

7 July 2014

*By email*

Ms Clare Marchant  
Chief Executive  
Worcestershire County Council

Dear Ms Clare Marchant

### **Annual Review Letter 2014**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

In 2013-14 I issued two reports about your Council. The first highlighted delay by the Council's children's services department in following up a safeguarding referral and delay in dealing with the resulting complaint at stages 2 and 3 of the statutory complaints procedure. I recommended that the Council should provide a financial remedy of £1000 for distress, time and trouble and the difficulties in accessing the complaints procedure. One reason why I issued the report was that I considered that the Council's complaint process handling arrangements breached the statutory guidance. This is a matter of general public interest and I recommended that the Council should review its procedures to ensure that they comply with the guidance.

The second report resulted from a decision to transfer an elderly man to a lower cost care home once the Council assumed responsibility for funding. I found that the Council ignored its own assessment, which was that a move would be detrimental to the man's health and well-being. It then failed to ascertain whether the alternative home it identified could meet the man's needs, and there were deficiencies in the care provided by the home provided. The Council failed to give the man's family correct advice about funding for the placement. When the Council carried out a safeguarding investigation its scope was inadequate and it failed to communicate the outcome. Finally, the Council also failed to recognise that the man's son

made a complaint and to deal with it through the statutory adult services complaints procedure.

Sadly, the man died during the course of these events and I could not make any recommendations to remedy the standard of care he received. To remedy the distress this caused his family, and the time and trouble to which they were put, I recommended that the Council should pay £1500, which it agreed to do. I also made a number of recommendations relating to the review of procedures and the provision of appropriate staff training. I hope that the Council will learn lessons from this complaint and use it as an opportunity to improve the services provided.

### ***Developments at the Local Government Ombudsman***

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

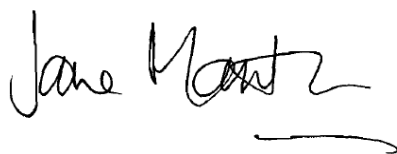
### ***Future for local accountability***

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – Worcestershire County Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Worcestershire CC	19	0	4	30	0	5	0	3	61

### Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Worcestershire CC	14	13	0	17	2	18	64