



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Arun District Council
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

Volume

In 2006/07 I received 25 complaints against your authority, a reduction of 10 compared to the number received in the previous year.

Character

There was a drop in the number of complaints about planning and building control where the number received was 8 compared to 14 in the previous year; and in complaints about housing, with 8 complaints compared to 11 last year. Of the rest, there was 1 complaint each about benefits, public finance, transport and highways, and antisocial behaviour. Two complaints were received about leisure and culture and 3 about miscellaneous matters that fell into no particular category.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

I did not issue any reports against your Council last year. However, I was pleased that in October 2006 I could confirm that I was satisfied with the action the Council had taken to meet the recommendations I made in a report which I had published two years previously. I am grateful to the officers who kept me in touch with progress throughout the past two years.

Of the complaints I decided in 2006/07, 6 were local settlements.

I settled 2 complaints about planning applications. One was about inaccurate information in a planning officer's report. This was settled by arranging for screening and landscaping which the developer agreed to allow to be put up on its side of a boundary, and by paying the complainant £250. The other was about minor delay in responding to the complainant's letters about breaches of planning control by a neighbouring day nursery. A letter explaining the Council's position was sufficient to settle the complaint.

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One settlement was of a housing sales complaint where the Council had made a mistake in calculating the complainant's Right to Buy discount and lowering the amount by £10,000 7 months later, causing the complainant to rearrange a mortgage. The Council paid £400 compensation.

A complaint about delay in assessing Housing Benefit was settled by the Council paying £50 to the complainant; and I settled a complaint about delay in completing housing repairs and delay in referring a complainant to an Occupational Therapist when the Council agreed to make good the disrepair and pay the complainant £50.

The final local settlement was a complaint about a private housing grant that was originally settled in 2004/05, but was reopened following new information. I eventually decided that the original decision and settlement was correct.

Other findings

Other than the 6 local settlements, during the year I made a further 26 decisions on complaints against your authority. I referred 6 of these back to your Council because I did not consider that it had a reasonable opportunity to investigate and reply to them through its own procedure. Of the remaining complaints I concluded that 5 were outside my jurisdiction, I found no maladministration in 9 and I used my discretion to close a further 6.

Amongst these was a complaint about rent arrears recovery. Although I decided not to pursue the matter as there was no evidence of significant fault, the Council agreed to review its rent recovery policy and include my recommendations.

Other subjects covered by these complaints included, Housing and Council Tax Benefits, housing allocations, managing tenancies, leisure and culture.

Your Council's complaints procedure and handling of complaints

The Council has revised its corporate complaints procedure and I was pleased to have the opportunity to comment on the draft. Thank you also for sending me a copy of the final version. I should be interested to learn whether the new procedure works well and if the Council has any reports of its own on the performance of the new procedure, I should be interested in seeing these.

During the year I decided four complaints which had previously been referred back for the Council to deal with under its complaints procedure. After those complainants resubmitted their complaints to me, I obtained a settlement on one but did not uphold the others.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand. They include the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution). We can run open courses for groups of staff from smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

Liaison with the Local Government Ombudsman

I welcomed the opportunity to visit your Council in July 2006 to discuss my previous year's annual letter. I was impressed by the interest shown and degree of engagement from those present.

The time taken by the Council to respond to first written enquiries from my office was 21.3 days which is well within the target I set of 28 days.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

Tony Redmond
Local Government Ombudsman
10th floor, Millbank Tower
Millbank
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June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	8	6	8	1	1	25
2005 / 2006	3	11	7	14	0	0	35
2004 / 2005	1	3	6	12	2	0	24

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	6	0	0	9	6	5	6	26	32
2005 / 2006	1	6	0	0	8	3	5	8	23	31
2004 / 2005	1	4	0	0	6	5	2	5	18	23

See attached notes for an explanation of the headings in this table.

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	12	21.3
2005 / 2006	9	17.4
2004 / 2005	15	21.5

Average local authority response times 01/04/2006 to 31/03/2007

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0