

Local Government
OMBUDSMAN

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

Volume

Last year 275 complaints were received against the Council, 20% fewer than during the previous year, (343).

Character

As in previous years the single largest category of complaint was housing. However, the number of such complaints fell by nearly a third from 121 to 84. Complaints about education reduced from 34 to 26; complaints about transport and highways from 28 to 17; and social services complaints were roughly halved from 21 to 11. There were marginally more complaints about planning and building control which rose from 52 to 65 with some grouped complaints about the same matter.

Liaison with the Local Government Ombudsman

Last year the Council took a little longer to respond to initial enquiries than it had during the previous year. With an average of 31 calendar days it still lies just outside the target time of 28 calendar days.

Liaison arrangements between the Council's and my office have improved considerably following a series of meetings. I note the commitment demonstrated by the Council to improving its performance, and am confident that there will be sustained improvement.

Decisions on complaints

Last year decisions were taken upon 310 complaints, slightly fewer than in the previous year (327). Over a third of these (107) were premature – ie the Council had not yet had a proper chance to consider and respond to the complaint. This was notably more than in the previous year (82). A further 23 complaints were outside my jurisdiction, a similar number to the previous year. I discontinued my enquiries because there was insufficient evidence of maladministration in 74 complaints, and exercised my discretion not to pursue enquiries in 37 cases.

Reports and local settlements

We will often discontinue enquiries 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 and those outside our jurisdiction).

I discontinued enquiries into 68 complaints on this basis. These included a number of complaints about the Council's failure to respond effectively to reports of anti-social behaviour. Our enquiries revealed that there was serious cause for concern about the management, supervision and working practice of some officers. The Council responded positively to these concerns; established new

arrangements and showed such determination to correct the problems that I was able to discontinue enquiries without issuing a public report. The situation needs to be monitored to ensure that the improvement is sustained

In another case, the Council had failed to determine properly the complainant's resources and, therefore, to properly assist with paying for residential care home fees. The Council had failed to consider relevant factors, failed to communicate properly with the complainant, and failed to make decisions properly. In recognition of these failings the Council agreed to pay the complainant £12,000.

If an investigation is completed I issue a public report. Last year I issued a report about a disabled facilities grant. My investigation showed that for two years longer than was necessary, a seriously ill and profoundly disabled woman was confined to her bed in the front living room of her home, unable to use a special wheelchair provided by the NHS that would have relieved her pain and discomfort, unable to use a toilet, bath or shower and strip washed on her bed by her carers, and unable to sit outside or with her family. The Council responded positively to my findings; paid £6,605 in recognition of the impact of its failings; has now made appropriate provisions to the family; and reviewed its policies and practice.

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.

The range of courses is expanding in response to demand. In addition to 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 will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities.

Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

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, 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'. 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.

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	7	6	4	26	84	57	65	9	0	17	275
2006 / 2007	14	5	7	34	121	78	52	4	0	28	343
2005 / 2006	13	11	12	79	127	54	61	5	2	18	382

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	1	68	0	0	74	37	23	107	203	310
2006 / 2007	1	86	0	0	91	40	27	82	245	327
2005 / 2006	5	84	0	0	136	38	18	97	281	378

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	120	31.1
2006 / 2007	153	28.9
2005 / 2006	198	32.2

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