



The Commission for
Local Administration in England

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

Worcestershire 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

We received 36 complaints during this year, a slight increase over the 28 received in the previous year. But we expect to see fluctuations like this and I see no significance in the rise.

Character

The most complaints in any single category were nine about adult care services which shows an increase over the previous two years when we received six and two. There are no other marked changes in other service areas, We received five complaints about children and family services and ten about education.

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 did not issue any reports but five complaints were settled locally, two relating to the same matter. They concerned the adoption of two boys and the failings by the Council to follow up proposals for counselling and, among other things, to provide information and support. The Council agreed to pay compensation of £3000 (in connection with earlier complaints) and my investigator had already considered that no further remedy was required.

In another case the complainant's son, who had profound special needs, left school in July 2005. There was no adequate planning which meant he returned home, which was known to be unsuitable for his needs. His stay at home was difficult and ended after he had set fire to his bedroom. He then moved to an appropriate residential setting. The Council's own investigation had identified serious shortcomings and the complainant had submitted a claim for compensation but the Council had failed to deal with it. The Council responded very quickly and positively to our initial enquiries about the complaint and immediately agreed to pay the requested compensation of £10407.

This was the only complaint where compensation was necessary.

A complaint concerned an admission appeal for a place for the complainant's child at the parents' preferred school. I was not persuaded that sufficient information had been provided to the panel to enable it to conclude that the admission of a further pupil would cause prejudice to the provision of

efficient education or the use of resources. I therefore asked the Council to hold a fresh appeal hearing which it agreed to do.

The final complaint that was settled locally concerned the provision of free home-to-college transport for the complainant's disabled son. The Council transferred responsibility for the provision to a different department without informing the complainant. It also delayed in providing free transport for four weeks after agreeing to do so. The Council agreed to provide free transport until the complainant's son finishes college and to review its policy when transferring responsibility for any aspects of education for students with special needs.

Other findings

In all, 36 complaints were decided during the year. Fourteen of these were premature and five, as I say above, were settled locally. In ten there was no evidence of maladministration and the remaining seven were either outside my jurisdiction or were closed for other reasons.

Your Council's complaints procedure and handling of complaints

The number of premature complaints, 14 out of 36, is quite high but it includes seven complaints on the same matter; when that is removed the figure is below the national average.

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. 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

We made enquiries on 12 complaints and the average time for a response was 27 days. This is just within our target of 28 days and a real improvement on last year. I thank the Council for its efforts 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	Children and family services	Education	Other	Planning & building control	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	9	5	10	6	1	0	5	36
2005 / 2006	6	8	7	2	0	0	5	28
2004 / 2005	2	3	16	4	0	1	8	34

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	10	4	3	14	22	36
2005 / 2006	0	7	0	0	15	1	1	6	24	30
2004 / 2005	0	5	0	0	10	6	5	5	26	31

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	12	26.9
2005 / 2006	18	32.8
2004 / 2005	20	28.1

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