



The Commission for
Local Administration in England

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

Stockport 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

There were 59 complaints against the Council last year, exactly the same number as in the previous year.

Character

However, the nature of these complaints has changed slightly. Complaints against planning and building control services, for example, rose from six during the previous year to nearly twice as many (11) last year, a similar total to the year before. There was a similar rise in complaints about education, while complaints about housing fell by a similar number. However, each of these samples is relatively small.

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.

Last year seven complaints were locally settled to my satisfaction and in most cases the complainants' satisfaction also.

In one case the Council eventually agreed to pay a total of £2750 to compensate a disabled complainant and the person acting on his behalf for the delay in providing the disabled complainant with proper washing facilities.

In another the Council failed to make a proper assessment of foster carers and inadequate support for the uncle when he took over the care of the two boys. The Council apologised to the family and paid a total of £1000 in compensation.

In a third the Council wrongly suspended its policy on car loans for foster carers causing unnecessary delay in making a decision and failed to keep the complainant informed. The Council agreed to pay £1000 and agreed to treat the complainant's application under the old policy in existence at the time of her original application.

When we complete an investigation we must issue a report.

I had cause to issue one report against the Council last year. It concerned the Council's treatment of a vulnerable adult whilst he was under investigation by the Police and was moved out of his supported tenancy for three months until a decision was taken by the Crown Prosecution Service not to proceed with the matter. The Council accepts that its staff did not fully understand its All-Agency Adult Protection Policy nor fully understand the implications of the term "vulnerable adult". The Council has agreed to pay £1,100 to the complainants and their son for the distress caused and for the time and trouble in making the complaint. The Council has also agreed to improve its book-keeping procedures for those in such supported tenancies; ensure all staff complete training in its All-Agency Adult Protection Policy; and also where possible, provide an appropriate adult to support vulnerable adults in such circumstances.

Other findings

Decisions were taken upon 52 complaints last year, of which 18 were 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 – just under one third of the total. Seven of these complaints lay outside my jurisdiction, while investigators exercised discretion not to pursue another nine complaints. No maladministration was found in a further ten complaints.

Your Council's complaints procedure and handling of complaints

I am pleased to note that the Council outlines its own procedure on its website, and also provides a direct link to the Commission's own website, so that those complainants unhappy with the Council's response through its own complaints procedure may choose to progress their complaint through the Commission's complaints procedure, if they choose to do so.

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.

I am pleased to note that in July 2006 the Council organised an Effective Complaint Handling course and I hope that those attending found it to be of benefit and use in dealing with complainants during the coming years.

Liaison with the Local Government Ombudsman

The Council is to be congratulated upon the swiftness with which it responds to enquiries upon the 19 complaints forwarded to the Council for comment last year. The Commission's new target requires responses within 28 calendar days, a target which the Council almost reached during the previous year, and comfortably exceeded at an average of 25.8 calendar days last year.

LGO developments

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Anne Seex
Local Government Ombudsman
Beverley House
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YORK
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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	Transport and highways	Total
01/04/2006 - 31/03/2007	10	0	4	7	7	13	11	1	6	59
2005 / 2006	10	1	4	3	11	20	6	1	3	59
2004 / 2005	4	3	1	7	7	21	13	4	13	73

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	7	0	0	10	9	7	18	34	52
2005 / 2006	0	12	0	0	27	7	7	20	53	73
2004 / 2005	0	7	0	0	23	14	13	14	57	71

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	25.8
2005 / 2006	24	28.5
2004 / 2005	38	32.2

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