



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Oxfordshire 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**

The aim of the annual letter is to provide a summary of information on the complaints about Oxfordshire County 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 22 complaints during the year, which is an increase on the 10 received last year but we expect to see these fluctuations over time. I see nothing significant in the rise.

### ***Character***

Six complaints were received about adult care services, four about children and family services, six about transport and highways matters, three about planning and building control, two about education and one complaint was received in the 'other' category about employment and pensions.

## **Decisions on complaints**

### ***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.

Three complaints were settled locally. In one, about adult care services, the Council agreed to pay compensation of £250 for the distress caused by delays in invoicing for top-up fees for a residential care home and for issuing a final demand for an invoice which had been paid shortly after the death of the complainant's wife. In a complaint about children's services, the Council agreed to pay compensation of £2500 for failing to assess the complainant's needs properly and for failing to make direct payments. The level of compensation paid was based on the level of direct payments the complainant should have received. In a complaint about transport and highways, the Council agreed to pay compensation of £2000 for the inconvenience caused by misleading consent for a vehicular access to the highway. The complainant considers that had she been aware that the consent did not extend to permission for installing the access she would not have proceeded with installing the driveway. The sum of compensation paid reflected the cost the Council would have incurred if it had removed the driveway for the complainant.

The Council paid a total of £4750 compensation in 2006-07. I am grateful to the Council for its assistance in settling these complaints.

I did not issue any reports against your Council in 2006-07.

## ***Other findings***

Twenty one complaints were decided during the year. Of these three were outside my jurisdiction for a variety of reasons. Ten complaints were premature and, as I mentioned earlier, three were settled locally. Four complaints were not pursued because no evidence of maladministration was seen and I exercised my discretion not to pursue the remaining complaint.

## **Your Council's complaints procedure and handling of complaints**

The number of premature complaints (10) is relatively high when set against the number of incoming complaints (22). Five of these were about Social Services. Although the Council's corporate complaints procedure and Social Services complaints procedures are clearly set out on its website, the high level of premature complaints may suggest that staff, when dealing with requests for assistance, do not signpost the complaints process for those who remain unhappy with what the Council has done. I hope that the Council will give some consideration to this point over the coming year.

## **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.

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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. We delivered courses to your Council on 17 April and 15 May 2007 which I hope your officers found to be useful. If we can provide any further training for you please let Reynold Stephen, Assistant Ombudsman, know

## **Liaison with the Local Government Ombudsman**

We made enquiries on six complaints this year, and the average time for responding was 27.8 days. This is within our target of 28 days. I commend the Council for meeting this target and for providing comprehensive responses to our enquiries.

I was pleased to welcome officers from your Council to the seminar I gave at Vale of White Horse District Council on 27 June 2006. The feedback I received from your Council indicated that officers found it to be useful in enabling them to obtain a better understanding of my role and our role in complaint handling.

## **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.

**J R White**  
**Local Government Ombudsman**

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**Westwood Way**  
**Westwood Business Park**  
**Coventry**  
**CV4 8JB**

**June 2007**

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

<b>Complaints received by subject area</b>	<b>Adult care services</b>	<b>Children and family services</b>	<b>Education</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Social Services - other</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	6	4	2	1	3	0	6	<b>22</b>
<b>2005 / 2006</b>	2	2	1	0	1	1	3	<b>10</b>
<b>2004 / 2005</b>	1	1	2	3	0	3	32	<b>42</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	3	0	0	4	1	3	10	11	<b>21</b>
<b>2005 / 2006</b>	0	3	0	0	3	1	2	2	9	<b>11</b>
<b>2004 / 2005</b>	0	4	0	0	25	6	3	3	38	<b>41</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	6	27.8
<b>2005 / 2006</b>	7	23.3
<b>2004 / 2005</b>	11	25.5

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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