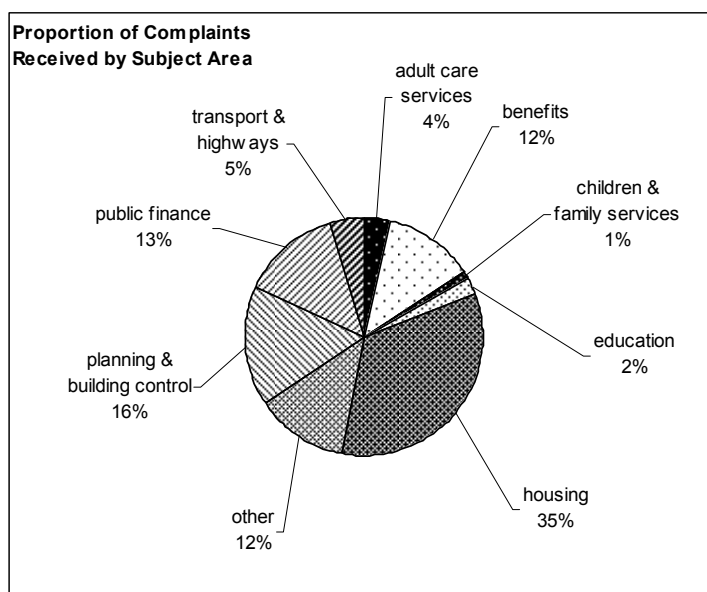
Character

The accompanying statistical information gives a breakdown on the number of complaints by type.

As the data shows in all but two categories of complaint the number I received has fallen. The two areas where complaint numbers have risen are planning & building control where they have risen from 15 to 31 and public finance where they have risen from 20 to 25.

While no conclusions can be drawn directly from these figures the Council may wish to reflect on the rise in public finance complaints in light of the fact that of the 46 local settlements agreed, ten were in respect of failures in the administration of Council Tax.

As regards the increase in planning complaints, while the number of complaints has doubled, as a proportion of the total number of complaints, they account for 16%, which is below the national average of 23.6%. The Council can draw some comfort from the fact my investigations into planning matters have not revealed any systemic or widespread procedural problems in this area, but may wish to reflect on the rise.



As this chart show the category of complaint that accounts for the highest proportion is housing. This is not surprising for a large Council such as yours. This year it is 35%, while in the previous two years it was around 30%.

While the number of complaints in this area, particularly in relation to housing repairs, has fallen for two years running (in 2006/07 it was 64, the year before 69 and in 2004/05 80), the Council might wish to reflect on why nearly a third of complainants coming to me, feel moved to complain about housing issues.

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.

Decisions

In 2006/07 I took 190 decisions, a figure which differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 190 decisions: 16 were outside my jurisdiction, I exercised discretion not to investigate 19 of them, in 39 I found no evidence of maladministration and 69 were 'premature' (in our view the Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

I issued one report on my findings on a complaint about adult care services. While I was critical of the Council for its failures to adequately provide care, I was pleased with the positive way in which your Council reacted to my findings. You readily took on board the recommendations and were proactive in seeking and implementing a suitable remedy.

In the remaining 46 cases your Council and I agreed local settlements. My investigations did not reveal widespread or systemic issues in relation to the way your Council delivers and administers its services, but I thought it would be worth making you aware of the profile of the local settlements.

As you can see from this table, housing repairs, administration of Council Tax and administration of housing benefit accounted for 28 of the 48 local settlements. While I did not find serious problems in any of these areas, the Council may wish to reflect on some general observations. I make these not to be critical of your Council but to bring them to your attention in recognition of your commitment to customer service and continuous improvement.

Several themes emerged that were common to many of the complaints we settled:

- *breakdown* in communication, predominantly between the Council and the complainants. This occurred in a number of ways; failure to follow up action, failure or delay in responding to complainants and delay in acting on information received. There was also evidence of poor communication between some Council departments (eg rent and housing benefit)

housing repairs	10
public finance (Council Tax)	10
housing benefit	8
education	4
antisocial behaviour	3
highways	3
other housing matters	3
miscellaneous	3
adult care services	1
planning	1
environmental health	1
waste management	1

- *poor* advice and information provided to the complainants
- *delay* in taking action or responding to requests

While our investigations also highlighted instances where the Council failed to take any action on a particular issue or simply made administrative, these were less prevalent than delay.

I draw no conclusions from this about the service overall but encourage you to consider the observations in light of the monitoring you do of your own complaints procedure.

Other findings

As you are aware, we ask for comprehensive responses to our enquiries within 28 days. I am pleased to say your Council responded in a little over 17 days on average. Our experience of dealing with your officers, suggests to us that a major contributory factor to this response time, is the very effective liaison arrangements your Council has in place.

Your Council's complaints procedure and handling of complaints

Your Council's commitment to effective complaint handling comes through very clearly in the dealings my staff have with your officers and in the fact I receive very few complaints that expressed dissatisfaction with the way in which your council investigates complaints for itself. This commitment is not just confined to your corporate complaints handling staff, but extends into other areas such as Social Services. I am aware, for example, that over recent months your staff have attended one of seven effective complaints handling courses the LGO has run for the Council.

The information your Council publishes about how to make complaints is readily accessible and gives clear explanations. I am also pleased to see it contains links and references to the LGO.

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

As mentioned earlier, the liaison arrangement between our two organizations works very well. Your liaison staff are extremely professional and helpful in responding to our requests for information and we rarely experience delay.

What is particularly pleasing is that liaison extends beyond specific complaints to general complaint issues. I understand from my Assistant Ombudsman that by discussing general principles with

corporate and social services complaint handling staff, we are able to share good practice about various aspects of complaints handling, the underlying objective being an improvement in public services. In discussing general complaint issues with us, your staff are mindful of the need for confidentiality and of our impartiality, and maintain a professional working relationship at all times.

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

Encs: 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	Transport and highways	Total
01/04/2006 - 31/03/2007	7	23	2	4	64	23	31	25	9	188
2005 / 2006	12	39	4	17	69	40	15	20	12	228
2004 / 2005	3	62	2	8	80	39	21	22	20	257

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	46	0	0	39	19	16	69	121	190
2005 / 2006	0	51	0	0	44	18	21	79	134	213
2004 / 2005	0	114	0	0	44	35	23	77	216	293

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	69	17.4
2005 / 2006	88	19.4
2004 / 2005	148	19.1

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