

Local Government
OMBUDSMAN

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

**Kingston upon Hull
City 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 received about Kingston upon Hull City Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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

We received 98 complaints about your Council during 2007/08, an increase of 18 on the previous year. There were significant increases in the number of complaints received about transport and highways and housing, with a smaller increase in those about adult care services. There were reductions in complaints about benefits, planning and building control and public finance.

Liaison with the Local Government Ombudsman

Liaison arrangements with your Council work well and my staff have not experienced any problems over the year. My investigators have commented that the Council's approach is proactive and helpful and it responds quickly to settle a complaint when it is clear that mistakes have been made.

The time taken to respond to first enquiries from my office reduced slightly compared to 2006/07, dropping from 28.4 days to 27.6 days, continuing the down ward trend of the last few years and within the 28 day target. I am pleased that the Council responds in a timely way to enquiries, as this is an important factor in ensuring that the Ombudsman can provide a quality service to complainants.

Decisions on complaints

Reports and local settlements

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. In 2007/08 the Local Government Ombudsmen determined 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). If an investigation is completed I issue a public report.

As in the previous 3 years, I did not issue any reports about your Council during the year. There were 16 local settlements, representing 31% of decisions (excluding those which were premature or outside our jurisdiction), slightly above the national figure of 26.8%. The settlements resulted in payments of £2,450. On one planning complaint the Council did not check the conditions on a planning approval and this resulted in the removal of trees which should have been kept. The Council agreed to pay £700 to enable the complainant to purchase plants and materials to replace the screening at the bottom of their garden and £100 for their time and trouble in pursuing the complaint. Two education admission appeal complaints led to new appeals. There were 4 settlements on waste management complaints, 2 involved failures to provide new bins and 2 failures to collect waste as agreed.

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Your Council's complaints procedure and handling of complaints

We decided 95 complaints about your council during 2007/08. Of these 32 complaints (34%) were premature, that is the Council had not had a reasonable opportunity to respond to them. Ten of the complaints decided (11%) were resubmitted premature complaints, where the complainant was unhappy with the Council's response. Two of these resulted in a local settlement (18%). Both of these figures are just below the national average (10% and 21.4% respectively).

The Council's performance on complaints handling is substantially improved compared to the position I reported in last year's Annual Letter, in what must have been a challenging year given the summer floods. The evidence suggests the complaints procedure is now working effectively and no problems were identified during our investigations.

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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction.

We are developing new courses and now offer one on reviewing complaints for social care review panel members. We can also customise courses to meet your Council's specific requirements.

I am pleased that the Council has taken advantage of our training on Good Complaint *Handling* and Effective Complaint Handling for social care staff during the year.

I enclose 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, 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, 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'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

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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 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	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	6	1	6	5	38	22	4	1	0	15	98
2006 / 2007	2	6	5	6	22	24	8	4	0	3	80
2005 / 2006	5	4	4	6	31	19	2	8	1	8	88

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	16	0	0	16	19	12	32	63	95
2006 / 2007	0	11	0	0	8	7	7	36	33	69
2005 / 2006	0	20	0	0	26	8	6	39	60	99

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	28	27.6
2006 / 2007	18	28.4
2005 / 2006	40	30.9

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