

22 June 2012

*By email*

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 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.

### **Complaint outcomes**

We decided 46 complaints during the year. Of the 33 complaints for which we had initiated an investigation, we found no or insufficient evidence of maladministration in 21 cases. We decided nine complaints about adult care services. We did not pursue two of them and in three cases we decided either that there had been no fault or that the council's actions had not caused a significant injustice. In a fourth case the council's own investigation of the complaint had established failings for which the council had already agreed to pay a significant amount of compensation. We were satisfied that this was a fair settlement of the complaint.

In two cases we found the council had not provided the agreed care and in both cases the council agreed to apologise and make a notional payment. The council also undertook to take action to prevent such events happening again. Complaint outcomes this year suggest the council has improved access to the complaints process, and its procedures for handling complaints, and this is encouraging.

Eight of our 22 investigations in the area of education and children's services were about school admissions appeals, and in all but one case we found the appeals had been properly conducted. Where we did find that an appeal panel had not documented or communicated the reasons for its decision, the council agreed to hold a fresh hearing. Of the remaining 14 investigations, in nine cases we found no fault and in two we had other reasons to discontinue our enquiries. In three

cases the council agreed to my proposed remedy and I commend the council for its willingness to recognise its failings and put matters right.

We issued one report this year, where the council had failed to carry out a review of a child's SEN statement. It then based its decision not to fund a residential placement on inadequate information, and did not act quickly and decisively to transfer responsibility for maintaining the statement to another authority. These failings caused unnecessary stress and frustration, and uncertainty about whether the child might have had the residential placement if the council had handled matters differently. The council agreed to apologise to the affected members of the family, review its arrangements for the transfer of statemented children to post 16 placements, and pay a total of £2,750 compensation. While I commend the council for its willingness to remedy the complaint, I was concerned to find the council had not transferred all the relevant records to the other authority.

### ***Complaints about schools***

For the year 2011/12, we received 235 complaints about schools in jurisdiction. This included 11 complaints in your area. Of these two centred on bullying, two on curriculum and teaching, three on teacher conduct, one on special educational needs, one on pupil safety, and two were on other issues.

In this period we have closed 202 complaints. Thirteen of these were in your area: four which the schools have agreed to investigate, four where we found no fault, two in which the injustice was remedied and three which were closed at the discretion of the ombudsman.

### ***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

  
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Dr Jane Martin  
Local Government Ombudsman

**LGO advice team**

Enquiries and complaints received	Adult Care Services	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Planning & Development	Total
Advice given	2	1	12	0	2	0	17
Premature complaints	6	0	3	1	2	1	13
Forwarded to Investigative team (resubmitted)	0	0	1	0	2	1	4
Forwarded to Investigative team (new)	11	1	22	1	2	1	38
<b>Total</b>	<b>19</b>	<b>2</b>	<b>38</b>	<b>2</b>	<b>8</b>	<b>3</b>	<b>72</b>

**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		
5	1	7	21	4	7	1	46

Response times to first enquiries	No of first enquiries	Avg no of days to respond
	24	21.5