

22 June 2012

Local Government OMBUDSMAN

Mr J Mothersole
Chief Executive
City Council of Sheffield
Town Hall
Pinstone Street
SHEFFIELD S1 2HH

Dear Mr Mothersole

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.

I will generally not continue an investigation when a council accepts there has been fault and agrees to remedy any injustice caused. I want to draw the Council's attention to two such investigations:

1. One investigation found that officers were not strictly following the Council's housing lettings policy. What was described as a 'mobility upgrade' had applied to a woman who complained about delay in moving her to more suitable accommodation. She had wrongly been given medical priority instead of mobility priority. Officers tried to correct the error by giving a 'mobility upgrade'. This is not part of the lettings policy and was not recognised by the computer. The woman asked for a review and sent numerous e-mails but officers only addressed the problem once. I began to investigate.

If she had been given the correct priority the Council would have offered the woman a bungalow that she would probably have accepted and about five others. She had, however, refused six other offers. The Council agreed to award the woman mobility priority for 13 weeks and pay her £500. It also said it would review the unofficial use of 'mobility upgrades', find out whether anyone else had been disadvantaged and tell me how it would remedy any injustice caused to them.

2. The other investigation was about nuisance from a temporary compound created by a contractor working on one of the Council's house improvement schemes. The compound was created and operated without planning permission. A man living close to it complained

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to the Council that the compound had been operating for some years and was used by lots of vehicles that disturbed him, especially early in the morning. After a meeting with the contractor and a Council officer the man wrote to the Council saying he was not happy with the response. It took 6 months and many reminders before the Council replied. The man was not happy with that response and complained to me.

My investigator visited at 7.30 one morning. She saw the contractor's employees had parked cars all along the road including some on the pavement and one blocking the man in; wood being sawn; a skip entering, being loaded and leaving. She also looked at CCTV recordings and photographs taken by the man showing similar problems and radiators being unloaded and placed on his hedge. She observed broken and cracked paving and kerb stones, damage to grass verges and litter and debris in the compound and surrounding area.

The Council gave three different times for the compound's operating hours and had no evidence that it had investigated the man's complaint.

I would not have had to be involved if the Council had required its contractor to comply with the contract and if it had investigated properly.

The Council agreed to: confirm to neighbours when the compound will close; restore the site; monitor that the contractor complies with the contract; pay the man £250.

Complaints about schools

For the year 2011/12, we received 235 complaints about schools in jurisdiction. This included 12 complaints in your area.

Of these one was about bullying, one centred on curriculum and teaching, two on teacher conduct, one on uniform issues, one on exclusions, one on attendance, one on banning from a school site and four were on other issues.

In this period we closed 202 complaints. Nine of these were in your area: four which the schools have agreed to investigate, one was out of our jurisdiction, in two the injustice was remedied and one which was closed at the discretion of the Ombudsman during the investigation.

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 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.

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.

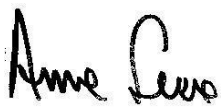
Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

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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Mr J Mothersole

A handwritten signature in black ink that reads "Anne Seex". The signature is written in a cursive style with a large initial 'A'.

Anne Seex
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	2	2	2	3	4	3	8	2	26
Premature complaints	2	11	4	2	8	0	20	2	49
Forwarded to Investigative team (resubmitted)	1	4	0	2	2	2	11	1	23
Forwarded to Investigative team (new)	11	6	7	14	7	7	13	3	68
Total	16	23	13	21	21	12	52	8	166

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	5	30	23	13	28	0	104

	No of first enquiries	Avg no of days to respond
Response times to first enquiries	23	28.7