



The Commission for
Local Administration in England

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

St Helens Metropolitan Borough 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

I received 28 complaints about your Council over the 12 months up to 31 March 2007. This number is consistent with the volume of complaints I received over the three year period (in 2005/06 it was 31 and 2004/05, 28).

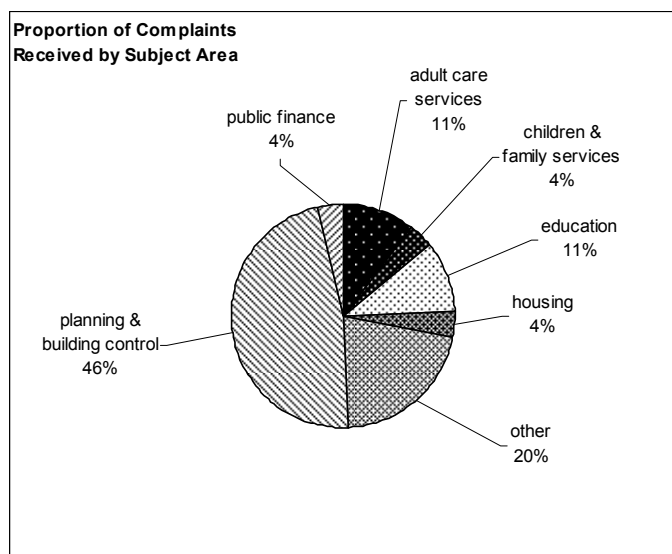
Character

As this chart shows, the majority of complaints against your Council continue to be about planning and building control.

The number of complaints about planning dropped from 16 in 2005/06 to 13 this past year, making the proportion of complaints about planning, 45% of the total.

The Council can draw some comfort from the fact only one of my investigations into planning matters found evidence of maladministration and that did not give me cause for concern about wider systemic problems within the Council.

While I appreciate the actual numbers are relatively low and in themselves provide no meaningful conclusions, as I did last year, I urge your Council to reflect on what prompts people to complain to me about planning 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.

I issued one report during the year. This was in respect of a complaint about the administration of tree preservation orders. In that report I expressed my concerns about the Council's lack of clear procedures and in particular how the Council provided cover for the absence of a specialist officer. I am pleased to say, I have not received any similar complaints since.

During the year, I asked the Council to settle one complaint locally. While I was critical of the Council's actions in the way a school admissions appeal was run, I was encouraged by the speed of the Council's response to our suggested settlement and the alacrity with which it was implemented.

Decisions

In addition to the report and local settlement, I made 35 decisions during the year. The total figure of 37 differs from the number of complaints received because of work in hand at the start and finish of the year.

Of the 35 decisions: three complaints were outside my jurisdiction, five I exercised discretion not to investigate, I found no evidence of maladministration in 18 and nine 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).

Overall did not find issues that gave significant concern or that were indicative of systemic problems in the way the Council administers its services.

Other findings

As you are aware, we ask for responses to enquiries within 28 days. Your Council has again exceeded our expectations by responding in an average of 24 days. I am grateful to the Council for its continued cooperation in this respect.

Your Council's complaints procedure and handling of complaints

My investigations have not raised concerns about the way in which your Council handles complaints. The information you publish is very clear and helpful. I am pleased also to note you provide a direct link from your website 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

The liaison between our two organizations continues to be positive and professional. The liaison staff in your Council are helpful in ensuring we receive information quickly. Thank you.

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	3	0	1	3	1	6	13	1	0	28
2005 / 2006	4	1	1	3	0	6	16	0	0	31
2004 / 2005	5	0	3	3	3	3	6	2	3	28

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	1	1	0	18	5	3	9	28	37
2005 / 2006	0	2	0	0	7	2	0	10	11	21
2004 / 2005	0	4	0	0	8	7	3	4	22	26

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	8	24.0
2005 / 2006	14	25.9
2004 / 2005	13	27.1

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