

24 June 2011

Mr M Lloyd
Chief Executive
Cambridgeshire County Council

Dear Mr Lloyd

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ending 31 March 2011. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number that the Advice Team forwarded to my office and decisions made on complaints about your council. Not all complaints are decided in the same year that they are received. This means that the number of complaints received and the number decided will be different.

The statistics also show the time taken by your authority to respond to written enquiries and the average response times by type of authority.

Complaints received 2010/11

We received 72 complaints during the year, 36 of which concerned education and children's services. Your authority's average response times continue to be well within the 28 day target, and in our investigations we have found that the council is usually active in resolving matters at an early stage where this is possible. In a dispute about the distance between home and school, the council measured the distance on the ground in the presence of the complainant, and in a complaint about communications following the issue of a penalty charge notice the council wrote off all charges. We have also found that when the council does not have the authority to resolve a complaint itself, it is active in supporting its citizens in dealing with other organisations – in one case a school, in another a developer – to try to achieve a resolution. The council's own investigation of complaints, especially those about children's services, is of a high standard. In one complaint that came to us we found that the council had recommended an appropriate remedy for the failings it had identified, and in another we found that the council had tried hard to accommodate the concerns of a complainant about its record-keeping.

Complaint outcomes

We decided 31 complaints during the year, 18 of which we found no maladministration. We decided five complaints about adult care services this year. We did not pursue two of them and in a third case we decided that the council had properly monitored the complainant's concerns about her mother's care. In the remaining two cases, the council agreed to our proposal for a local settlement. In both of these complaints, our concerns were with the way the complaints process had been implemented rather than with the council's provision of adult care services. The council agreed to pay a total of £900 compensation for the time and trouble of pursuing these complaints. You also amended your procedures for handling complaints about adult care services and I am pleased to see such positive action.

In complaints about education in particular the council has provided several examples of good practice. Where there had been a delay in issuing an amended statement of special educational needs (SEN) the council provided additional resources at the school and made interim provision until the school place was available. The council also made interim provision available for another child out of school pending assessment of SEN. We found that the council had correctly carried out a risk assessment about school transport, and had properly reviewed a decision not to provide home to school transport. In only one case did we find it necessary to recommend a remedy, where a child had been out of school for around half a term awaiting allocation of a school place under the Fair Access protocol. The council agreed to pay compensation of £750 and I am grateful for your willingness to settle the complaint.

Communicating decisions

We want our work to be transparent and our decisions to be clear and comprehensible. During the past year we changed the way we communicate our decisions and reasons. We now provide a stand-alone statement of reasons for every decision we make to both the citizen who has complained and to the council. These statements replace our former practice of communicating decisions by letter to citizens that are copied to councils. We hope this change has been beneficial and welcome comments on this or any other aspect of our work.

In April 2011 we introduced a new IT system for case management and revised the brief descriptions of our decisions. My next annual letter will use the different decision descriptions that are intended to give a more precise representation of complaint outcomes and also add further transparency to our work.

Extended powers

During 2010/11 our powers were extended to deal with complaints in two significant areas.

In October 2010 all complaints about injustice connected to adult social care services came under our jurisdiction. The greater use of direct payments and personalised budgets mean that it is particularly important for us to be able to deal with such complaints irrespective of whether a council has arranged the care. The increasing number of people who arrange and pay for their own social care now have the right to an independent and impartial examination of any complaints and concerns they may have about their care provider.

In the six months to April 2011 we received 75 complaints under our new adult social care powers. Between 2009/10 and 2010/11 complaints about care arranged or funded by councils doubled from 657 to 1,351.

The Apprenticeships, Skills, Children & Learning Act 2009 introduced powers for us to deal with complaints about schools by pupils or their parents. This was to be introduced in phases and currently applies in 14 council areas. By the end of 2010/11 we had received 169 complaints about schools in those areas and 183 about schools in other areas where we had no power to investigate. The Education Bill currently before Parliament proposes to rescind our new jurisdiction from July 2012.

Schools in your council area have been covered by our new powers since April 2010. We have been very grateful for the support and assistance we have been given by your staff in making schools and Governors aware of our extended powers. We have received positive feedback about the training we have delivered in conjunction with the council on good complaint handling in schools and would particularly like to thank Richard Gibbons for his input which has been invaluable. Pending the final outcome of the Education Bill's passage through Parliament, we are committed to ensuring any lessons learnt from our management of these cases is shared as widely as possible and will continue to liaise and work with staff within the Council to achieve this.

