



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Charnwood 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 Charnwood Borough Council 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 20 complaints during the year. We expect numbers of complaints to vary from year to year but this does seem to be a significant and welcome reduction over the previous two years.

Character

The twenty complaints were pretty evenly spread across housing benefit, housing, planning, public finance and transport and highways. There is a notable decrease in the number of planning complaints: four were received this year compared to 17 last year and 28 the year before.

Decisions on complaints

Reports and 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.

Five complaints were settled locally. In one complaint, about building control, the Council paid the complainant £150 after the inspector failed to notice that a drain junction did not satisfy building regulations. This remedy covered approximately one third of the cost of putting right the drain, as the builder and the homeowner also had responsibility for ensuring that work done was to the required standard.

In a complaint about damage to a leasehold property the Council agreed to pay the complainant £150 for delay in carrying out an asbestos test, as well as rectifying the damage. The Council also paid £250 to a complainant who lost the opportunity to make objections to a planning application when they were not notified. On the fourth complaint the Council paid £50 compensation to a resident whose refuse collection had been unreliable. The last complaint raised no issues of particular interest and did not involve the payment of compensation, so the total compensation paid was £600, a significant reduction on the £1535 paid last year. I am grateful to the Council for its ready assistance in settling these complaints.

I issued no reports against the Council during the year.

Other findings

Twenty-eight complaints were decided during the year. Five complaints were premature and, as I mentioned earlier, five were settled locally. The remaining 18 were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, primarily because I considered there was no significant injustice to the complainant from the fault alleged.

Your Council's complaints procedure and handling of complaints

The percentage of premature complaints is far lower than the national average (28.2%). This suggests that complainants can easily access the Council's complaints procedure. I also note that an electronic complaint form is available on the Council's website.

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 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. If we can provide any further training for you please let Barbara Hedley, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on nine complaints this year, and the average time for responding was 27 days, a marked decrease from the 37 days it took last year. I am very pleased to see this improvement in response times.

In the last two years I have arranged Regional Seminars in various county areas, inviting Members and Officers of each Council within the locality to meet me to explain the work of the Ombudsman and to explore common concerns. I would like to hold such a seminar in Leicestershire during 2007/08 and would be glad to receive an indication from your Council about whether this would be of interest. We would naturally contact you with further details nearer the time.

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 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
Details of training courses

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	5	5	4	2	3	20
2005 / 2006	0	3	8	17	5	0	33
2004 / 2005	7	4	6	28	4	2	51

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	5	0	0	12	6	0	5	23	28
2005 / 2006	0	3	0	0	8	6	2	9	19	28
2004 / 2005	0	3	0	0	13	11	1	22	28	50

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	9	26.7
2005 / 2006	16	36.6
2004 / 2005	15	43.3

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