

Local Government
OMBUDSMAN

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

Oxfordshire 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 Oxfordshire 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 20 complaints against your Council during the year, two fewer than last year. We expect to see fluctuations like this and I see no significance in the fall.

Character

Two complaints were received about adult care services, one about children and family services, five about transport and highway matters, two about planning and building control, two about education and two in the 'other' category - one about access to information, the other about consumer affairs.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no reports against your Council this 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).

Three complaints were settled locally, and a total of £1000 was paid in compensation.

The Council agreed to pay £1000 for distress, and to review its procedures following an investigation under section 47 of the Children Act. The allegations of child abuse were not substantiated yet were subsequently pursued by an officer. There were faults in the way the social services complaints procedure operated. The Council had already apologised and indicated its willingness to consider a local settlement throughout my investigation.

In one adult care services complaint the Council promptly agreed to provide the complainant with a list of payments to her son's care worker so that she could check it with her own list to see if there was money owing to her.

In the third complaint, also about adult care services, I was pleased to note the Council's willingness to agree to carry out a stage 2 investigation, if needed, once an investigation had been carried out through a contract company's own procedures, although there was no evidence of maladministration. The Council's response to the complaint was both positive and constructive, not only in that part of the

complaint which was within my jurisdiction, but also in forwarding other parts of the complaint to the appropriate NHS Trust.

Other findings

I decided 21 complaints during the year, six of which 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.

Five complaints were not pursued because no evidence of maladministration was seen and I exercised my discretion not to pursue the remaining five. And, as I mentioned earlier, three were settled locally.

Your Council's complaints procedure and handling of complaints

The number of premature complaints has fallen to six from 10 last year, although the number of complaints received has remained the same. I noted the relatively high number of premature complaints in my letter last year and expressed the hope that the Council would give some thought to the better signposting of its complaints process for those who remain unhappy with what the Council has done. I trust that this improvement is the result of those changes and hope to see it further reflected in next year's figures. I note, however, that there is no reference or signpost to the Council's complaints process on the homepage of its website. This would make the complaints process more accessible, and I ask the Council to give consideration to such provision.

Liaison with the Local Government Ombudsman

The Council's response time this year to my enquiries has increased to almost 30 days, taking it just outside our target of 28 days. I note that the Council made representations to my staff about one particular complaint, the response to which was sent just before the Christmas holiday period. We will have regard to your comments in any future consideration of the recording of time targets. I am grateful for all the Council's efforts here, and I am aware of its consistently good record in this area.

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, 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, had dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, e-mail 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. 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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18 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	Other	Planning & building control	Transport and highways	Total
01/04/2007 - 31/03/2008	8	1	2	2	2	5	20
2006 / 2007	6	4	2	1	3	6	22
2005 / 2006	3	2	1	0	1	3	10

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	3	0	0	5	5	2	6	15	21
2006 / 2007	0	3	0	0	4	1	3	10	11	21
2005 / 2006	0	3	0	0	3	1	2	2	9	11

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	7	29.7
2006 / 2007	6	27.8
2005 / 2006	7	23.3

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