

7 July 2014

*By email*

Ms Kersten England  
Chief Executive  
City of York Council

Dear Ms Kersten England

### **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.

I am concerned that on several occasions the Council has provided late responses to enquiries. This included a school admissions appeals case which should be treated as urgent. The Council did not respond to enquiries for over a month, despite reminders. In one planning complaint, the response was slightly late and incomplete. The Council then delayed the case by several months whilst resolving a matter of disclosure on certain documents.

Our Assessment Team has reported that the Council sometimes can take 20 working days to respond to straightforward and basic requests for initial information (such as Stage 2 reports and similar). Despite efforts to explain that provision of this information can lead to early resolution or closure of the case, the Council has, on occasions, appeared reluctant to quickly provide information which should be readily accessible. This has meant cases have been passed through to Investigation which could feasibly have been dealt with within Assessment. This creates more work for the Council in the longer term as formal enquiries generally follow once a case has been forwarded for investigation.

In a complex adoption complaint, the Council helpfully facilitated a file inspection but subsequently provided no response to the provisional view which contained considerable detail and recommendations for an apology. Given the significant issues within this case and

the Council's ongoing involvement in care proceedings for the child, the lack of any response is of concern. We have not had any confirmation that it will implement the recommendations, despite a request at final decision for evidence and recent chasing. The matter may be considered for a report if clarification and evidence of implementation of the remedy is not received. This case also illustrates the communication difficulties we are having with the Council, and despite repeated chasing, we do not always receive a response to calls or correspondence.

I hope that you will review the way the Council has dealt with complaints this year and take the opportunity to deliver improvements in your complaints handling.

### ***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 – York City 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
York City C	9	8	5	9	13	9	9	10	72

### 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					
York City C	6	14	4	23	3	19	69