

Local Government
OMBUDSMAN

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

We received 219 complaints about your Council during 2007/08, an increase over the 184 complaints received in each of the previous two years. There were increases across a number of categories: benefits, children and family services, housing, other and planning and building control. There was a reduction in complaints about education, public finance and transport and highways.

Housing complaints increased by 12 overall and maintained their position as the largest single category at just over one-third of all complaints made (38%). Complaints about housing sales and leaseholds increased from 1 last year to 19 during 2007/08.

Liaison with the Local Government Ombudsman

Liaison arrangements with your Council work well and my staff have not experienced any significant problems over the year.

It took your Council an average of 35.7 days to respond to first enquiries from the Ombudsman in 2007/08, a figure which has remained steady over the past three years. The target is 28 days. We ask councils to try and respond to enquiries in a timely manner, as it helps the Ombudsman to provide a quality service to complainants. However I do recognise that for more complex complaints this is not always possible. It may be helpful to target efforts to improve response times. The areas which took the longest to respond were housing (42 days), transport and highways (39 days) planning and building control (36 days) and benefits and other (both 33 days). Adult care services took 29 days on average, excluding one complaint which took 110 days to receive a response. Average response time for first enquiries about children and family services (26 days), education (26 days) and public finance (24 days) were all within the 28 day target. I recognise that the housing function was under considerable pressure at times during 2007/08 due to the impact of the floods during the summer, but delays in responding were spread over the whole year. Since housing complaints made up 37% of complaints about which my investigators made first enquiries, only responding to 11% of enquiries within 28 days had a significant impact on our ability to deal with Sheffield housing complaints promptly.

Decisions on complaints

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 - where councils have not had a proper chance to deal with them - and those outside our jurisdiction). If an investigation is completed I issue a public report.

I issued one report about your Council during the year. I found that the Council unreasonably rehoused a young single woman into the flat above an existing tenant in her 90s, who sadly died during the course of my investigation. The Council had changed its rehousing policy and stopped restricting the flats in the block to people aged 50+ (first floor) and 60+ (ground floor). However in making this decision there was no evidence that the Council officers involved followed Cabinet's instruction on how age restrictions should be reviewed. Officers should have considered the age of the tenants in the block, the level of demand from older people and the availability of properties for younger people before deciding to designate the block as available to people of all ages. This was maladministration. It caused the complainant an injustice in the distress that she suffered from the clash of lifestyles with the younger tenant, which her GP said had affected her health.

I recommended that the Council should urgently finalise any outstanding decisions on re-designating blocks of flats. That in recognition of the injustice to the complainant the Council should pay her estate £500. It should also pay the other elderly couple in the block, who suffered similar problems, £500.

There were 43 local settlements during 2007/08, resulting in payments of just over £25,000. Local settlements made up 34% of decisions on substantive complaints (excluding those which were premature or outside jurisdiction), almost the same proportion as last year (33%).

There were 8 settlements on adult care services complaints resulting in payments of £8,800, an agreement to improve the information given to social workers about how to deal with funeral expenses and a review of procedures in relation to cancelling services for deceased clients. There were 13 settlements on housing complaints resulting in payments of £13,500. This included a complaint about problems with improvements to a privately-owned property, which resulted in extensive water damage to the property and a settlement of £12,000 to put right the damage caused. Ten complaints about the Council's failure to issue Disabled Persons Car Badges led to local settlements. In each case the Council failed to check medical information with the GP and once it had done so, the Badge was issued. As a result of the problems identified, the Council has improved systems to ensure there are clear records of steps taken, specifically asks for medical evidence from a GP in appropriate circumstances, has introduced an improved application form and includes reasons for refusal of applications in the decision letter. It has also identified several hundred people whose applications may have been wrongly rejected and written to them inviting a further application.

Other findings

An anti-social behaviour complaint highlighted the need for the Council to be clearer in its policy and procedures on the usefulness of photographic evidence and what type of evidence is acceptable. A housing repair complaint showed there was a lack of detail on property inspection reports and the Council has since reviewed its procedures and introduced a document to help improve recording.

Your Council's complaints procedure and handling of complaints

We made 209 decisions during 2007/08, of which 30% were premature, that is the Council had not had a reasonable opportunity to respond. Of the complaints decided 29 (14%) were resubmitted premature complaints where the complainant was unhappy with the Council's response. Seven of these complaints resulted in a local settlement (24%), slightly above the national figure of 21%.

No problems with the Council's complaints procedure were identified during our investigations.

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.

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. I was pleased that your Council volunteered to act as a pilot for the course for social care review panel members.

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
17 Shipton Road
YORK
YO30 5FZ

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	19	24	18	13	83	30	19	4	9	219
2006 / 2007	19	13	8	15	71	21	14	6	17	184
2005 / 2006	12	19	10	13	70	20	24	9	7	184

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	1	43	0	0	57	26	20	62	147	209
2006 / 2007	1	28	0	0	30	27	14	61	100	161
2005 / 2006	0	39	0	0	51	26	15	61	131	192

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	95	35.7
2006 / 2007	53	35.8
2005 / 2006	74	35.3

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