



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Ashford Borough 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

In 2006/07 I received 28 complaints against your authority, a decrease of 2 on the previous year.

Complaints about planning and building control remain the largest group and the distribution of other complaints is broadly similar to last year. The numbers remain small and do not seem to indicate any particular trends in service delivery.

Decisions on complaints

During the year my office made decisions on 27 complaints against your authority. We found no maladministration in eight complaints and we exercised discretion to close a further eight without requiring any action by the Council. Five were outside my jurisdiction.

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 issued no reports against your authority this year. We settled three complaints resulting in compensation totalling £3200.

One complaint concerned the way the Council decided that the erection of a barn to house livestock within 400 metres of the complainant's home was permitted development. I was concerned that the Council had denied the complainant the opportunity to object to the development and that there had been considerable delay in resolving his subsequent complaint. I concluded, however, that even if the Council had dealt differently with matters it was likely the barn would still have been erected. On this basis I agreed to settle the complaint on payment of compensation to the complainant of £3000.

A second complaint was about anti social behaviour. I considered that the Council had failed to keep the complainant informed of what it was doing to address the reported nuisance. The Council apologised and paid compensation of £200. The Council also agreed to review its anti social behaviour procedure in the light of recent government guidance.

A third complaint concerned the publicity that the Council gives to vacant allotments. The Council settled the complaint by agreeing to re-instate a page on allotments on its website.

Your Council's complaints procedure and handling of complaints

My office referred three 'premature complaints' to your authority for consideration, as we did not think you had had sufficient opportunity to deal with them through your own procedures. At 11% of all decisions this is well below the national average.

Two premature complaints were resubmitted to me during the period, neither of which I pursued.

Training in complaint handling

As you know part of our role in providing advice on good administrative practice involves offering training courses for all levels of local authority staff in complaints handling and investigation. Your staff have received training in the past and 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 and in addition to 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

The target time for councils to respond when we make enquiries is 28 days. Your Council's average response time was 27 days. This is an increase on last year's average of 21 days despite there being fewer enquiries made but nevertheless still within my target. The quality of your Council's responses is good and your staff helpful.

As I reported in last year's annual letter my Deputy and an Investigator visited your Council in June 2006. I reiterate my thanks for the opportunity this provided for our respective organisations to exchange information and views.

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.

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
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LONDON SW1P 4QP**

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	3	2	6	9	2	6	28
2005 / 2006	7	1	7	10	3	2	30
2004 / 2005	2	12	4	5	4	0	27

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	3	0	0	8	8	5	3	24	27
2005 / 2006	0	5	0	0	3	8	6	9	22	31
2004 / 2005	0	5	0	0	11	3	2	7	21	28

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	4	27.3
2005 / 2006	10	21.9
2004 / 2005	10	26.7

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