

# Local Government OMBUDSMAN

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

**Southampton 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 we have received about Southampton City 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 43 complaints against your Council in the year, 15 fewer than last year. We expect to see fluctuations like this from year to year.

### ***Character***

Ten complaints, nearly a quarter of the total received, were about planning and building control. Three of these were about planning enforcement and the others concerned planning applications.

The next highest categories were housing with eight complaints, and transport and highways with seven. There were four complaints about education, two of which concerned school admissions and two general education matters. There were three complaints about local taxation, two each about benefits and adult care services, and one about children and family services.

## **Decisions on complaints**

### ***Reports and local settlements***

When we complete an investigation we issue a report. I had no occasion to issue a report 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).

Your Council has shown a readiness to offer remedies to complainants where fault has been identified. Thirteen local settlements were achieved this year and a total of £4906 compensation paid to twelve complainants.

The largest single payment was £2000. Delay by the Council meant that a renovation grant application was not submitted in time to be considered before a new system of loans replaced grants. So the complainants had to do without renovations for longer than necessary. As well as paying compensation the Council agreed to make an appropriate loan available to enable the work to be done.

Perhaps more importantly the Council has apologised and taken action and/or reviewed its procedures where appropriate to ensure lessons are learned when things have gone wrong. For example:

- the Council made a formal apology and reviewed its school admissions appeal procedure following a complaint about delay in considering an appeal against refusal of a school place;
- it reviewed its own complaints procedure and apologised after delays in investigating a complaint at both stages two and three of the procedure;
- it agreed to carry out repairs to a disabled person's Council property, reconsider what adaptations were needed to it and review its procedures as well as paying compensation. There had been delay in carrying out day-to-day repairs, failure to keep proper records of work done before the tenancy started, failure to advise the tenant of non-standard fixtures and fittings, the upkeep of which was the tenant's responsibility, and failure to give proper consideration to, and use discretion over, re-decoration, specially adapted doors and other items which might have helped the complainant.

### ***Other findings***

Five 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 six other cases I took the view that the matters complained of were outside my jurisdiction.

Sixteen cases were not pursued because no evidence of maladministration was seen and I exercised my discretion not to pursue a further six complaints.

### **Your Council's complaints procedure and handling of complaints**

Five complaints were treated as premature compared with 21 last year. The proportion of premature complaints is now well below the national average of 27%.

Just two of these complaints were referred back to me for further consideration. I only identified fault in one of them and the Council agreed to offer the remedy I recommended. These figures indicate that the Council's complaints procedure is both well publicised and operating effectively.

### **Liaison with the Local Government Ombudsman**

My staff made enquiries on twenty complaints this year. The Council's average response time was 25 days, comfortably within the 28 day target we seek. I am very grateful for all the Council's efforts here.

### **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 am pleased that staff from your Council attended our Effective Complaints Handling course in

November 2007. I hope they found it beneficial.

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**  
**Local Government Ombudsman**  
**The Oaks No2**  
**Westwood Way**  
**Westwood Business Park**  
**Coventry CV4 8JB**

**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	Transport and highways	Total
01/04/2007 - 31/03/2008	2	2	1	4	8	6	10	3	7	43
2006 / 2007	5	3	2	3	11	14	12	3	5	58
2005 / 2006	8	4	0	0	13	10	9	4	3	51

**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	16	6	6	5	41	46
2006 / 2007	0	5	0	0	17	5	11	21	38	59
2005 / 2006	0	5	0	0	15	9	10	12	39	51

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	20	25.0
2006 / 2007	21	21.5
2005 / 2006	16	25.9

**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