

22 June 2012

*By email*

Mr K Ryley  
Chief Executive  
Shropshire Council

Dear Mr Ryley

### **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. At an average of 34.6 days this is outside our target time of 28 days. I understand from your meeting with Vereena Jones and Alison Holman earlier this year that staffing shortages were likely to affect response times and I note that generally the Council has requested extensions, which is helpful. But my staff have noticed the time taken to respond to further enquiries has also been increasing. I would be grateful if the Council could make efforts to improve in this area.

### **Complaint outcomes**

In three Adult Social Care cases we have investigated complaints where an individual has entered permanent care either as a self funder or via continuing health care funding. When these arrangements have ended and responsibility has fallen to the Council the processes in place have not been effective. This has left the person affected with the uncertainty of possible eviction. The Council agreed to remedy this matter by ensuring that it checks all existing residential care service users' cases for unlawfully imposed third party contributions. This is to be done by:

- inserting an additional check into all residential service users' annual review forms;
- publishing notices in all commissioned care homes and on its website informing service users of a potential problem with the Council's third party contribution assessment process; and
- inviting any service users who consider that they have a related problem to contact the Council.

In addition the Council also agreed to write estimated timescales for actions into its newly devised risk assessment process, to ensure social work staff are trained on the use of the new process and that service users and their families are regularly updated regarding the progress of the decision making process. I am pleased the Council has agreed to take action to rectify the problems in this area which affects vulnerable people.

### ***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. My staff found their meeting with Council complaint officers earlier this year very helpful and I would be pleased to arrange a further meeting for myself or a senior manager to discuss any further issues with you this year.

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

**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	1	2	2	5	1	0	1	3	15
Premature complaints	7	5	0	3	1	2	2	12	32
Forwarded to Investigative team (resubmitted)	4	0	3	2	0	0	1	2	12
Forwarded to Investigative team (new)	7	3	3	12	2	1	7	16	51
<b>Total</b>	<b>19</b>	<b>10</b>	<b>8</b>	<b>22</b>	<b>4</b>	<b>3</b>	<b>11</b>	<b>33</b>	<b>110</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		
1	1	13	19	14	17	0	65

Response times to first enquiries	No of first enquiries	Avg no of days to respond
	44	34.6