

Local Government OMBUDSMAN

22 June 2012

Ms J Ormondroyd
Chief Executive
Bristol City Council

Dear Ms Ormondroyd

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. 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 forwarded by the Advice Team to my office and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries. It is important we deal with complaints as quickly as possible and council response times are a significant factor in achieving timely outcomes. We made formal enquiries on 54 complaints this year and your average response time was 33.4 days. This average is higher than the 27.2 days you achieved last year and outside our target of 28 days. There are a number of complaints that took over 50 days and one enforcement complaint took 98 days. These will all affect the average response time and I would ask you to consider how this can be improved.

Complaint outcomes

We decided 99 complaints during the year. We did not investigate 31 cases as they were outside jurisdiction or did not warrant an investigation. Of the 68 cases we did investigate, we found insufficient evidence of fault in 42 cases; insufficient injustice in nine cases; the council agreed to settle 17 cases and I issued one report.

The issued report was about adult care services. The service user was an elderly lady with dementia who was resident in a care home. Her placement was partly funded by the council. The home had been rated as a zero by the regulator. An investigation by the council showed the resident's care needs had not been met for a number of months and this had impacted negatively on her health and well being. I concluded there was maladministration in the council's reviewing and safeguarding strategy as well as poor communication between the council and the resident's family. The council agreed to refund extra costs paid by the family towards their mother's alternative care as well as paying £6,500 as compensation to the resident and her son for the distress suffered. I welcomed the council's agreement to the remedy and published the report in

the public interest.

Complaints about schools

For the year 2011/12 we received 235 complaints about schools in jurisdiction. This included 14 complaints in your area. Of these there were two concerning behaviour and discipline, three on teacher conduct, one on exclusions, one on attendance, one on extracurricular activities, two on pupil safety, one on school governance and three on other matters.

In this period we decided 202 complaints. Seventeen of these were in your area: Of these, the schools agreed to investigate three and four were outside my jurisdiction. In one case no fault was found, in five the injustice was remedied and four were closed at my discretion.

Changes to our role

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This includes your area so you will be aware that this was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013. We intend to produce a report on the common themes and lessons that have emerged from our work in this area.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

Supporting good local public administration

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12

we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on our [website](#).

Publishing decisions

Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely

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

Dr Jane Martin
Local Government Ombudsman

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	Planning & Development	Total
Advice given	5	5	2	1	4	0	6	2	25
Premature complaints	3	11	3	5	11	4	15	4	56
Forwarded to Investigative team (resubmitted)	0	3	1	2	2	2	4	1	15
Forwarded to Investigative team (new)	5	7	8	16	9	13	20	8	86
Total	13	26	14	24	26	19	45	15	182

Investigative team - Decisions

Not investigated			Investigated			Report	Total
No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries		
4	13	14	41	9	17	1	99

Response times to first enquiries	No of first enquiries	Avg no of days to respond
	54	33.4