

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
Stoke on Trent 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 we have received about Stoke on Trent City 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 59 complaints against your Council during the year, slightly fewer than last year (68) and the year before (69). The 59 complaints included a group of nine complaints about a school reorganisation which were received before the Council had made a final decision on the matter. Taking this into account, this indicates a greater reduction in the number of complaints received this year which is pleasing to note.

Character

Nine complaints were received from each of the following categories; housing, planning and building control, transport and highways, and education.

Two complaints were received respectively about adult care and children and family services. Three complaints were received about benefits and 12 were received about other categories, including four about land.

Decisions on complaints

Reports and local settlements

When we need to 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 way of local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

I am always grateful when the Council takes action to remedy a complaint before my formal involvement. An example of this is a complaint about delay in dealing with changes to circumstances, due to a backlog of work. As a result housing benefit had been suspended for four months. However, I was satisfied that the Council had dealt with the complaint properly and offered an appropriate remedy. This meant that no further action was warranted by my office over and above recommending the Council to take all appropriate steps to prevent recurrence.

Three complaints were settled locally and the Council paid a total of £563 in compensation.

A highways management complaint was settled promptly by the Council agreeing to undertake a pedestrian crossing assessment.

In a complaint about housing benefit, the Council gave a landlord incorrect information about the

payments made directly to landlords. This resulted in him supplying unclear information to the Council about the tenants' level of arrears, which in turn led the Council to make payments to the tenants when it should not have done so. It also failed to make appropriate further enquiries about the level of arrears. When the Council's written explanation was examined by my officers its calculations were found to be incorrect. Once the errors were pointed out, the Council agreed to remedy the complaint by making a payment of £363, which was equivalent to the amount of benefit which would have been paid to the landlord had the errors not occurred.

A complainant wrote to me saying that the Council had provided misleading information about his entitlement to council tax benefit and that it had advised him to cancel a claim for pension credit. I could not take a view on this latter aspect and felt the complainant could have done more to protect his own position but considered that the Council's letters were confusing. The Council accepted this and agreed to make a payment of £200.

Other findings

Fifteen 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 eight cases I took the view that the matters complained about were outside my jurisdiction.

The remaining fifty 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 fifteen complaints decided as premature represent 23% of the total number of complaints determined this year, lower than this year's national average, of 27%.

Five complaints that had been referred back to the Council as premature were resubmitted. Three of these were not pursued because there was no evidence of maladministration and the other two were not pursued because no significant injustice flowed from the fault alleged.

Liaison with the Local Government Ombudsman

Enquiries were made on sixteen complaints during the year. Your Council's average response time of 31 days is just outside our target of 28 days and demonstrates a commitment to improving complaint handling. This is a significant improvement over the response time of 43 days from last year. I look forward to continued improvement in the year to come.

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, have 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'. 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
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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	2	9	9	12	9	4	9	59
2006 / 2007	3	4	4	0	22	15	7	7	6	68
2005 / 2006	1	14	2	1	10	18	8	5	10	69

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	24	16	8	15	51	66
2006 / 2007	0	1	0	0	19	8	12	21	40	61
2005 / 2006	0	9	0	0	22	14	7	16	52	68

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	16	31.3
2006 / 2007	20	43.0
2005 / 2006	33	36.5

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