



The Commission for  
Local Administration in England

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

The aim of the annual letter is to provide a summary of information on the complaints about your authority 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 60 complaints during the year, a slight increase over last year, but we expect some variations over time.

### ***Character***

Complaints spanned a variety of service areas, with housing and the "other" category showing the largest numbers at 16 and 13 respectively and accounting for half of the total. No particular category showed a significant increase in complaints.

Housing complaints were mostly about repairs and managing tenancies. I appreciate that the Council now manages housing stock indirectly, through an ALMO, Wolverhampton Homes: but it retains ultimate responsibility for providing redress where things have gone wrong. The "other" category includes complaints about issues such as antisocial behaviour, drainage, land and employment and pensions. Education complaints remained at eight, the same as the previous year.

## **Decisions on complaints**

### ***Reports and local 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.

Seven complaints were settled locally.

An adult care service complaint alleged that the Council did not reach a reasonable conclusion at stage 3 of the statutory complaint procedure and that the Council failed to consider the actions of a respite carer who bruised the complainant's mother before her death. My investigator found no fault in the way the Council had applied the statutory procedure, and considered the Council tried to communicate with the complaint as sensitively as possible throughout the complaint. But the Council accepted it had failed to look into the bruising issue and readily agreed to apologise and pay compensation to the complainant of £250 for her time and trouble in pursuing this aspect of the complaint. The Council also took management action to ensure incidents are reported and risks removed or reduced.

A housing benefit complainant was pursued for an overpayment which the Council could have prevented as it had sufficient information to do so some eight weeks earlier. The Council agreed to write off the overpayment as an official error and stop recovery action.

The Council settled two housing repair complaints locally. One case concerned a leaking roof where the tenant spent four years with a bucket in his living room. The Council agreed to pay compensation of £200 per year from 2002 to continue until the complainant is rehoused. The second case concerned the Council's unnecessary disclosure of the complainant's medical information to its repair contractors, which caused the complainant unnecessary distress and anxiety. The Council had already apologised when the complaint was made to me and improved its procedures and training. It also offered temporary accommodation to protect the complainant's privacy during the period of repairs. The Council also agreed to pay the complainant £200 compensation.

The Council had not confirmed to one complainant that she was a secure tenant despite her request. The Council gave the confirmation sought by the complainant which provided an adequate remedy.

A complainant said that the Council delayed in reaching a preliminary decision as to the fitness of a property for a Disabled Facilities Grant. The Council apologised and agreed to pay compensation of £500. Here the Council had already undertaken work to bring in extra staff and brought waiting times within acceptable limits. I understand the Council is now benchmarking this matter with other authorities to monitor performance.

The Council paid a total of £1950 compensation this year as a result of complaints made to me. I am grateful for the Council's willingness to provide redress where things have gone wrong.

I issued no reports against the Council during the year.

### ***Other findings***

Fifty eight complaints were decided during the year. Of these 14 were outside my jurisdiction for a variety of reasons. 18 complaints were premature and, as I mentioned earlier, seven were settled locally. The remaining 19 were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

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

The number of premature complaints (18) is relatively high when set against the number of decisions (58) and amounts to 31%. This compares to the national average of 28.2%. Last year I noted that the Council's website, had a link to our website to assist complainants. But more may need to be done to ensure that staff signpost complainants to the procedure at an appropriately early time.

## **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.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

We delivered a Stage Three complaints handling course to the staff of Wolverhampton Homes at the Council on 24 July 2006. I hope this was 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 22 complaints this year, and the average time for responding was 25.4 days. I commend the Council on its continuing excellent performance here: it is much appreciated.

No one from the Council has attended the annual link officer seminar recently and you may wish to consider sending someone to the seminar to be held later in November. If so, please let Reynold Stephen know and he will arrange for an invitation to be sent. In addition, if it would help for Mr Stephen to visit the Council and 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 that 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  
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	Transport and highways	Total
01/04/2006 - 31/03/2007	3	7	1	8	16	13	7	1	4	60
2005 / 2006	1	9	1	8	15	13	2	2	5	56
2004 / 2005	0	5	2	5	15	7	12	4	0	50

**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	0	7	0	0	14	5	14	18	40	58
2005 / 2006	0	8	0	0	17	9	13	14	47	61
2004 / 2005	0	6	0	0	11	7	10	10	34	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	22	25.4
2005 / 2006	16	25.8
2004 / 2005	29	20.7

**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