

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

Bedfordshire County Council
for the year ended
31 March 2008

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction

This annual letter provides a summary of the complaints we have received about Bedfordshire County Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can 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.

Complaints received

Volume

We received 25 complaints during the year. While this is an increase from the previous year, numbers do fluctuate considerably year on year where the total number of complaints is quite small.

Character

Twelve complaints related to education and seven were about transport and highways. We received three complaints about adult care services, one about planning and building control, and one about public finance. The remaining complaint was classed as 'other'.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I did not issue any reports against your Council in the year 2007-08.

A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued. In 2007/08 the Local Government Ombudsmen determined some 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

Four complaints were settled locally this year and the Council paid a total of £5,550 in compensation.

One complaint was settled by the Council agreeing to put the complaint into the adult care complaints procedure at stage two. The Council remedied a complaint about its delay in repairing a wall next to the highway by carrying out immediate repairs, followed by a structural assessment. The Council also paid the complainant £50 compensation for his time and trouble in pursuing the complaint and proposed a review of its procedures in relevant cases. I commend the Council for its prompt and effective action to settle this complaint.

Both of the remaining local settlements were for complaints about delays in meeting special educational needs. In one case the Council delayed for almost a term in finding a suitable placement for a child with autistic spectrum disorder, and delayed for a further school term in providing the necessary therapy for the child. The Council also delayed five months before issuing the final statement of special educational needs. The Council agreed to pay a total of £2,500 compensation for the loss of education and therapies, and the anxiety and distress that the delays also caused.

In the other case the Council acknowledged that it failed to provide two terms of education for a child with severe behavioural problems after she refused to return to school. The Council agreed to pay £1,500 for additional educational provision for the child, and £1,500 to her parent for loss of earnings, distress, and her time and trouble in pursuing the complaint. I am grateful that the Council was able to settle these complaints.

Other findings

Twenty-four complaints were decided during the year. Of these, two were outside my jurisdiction. Five were premature and, as I mentioned above, four were settled locally. Of the remaining nine, eight were not pursued because no evidence of maladministration could be seen. In a further five cases I exercised my discretion not to pursue the complaint further mainly because no significant injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

The number of premature complaints (five) is slightly more than last year (two) but still well below the national average of 27%. The Council advertises its complaints procedure clearly on its website and allows complainants to submit complaints on-line. I am pleased to note that the website contains information about how to contact the Commission to assist complainants.

Liaison with the Local Government Ombudsman

We made enquiries on 14 complaints this year and the average time for responding was 36.6 days. This is about the same as last year's average and falls short of our target time of 28 days. The Council's responses are generally comprehensive and I hope that the re-organisation of local government in Bedfordshire will not disrupt the smooth handling of complaints. Please let me know if we can be of assistance to you here.

We were pleased to welcome one of your officers at our Link Officer Seminar in November 2007 and hope that she found the event useful.

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. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are 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 a course on reviewing complaints for social care 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.

LGO developments

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, have dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. I would appreciate your feedback on these, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships your Council has set up.

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. As a result of Secretary of State's decisions on the future structure of local government in Bedfordshire this is the last Annual Letter that I shall be sending to Bedfordshire County Council. I should like to take this opportunity of thanking all the members and officers who have dealt with my office for their courtesy and cooperation and wish you well for the future.

J R White
Local Government Ombudsman

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18 June 2008

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	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	3	0	12	1	1	1	7	25
2006 / 2007	2	5	3	1	0	0	5	16
2005 / 2006	5	6	8	3	0	0	6	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
01/04/2007 - 31/03/2008	0	4	0	0	8	5	2	5	19	24
2006 / 2007	0	2	0	0	3	1	3	2	9	11
2005 / 2006	0	4	0	0	9	1	11	5	25	30

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
01/04/2007 - 31/03/2008	14	36.6
2006 / 2007	10	36.4
2005 / 2006	13	24.5

Average local authority response times 01/04/2007 to 31/03/2008

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0