



The Commission for  
Local Administration in England

## **The Local Government Ombudsman's Annual Letter**

# **Salford 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***

Last year there were 66 complaints against the Council, a drop of one complaint from the previous year.

### ***Character***

A third of the complaints (22) were about housing services and one sixth (11) were about planning and building control services. While the former showed a small drop from 29 complaints in the previous year; the latter showed a small rise of 3 complaints from 8 in the previous year.

## **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.

14 complaints were locally settled by the Council with payments totalling just over £7000. In one case where there had been an unfair behavioural assessment at a respite home leading to the refusal of further respite care, the Council was required to pay compensation of £2500, and the reinstatement of the individual concerned following a full investigation which cleared his name.

In another case, despite a landlord clearly informing the Council of a tenant's arrears, the Council nevertheless paid housing benefit to the tenant, which should have been paid to the landlord who was the complainant. The Council remedied its error by making a payment of compensation to the complainant of £1871.

### ***Other findings***

Decisions were taken upon 59 complaints, of which well over a third (26) were considered to be premature complaints in the sense that the Council had not yet had a proper opportunity to consider and respond to those complaints as is required by law. A further six complaints lay outside my jurisdiction and I exercised my discretion over 11 complaints not to further investigate these. In only two cases was no maladministration found.

## **Your Council's complaints procedure and handling of complaints**

I note that the Council's website refers wrongly to the suggestion that complainants must fully use the Council's own complaints procedure before they may access the Commission's complaints procedure. This is wrong, as the Local Government Act 1974 only requires that the Council should have an opportunity to consider and respond to each complaint, and no mention is made in the Act of complaints procedures which were largely unknown in 1974.

It would therefore be most helpful if the Council ensured that during the coming year its website makes reference to and hopefully links directly with the Commission's own website, so that those complainants dissatisfied with the Council's response to their complaint may progress their complaint through the Commission's services.

## **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**

Last year the Council responded to the 19 complaints upon which enquiries were made by investigators within an average of 32 calendar days. This is four days beyond the Commission's new target of 28 calendar days, and I note that this target was also exceeded by the Council during the previous year, but in that case by over five calendar days.

It is to be hoped that during the coming year the Council may be able to improve its performance so that it complies with the Commission's new 28 calendar day target.

During the year you welcomed the Assistant Ombudsman who now leads the team of investigators dealing with complaints against your Council. This visit was a useful opportunity to explain changes within the Commission's structure, procedures and objectives; discuss complaints; consider training and to meet the staff who deal with our enquiries. I hope that the relationship will continue to be constructive.

## **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**  
**Local Government Ombudsman**  
**Beverley House**  
**17 Shipton Road**  
**YORK**  
**YO30 5FZ**

**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	2	2	1	1	22	17	11	4	0	6	66
2005 / 2006	1	4	4	2	29	11	8	2	3	3	67
2004 / 2005	1	4	0	1	30	9	19	2	0	4	70

**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	14	0	0	2	11	6	26	33	59
2005 / 2006	0	12	0	0	20	19	3	29	54	83
2004 / 2005	0	9	0	0	17	6	6	23	38	61

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	19	31.9
2005 / 2006	27	33.6
2004 / 2005	38	24.9

**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