

Local Government
OMBUDSMAN

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

Suffolk 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 Suffolk 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

In 2007/08 I received 42 complaints against your Council. This is more than I received in 2006/07 but numbers do fluctuate over time and it is in line with the number I received in 2005/06.

Four complainants each made two complaints about the same matter. So, there were 38 different issues raised.

Character

Ten complaints were about children and family services and five about adult care services. Seven complaints concerned highway management and a further six related to education. Of these, four were about special educational needs. Five complaints concerned planning applications. The remaining nine complaints covered a broad range of issues, including employment and pensions, consumer affairs and leisure and culture.

Decisions on complaints

During 2007/08 I made decisions on 43 complaints.

Reports and local settlements

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 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). None of the complaints we investigated this year justified the issue of a report but I did agree six local settlements.

The local settlements related to two children and family services cases, two about adult care services and two about special educational needs. In one children and family services case, I found the Council had delayed in dealing with a complaint about a child protection investigation. The Council made further appointments to redress a shortage of investigating officers, so I trust such delays will be avoided in the future. In another, there was a procedural error in a child protection investigation. The substantive fault was addressed at the time of the incident, but the council apologised.

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In an adult care services complaint, I found that the Council had unfairly withdrawn respite payments from the complainant and had failed to review that decision within a reasonable time. The Council agreed to pay the complainant £200 compensation, and to carry over the complainant's entire outstanding respite care entitlement (of about three full weeks) into the following financial year. In another adult care case, where the Council had decided a service user was no longer entitled to care services, the Council nevertheless agreed to provide a simple alternative facility. I welcomed this, but had concerns about the Council's refusal to take the complaint through the statutory social services complaints procedure. I asked the Council to give the matter further consideration in the light of recent guidance on that process. I would welcome the Council's further views on the point

One of the special educational needs complaints concerned delay in issuing a final statement of the child's needs and the other the failure to put into place non educational provision (occupational therapy) set out in a statement. The Council agreed to pay £350 compensation. In the latter case, it also agreed to reimburse the cost of 'catch up' sessions paid for by the complainant.

Other findings

In six cases I found no evidence of fault by the Council. I used my discretion not to pursue an investigation into ten further complaints. Nine complaints were outside my jurisdiction. One of these was about a child protection investigation in 2000. The complainant's key concern was about inaccurate information held on file, and I considered he should use the statutory remedy the Information Commissioner provides. However, I also asked the Council to add details of his complaint to the relevant file, so that anyone reviewing the matter in the future would be aware of the disagreement.

I sent 12 complaints back to the Council as I did not consider you had an adequate opportunity to consider and respond before I became involved.

Liaison with the Local Government Ombudsman

I ask councils to reply to my enquiries within 28 calendar days. I made enquiries on ten complaints. Your Council's average response time was 27.2 days. This is just within my target response time although the responses on a highways complaint and an adult care complaint were well outside at 39 and 49 days respectively. I thank the Council for its significant improvement on overall response times compared to the previous two years.

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.

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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, 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'. Again, 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.

Tony Redmond
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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	Children and family services	Education	Housing	Other	Planning & building control	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	5	10	6	1	8	5	0	7	42
2006 / 2007	4	7	9	0	2	2	0	5	29
2005 / 2006	5	5	15	0	2	0	2	11	40

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	6	0	0	6	10	9	12	31	43
2006 / 2007	0	5	0	0	8	4	11	6	28	34
2005 / 2006	1	4	0	0	9	10	9	4	33	37

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	10	27.2
2006 / 2007	11	38.8
2005 / 2006	14	36.9

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