

Local Government
OMBUDSMAN

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

Dorset County Council

**for the year ended
31 March 2008**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction

This annual letter provides a summary of the complaints we have received about Dorset County Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can 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.

Complaints received

Volume

We received 22 complaints against your Council during the year, almost the same number as in each of the two previous years. We expect to see fluctuations from year to year but the number is not high in any event.

Character

Half the complaints we received were about Adult Care Services, two about Children and Family Services, and four about Education. Five complaints were about miscellaneous matters.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I did not issue any reports against your Council during the year.

A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued. In 2007/08 the Local Government Ombudsmen determined some 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

Only one complaint against your Council was treated as a local settlement during the year. It concerned delay in securing an undertaking and technical approval for highway work in connection with a grant of planning permission. To remedy the injustice caused to the complainant your Council agreed to undertake necessary design work on behalf of the complainant at no cost to him and to forego its own fees, an estimated value in excess of £40,000. I considered that was reasonable in all the circumstances, and commend the Council for responding promptly to the situation with an offer of settlement.

Other findings

Nine complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

In a further two cases I took the view that the matters complained of were outside my jurisdiction.

The remaining seven complaints 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 nine complaints decided as premature represent almost 50% of the total number of complaints determined this year, significantly more than the national average, which this year is 27%. The number of complaints is not particularly high in any event, but it is nevertheless a higher proportion than in previous years, and you may wish to review the individual cases to see if any lessons can be learned for the operation of your own complaints procedures.

Two complaints that had been referred back to the Council as premature were resubmitted. Both were still under consideration at the end of the year.

Liaison with the Local Government Ombudsman

Enquiries were made on six complaints during the year. Your Council's average response time of just over 40 days represents a worrying deterioration on last year's average of 26 days.

Replies on two cases in Adult Care Services were made in an average of 22 days, and the longer response times appear to be across a number of different areas each dealing with a different case. I am sure your Council will wish to review its performance overall and make improvements in this area to meet my target timescale of 28 days.

From time to time we hold a seminar here in Coventry for Council officers designated as the link between your Council and my office. I see that no-one from your Council has attended for a few years. The feedback we receive from attendees is very positive and the seminars are seen as a useful way of improving practice for the benefit of your officers and for improving service to people who find they need to make complaints. If your Council would be interested in sending a delegate to the next seminar please contact my office for more information.

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. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are 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 a course on reviewing complaints for social care 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.

LGO developments

We launched the LGO Advice Team in April 2008, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, has dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new

power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act 2007, which also came into force in April 2008. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. I would appreciate your feedback on these, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships your Council has set up.

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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June 2008

Enc: 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	Housing	Other	Planning & building control	Transport and highways	Total
01/04/2007 - 31/03/2008	11	2	4	1	3	1	0	22
2006 / 2007	3	1	6	0	0	3	6	19
2005 / 2006	2	4	6	0	3	1	5	21

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
01/04/2007 - 31/03/2008	0	1	0	0	4	3	2	9	10	19
2006 / 2007	0	2	0	0	3	4	5	3	14	17
2005 / 2006	0	1	0	0	9	3	8	2	21	23

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
01/04/2007 - 31/03/2008	6	40.3
2006 / 2007	4	25.8
2005 / 2006	10	28.3

Average local authority response times 01/04/2007 to 31/03/2008

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0