



The Commission for  
Local Administration in England

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

In 2006/2007, I received 29 complaints against the Council. This compares with 40, 27 and 41 in the previous three years, a welcome reduction.

### ***Character***

I received 9 education complaints, 7 about children and family services, 5 about transport and highways and 4 about adult care services. The remaining 4 complaints related to planning applications and miscellaneous matters. The overall profile of complaints is similar to those reported in my last two annual letters, with social services, education, and transport and highways complaints predominating. This is in line with the character of complaints received by other county councils.

## **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. In 2006/2007, I made decisions on 35 complaints against the Council. I issued no reports but I concluded local settlements on 6 complaints.

Three local settlements involved services to children and families. In one case, I found fault with the Council's procedures for a child protection investigation. The social worker failed to seek appropriate information from all the key agencies involved and her report to the conference which placed the child on the child protection register was inadequate and the mother was not shown a copy. There was also a failure to keep the complainant properly informed. The complainant was left with uncertainty whether the outcome of the child protection conference would have been different if the matter had been dealt with properly. I could not conclude the outcome would have been different, but the Council agreed to place a copy of my findings on the relevant child protection files. It also agreed to apologise to the complainant and pay her compensation, and to draw the deficiencies to the attention of the officers involved.

In another case the Council failed to keep a disabled mother informed about what was happening to her children, who were in foster care or adopted, and delayed in providing support to help her with her youngest child, who remained in her care. While some delay was outside the Council's control, it did not explain this to the complainant. The Council agreed to pay the complainant compensation to reflect the injustice caused.

/...

The third social services local settlement involved a proposal to reduce a child's entitlement to respite care. The Council's letter informing the complainant of this decision gave the clear impression it was based on financial considerations, rather than assessed need. (This would have been unlawful.) Ultimately, no reduction was made. However, I found that the complainant had been put to time and trouble and suffered uncertainty because of the Council's actions, and recommended compensation.

In a complaint about the non-educational provision for a child with special educational needs, there was delay in providing the child with occupational therapy. The Council accepted this and so put in place catch up sessions so that the child would not be disadvantaged. I considered that this was the most appropriate remedy to address the main injustice caused, but also felt the complainants had been put to unnecessary time and trouble which warranted a modest financial remedy. In another education case, I recognised that the Council had made considerable efforts to agree a statement of special educational needs with the complainants. But I considered it should have concluded much sooner that agreement would not be reached: it should have issued the statement and given the complainants their statutory right of appeal. In both these complaints I was pleased to note that the Council took prompt action to rectify issues relating to service provision for the children involved.

The highways complaint was about a five month delay in deciding a vehicle crossover application. I was pleased to note that the Council promptly agreed to pay compensation for the delay.

### ***Other findings***

Of the remaining 30 decisions, I found no or insufficient fault to warrant my involvement in 8 cases, and I used my discretion not to pursue 4 other complaints. A further 11 complaints were outside my jurisdiction. I sent 7 complaints back to the Council because I considered the Council had not had a reasonable opportunity to deal with matters before I became involved.

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

Nationally 28.2% of all complaints to me are referred back to councils. The Council's 7 premature complaints are broadly in line with the norm.

Some complaints have highlighted issues about how the Council operates statutory complaints procedures. In one social services complaint, I found the Council very slow in processing the matter through the statutory procedure and it then failed to fully implement recommendations made by the Independent Panel at stage 3 of the process (albeit partly because of circumstances outside its control). Another social services complaint was initially dealt with under the Council's corporate complaints procedure rather than through the statutory process. When I became involved, the Council wanted to take the complaint through the statutory procedure. I decided that I should investigate the complaint as the complainant had lost confidence in the Council and I considered a referral back to the Council would be unreasonable.

I have a target of 28 calendar days for councils to reply to my initial enquiries. In 2006/2007 the Council's average response time was 38.8 days, an increase on the year before which had been worse than in 2004/2005. Within this average, the Council's response times ranged from 8 to 98 calendar days. All three initial enquiries on complaints about children and family services exceeded my target, with response times of 35, 51 and 98 days. While such cases can be complex, I do not consider this to be acceptable. In dealing with one, I had to ask a senior officer to attend my offices for interview with relevant documents before I received a response. I should not need to do this. I acknowledge that during 2006 the Council continued to make significant changes to its services for children and young people. I therefore trust improvements to complaint handling will now be evident and that my target times will be met.

Although there have been delays with some complaint responses, I welcome the Council's generally positive approach to my settlement proposals and its willingness to change procedures and address issues highlighted by my investigations.

### **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**

As you know, I seek to visit all councils in my jurisdiction periodically. Neither I nor any senior member or my staff has visited your Council since April 2005. Please let me know if you would find a further meeting useful during 2007/2008

### **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.

**Tony Redmond  
Local Government Ombudsman  
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Millbank  
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**June 2007**

Enc: Statistical data  
Note on interpretation of statistics  
Leaflet on training courses (with posted copy only)

<b>Complaints received by subject area</b>	<b>Adult care services</b>	<b>Children and family services</b>	<b>Education</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Social Services - other</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	4	7	9	2	2	0	5	<b>29</b>
<b>2005 / 2006</b>	5	5	15	2	0	2	11	<b>40</b>
<b>2004 / 2005</b>	3	4	9	2	2	0	7	<b>27</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	6	0	0	8	4	11	6	29	<b>35</b>
<b>2005 / 2006</b>	1	4	0	0	9	10	9	4	33	<b>37</b>
<b>2004 / 2005</b>	2	1	0	0	7	6	3	3	19	<b>22</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	11	38.8
<b>2005 / 2006</b>	14	36.9
<b>2004 / 2005</b>	11	28.1

**Average local authority response times 01/04/2006 to 31/03/2007**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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