

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

**North Tyneside Metropolitan  
Borough 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 received about North Tyneside Metropolitan Borough Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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***

Last year 42 complaints were received. A fall of just over a quarter from the previous year (58), confirming a downward trend from 64 during the year before that (2005/06).

### ***Character***

The most significant downward trend in complaints have been about housing which have fallen by nearly two thirds from 31 in 2005/06 to only 10 last year. There are otherwise no significant trends within individual categories of complaint.

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

The Council has in recent years responded promptly to the first enquiries made upon complaints and last year was no exception. The target for preparing such responses is 28 days. Last year the Council responded to 13 such enquiries within an average of just under 22 calendar days, a significant achievement.

## **Decisions on complaints**

Decisions were taken upon 52 complaints last year, slightly more than during the previous year (49). A third of these (17) were premature complaints, where the Council had not yet had a proper chance to deal with the complaint itself. Seven lay outside my jurisdiction. A further 24 were not pursued either because no maladministration was found or because I exercised my discretion not to further investigate them.

### ***Reports and local settlements***

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. In 2007/08 the Local Government Ombudsmen determined 27% of complaints by local settlement (excluding 'premature' complaints and those outside our jurisdiction).

Last year four complaints were locally settled, and payments totalling just over £8,000 were made to two complainants. The largest payment of £7,779 was made where the Council had failed to regularly review a care plan, offered inadequate interim care over an extensive period and communicated poorly while investigating complaints about the matter. This led to intolerable strain upon a family trying to look after a severely disabled adult son, and in due course to a complete breakdown in trust between the family and the Council.

The Council agreed to review its policy on reviewing regular care plans; review its procedures for implementing interim measures; and improve its procedure for dealing with complaints, particularly speeding up that process.

If an investigation is completed I issue a public report. I did not issue any reports about the Council last year.

## **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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction.

I am pleased to note that during the last year officers of the Council attended three of our training courses.

The range of courses is expanding in response to demand. In addition to 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 will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities.

Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

I enclose 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, 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, which also came into force in April. 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'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

## **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  
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YORK  
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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	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	7	0	2	4	10	7	6	3	3	42
2006 / 2007	5	2	6	6	18	6	9	4	2	58
2005 / 2006	3	3	3	4	31	9	6	3	3	65

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	4	0	0	12	12	7	17	35	52
2006 / 2007	1	6	0	0	16	3	7	16	33	49
2005 / 2006	0	7	0	0	17	10	6	24	40	64

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	13	21.9
2006 / 2007	20	22.4
2005 / 2006	26	25.2

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