



The Commission for
Local Administration in England

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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to 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.

As you are a local Social Services authority I want to take this opportunity to draw your attention to an issue of significant public interest. In the last two years I have issued reports following complaints from people living in Blackpool, Liverpool and Sheffield about failings in home care services provided under contract.

In each case a vulnerable person was placed at significant risk as a result of carers failing to visit, calling late and failing to provide the specified care. Tragically, in one case the actions of a carer resulted in a death. Complaints had been made to all three Councils but no effective action had been taken. Although the services were provided under contract, it seems clear that similar problems could occur even if the carers are directly employed. I urge you to ensure that senior staff responsible for care services to adults are aware of the issues raised by these reports (which can be found on our web-site) and consider whether action needs to be taken by your Council. The 2006 report of the Commission for Social Care Inspection 'Time to Care? An Overview of Home Care Services for Older People in England' provides very useful contextual information.

Complaints received

Volume

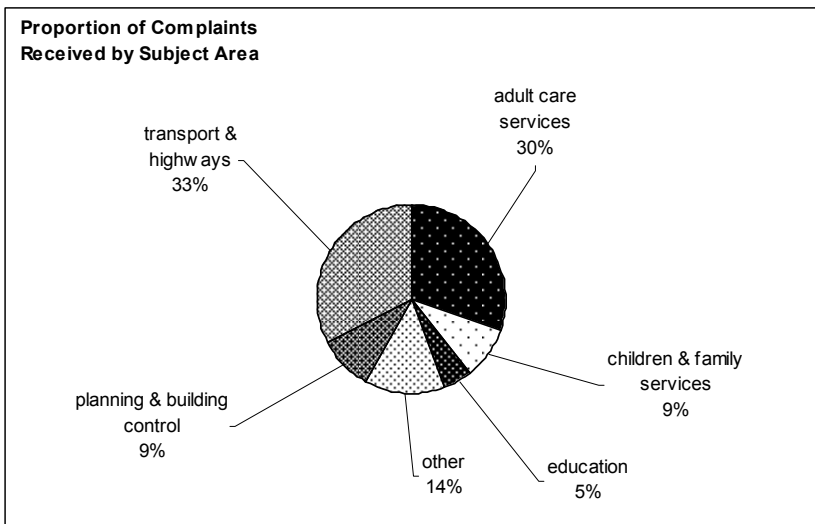
In the year ending 31 March 2007, I received 43 complaints about your Council. This is a significant fall on the previous year when I received 65 complaints. No conclusions can be drawn from this.

Character

The profile of the type of complaints received is perhaps more informative than the volume. I have summarised them by type with last year's figures in brackets. Adult care services 13 (9), children and family services 4 (8), education 2 (12), 'other 6 (9), planning and building control 4 (8), transport and highways 14 (19). In most categories there has been a fall.

As you can see, the only category of complaint that has risen in number is adult care services. As the chart shows, they account for 30% of the total complaints I have received about your Council.

The Council can draw comfort from the fact my investigations have not revealed systemic, widespread or serious procedural problems in relation to adult care services but you may wish to reflect on why people feel moved to complain about adult care services in greater numbers compared to other services it administers.



Decisions on complaints

Reports and local settlements

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

Decisions

In 2006/07 I took 48 decisions, a figure which differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 48 decisions: six were outside my jurisdiction, seven I exercised discretion not to investigate, I found no evidence of maladministration in 16 and 12 were 'premature' (in our view the Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

The remaining seven were local settlements. Of the seven local settlements, two were in relation to highways issues, one in relation to school admissions appeals and one in relation to adult care services. Although I was critical of the Council in these cases, overall they do not give me concern about wider systemic problems.

What does give me greater concern is the other three complaints on which local settlements were agreed. These three complaints were in relation to children and family services. The investigations did not point to serious underlying problems in this area, and in absolute terms the number of cases settled was low. In none of the three cases did I consider it necessary to issue a report. However, I would ask the Council to reflect on the fact that, excluding complaints in this category that were either premature or outside my jurisdiction, I found cause to ask for local settlements on three out of the seven about which I made decisions and in two of those cases asked for reviews of policy and procedure.

Other findings

As you are aware, we ask for comprehensive responses to our enquiries within 28 days. In 2006/07 it took your Council 32.8 days. While this is not ideal, and the figures were affected by two or three complaints that took significantly longer than 28 days, overall I am not unduly concerned as many of the complaints were about complex issues and required the Council to send large amounts of information.

Of course, and shortening of response times would be greatly appreciated as it has a direct effect on the length of investigations.

Your Council's complaints procedure and handling of complaints

None of my investigations has revealed significant issues in relation to the Council's complaint procedures, but there is evidence from the complaints where we agreed local settlements that the complaints are not always dealt with as quickly as they might be. I appreciate completely that this was a very limited range of complaints and not a representative sample, but it is something the Council might wish to think about.

I am pleased to see your Council has issued clear information about its complaint procedure. The information is accessible via your web-site and easy to follow.

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. The feedback from councils that have taken up the training 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 and 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 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 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

Although your Council's enquiry response times do not meet our target of 28 days, the liaison between our two organizations works well. The liaison officer with whom we have most of our day-to-day contact is helpful and professional.

I am also encouraged by the general contact your staff have with us in relation to wider complaint handling issues, such as remedying complaints you have already investigated through the Council's own procedures. This exchange of information is helpful in promoting good practice in a professional context that does not compromise either our impartiality or confidentiality for individual complainants.

LGO developments

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and we will discuss with you the implications for your Council.

I hope you have received our latest special report about telecommunication masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex
Local Government Ombudsman
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June 2007

Encs: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Children and family services	Education	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	13	4	2	6	4	0	0	14	43
2005 / 2006	9	8	12	9	8	0	0	19	65
2004 / 2005	5	11	1	9	3	1	2	21	53

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	7	0	0	16	7	6	12	36	48
2005 / 2006	1	5	0	0	16	5	10	17	37	54
2004 / 2005	3	6	0	0	12	5	7	21	33	54

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	21	32.8
2005 / 2006	25	25.2
2004 / 2005	13	25.7

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