



The Commission for  
Local Administration in England

# **The Local Government Ombudsman's Annual Letter Durham City 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 & Character***

The number of complaints received against the Council by my office fell from 27 in the previous year to 21. That is of no particular significance, being well within the range of variations that are commonly seen from year to year. The distribution of those complaints as between departmental areas gives no cause for concern.

## **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.

I did not issue any reports against the Council during the year.

Five complaints were subject to resolution at the request of my staff. One of those resulted from a failure by the Council to implement an earlier agreed settlement. That is very poor and unnecessary and will not give citizens the confidence they deserve in either the Council's or our own services. I ask the Council for an undertaking that this will not recur.

In one other case the relevant investigator noted a poor and very defensive response from the Council. The matter was eventually settled by a payment of just over £3,000. This too reflects poorly on the Council. No one likes having mistakes pointed out but when that happens (as it will) there is a vital need to be positive. I ask the Council to flag that message up strongly to its staff.

### ***Other findings***

Twenty three complaints were decided in the year by my staff. Of those, three were premature as the Council had not been given a prior opportunity to investigate and respond itself through its complaints procedure. Accordingly, they were referred back to the Council and we took no further action. One complaint lay outside of my jurisdiction.

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

I have not identified any particular problems with the way the Council handles complaints from members of the public. However, I think it reflects well on the Council's determination to do well in this regard that it has arranged for my staff to deliver a training course in good complaint handling for its officers in the near future.

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

The Council remains commendably fast in getting responses to us. On average its responses to 12 enquiry letters took just under 20 days compared to our target of 28 days.

I am also pleased to report that the Council's website has been improved since last year and citizens can now find a link directly into the Commission's own web site.

## **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**

Enc: 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>	1	7	2	8	1	2	<b>21</b>
<b>2005 / 2006</b>	0	8	5	13	1	0	<b>27</b>
<b>2004 / 2005</b>	3	3	6	8	3	0	<b>23</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	5	0	0	13	1	1	3	20	<b>23</b>
<b>2005 / 2006</b>	0	6	0	0	4	4	2	4	16	<b>20</b>
<b>2004 / 2005</b>	0	1	0	0	7	5	1	6	14	<b>20</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>	12	19.8
<b>2005 / 2006</b>	17	15.9
<b>2004 / 2005</b>	8	19.8

**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