



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Cherwell 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 Cherwell District 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 16 complaints during the year. This is a significant decrease on the number received over the last two years, but we do expect to see fluctuations over time.

### ***Character***

Twelve complaints were received in the planning and building control category, but three of these were complaints about the same matter and two were submitted by the same complainant. Two complaints were about housing, one was about public finance and one complaint was received in the 'other' category.

## **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.

I did not issue any reports against your Council in the year 2006-07 or recommend that any complaints should be locally settled. This has now been the case for three years. I congratulate the Council. It indicates that its complaint-handling generally is exemplary.

### ***Other findings***

Eighteen complaints were decided during the year. Of these two were outside my jurisdiction and two complaints were premature. Eleven complaints were not pursued because no evidence of maladministration was seen and in a further three cases I exercised my discretion not to pursue them.

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

The number of premature complaints (two) shows a slight decrease on the number received last year. The number of premature complaints is below the national average for councils as a whole and suggests that the Council publicises and operates its complaints procedure effectively.

## **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.

## **Liaison with the Local Government Ombudsman**

We made enquiries on 10 complaints this year and the average time for responding was 38.7 days. This is a significant increase on the 26.7 days the Council took last year and falls short of our target time of 28 days, and is frankly disappointing. The Council must now take steps to identify the cause of the problem and ensure that it replies more promptly so that my staff can provide complainants with a timely decision on their complaints.

I was pleased to welcome Members and officers from your Council to the seminar I gave at Vale of White Horse District Council on 27 June 2006. I hope they found it useful.

## **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**  
**Local Government Ombudsman**  
**The Oaks No 2**  
**Westwood Way**  
**Westwood Business Park**  
**Coventry CV4 8JB**

**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	0	2	1	12	1	0	16
2005 / 2006	1	3	0	15	3	0	22
2004 / 2005	0	1	5	11	8	2	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	0	0	0	11	3	2	2	16	18
2005 / 2006	0	0	0	0	4	8	2	3	14	17
2004 / 2005	0	0	0	0	15	3	3	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	10	38.7
2005 / 2006	7	26.7
2004 / 2005	11	16.6

**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