



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Coventry City Council
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. 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 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into 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.

There are two attachments which 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 59 complaints last year, a small reduction from the preceding year.

Character

Given the relatively small number of complaints received, as well as the lack of significant deviations in overall numbers year on year there are very few inferences which could reasonably be drawn about any fluctuations that have occurred in respect of the subject matter of complaints made to me in the previous year. My only observations, therefore, are that complaints about both housing and transport and highways have increased, whilst there were fewer complaints made about planning and building control.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

The measure of administrative fault causing injustice is not the total number of decisions by my office but the number of settlements and formal reports which found maladministration and injustice. I did not issue any reports against your Council this year. We reached a decision on 56 complaints and agreed a local settlement in 12 of these cases (39% of all the complaints we decided excluding those that were premature – as the Council had not yet had a reasonable opportunity of dealing with them - or outside jurisdiction). That figure exceeds the national average of 27% for all authorities. The total amount of compensation paid by the Council this year is £7,200 albeit it is worth noting that £5,250 was issued in respect of one complaint. This compares to a total of £2,173 compensation for eight local settlements last year.

Two of the settlements reached concerned complaints about the administration of Housing Benefit. In one case there had been delay in responding to a landlord's request for housing benefit to be paid to them direct, and in the other delay in arranging an appeal against a determination that there was no entitlement to housing benefit.

Two further settlements related to enforcement action taken in respect of alleged Council Tax arrears. I found fault with the Council in both cases for instructing bailiffs when I did not consider that such action was merited. In one case, although the complainant had reached an agreement with the Council about a mutually acceptable instalment pattern for clearing their arrears bailiffs were instructed which had the effect of adding significant charges to the account. When the Council realised its error it apologised and removed these charges from the account.

One settlement was in respect of the Council's handling of an application for planning permission. Three separate people, who were near neighbours of the planning applicant, contacted the Council using three different methods of communication to object to the planning application as follows:

- by filling in a form on the Council's website
- by sending a letter of objection through the post
- and by delivering a letter of objection to the Council by hand

None of these objections were subsequently considered by the Council. Although it could not be certain that the objection sent by post had been received, it acknowledged that the complainants had every expectation that the representations made via the website and those which were delivered by hand should have been considered but were seemingly mislaid. This meant that the complainant's views were not taken into consideration when the application was determined. In this case, although I could not conclude that it would have made any difference to the outcome of the application, I recommended the Council pay £300 to reflect the complainant's outrage that their views were not taken into account and the time and trouble they were put to.

In a complaint about adult care services, which concerned errors in a risk assessment which resulted in the severe reduction of hours of attendance at a day centre, which had significant consequences for the complainant's parents, who were the principal carers. The Council agreed to pay £5,250 to compensate for the reduction of attendance at the day centre, in addition to the payment the Council had already made for the parent's loss of earnings. The Council also agreed to mark the incorrect assessment on file as "not valid" and replace it with a new assessment and to provide the complainant with details of the training day centre staff are given for conducting risk assessments.

Your Council's complaints procedure and handling of complaints

I referred 20 complaints back to the Council as "premature" since the Council had not had sufficient opportunity to respond to them. At 35% of all complaints made to me against your Council this year this is above the national average of 28.2% and may suggest that more could be done to direct those with a concern or complaint to seek redress through the Councils corporate complaints procedure before coming to me.

Of the 20 premature complaints received this year, five have been resubmitted to me within the year following the Council's response to them. We have closed one of these complaints as there was no evidence of fault and one other was outside my jurisdiction. The remaining three have yet to be determined.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand and 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. We have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open courses for groups of staff from 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.

Liaison with the Local Government Ombudsman

The target times for councils to respond to enquiries is 28 days. The average response time for your Council is 29.2 days, which is a significant improvement on 34 days last year. The main reason for the Council having narrowly missed my target with year is the time it took to respond to enquiries made on a complaint about adult care services -113 days. However, I understand that this was caused by the Council having difficulty obtaining a copy of a letter that had been sent from one Primary Care Trust to another and which formed a pivotal part of the information my staff had asked for.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

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.

Tony Redmond
Local Government Ombudsman
10th Floor Millbank Tower
Millbank
London
SW1P 4QP

June 2007

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 |
|-------------------------------------|---------------------|----------|------------------------------|-----------|---------|-------|-----------------------------|----------------|-------------------------|------------------------|-------|
| 01/04/2006 - 31/03/2007 | 6 | 8 | 4 | 0 | 8 | 10 | 7 | 8 | 0 | 8 | 59 |
| 2005 / 2006 | 5 | 10 | 4 | 5 | 2 | 10 | 13 | 8 | 2 | 4 | 63 |
| 2004 / 2005 | 2 | 7 | 9 | 4 | 1 | 12 | 8 | 4 | 0 | 7 | 54 |

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 |
|-------------------------|---------|----|--------|---------|--------|----------|----------------------|----------------------|----------------------|-------|
| 01/04/2006 - 31/03/2007 | 0 | 12 | 0 | 0 | 12 | 4 | 8 | 20 | 36 | 56 |
| 2005 / 2006 | 0 | 8 | 0 | 0 | 13 | 5 | 13 | 17 | 39 | 56 |
| 2004 / 2005 | 0 | 13 | 0 | 0 | 16 | 8 | 12 | 10 | 49 | 59 |

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 |
| 01/04/2006 - 31/03/2007 | 26 | 29.1 |
| 2005 / 2006 | 17 | 34.1 |
| 2004 / 2005 | 22 | 42.6 |

Average local authority response times 01/04/2006 to 31/03/2007

| Types of authority | <= 28 days % | 29 - 35 days % | >= 36 days % |
|---------------------------|--------------|----------------|--------------|
| District Councils | 48.9 | 23.4 | 27.7 |
| Unitary Authorities | 30.4 | 37.0 | 32.6 |
| Metropolitan Authorities | 38.9 | 41.7 | 19.4 |
| County Councils | 47.1 | 32.3 | 20.6 |
| London Boroughs | 39.4 | 33.3 | 27.3 |
| National Park Authorities | 66.7 | 33.3 | 0.0 |