

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

**Wakefield 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 Wakefield 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**

During the year I received 75 complaints against the Council, a figure consistent with the number of complaints received in previous years although, for the record, there was a slight decline in numbers this year from the 81 complaints sent to me last year. No trends or patterns emerged during the year to give cause for concern.

## **Liaison with the Local Government Ombudsman**

I ask all authorities to respond to my initial enquiries within 28 calendar days. I asked the Council to provide me with detailed comments on 30 occasions and I am pleased to note that, on average, the Council took 27.4 days to respond, a significant improvement when compared with the previous year. My office enjoys a good working relationship with the Council and I am grateful to the Council for the effort it has made during the year to respond to my enquiries in such timely fashion.

## **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 no reports against the Council during the year.

### ***Other findings***

I determined 95 complaints during the year, a figure which differs from the number of complaints sent to me because of work in hand at the beginning of the year. In 21 cases the complaint had been sent to me prematurely and I sent each of these to the Council so that it would have the opportunity to address the issues. Nine complaints were outside of my jurisdiction and in 11 cases I exercised the general discretion available to me not to pursue the matter. In 40 complaints I found no evidence of maladministration by the Council. The Council agreed to settle 14 complaints acknowledging that something had gone wrong and accepting that it was appropriate to offer some form of remedy. Subject only to what I say in the paragraph below I am grateful to the Council for the positive way it responded in each of these cases.

## **Your Council's complaints procedure and handling of complaints**

Although no concerns have been raised with me about the way in which the Council handles complaints made directly to it by members of the public, the number of complaints later sent to me which are then settled by the Council, makes me wonder if the Council's internal complaints procedures are as robust as necessary to allow them to be critical of the Council when it is appropriate. I do not know the answer, I simply pose the question and ask the Council to reflect upon it.

## **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 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  
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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	1	2	4	3	3	23	25	3	11	75
2006 / 2007	7	2	11	5	3	21	18	2	12	81
2005 / 2006	4	5	6	3	11	12	22	4	8	75

**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	14	0	0	40	11	9	21	74	95
2006 / 2007	0	13	0	0	10	10	4	18	37	55
2005 / 2006	0	21	0	0	30	24	5	24	80	104

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	30	27.4
2006 / 2007	28	40.7
2005 / 2006	42	26.6

**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