



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Boston 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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to assist with your 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.

Two attachments 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

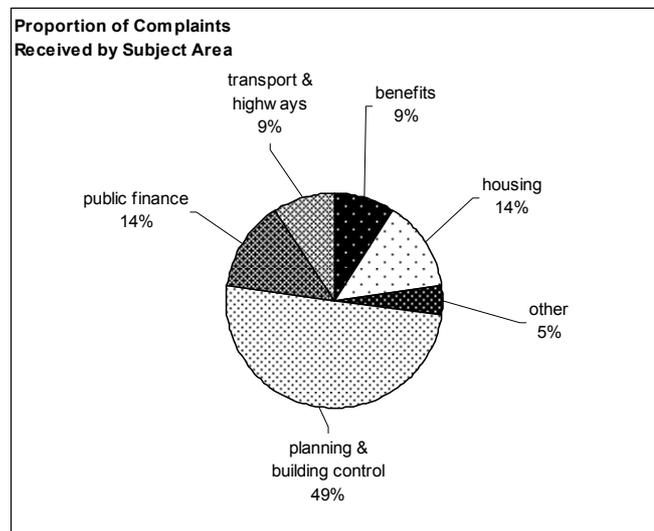
### Volume

In the year ending 31 March 2007, I received a total of 22 complaints against your Council. This is a reduction of seven on the previous year but still higher than in 2004/05 when I received only ten.

### Character

As the accompanying statistical data shows, two types of complaints against the Council increased in number during 2006/07; public finance (Council Tax) which rose from six to 11 and planning and building control which rose from zero to three.

These numbers are small and in themselves do not give rise to any specific concerns. However, the Council might wish to reflect on the number of complaints as a proportion of the total. As this chart shows, complaints about planning matters accounted for 49% of all the complaints received against the Council. This is marginally more than double the national average of 23.6%.



The other category of complaint worth mentioning is 'benefits'. This was raised as an area for consideration last year. In 2005/06 housing benefit related complaints numbered nine, 31% of the total. This past year the number has dropped to two, just 9% of the total.

## Decisions on complaints

### Reports and local settlements

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

### Decisions

In 2006/07 I took 17 decisions, a figure which differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 17 decisions: one was outside my jurisdiction, one I exercised my discretion not to investigate, in five I found no evidence of maladministration and ten were 'premature' (in our view the

Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

I did not issue any reports against your council or ask for any complaints to be settled locally. Overall I did not find issues that gave significant concern.

### ***Other findings***

As you are aware, we ask for comprehensive responses to our enquiries within 28 days, your Council on average took 39 days. Replies to enquiries about housing benefit complaints had the longest response times, one of these taking 71 days and raising the overall average considerably. The average without that complaint was just under 29 days and gives no cause for concern.

### **Your Council's complaints procedure and handling of complaints**

The Council explains its complaints procedure clearly in a leaflet which is easily accessible via its web-site and I am pleased to see direct reference in it to the LGO.

None of the complaints we have seen have given us any cause for concern about the way in which the Council handles complaints.

Something the Council may wish to reflect on is the high proportion of premature complaints we receive. For the past two years the proportion of our decisions that concluded the complaints to us were premature has been very high compared to the national average. In 2006/07 it was 58.8% compared to the national average of 28.2%. While this may simply be a statistical anomaly, it is possible it is an indication that the Council's complaints procedure is not widely known about, or difficult to access and something the Council may wish to consider.

### **Training in complaint handling**

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training 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**

Liaison arrangements between the LGO and the Council work well and we have not encountered any difficulties over the past twelve months.

## **LGO developments**

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and discuss with you the implications for the Council.

I hope you have received our latest special report about telecommunications masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

## **Conclusions and general observations**

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex**  
**Local Government Ombudsman**  
**Beverley House**  
**17 Shipton Road**  
**York**  
**YO30 5FZ**

**June 2007**

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

<b>Complaints received by subject area</b>	<b>Benefits</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	2	3	1	11	3	2	<b>22</b>
<b>2005 / 2006</b>	9	4	4	6	0	6	<b>29</b>
<b>2004 / 2005</b>	3	0	3	4	0	0	<b>10</b>

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

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	0	0	0	5	1	1	10	7	<b>17</b>
<b>2005 / 2006</b>	0	1	0	0	4	3	4	14	12	<b>26</b>
<b>2004 / 2005</b>	0	1	0	0	6	0	1	3	8	<b>11</b>

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

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	4	39.0
<b>2005 / 2006</b>	6	21.2
<b>2004 / 2005</b>	5	21.8

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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