

24 June 2011

Ms Andrea Hill
Chief Executive
Suffolk County Council
Endeavour House
8 Russell Road
Ipswich, Suffolk IP1 2BX

Dear Ms Hill

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.

Enquiries and complaints received

We received a total of 89 enquiries and complaints about your council last year, a notable increase from 61 in the previous year. More than two thirds (62) concerned education and children's services. Twelve were regarded as premature, because it did not appear that your Council had been given a reasonable opportunity to deal with the matter first, and in another 21 cases advice was given. The remaining 56 were forwarded to my investigative team to consider. Of these, 41 concerned education and children's services.

Complaint outcomes

I decided 53 complaints against your Council during the year. In 24 cases I found no or insufficient evidence of maladministration or injustice to warrant an investigation or I used my general discretion not to pursue matters. Eight cases were outside my jurisdiction to investigate.

A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. Last year, 46.7% (21) of decisions on complaints within my jurisdiction against your authority were local settlements. In England generally the figure was 27.1%, so this was considerably higher than the

norm.

Ten of the settlements involved education matters of which four related to special educational needs (SEN). One of these concerned delay in providing the speech and language therapy sessions set out in the child's statement of special educational needs: the Council agreed to organise the required provision and to provide additional sessions for a period of eight weeks as a 'catch up'. In another case, fault by the Council meant that, for around a year, a child did not receive the literacy and numeracy support set out in his statement. The Council agreed to pay £1,050 in recognition of the delay and arranged training for an existing teacher to provide the specialist support in future.

A further four local settlements related to school admissions complaints. In one case, the Council and the school admission appeal panel failed to advise the complainants correctly that they could submit evidence at any time up to the hearing. The Council also took longer to deal with their case than it should. The Council apologised for the errors and agreed to reword the guidance for appellants. Other cases identified poor recording of the appeal panel's reasoning in decision letters. Two further cases concerned appeals against decisions not to provide school transport. I found inconsistencies with the case put forward by the Council at appeal in both and in one the decision was partly based on findings of fact on matters not discussed at the appeal. The Council agreed to arrange for new hearings in both cases.

The other local settlements involved complaints about antisocial behaviour, adult care services and children's and family services. In one of the complaints about antisocial behaviour, in relation to a play area, there was inadequate consultation before the use started and delay in dealing with complaints. A Council officer visited the complainant to discuss matters and the Council quickly agreed a settlement.

With an education and children's services case the Council failed to carry out a child protection investigation, despite there being evidence to suggest that such action was appropriate. Instead, it considered the child was a 'child in need' whose behaviour stemmed from his parent's separation, and opportunities were missed as a result to investigate matters and protect the complainant's children. The Council had already agreed to pay the complainant's substantial legal costs. It also agreed to pay compensation totalling over £4,000 in recognition of the distress caused to the complainant and her children as a result of its failure to act.

Liaison with the Local Government Ombudsman

In 2009/10 the Council's average time to respond to my enquiries was 29.8 days. I am pleased to see that there was an improvement last year: the average response time was 25 days, below my 28 day target.

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 89 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.

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.

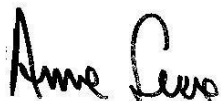
These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.

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 that reads "Anne Seex". The signature is written in a cursive, slightly slanted style.

Anne Seex
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	Benefits & Tax	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Other	Planning & Development	Total
Formal/informal premature complaints	1	0	0	6	0	3	0	1	1	12
Advice given	4	0	0	15	0	0	0	2	0	21
Forwarded in investigative team (resubmitted)	0	0	0	4	0	1	0	0	0	5
Forwarded to investigative team (new)	8	0	1	37	1	2	0	1	1	51
Total	13	0	1	62	1	6	0	4	2	89

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	21	0	0	12	12	7	52

Adult social care decisions made from 1 Oct 2010*

	To discontinue investigation, other	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	34	23.9
2009 / 2010	18	29.8
2008 / 2009	17	30.4

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

Response times adult social care 1/10/10 - 31/3/11	First enquiries	
	No of first Enquiries	Avg no of days to respond
2010/2011	4	34.3