

Local Government
OMBUDSMAN

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

**Rotherham Metropolitan Borough
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 Rotherham Metropolitan Borough 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 66 complaints about your Council during 2007/08, a reduction of 18 on 2006/07, making this the third consecutive year that numbers have dropped. Looking at the types of complaint received, there were small changes across virtually all the categories, with reductions in adult care, benefits, education, other and public finance and increases in children and family services, housing and planning and building control.

Liaison with the Local Government Ombudsman

Liaison arrangements with your Council work well and my staff have not experienced any significant problems over the year.

The time taken to respond to first enquiries from my office reduced substantially compared to 2006/07, dropping from 34.7 days to 28.5 days, very slightly outside the 28 day target. I am pleased that the Council has been able to improve its speed of response 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.

We did not issue any reports about your Council during 2007/08. There were 13 local settlements, which were spread across the complaint categories. One investigation found that the Council had failed to reimburse a tenant for the full cost of decorating materials following extensive contracted works in their home and led to a payment of £200. In another case the Council did not clearly tell the elderly complainant how much she should be paying for her laundry service and did not tell her when she was paying too little, resulting in arrears of £400. The Council apologised and wrote off the arrears. Another complaint was about the Council's failure to inform residents of roadworks carried out by a utility company on the Council's behalf. The roadworks meant the complainant was unable to access her off-road parking. The Council apologised and set up meetings with utility companies to develop a procedure by which affected residents would be notified if a utility company carried out roadworks on behalf of the Council in the future.

Your Council's complaints procedure and handling of complaints

We decided 68 complaints about your council during 2007/08. Of these 21 complaints (31%) were premature, that is the Council had not had a reasonable opportunity to respond to them. Fourteen of the complaints decided (21%) were resubmitted premature complaints, where the complainant was unhappy with the Council's response. Three of these (21.4%) resulted in a local settlement. The national figures are 10% and 21.4% respectively. This suggests the Council's complaints procedure is working satisfactorily.

One investigation found that the Council had failed to progress a complaint under the statutory social services procedure. The Council agreed to do so as a matter of urgency.

My investigators have commented that Council officers are helpful and generally willing to settle complaints quickly when it is clear that errors have been made.

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, 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.

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
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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	3	0	9	4	23	11	9	2	0	5	66
2006 / 2007	6	2	8	10	16	26	6	5	0	5	84
2005 / 2006	7	0	7	1	23	30	20	2	1	16	107

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	13	0	0	17	11	6	21	47	68
2006 / 2007	0	13	0	0	29	12	7	40	61	101
2005 / 2006	0	14	0	0	18	17	7	34	56	90

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	29	28.5
2006 / 2007	23	34.7
2005 / 2006	45	35.8

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