



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Staffordshire 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 Staffordshire 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 71 complaints during the year. This is a significant reduction on the 130 complaints that were received last year. However, as I explained in last year's letter, during 2005/2006 we received over 60 complaints about one planning application in your Council's area. And I note that 14 of the complaints received during 2006/2007 were about one social care issue. While we expect fluctuations in complaint numbers from year to year, multiple complaints like these can significantly distort the figures.

### ***Character***

Twenty-eight complaints were about adult care services, of which 14 related to your Council's decision to close care homes and day centres. We received eight complaints about children and family care services. Of the 15 education-related complaints nine were about school admissions and three about special educational needs. Nine complaints were received about transport and highways issues and four about planning matters; both of these are broadly in line with the number of complaints received about those service areas in previous years. The remaining seven complaints that were received in the year were recorded under the "other" category. Three of those concerned your Council's possible location of a waste disposal site, two related to employment matters, and two were about drainage issues.

## **Decisions on complaints**

Decisions were made on a total of 125 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.

I issued three reports on four complaints against your authority. One report concerned the way your Council investigated an abuse allegation against the manager of a children's home. I found that the correct procedures had not been followed and that the Council had failed to keep the complainant informed of what was happening. I recommended that your Council should apologise to the complainant and make him a compensatory payment of £1,000 for the stress and anxiety he suffered. In addition I recommended that your Council review its procedures and remind managers of the importance of following procedures and of accurate recording. I was pleased to note that your Council implemented those recommendations quickly.

Another report was issued following my investigation of a complaint from a child who was looked after by your Council. I found that there had been faults in the way his complaints of bullying in a residential centre had been investigated. Your Council agreed to my recommendation to apologise to the complainant, make him a compensatory payment of £3,000 for the stress and anxiety he had suffered and to reinforce to front line residential staff the importance of following the designated complaints procedures.

I also issued a report on my investigation on two complaints about your Council's decision not to admit the complainants' children to a particular nursery school even though places were available. I found that your Council had applied its nursery admissions policy very rigidly and with insufficient regard to parental choice. Your Council agreed to keep its nursery admission policy under review in order to minimise the possibility of other parents experiencing similar difficulties. Your Council also agreed to pay each of the complainants £500 for their time and trouble in pursuing the complaint.

Five complaints were decided on the basis of local settlements. Four of those cases concerned complaints about children and family services. In one case your Council had failed to implement the recommendation of a social services review panel which meant that the complainant did not receive a reimbursement of monies he had lost because of incorrect information your Council had provided. Your Council arranged for an appropriate officer to meet with the complainant, clarify the sums involved, assess his needs and make suitable provision for him. In addition your Council paid £5,000 compensation.

In the other three cases about children and family services that were decided as local settlements your Council paid £4,100 in compensation.

The other complaint that was decided as a local settlement concerned your Council's decision not to admit a child to his parent's preferred secondary school. During the course of my investigation a place became available at the school which the child was offered.

During the year compensation payments totalling £14,100 were made.

I am pleased to note that in the majority of the cases referred to above your Council took swift action to implement my recommendations and so resolve those complaints.

### ***Other findings***

Nine complaints were treated as premature and referred back to your Council so that they could first be considered under your Council's own complaints procedure. In five cases I took the view that the matters complained about were outside my jurisdiction. Twenty four complaints were not pursued because no evidence of maladministration was seen. Of the remaining seventy-eight complaints that were not pursued for other reasons, over sixty of them were about one planning application for a green waste site. I saw no maladministration in respect of the Council's handling of the matter that caused injustice to the complainants.

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

The number of complaints that we treated as premature is significantly below the national figures when viewed as a percentage of all decisions taken. This indicates that your Council's own complaints procedure is easily accessible to service users. Of the nine complaints that were treated as premature four were resubmitted to my office during the year. Two are still being considered but the other two were not pursued.

### **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.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

We have not delivered any training to your Council this year. I have enclosed some information on the full range of courses available together with contact details for enquiries.

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

Enquiries were made on a total of 28 complaints and your Council's average time for responding was 40 days, a slight but inadequate improvement on last year's figure of 41 days. Seventeen of the enquiries that were made were about education complaints where the average response time was 45 days. In several cases it took your Council over 60 days in which to respond. I appreciate that several of these complaints were about complex issues and involved your Council obtaining and collating information from a number of sources. But I ask councils to respond to our enquiries within 28 days and your Council should now take whatever steps are necessary to improve its response times.

One of your staff attended our seminar for Link Officers last November and I hope she found that to be a useful experience. In addition one of my investigators had a very useful meeting during the year with several officers from your education and legal departments about a number of issues that had arisen during our consideration of complaints about school admissions. I was pleased to note that your Council indicated that it be reviewing some of its administrative procedures following that meeting.

If it would help for Mrs Barbara Hedley, Assistant Ombudsman, to visit your Council to present this letter, or to give a presentation about how we investigate complaints, I would be happy to arrange this.

### **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**  
**The Oaks No 2**  
**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>	28	8	15	7	4	0	9	<b>71</b>
<b>2005 / 2006</b>	3	10	24	20	65	1	7	<b>130</b>
<b>2004 / 2005</b>	8	7	12	3	4	1	12	<b>47</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>	4	5	0	0	24	78	5	9	116	<b>125</b>
<b>2005 / 2006</b>	0	2	0	0	17	4	5	27	28	<b>55</b>
<b>2004 / 2005</b>	1	6	0	0	18	10	9	11	44	<b>55</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>	28	39.8
<b>2005 / 2006</b>	85	41.0
<b>2004 / 2005</b>	16	34.1

**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