

Local Government & Social Care OMBUDSMAN

18 July 2018

By email

Andrew Quincey
Interim Chief Executive
Northamptonshire County Council

Dear Andrew Quincey,

Annual Review letter 2018

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

For a number of years my office has had concerns about your council's handling of Ombudsman complaints. An Assistant Ombudsman met officers in your complaints department in August 2016 because of the sheer number of complaints we were receiving

which also included complaints about the Council's own complaint handling. And we were regularly experiencing delays in the Council responding to our enquires. Some investigators were having to visit the council to inspect files when responses were not received within a reasonable period, and at least one investigator had begun to request an early files visit routinely, in order to avoid the delay she anticipated would occur if she made written enquiries. This was having resource implications for our service.

At the same time, we noted that the Council had a very high incidence of upheld complaints in the previous year (62% compared with a national average of 51%) and an unusually high volume of children's services complaints (approximately 63% of total complaints received against your council) which was higher than almost any other council. We found it reassuring to learn that the number of complaints you were receiving in this area had begun to diminish. We said we would monitor our figures over the next year to see whether complaints to the Ombudsman reduced in line with your expectations.

In our subsequent letter to the Council dated 20 July 2017, we again raised serious concerns about the council's complaint handling during the year ending 31 March 2017. Many of the same problems identified appeared to have continued and we were still investigating and upholding a significant number of children's services complaints.

We therefore wrote to the Council's interim chief executive in December to seek a meeting with him to discuss the situation and see whether there was anything our office could do to assist the council to improve its performance in this area. The Council responded positively and a meeting was fixed for 28 March 2018. Unfortunately, the meeting had to be cancelled due to an emergency meeting being called by the Council that day, and your ongoing difficulties. However, we acknowledge the council's willingness to meet with us and, if it would be beneficial, would be happy to rearrange the meeting at a time convenient to you.

I am pleased to note that the proportion of education and children's services complaints we received last year reduced to 42% (37 out of a total of 88) with a similar proportion of adult social care complaints (34 in total). However, this year we have noted significant concerns with your complaint handling in both these areas. These range from delayed responses to our enquiries (3 months in one case), incomplete responses requiring the investigator to go back to the council (sometimes repeatedly) to elicit the missing information, a children's services complaint where the council spent 9 months at stage 2 (of the three stage statutory complaints procedure) and had still not agreed a statement of complaint, then destroyed all the complaint documents, sending a response which related to an entirely different complaint and inconsistent responses. In one case, the stage 1 complaint was dealt with by the same person who made the decision complained about and there were a number of cases where the council failed to follow the statutory procedure at stage 2 (including refusing to take the complaint to stage two in one case and closing a complaint before providing the stage 2 response in another). In a further case, the council did not advise the complainant about stage 3 but referred them to the Ombudsman.

As you will be aware, I gave evidence as part of Max Caller's Best Value inspection of your council (report published March 2018) in which I reiterated concerns about the time taken to respond in the course of investigations but also the authority's approach to complaint handling, learning from mistakes and remedying injustice.

We had cause to issue a public interest report against your council in May, solely because the council had failed to provide the remedy it had agreed with us in relation to the complainant's previous complaint (from 2015). This case again necessitated returning to the council when it failed to provide a complete response to our enquiries in the first instance.

We issued two further reports against your council during the year. Both were about adult social care complaints. In the first, the Council failed to provide appropriate day time care for someone with eligible needs. We recommended that the Council make financial payments to the complainant and his mother to recognise their distress, time and trouble and refund the money they paid to private carers, commission an independent reassessment of needs and provide training to relevant staff to enable them to conduct assessments on individuals who are deaf or have other complex needs.

In the second, we found fault when the Council sent invoices for care to the wrong address for a year, causing a large debt to accumulate. The Council had taken no action during the year to prevent the debt increasing. We also found that the complainant's father received inadequate care over a six-month period which resulted in a hospital stay. Though the Council took action under its safeguarding procedures this was not timely or thorough enough. The Council agreed to review its collection procedures and ensure action is taken at an earlier stage to prevent such large arrears accumulating. We welcomed the fact that the Council had already made those changes before the report was issued. We also recommended a modest payment be made to the complainant and her father for their distress.

Future development of annual review letters

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new [corporate strategy](#) for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

I would like to take this opportunity to express my thanks for your Council volunteering to be involved with this project which seeks to improve the way we record and publish data about remedies. This is an important area of our work, which will help highlight the positive impact complaints can have on improving the way public services are delivered. We very much appreciate the time you have offered to help make this project a success. We will also be making changes to the format of our annual letters as a result and will be engaging with councils on this early next year.

Supporting local scrutiny

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at www.lgo.org.uk/scrutiny. I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

Learning from complaints to improve services

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the [reports](#) and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit www.lgo.org.uk/training.

We were pleased that the Council took up our suggestion that it consider commissioning some training in effective complaints handling from us. We ran a one day course for fifteen of the Council's children's services officers in September 2017 and received good feedback. We hope those who attended have found opportunities to put some of their learning into practice in their day to day work.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Northamptonshire County Council
For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
35	0	5	45	2	10	0	0	0	97

Decisions made

Decisions made				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
5	1	40	17	7	21	75%	91

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
20	3