



The Commission for
Local Administration in England

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

Basingstoke & Deane 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

Volume

We received 12 complaints against your Council during the year, one fewer than the previous year. We expect the number of complaints to vary and I see no significance in the change.

Character

Three complaints were about planning and building control, a decrease from the previous year. Complaints about benefits increased, making up a third of the total. I received two complaints about homelessness. Other complaints related to a commercial matter, land and waste management.

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.

Two complaints were settled locally and compensation payments made totalling £700.

In a complaint about homelessness, I found maladministration in that the Council failed to keep on its file a copy of a homelessness decision letter and it did not allow the complainant a reasonable opportunity to leave temporary accommodation. The complainant did not receive the Council's decision letter sent by post and was unaware for 14 days that he had been given 28 days notice to leave interim accommodation. The complainant subsequently lived in wholly unsatisfactory conditions for an avoidable period of two weeks. The Council agreed to make the complainant a payment of £500 compensation and to review its procedures for sending homelessness decision letters and keeping copies of letters sent.

In another complaint, I decided that there was maladministration by the Council because it failed to inform the complainants, who were applicants for a Disabled Facilities Grant, of possible alternative sources of funding for adaptations they wished to make to their property. They suffered a lost opportunity to apply for extra funding and unnecessary uncertainty about their situation and what they might have been eligible for. The Council agreed to pay them £200.

During the year, I was not required to issue any reports against your authority.

Other findings

Twelve complaints were decided during the year. I found no evidence of maladministration in two complaints about planning and building control and public finance. Four complaints were premature, the same figure as last year. I decided that one complaint was outside my jurisdiction as it concerned a commercial transaction. I exercised my discretion not to pursue three other complaints for various reasons.

Your Council's complaints procedure and handling of complaints

The number of premature complaints, four, has remained static. The number of complaints involved is small, but I ask the Council to consider whether its complaints process is sufficiently visible for service users or whether staff, when dealing with requests for assistance, may be able to do more to signpost the complaints process for those who remain unhappy with what the Council has done. However, I note that the Council's website contains clear information on how to make a complaint and how to submit a complaint online.

Of the four complaints referred back to you, none was resubmitted to me. This suggests that when complaints reach the appropriate people in the organisation, they work hard to resolve them.

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. 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.

We have not delivered any formal training courses to your Council this year. If we can provide any training for you, please let Vereena Jones, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on four complaints this year. The average time for responding was 31.5 days, a welcome decrease on the figure for the previous year, but still outside the 28 days we ask for. The Council's performance has improved and this effort is appreciated by my staff. But I ask your authority to consider this issue further as part of any re-examination of complaints handling arrangements.

I draw the Council's attention again to the seminars that we hold for link officers. Our records indicate that your Link Officer has not attended one of these seminars most recently. If you would like to send someone from your authority to this year's seminar, please contact Vereena Jones.

If you would like Vereena Jones to visit the Council to present this letter or to give a presentation about how we investigate complaints, I would be happy to arrange this.

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.

J R White
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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	4	2	3	3	0	0	12
2005 / 2006	1	2	2	6	2	0	13
2004 / 2005	1	8	1	3	1	3	17

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	2	0	0	2	3	1	4	8	12
2005 / 2006	0	2	0	0	5	2	0	4	9	13
2004 / 2005	0	0	0	0	5	6	0	6	11	17

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	31.5
2005 / 2006	6	39.7
2004 / 2005	9	27.8

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