

Local Government  
**OMBUDSMAN**

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

**Warwickshire 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 received about Warwickshire County 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 43 complaints against the Council, a very slight rise over the previous year but not such as should give rise to any concern. No patterns or trends emerged which are worthy of note. As in recent years complaints about education constituted the largest single category of complaints sent to me but the numbers are not so large as to give rise to concern.

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

I ask all authorities to respond to my initial enquiries within 28 calendar days. During the year I asked the Council for detailed comments on 25 occasions and I am pleased to put on record the fact that the Council, on average, took just 21.1 days to reply to my office. I commend the Council for its performance in this respect.

## **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.

### ***Other findings***

I determined 47 complaints against the Council during the year a figure which differs from the number of complaints received because of work in hand at the beginning of the year. Ten of these complaints were premature and I sent each of these to the Council so as to give it the opportunity of addressing the issues. Five complaints were outside of my jurisdiction while in 7 cases I exercised the general discretion available to me not to pursue the matter. In 19 cases I found there to be no evidence of maladministration by the Council. In the remaining 6 cases the Council agreed to settle the complaint recognising that something had gone wrong and accepting that it was appropriate to offer some form of remedy. Subject only to what I have to say in the paragraph below I am grateful to the Council for the willingness to settle complaints so readily.

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

Eight complaints, initially determined by me to be premature and sent to the Council for consideration, were re-submitted by complainants dissatisfied with the outcome of their complaint to the Council. In two of these cases I found evidence of maladministration causing some injustice.

These two cases plus four others settled by the Council following my involvement makes me wonder if

the Council's internal complaints procedures are as robust as they need to be in order properly to hold the Council to account. The numbers are admittedly small and I have no further observations to make, I simply pose the question and ask the Council to reflect upon it. If I can assist the Council in this process then do please let me know.

## **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	Children and family services	Education	Other	Planning & building control	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	3	7	18	8	1	0	6	43
2006 / 2007	5	6	16	4	1	0	7	39
2005 / 2006	2	3	12	5	3	3	5	33

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	19	7	5	10	37	47
2006 / 2007	0	9	0	0	13	4	1	6	27	33
2005 / 2006	2	9	0	0	16	5	1	9	33	42

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	25	21.1
2006 / 2007	22	26.2
2005 / 2006	15	26.9

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