



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Leicester 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 Leicester City Council 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 147 complaints against your Council during the year. Although this is an increase on the 114 received in the previous year the figure is very close to the number we received in 2004/2005. We expect to see these fluctuations in numbers year on year.

Character

Twenty-five of the complaints we received were about benefits which represents a significant increase on the eight received in the previous year. There was a slight reduction in the number of complaints about housing matters, 31 in the year compared to 42 in 2005/2006. Complaints about education (ten), adult care services (nine), children and family services (two), transport and highways (eight) and planning and building control (nine) were broadly in line with the number of complaints received about those service areas in the previous year.

We received double the number of complaints about council tax matters (recorded as public finance) compared to last year. However, given the number of decisions that a council takes about council tax during the year I cannot say that the increase from nine to 18 is particularly significant.

The remaining complaints were recorded under the "other" category and include nine complaints about antisocial behaviour, three about employment matters (which are outside my jurisdiction), and four about environmental health issues. We received seven complaints in this category about the same land issue.

Decisions on complaints

I decided a total of 128 complaints during the year.

Reports and 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.

I issued one report against your Council. This concerned a complaint from the owner of a business that your Council had failed to stop the unauthorised use of neighbouring premises. I found that there had been shortcomings in the way the decision on a planning application had been recorded.

Your Council agreed to my recommendations to pay the complainant £1,000 compensation for the injustice suffered and to monitor the situation so that it could report back to me on the progress that had been made to ensure that the conditions attached to the consent had been met.

Ten cases were decided as local settlements and compensation payments totalling £4,475 were made.

One complaint was about a vulnerable person's claim for housing benefit and council tax benefit where your Council's failure to keep to an agreement to correspond with the person's father added to the confusion on a complex claim. Your Council resolved matters by identifying a senior member of staff to deal with the issue, apologising to the person involved, amending the records and paying £200 in recognition of the time and trouble that the complainant and service user had experienced.

In three cases your Council accepted that there had been delays in determining people's housing benefit claims which had led to problems for those people. By way of remedy your Council dealt with the claims and paid compensatory payments that I considered were appropriate.

Your Council settled a complaint about its failure to complete a ramped access to a complainant's home by completing the works and paying £500 compensation.

In another case a complainant said that her son had been without appropriate educational provision for about a year. The child was back in school by the time I received the complaint. I was pleased that in response to my initial enquiries on this complaint your Council accepted there had been fault and agreed to my recommendation to make a compensatory payment of £3,000 for the period of missed education.

Other findings

Fifty-nine complaints were treated as premature and referred back to your Council so that they could first be considered under your Council's own complaints procedure.

In 16 cases I took the view that the matters complained about were outside my jurisdiction.

Forty-two complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

The number of complaints treated as premature (59 out of 128) is much higher than the national average (28%) when viewed as a percentage of all decisions taken. They account for nearly half of all the complaints that I determined against your Council.

Fourteen complaints that had been determined as premature were resubmitted. Two of the 14 resulted in local settlements, six were not pursued because no evidence of maladministration was seen or because it was decided not to pursue them for other reasons. Six were still being considered at the end of the year.

In last year's letter I said that your complaints procedure appeared to be readily available to service users and I commented on the fact that it could be accessed via your Council's website. In light of the number of premature complaints I wonder if now might be an opportune time for your Council to review the accessibility and workings of that process and so ensure that front line staff can signpost people appropriately when they are clearly dissatisfied with a service received.

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. 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.

We have not delivered any training to your Council this year. I have enclosed some information on the full range of courses available together with contact details for enquiries.

Liaison with the Local Government Ombudsman

Enquiries were made on 50 complaints during the year and your Council's average response time was just under 39 days. Unfortunately last year's improvement on response times has not been sustained and so I would again ask your Council to do all it can to respond within the 28 days that I request.

Two of your staff attended our seminar for Link Officers last November and I hope they found it useful.

I would like to hold a regional seminar in Leicestershire during 2007/2008. These seminars have proved popular and enable Members and Officers to obtain a better understanding of my role and of our approach to complaint handling. If your Council would be interested in such a seminar please let Barbara Hedley, the Assistant Ombudsman who deals with Leicestershire councils, know. I will be sending out letters of invitation later in the year, when a date and venue have been arranged.

If it would help for Mrs Hedley to visit your Council to present this letter, or to give a presentation about how we investigate complaints, I would be happy to arrange this.

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 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.

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June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

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	9	25	2	10	31	35	9	18	0	8	147
2005 / 2006	9	8	2	12	42	12	11	9	1	8	114
2004 / 2005	6	15	3	7	47	27	20	12	1	8	146

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	1	10	0	0	29	13	16	59	69	128
2005 / 2006	0	29	0	0	51	7	10	28	97	125
2004 / 2005	4	33	0	0	45	8	11	44	101	145

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	50	38.9
2005 / 2006	52	32.0
2004 / 2005	65	36.6

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