



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Sheffield 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

We received 184 complaints about your Council during 2006/07, the same number as the previous year. Looking at complaints received by subject area, there were increases in complaints about adult care services and transport and highways, and reductions in benefits and planning and building control. Complaints in the remaining subject were static. Nine of the transport and highways complaints relate to decisions on the renewal of Blue Badges, which provide a range of parking benefits for disabled people who travel either as drivers or passengers. Housing continues to be the largest subject for complaints, 38% of the total.

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 during the year. I found maladministration leading to injustice because the Council failed to ensure that a proper home care service was provided to the complainant's late mother. The Council did not have an adequate system for making sure that care

agency workers delivered specified services; did not take effective action when the failures of the care agency were reported; and did not respond properly or sensitively to complaints about missed calls and the circumstances of the death of the complainant's mother.

Since the complaint was made the Council has put in place systems to ensure more effective monitoring of contracts with care agencies, and has now agreed to undertake a full independent evaluation of its new procedures. The Council also agreed to pay £500 to the complainant for his time and trouble in making the complaint and £1000 to the estate of the complainant's mother. The failings identified in home care services were extremely serious and I look forward to receiving the independent evaluation which should identify whether these failings have been put right.

There were twenty-eight local settlements in total during 2006/07, resulting in payments of £7,766. The fifteen housing local settlements included a homeless person being awarded housing priority, compensation for costs incurred when the Council failed to repair a garage when promised which meant the complainant could not use their car which was stuck in the garage and replacement of doors in a council house. There were six adult care service settlements which led to payments of £3,000. A children and family services complaint identified failings in liaising with a family in the early stages of child referral, not holding an initial child protection meeting properly as well as failing to carry out care assessments and poor communication. A complaint about failure to provide sufficient home tuition following a child's exclusion led to the Council giving £300 worth of open tuition in his new school.

Your Council's complaints procedure and handling of complaints

Your Council averaged 35.8 days to respond to initial enquiries in 2006/07, very similar to the time taken in 2005/06 and outside the 28 day target. As I said in last year's Annual Letter, response times are an important contributor to providing a good quality service to people who complain. I recognise that some complex complaints will take a considerable amount of time and effort to respond to, however not all the complaints involved are complex and I hope to see an improvement in response times during the year. Response times were slowest on transport and highways (45.1 days, with none of the responses received within 28 days), children and family services (44.5 days), planning and building control (38.3 days) and housing (34 days).

We made 161 decisions during 2006/07, of which 37.9% were premature, that is the Council had not had a reasonable opportunity to respond. Of the complaints decided, seventeen were resubmitted premature complaints where the complainant was unhappy with the Council's response. Only one of these complaints (5.9%) resulted in a local settlement, well below the national figure of 21.5%.

We have not noted any significant delays or problems in how the Council has dealt with complaints during the year. However one complaint we had referred to the Council as premature did not receive a written response. It is important that complainants do receive a written response, even if it is a brief one, as this is expected by complainants once the Ombudsman has been involved. It also helps my investigators to deal with the complaint if the complainant chooses to resubmit it to us.

Following last year's Annual Letter, I am pleased that there is now a quick link to "complaints and feedback" from the home page of the Council's website and that information about the Local Government Ombudsman is also readily available.

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

Council took advantage of our training on Effective Complaints Handling during the year and I have received positive feedback on how the course went.

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 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

I attended a meeting of the Senior Management Group during the year and found the discussion stimulating and indicative of a positive attitude to seeing complaints as an important opportunity to consider how services impact on people and how improvements can be achieved.

In addition my Assistant Ombudsman has met senior officers of the Council and Sheffield Homes to discuss the relationships between our organisations, trends in complaints and complaints handling, and how we work together and communicate. I hope we can continue this constructive dialogue in the future.

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
Beverley House
17 Shipton Road
YORK
YO30 5FZ**

June 2007

Enc: 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	19	13	8	15	70	22	14	6	0	17	184
2005 / 2006	12	19	10	13	70	20	24	9	0	7	184
2004 / 2005	23	13	16	5	57	21	34	2	1	3	175

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	28	0	0	30	27	14	61	100	161
2005 / 2006	0	39	0	0	51	26	15	61	131	192
2004 / 2005	1	27	0	0	55	23	16	45	122	167

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	53	35.8
2005 / 2006	74	35.3
2004 / 2005	92	31.7

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