



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Southampton 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

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

We received a total of 58 complaints against your Council this year, a slight increase over 2005/06. We expect to see these variations and I see no significance in the rise.

Character

Nearly half the complaints received concerned Housing and Planning/Building Control. Another quarter were in the 'Other' category including Antisocial Behaviour, Environmental Health and Waste Management. The remaining quarter were spread fairly equally over Adult Care Services, Benefits, Children and Family Services, Education, Public Finance and Transport and Highways.

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.

I am pleased that, yet again, I have had no cause to issue a report against your Council.

Of the 59 complaints I decided during the year five led to local settlements, the same number as last year. In all five cases the Council agreed to take some action to remedy injustice caused by its administrative fault. In three instances it also agreed to pay compensation. Total compensation was £1050. The settlements were in five different categories:

- Adult care services. The Council accepted it had delayed assessing the care needs of a complainant's son. The Council agreed to complete the son's assessment. It allocated a dedicated care manager to his case to help him access appropriate college courses, the enrolment fees for which were paid by the Council.
- Housing allocations. I found that a 42-week delay in completing an assessment of a complainant's housing needs was maladministration. It caused injustice to the complainant because, but for the delay, he would have been rehoused four months sooner than he was. The Council paid him £500 compensation. It had already implemented service improvements to try to avoid similar problems in the future
- Land sales. The Council failed to consult a complainant when it conveyed a piece of land to her neighbour. It also mistakenly gave the neighbour the impression that it had

conveyed to the neighbour a wall belonging to the complainant. The Council paid £500 compensation and agreed to pursue a deed of variation with regard to the property, subject to obtaining the neighbour's cooperation.

- Local taxation. The Council delayed responding to a complainant's letters, failed to respond to two of them altogether and failed to give correct advice about its complaints procedure. The Council apologised to the complainant and agreed to review its procedures.
- Waste management. The Council's refuse collection service had failed to collect a complainant's refuse on several occasions, causing him inconvenience. The Council paid him £50 compensation, apologised to him for its communication failings and agreed to confirm to him the steps it had taken, or planned to take, to address the shortcomings revealed by his complaint.

Other findings

Of the other 54 complaints decided during the year, we sent 21 of them back to you because we considered you had not had a reasonable opportunity to investigate them using your own complaints procedure. Eleven complaints were outside my jurisdiction. I exercised my discretion not to pursue my investigation into a further five complaints and found no or insufficient evidence of maladministration in the remaining 17.

Your Council's complaints procedure and handling of complaints

The complaints procedure is clearly explained on the Council's website. There is, however, no direct link from the home page to the procedure which might be helpful to complainants.

Premature complaints made up 30.5% of the total decisions for the year, slightly higher than the national average of 28.2%. This may indicate that the Council needs to give further thought to publicising its procedures, or ensuring that staff are properly signposting complainants swiftly enough. Four complainants came back to us after we had sent their complaints to the Council to put through its complaints procedure because they were not satisfied with the outcome. The relatively low number of complaints coming to me from your Council overall may be an indication that your complaint-handling is effective, once complainants find their way to it.

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

The average time taken to respond to our first enquiries on a complaint is only 21.5 days compared with almost 26 days last year. This is well within our target time of 28 days. I congratulate the Council on its exemplary performance here.

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	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	5	3	2	3	11	14	12	3	5	58
2005 / 2006	8	4	0	0	13	10	9	4	3	51
2004 / 2005	3	7	2	1	14	8	15	0	2	52

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	5	0	0	17	5	11	21	38	59
2005 / 2006	0	5	0	0	15	9	10	12	39	51
2004 / 2005	0	3	0	0	10	4	11	22	28	50

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	21	21.5
2005 / 2006	16	25.9
2004 / 2005	16	32.1

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