

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

During the year we received 45 complaints against the Council. This is fewer than in recent years but some fluctuation in numbers is to be expected.

Character

The complaints received follow a similar pattern to previous years, with the highest number concerning Education (17), then Transport and Highways (12). The complaints covered a wide range of issues and did not raise any common themes for either department.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I did not need to issue a report on any complaints against the Council during the 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).

Local settlements were agreed on ten complaints during the year.

- In one case the Council had not properly applied government guidance on charging for residential care, and this was not recognised during three stages of the Council's Complaints process which took over a year to complete. The complainants were put to a great deal of trouble in pursuing the matter with the Council and with me. After I had considered the case, the Council agreed to reassess charges in accordance with the guidance, which resulted in a reduction of more than £7,000 in the amount due, waived a remaining balance of £279, paid £500 towards the complaints' solicitor's fees and £250 to the complainants to recognise their time and trouble.
- Another Adult Care Services case concerned the way the Council dealt with a complaint about a nursing home outside the county where the complainant's father had been placed by the Council. The Council carried out an inadequate investigation and concluded that there was no case to answer. So the complainant found it necessary to make her own enquiries which eventually persuaded the Council to reopen the matter. The subsequent investigation was undertaken properly and concluded that the nursing home should have been referred to the social services authority for the area in which it was located. The Council agreed to review training and procedures for protection of vulnerable adults and to review the placements of other vulnerable elderly people in that home. A payment of £500 was offered to the complainant to

reflect the unnecessary stress and distress she suffered as well as her time and trouble because of the way the Council responded to her concerns.

- Compensation of £500 was agreed for a complainant after the Council accepted that there were shortcomings in the way the proposal for a placement for his adult son in a particular residential establishment was handled. While these shortcomings did not affect the eventual decision on the suitability of the placement, the complainant and his son were caused some distress.
- One complaint concerned the way the Council had responded to a request for support from a homeless young person. Poor record keeping meant that the Council was unable to justify its decisions and subsequent actions which had widened the rift between the complainant and her son. A compensation payment of £750 was agreed in recognition of the distress this had caused and the Council agreed to explore the possibility of mediation between them. The Council also agreed to review procedures particularly for record keeping and implementing government advice for supporting young people.
- A failure to follow up agreed action, which meant that sessional support agreed as necessary, was not provided for the complainant's disabled son for a period of almost 18 months. Compensation of £2,500 was agreed to reflect this lack of provision and the Council agreed to review relevant procedures.
- Compensation of £175 was agreed after the Council accepted failings in communication with a mother whose son was excluded from school and who did not have a new school place for two terms. It was not clear what information was given to her about the availability of home tuition.
- Complaints about the siting of a bus stop were settled by the offer of compensation of £250 to two complainants, after the Council had twice failed to implement undertakings given following earlier complaints. The Council had agreed in October 2005 and again in October 2006 to reconsider the positioning of the bus stop in the light of relevant information but did not do so until March 2007.
- Another complaint also arose because of a failing to implement an undertaking given following an earlier complaint, this time about highway drainage. In November 2006 compensation of £250 had been agreed for the complainant as a result of delay by the Council in remedying a defective highway drain. The Council delayed in making the payment and in starting the remedial work to the drain. A further compensation payment of £75 was agreed to reflect this additional delay.

A total of £6,229 in compensation was agreed by the Council during the year.

Other findings

During the year decisions were made on 44 other complaints. Twelve were found to be premature as they had not first been put to the Council to be considered through your own complaints procedures. Two complaints concerned matters outside my jurisdiction. Investigation was discontinued on 16 complaints because my investigators found no or insufficient evidence of fault by the Council. And 14 complaints were not pursued for other reasons, generally because the complainants had not suffered sufficient injustice to warrant further investigation.

Your Council's complaints procedure and handling of complaints

Generally speaking it appears the Council's procedures are well sign-posted and accessible to citizens. This is demonstrated by the relatively low number of premature complaints sent to me before the Council has become aware of them. Nationally 27% of all complaints received this year were found to be premature while for your Council the figure is just over 22%.

Only four complaints were resubmitted to me during the year after having been referred to the Council

as premature and investigation of all four was discontinued, two because no evidence of maladministration was found and two for other reasons. This relatively low number of re-submissions indicates that the Council deals effectively with complaints through its own complaints procedures. However the complaints settled locally which I have described above have identified problems of delay in the complaints process as well as in implementing settlements which have been agreed.

I am aware that during the year the Council has been reviewing its complaints handling procedures with the aim of increasing efficiency and effectiveness, and that a new team structure is now in place. I hope that this is now showing positive results and that the problems described above will be less likely to recur. Please let my Assistant Ombudsman know if we can assist you in any way in your efforts to secure improvements here.

Liaison with the Local Government Ombudsman

Your Council's responses to our enquiries on complaints are generally comprehensive and timely. The average number of days taken to respond to first enquiries during the year was 25.2, well within the target of 28 days, a target achieved nationally by only 47% of County Councils. I do recognise and commend the hard work put into maintaining this high standard.

During the year, at an early stage of your review of complaints procedures, one of my investigators met members of your staff dealing with complaints to discuss our procedures and what is expected of Councils. And in November 2007 the new Complaints and Customer Services Manager attended our annual seminar for link officers. I hope she found this helpful. If it would help an Assistant Ombudsman would be willing to visit the Council to give a presentation about how we investigate complaints.

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, 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 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'. 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	Transport and highways	Total
01/04/2007 - 31/03/2008	4	6	17	5	1	12	45
2006 / 2007	12	4	21	7	3	10	57
2005 / 2006	2	10	23	2	1	14	52

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	10	0	0	16	14	2	12	42	54
2006 / 2007	3	18	0	0	8	6	9	8	44	52
2005 / 2006	0	5	0	0	24	10	7	7	46	53

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	21	25.2
2006 / 2007	32	25.9
2005 / 2006	27	26.9

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