



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Dartford 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

I received just 10 complaints against your authority in 2006/07, compared with 26 in the previous year. The reduction in complaints occurred across nearly all service delivery areas.

Decisions on complaints

During the year my office made decisions on 16 complaints against your authority. We found no maladministration in two complaints and we exercised discretion to close a further four without requiring any action by the Council. Three 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 Council last year. I settled four complaints.

One complaint concerned the Council's failure to deal with noise nuisance from a community centre. The Council raised expectations that a noise limiter would be installed but did not do this and also gave an out of hours contact number when that service was no longer available. The Council agreed to pay compensation of £250 to resolve the complaint.

A second complaint concerned the delay in compensating the complainant for damage caused by a grass cutting machine used by the Council's contractors. The Council paid £50 to the complainant and agreed to revise its procedure for dealing with complaints about a contractor.

A third complaint was about how the Council dealt with a complainant's application for a transfer through its choice based letting scheme. The way that the results of bidding were advertised lacked clarity and openness. This had not caused the complainant any specific injustice but the Council agreed to consider changes to its practice. The Council has confirmed that it now gives more information when publishing the results of allocations.

The final settlement concerned the use of a barn by a Council contractor as a storage facility and whether or not conditions regarding the hours of use had been complied with. The Council settled the complaint by agreeing to monitor the hours of use and to pay the complainant £100.

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 nearly 19% of all decisions this was well below the national average.

Three premature complaints were resubmitted to me during the year as the complainants were not satisfied with the Council's response. I used my discretion not to pursue an investigation into one and I found that there was no evidence of maladministration in the other two.

My Investigators have raised concerns that some complaints being considered under the Council's procedure were not being registered and could be lost in the system, or not moved to the next stage. I note that the Council has introduced a new complaints management system and I hope that it will be better able to track and monitor complaints.

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 now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. 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.

In April 2006 we provided further training to nine of your staff on Effective Complaints Handling following on from training provided in 2005/6. I trust that this was useful.

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 to our enquiries is 28 calendar days. Your Council's average response time was 26.5 days, an increase on the previous year. However only four enquiries were made and the average was inflated by one case where the response took an unusually long time. The average remains within my target time.

Your officers have responded promptly to proposals for local settlements and have been willing to review procedures. I am grateful for this assistance.

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
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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	1	2	2	4	1	0	10
2005 / 2006	3	6	6	8	0	3	26
2004 / 2005	0	2	1	12	1	3	19

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	4	0	0	2	4	3	3	13	16
2005 / 2006	0	2	0	0	1	7	5	5	15	20
2004 / 2005	1	4	0	0	5	2	2	8	14	22

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	26.5
2005 / 2006	5	19.2
2004 / 2005	4	19.8

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