



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Sunderland 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

There were 51 complaints against the Council, a marginal increase (5 complaints or 11%) over the previous year.

Character

The largest category of complaint was planning and building control services with 12 complaints, compared with 11 during the previous year. The next highest category of complaint was transport and highways, which, like the previous year, received nine complaints. Complaints against both adult care services and children and family services fell marginally.

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 and payments made to five complainants totalling £1580.

In one case the Council had delayed an investigation of the complainant's complaint under the Social Services statutory complaints procedure and had failed to keep her informed about what was happening during the extended investigation period. I recommended the Council to pay the complainant £250 to compensate her, and to review its policies about keeping in contact while an investigation is ongoing.

In another case the Council gave incorrect advice that they could build an extension. The Council overlooked that as the property lay within a conservation area any extension over 10% of the building would require planning permission, which was not what the developer had been told. I recommended the Council to pay the complainant £500 in compensation.

A third complaint dealt with the Council's failure to notify the complainant of a planning application by his neighbour for detailed permission to build a new dwelling. As a result the complainant missed an opportunity to comment and object to the application. However there was no evidence that the outcome of the planning application would have been different had the complainant objected. I therefore required the Council to compensate the complainant for his lost opportunity by paying him £250. I was pleased to note that the Council appointed an external planning consultant to thoroughly review its consultation process in an attempt to eliminate any such further omissions. The Council is to be congratulated for its prompt acceptance of the proposed local settlement.

Last year, as in both of the two previous years, there was no critical report published against the Council.

Other findings

Last year decisions were taken upon 41 complaints of which 19 were found to be premature complaints as the Council had not yet had an opportunity to consider and respond. This represents nearly half those complainants determined last year, and the Council may wish to consider the ways in which it publicises its own corporate complaints procedure, so that a lower proportion reaches this office in future, before the Council has had a proper opportunity to consider such complaints.

Two complaints were outside my jurisdiction and I exercised my discretion to close another four complaints. Nine complaints were found to involve no maladministration on the part of the Council.

Your Council's complaints procedure and handling of complaints

I was pleased to note that in addition to a clearly outlined corporate complaints procedure upon the Council's own website, there is clear and direct linkage to the Commission's website, so that any customer dissatisfied with the response received from the Council's own complaints procedure, is signposted to the Commission's alternative complaints procedure.

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 last year the Council organised no fewer than four complaint handling courses, and has requested another three during the current year, which have in fact all now been held. This represents a very thorough commitment to training staff in complaints handling, and seeking to deliver a first class service to all complainants, for which I commend the Council most warmly.

Liaison with the Local Government Ombudsman

Last year the Council responded to the enquiries made by investigators upon 14 complaints within an average time of 28.3 calendar days. This was a welcome improvement upon the time taken on average during the previous year which was 29.5 calendar days, just beyond the Commission's new target of 28 calendar days. I am confident that, particularly with its heavy investment in complaints handling training, the Council will comfortably meet the Commission's new target during the coming year.

I am pleased to note that during the last year you welcomed the Assistant Ombudsman, Chris Cobley, who now leads the team of investigators dealing with complaints against your Council. He tells me that his visit was a useful opportunity to explain changes within the Commission's structure, procedures and objectives; discuss complaints generally against your Council; consider the training courses I have outlined above; as well as an opportunity to meet the staff with whom investigators work most closely. I hope that the relationship between Chris Cobley's team and your own staff will continue to develop. Thank you for the time and trouble afforded to Chris Cobley during his visit, which was much appreciated.

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
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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	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	3	2	5	6	3	11	12	0	0	9	51
2005 / 2006	5	2	8	4	2	3	11	1	1	9	46
2004 / 2005	2	0	3	2	2	3	3	2	0	3	20

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	7	0	0	9	4	2	19	22	41
2005 / 2006	0	6	0	0	13	5	8	12	32	44
2004 / 2005	0	0	0	0	5	3	6	6	14	20

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	14	28.3
2005 / 2006	11	29.5
2004 / 2005	4	23.5

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