

**The Local Government Ombudsman's
Annual Letter
Hampshire 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 Hampshire 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 47 complaints against your Council during the year, nine fewer than last year. We expect to see fluctuations like this from year to year so it may not be indicative of a trend. But this is the second consecutive year that numbers have fallen and there has been a significant reduction from the 75 complaints received in 2005-2006. The trend as a whole can be viewed with some satisfaction by the Council.

Character

Fourteen complaints, just over a third of the total received, were about education. Half of these concerned school admissions, three were about special education needs and there was one each about school transport, school exclusions, student support and general education.

Twelve complaints were about transport and highways, exactly the same number as in each of the previous two years. Two of these related to parking issues and one concerned rights of way. The remainder were about general highway management.

Seven complaints were about children and family services. Six concerned adult care services.

Five complaints were about planning and building control. Two of these concerned trees and the other three were about planning applications.

Three were categorised as 'Other'. Two of these related to land and the other to waste management.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no reports against your Council this year.

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).

Five complaints were settled locally in the year and a total of £1600 was paid in compensation.

In one complaint the complainant alleged that Children and family services failed to provide appropriate after school care for her son. Officers agreed to backdate payments for care, but only for part of the period concerned. No explanation for this decision was provided. The Council quickly accepted there were no good reasons for excluding part of the period concerned. It paid the complainant an amount equivalent to the care not provided and an additional sum to reflect the time and trouble she was put to in pursuing her complaint.

When a complainant applied to the education service for student support the Council mislaid his original birth certificate which he was required to send in with his application. The Council then failed to reply to his letters. The Council agreed to meet the cost of a replacement certificate and to pay an additional sum to reflect his time and trouble.

Adult care services agreed to honour an undertaking to appoint a suitably qualified person to help conduct a review and to progress the complaint through the complaints procedure if the complainant remained dissatisfied at the conclusion of the review.

Highways delayed conducting a promised consultation on waiting restrictions near a complainant's home. But in response to his complaint the Council agreed to draw up a timescale for the consultation which would start within three months and to meet with the complainant on site to discuss his concerns.

The fifth local settlement entailed the Council agreeing to review its procedures for recording site visits in response to a complaint regarding a planning application. It also apologised to the complainant for its failure to reply to her letters and undertook to write to her on outstanding matters.

Other findings

Nine complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

In a further seven cases I took the view that the matters complained of were outside my jurisdiction.

Twenty complaints were not pursued because no evidence of maladministration was seen and I exercised my discretion not to pursue a further 10 complaints, mainly because no injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

The proportion of premature complaints is lower than the national average which this year is 27%. This together with the falling number of complaints overall suggests that your Council's complaints procedure is well publicised and operates effectively.

Three of the premature complaints were resubmitted to me. I exercised my discretion not to pursue one of these. The other two were still under consideration at the end of the year.

Liaison with the Local Government Ombudsman

My investigators made enquiries of your Council on 22 occasions this year. Your average response time was 31.6 days, slightly over the 28 day target we set. However, all but two departments met our deadline. Education responses took 32.8 days on average, and adult care services averaged 40 days. There is room for improvement in the response times from these two service areas.

I am pleased that a new member of your complaints team was able to attend the link officer seminar here in November 2007. I hope she found it 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 2008, 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, has 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 2007, which also came into force in April 2008. 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'. Again, 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.

J R White
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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	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	6	7	14	3	5	0	0	12	47
2006 / 2007	13	8	18	5	2	0	0	12	58
2005 / 2006	12	5	15	1	0	2	28	12	75

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	5	0	0	20	10	7	9	42	51
2006 / 2007	0	6	0	0	21	10	8	11	45	56
2005 / 2006	0	3	0	0	15	35	10	8	63	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
01/04/2007 - 31/03/2008	22	31.6
2006 / 2007	24	33.2
2005 / 2006	17	48.2

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