

21 July 2016

By email

Gavin Jones
Chief Executive
Essex County Council

Dear Gavin Jones,

Annual Review letter 2016

I write to you 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 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

During the year we published two public interest reports: one concerned the way the Council introduced its new policy on the provision of free home to school transport and the other examined how it dealt with a family's safeguarding concerns about possible financial abuse of an elderly relative.

Free home to school transport

Many people complained to us about this matter and the report used four complaints to illustrate the range of problems experienced.

We found no fault by the Council in the consultation and decision making process relating to its new policy. We did find it was at fault in providing incorrect information about the way it measured home to school distance and in not explaining how parents could find out which school was closest to their home. These faults meant that some people missed an opportunity to choose a school to which free transport would be provided.

We made a number of recommendations to remedy the individual complaints in the report. Our final recommendation was that, in the light of our findings, the Council should review the many other cases which have been the subject of complaint to the Ombudsman.

We welcome the Council's acceptance of our recommendations and its recent confirmation that it has reviewed all the other cases in the light of our findings. Those people may resubmit their complaints to my office if they are dissatisfied with the outcome of the Council's review.

Safeguarding

Our investigation looked at the way the Council dealt with a family's concerns about the possible financial abuse of their elderly relative. We found several faults including delay in allocating a social worker following the man's discharge from hospital, delay in carrying out a financial assessment and delay in getting a mental capacity assessment done. We found that the Council should have initiated a safeguarding investigation sooner.

The Council's acknowledgement of these faults and its willingness to provide a remedy for the injustice is welcomed. In addition to offering some financial redress, it introduced training for its staff, increased the number of team managers and worked with other local authorities to review its safeguarding practice and procedures. However, our recommendation was that the Council should increase its payment to the complainant. And while, sadly, the elderly relative passed away, we also recommended the Council should pay his estate an amount to reflect unexplained withdrawals from his bank account during the period that the Council was slow to act.

We have recently received confirmation from the Council that it had accepted our recommendations in full.

Effective accountability for devolved authorities

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

Supporting local scrutiny

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

Complaint handling training

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit www.lgo.org.uk/training.

Ombudsman reform

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



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

Local Authority Report: Essex County Council
For the Period Ending: 31/03/2016

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
52	0	8	146	11	58	1	2	1	279

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
7	1	89	70	73	24	25%	264

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.

The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
21	0	100%