



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Nottingham 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

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

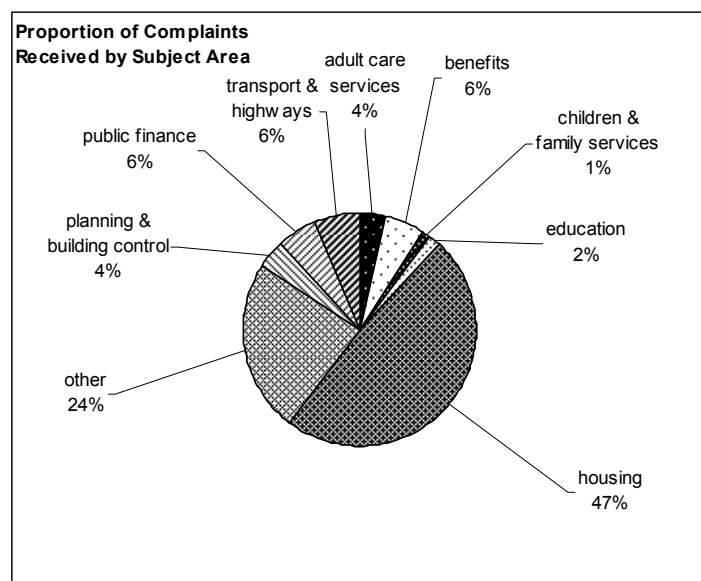
In the year up to 31 March 2007, I received 108 complaints about your Council. This is very close to the previous two years when I received 107 and 110 respectively.

Character

This chart shows the breakdown of the type of complaint as a proportion of the total.

As you can see, nearly half of the complaints made to me about your Council were in respect of housing issues. This is disappointing given that in the previous year there was a decline in the number of housing related complaints and they accounted for 36%. Nationally, housing complaints comprised 25% of the total received by the three Ombudsmen.

In isolation, this statistic would not lead me to draw any conclusions but as I outline later in this letter, the statistic is, I believe, an indicator of wider problems over the year in relation to the way housing is managed within your Council.



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.

I issued one report about your Council in 2006/07. This was in relation to the way in which someone's homelessness application was dealt with by the Council. My findings led me to ask the Council to review procedures in relation to dealing with homelessness. I have not found evidence of maladministration in the way the Council deals with homelessness since then and have received few complaints about similar issues.

In 12 of the complaints I investigated, a local settlement was agreed. Of the 12, a third were related to housing issues. While I did not identify widespread or systemic maladministration, I did identify issues that gave me cause for concern in three areas: the protocol and arrangements between your Council and Nottingham City Homes, (the ALMO managing your housing stock); shortcomings in crucial housing processes, such as allocation of properties; and delay in dealing both with housing issues and complaints about them.

I am aware that I share these concerns with other agencies. I am also aware that significant changes have been introduced in Nottingham City Homes in staffing, management and processes. While it is to be hoped these have a positive effect in the longer term and that both complaint numbers and (more importantly) findings of maladministration in relation to them, I urge the Council to continue to reflect on the housing service it delivers.

Other findings

As you are aware, we ask for comprehensive responses to our enquiries within 28 days; your Council responded in a little over 34 days on average. It is worth noting that the average was raised by housing complaints which took your Council an average of 44 days to provide responses on. But for those complaints the average would have been 28 days.

In fairness to the Council, as I mention later in my letter, I am aware that your Council has taken steps to address this and I am grateful for your cooperation in this respect.

Your Council's complaints procedure and handling of complaints

Your Council publishes clear guidance on how to make complaints. It is readily accessible and the information on your web-site is straightforward to navigate. I am pleased to see it contains a direct link to the LGO.

I have not identified widespread problems in relation to complaint handling during my investigation. However, the findings on three of the local settlements made reference to the Council's poor follow-up action in relation to settlements agreed on complaints. I have seen no evidence to suggest this is commonplace and raise it merely to allow your Council to consider it in the context of the information and feedback it has from its own complaint procedures.

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

For the majority of types of complaints, the liaison arrangements between our two organizations work well. The appointed liaison staff are extremely helpful and responsive to our requests for information. I am grateful for this continued cooperation.

Where we have had more difficulty is in relation to housing complaints. Responses to enquiries over the 2006/7 year took a long time to reach us. More significantly, many of them were incomplete and necessitated further enquiries or even visits to Nottingham City Homes that might otherwise have been avoided.

I am pleased to say both the Council and Nottingham City Homes have recognised this and we now have a designated liaison point within Nottingham City Homes. The organization is going through considerable change, part of which was to appoint new complaint handling staff. Early indications are this step is yielding positive results. My staff have indicated the organization is more accessible and staff more responsive. It is also pleasing to note that complaint handling staff are willing to discuss general complaint matters with us in an effort to deal more effectively with their own complaints.

While I would expect to see significant improvements over the coming months, it is clear from the complaints we are getting that some of the changes will take time to filter through and I will watch progress with interest.

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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York
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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	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	4	6	1	2	52	26	4	6	0	7	108
2005 / 2006	4	12	1	6	39	22	14	7	0	2	107
2004 / 2005	2	10	6	5	48	16	6	9	1	7	110

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	12	0	0	20	12	10	41	55	96
2005 / 2006	0	13	0	0	23	19	9	31	64	95
2004 / 2005	1	24	0	0	27	11	13	37	76	113

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	36	34.6
2005 / 2006	40	28.4
2004 / 2005	47	27.4

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