



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Nottinghamshire 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 twelve months up to 31 March 2007, I received 48 complaints about your Council. This is marginally lower than the previous year. There are no meaningful conclusions to be drawn from such small changes.

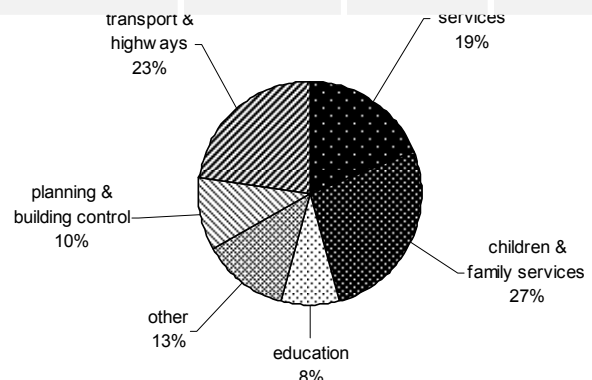
Character

What is more interest is the change in the types of complaints I have received.

As the table illustrates, the greatest changes have been in the number of complaints received about education and about children and family services. Education complaints have reduced by three quarters. Children and family services complaints have doubled.

	Received 2005/06	Received 2006/07	Increase/ decrease
adult care services	9	9	Same
children & family services	6	13	+7
education	17	4	-13
other	8	6	-2
planning & building control	1	5	+4
social services other	0	0	Same
transport & highways	10	11	+1

Interesting as the changes are, the numbers by themselves are quite small and as a snapshot in time, inconclusive. However, if we examine the profile of complaint types in a different way, as proportions of the total, the overall picture shifts.



As you can see, children and family services accounts for 27% of the complaints to me and adult care services 19%. In other words, combined, social services related complaints account for nearly half of the complaints I received against your Council.

I appreciate simply examining numbers of complaints does not give an indication that there are problems with particular services so the numbers in themselves are inconclusive. It can, for example, simply be a reflection of a more widely accessible complaint procedure.

I draw the figures to your attention so that your Council can consider them in the context of information from its own complaints handling and in light of my later comments in this letter.

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 against your Council. In that report I was critical of the way in which the Council dealt with planning enforcement issues in relation to a Household Waste Recycling Centre. Although I was critical of the Council's actions in this case, it did not reveal wider or systemic issues of concern.

Decisions

In addition to the report, I determined 40 complaints. This number differs from the number of complaints received because it takes into account work in hand at the start and end of the year.

Of those 40 decisions: five complaints were outside my jurisdiction, five I exercised discretion not to investigate, I found no evidence of maladministration in 12 and 16 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 two were local settlements. Both of these settlements were in relation to complaints about social services. In one in particular, we agreed with the Council it would review a policy and a range of training needs. I accept that this is not necessarily indicative of widespread problems but taken with the increase of complaints in children and family services and the proportion of complaints about social services, it might be useful for your Council to reflect on it further.

My intention in this letter is to raise awareness.

Other findings

As you are aware, we ask for substantive responses to our initial enquiries within 28 days. As in previous years, your Council continues to more than meet this. In 2006/07, you took just 21.1 days on average. Thank you for your co-operation in this.

Your Council's complaints procedure and handling of complaints

Your Council provides clear information on how to make complaints. This is readily accessible through your web-site and I am pleased to see you have included a direct link to the LGO. I also am pleased to note some of your staff received training from us in January, demonstrating further your commitment to effective complaint handling

My investigations have not revealed issues with the handling of corporate complaints by the Council. However, as part of your reflections on social services complaints, you might wish to refer to the cases which we settled. In both cases we identified delays in the way your Council investigated the complaints. I stress, this is not a general conclusion about your social service complaint handling, merely something additional for you to consider.

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

Effective liaison between our two organizations is very important as it impacts directly on the investigation of complaints. I am grateful to the Council for its helpfulness in responding to our enquiries. We have not experienced problems over the twelve months and appreciate the professionalism of your liaison staff.

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	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	9	13	4	6	5	0	11	48
2005 / 2006	9	6	17	8	1	0	10	51
2004 / 2005	10	1	11	3	6	2	9	42

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	2	0	0	12	5	5	16	25	41
2005 / 2006	0	7	0	0	17	5	5	11	34	45
2004 / 2005	1	5	0	0	8	6	13	11	33	44

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	15	21.4
2005 / 2006	21	18.7
2004 / 2005	10	21.1

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