

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

**Solihull 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 Solihull 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

We received 57 complaints about your Council during 2007/08, an increase of 24 on the previous year and reversing the gradual decline in numbers seen over the previous 4 years. There were relatively small increases across most of the subject areas including planning and building control, benefits, housing, other and transport and highways. The only area which saw a reduction in complaint numbers was education. These changes are well within the normal fluctuations seen in the numbers and types of complaints.

Liaison with the Local Government Ombudsman

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

The time taken to respond to first enquiries from my office increased significantly compared to 2006/07, from 22.8 days to 32.4 days, although more enquiries were made (28 compared to 12). The target for responses 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 planning and building control (46 days) and housing (31 days). One planning complaint took an unacceptable 98 days to receive a response, with an adult care complaint taking 61 days. I hope that these times can be reduced during the year.

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.

For the third consecutive year, we did not issue any reports about the Council. There were 8 local settlements, 22% of all decisions (excluding premature complaints and those outside our jurisdiction), compared to 43% last year. These settlements resulted in payments of £11,400. One investigation found the Council delayed in starting and completing a statement of special educational needs and then failed to provide what was in the statement, resulting in a young person being out of education for over 2 years. The Council apologised and agreed to pay £8,000 to fund educational provision for the young person and £2,000 to her mother. Another special educational needs complaint found delays in issuing a statement. A complaint about delay in dealing with a housing transfer application and anti-social behaviour resulted in the offer of a new property.

Your Council's complaints procedure and handling of complaints

We decided 58 complaints about your council during 2007/08. Of these 17 complaints (29%) were premature, that is the Council had not had a reasonable opportunity to respond to them. Five of the complaints decided (9%) were resubmitted premature complaints, where the complainant was unhappy with the Council's response. One of these resulted in a local settlement. This limited evidence suggests the Council's complaints procedure is working effectively. However two complaints about special educational needs highlighted significant delays in the Council's complaints procedure.

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

I am pleased that your Council took advantage of the Effective Complaints Handling course during the year.

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
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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	2	3	1	6	12	10	16	3	4	57
2006 / 2007	2	0	0	11	8	3	6	3	0	33
2005 / 2006	5	0	1	2	3	5	22	0	5	43

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	8	0	0	19	9	5	17	41	58
2006 / 2007	0	9	0	0	7	5	2	6	23	29
2005 / 2006	0	6	0	0	17	12	2	11	37	48

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	28	32.4
2006 / 2007	12	22.8
2005 / 2006	16	36.0

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