I had received eight complaints about schools in your area to the end of March 2011. Approximately half of these related to complaints about SEN but they also included staff conduct issues and a complaint about curriculum and teaching. Across the 14 areas, the biggest complaint categories were bullying (34%), teacher conduct (27%) and special educational needs (21%).

Of the six complaints decided in your area two were referred back as premature complaints and two were closed on the basis that we were satisfied with the actions of the Governing Body. In one case, the injustice identified was remedied by the school taking action in the course of the investigation, and one case was closed under the Ombudsman's discretion when mediation achieved a workable solution to the issues raised for the school and complainant.

Decisions in the 14 areas can be broken down as follows:

- In 47% of cases we initiated an investigation
- In 48% of cases the complaint was referred back to the school for it to consider using its own procedures as it had not had the opportunity to do so
- In 5% of cases we were unable to consider the complaint as it was not within our jurisdiction (for example there was an alternative course of action available or the complainant was not a parent or pupil of the school).

The outcome of the 47% of cases where we initiated an investigation was:

- A satisfactory resolution was reached between the parties in 25% of cases following the Ombudsman's involvement (and the investigation was discontinued).
- We secured a remedy and/or agreement for action to prevent similar problems recurring in 13% of the cases.
- In 9% we found that there was no fault in the actions of the school or there was no substance to the complaint.

Our new powers coincided with the introduction of Treasury controls on expenditure by

government departments and sponsored bodies designed to reduce the public spending deficit. This has constrained our ability to inform care service users, pupils and their parents of their new rights.

Assisting councils to improve

For many years we have made our experience and expertise available to councils by offering training in complaint handling. We regard supporting good complaint handling in councils as an important part of our work. During 2010/11 we surveyed a number of councils that had taken up the training and some that had not. Responses from councils where we had provided training were encouraging:

- 90% said it had helped them to improve their complaint handling
- 68% gave examples of how the knowledge and skills gained from the training had been applied in practice
- 55% said that complaints were resolved at an earlier stage than previously
- almost 50% said that citizens who complained were more satisfied.


These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.

Details of training opportunities are on our web site at www.lgo.org.uk/training-councils/

More details of our work over the year will be included in the 2010/11 Annual Report. This will be published on our website at the same time as the annual review letters for all councils (14 July).

If it would be helpful to your council I should be pleased to arrange for me or a senior manager to meet and explain our work in greater detail.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Martin', with a horizontal line underneath it.

Dr Jane Martin
Local Government Ombudsman

For further information on interpretation of statistics click on this link to go to www.lgo.org.uk/CouncilsPerformance

LGO Advice Team

Enquiries and complaints received	Adult Care Services	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Other	Planning & Development	Total
Formal/informal premature complaints	3	0	6	0	4	0	0	0	13
Advice given	4	0	9	0	1	0	3	0	17
Forwarded in investigative team (resubmitted)	2	0	2	0	4	0	0	0	8
Forwarded to investigative team (new)	8	0	19	1	6	0	0	0	34
Total	17	0	36	1	15	0	3	0	72

Investigative Team

Decisions	Reports: maladministration and injustice	Local settlements (no report)	Reports: Maladministration no injustice	Reports: no Maladministration	No Maladministration (no report)	Ombudsman's discretion (no report)	Outside jurisdiction	Total
2010 / 2011	0	4	0	0	18	4	5	31

Adult social care decisions made from 1 Oct 2010*

	Out of jurisdiction	Total
2010 - 2011	1	1

*These decisions are not included in the main decisions table above. They use the new decision reasons from 1/10/10.

Response times	First enquiries	
	No of first Enquiries	Avg no of days to respond
01/04/2010 / 31/03/2011	21	23.6
2009 / 2010	9	24.0
2008 / 2009	17	22.3

Provisional comparative response times 01/04/2010 to 31/03/2011

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District councils	65	23	12
Unitary authorities	59	28	13
Metropolitan authorities	64	19	17
County councils	66	17	17
London boroughs	64	30	6
National parks authorities	75	25	0