

22 June 2012

By email

Mr Neil Davies
Chief Executive
Medway Council
Gun Wharf
Dock Road
Chatham
ME4 4TR

Dear Mr Davies

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number forwarded by the Advice Team to my office and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries.

I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention.

Complaints about schools.

For the year 2011/12, we received 235 complaints about schools in 14 pilot areas. This included six complaints about schools in your area. Three of these complaints were about teacher conduct. We also received one complaint about each of the following: behaviour and discipline, exam delivery, and pupils banned from the school and other issues.

In this period we closed 202 complaints. Ten of these complaints were about schools in your area. Your authority agreed to investigate five of these complaints. We closed three cases because we found no fault. The remaining two cases were closed at my discretion during the investigation.

Changes to our role

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This includes your area so you will be aware that this was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013. We intend to produce a report on the common themes and lessons that have emerged from our work in this area.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

Supporting good local public administration

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12 we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on our [website](#).

Publishing decisions

Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all


complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Martin', with a horizontal line underneath it.

Dr Jane Martin
Local Government Ombudsman

LGO advice team

| Enquiries and complaints received | Adult Care Services | Benefits & Tax | Corporate & Other Services | Education & Childrens Services | Environmental Services & Public Protection & Regulation | Highways & Transport | Housing | Planning & Development | Total |
|---|---------------------|----------------|----------------------------|--------------------------------|---|----------------------|-----------|------------------------|------------|
| Advice given | 3 | 2 | 2 | 10 | 1 | 0 | 6 | 2 | 26 |
| Premature complaints | 1 | 7 | 0 | 3 | 3 | 5 | 6 | 0 | 25 |
| Forwarded to Investigative team (resubmitted) | 2 | 1 | 0 | 1 | 2 | 2 | 1 | 0 | 9 |
| Forwarded to Investigative team (new) | 9 | 1 | 0 | 31 | 1 | 6 | 8 | 6 | 62 |
| Total | 15 | 11 | 2 | 45 | 7 | 13 | 21 | 8 | 122 |

Investigative team - Decisions

| Not investigated | | | Investigated | | | Report | Total |
|-------------------------|---|-------------------------------------|------------------------------|-------------------------------|-------------------------------------|--------|-------|
| No power to investigate | No reason to use exceptional power to investigate | Investigation not justified & Other | Not enough evidence of fault | No or minor injustice & Other | Injustice remedied during enquiries | | |
| 3 | 5 | 8 | 17 | 5 | 21 | 0 | 59 |

| | No of first enquiries | Avg no of days to respond |
|-----------------------------------|-----------------------|---------------------------|
| Response times to first enquiries | 31 | 22.0 |