



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
East Herts 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 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**

In 2006/7 I received 13 complaints against your Council. This continued the downward trend of the previous three years. Complaints have halved since 2003/4.

Seven of the complaints concerned planning and building control matters (five were about planning applications, one was about enforcement and the other concerned building control) and three were about transport and highways (two related to parking). Planning had previously been the main area of complaint. This is not unusual for district councils.

## **Decisions on complaints**

I made decisions on 13 complaints in 2006/7. Five cases were outside my jurisdiction and in four I used my discretion not to pursue an investigation. In another two cases I found no or insufficient fault to warrant my involvement.

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 generally form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report. As in previous years I did not issue any formal reports against your Council.

I came to one local settlement in 2006/7. This concerned a complaint about delay in taking enforcement action over an alleged breach of planning control. I did not find the Council was at fault over the action it had taken, but I considered that communication with the complainant was inadequate. Although the Council's own investigation had acknowledged communication could have been better, the Council was reluctant to acknowledge fault. Nevertheless, the Council did agree to my recommendation of a payment of £100 for the unnecessary time and trouble to which the complainant had been put.

Nationally 28% of complaints are referred back to the Council because it has not had a reasonable opportunity to consider and respond before an Ombudsman becomes involved. Only one complaint against the Council was referred back as premature in 2006/7. Although this is less than the norm, the low total number of complaints makes it difficult to draw any conclusions here.

## **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.

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**

I ask councils to reply to my enquiries within 28 calendar days. Your Council's average response time was within this target.

As a result of a case highlighted in the 2005/6 annual letter the Council has introduced a revised procedure for referrals by Members of planning applications to the Development Control Committee. I welcome this change to the Council's procedures.

If a Council Committee formally considers this letter it would be helpful to be sent a copy of the minutes of the meeting, along with a copy of any report to the Committee.

### **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.

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.

**Tony Redmond**  
**Local Government Ombudsman**  
**10<sup>th</sup> floor, Millbank Tower**  
**Millbank**  
**London**  
**SW1P 4QP**

**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	0	1	7	2	3	13
2005 / 2006	1	1	2	14	0	0	18
2004 / 2005	0	0	10	11	3	0	24

**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	1	0	0	2	4	5	1	12	13
2005 / 2006	0	3	0	0	7	5	5	4	20	24
2004 / 2005	0	1	0	0	10	2	2	8	15	23

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	2	22.5
2005 / 2006	7	24.6
2004 / 2005	12	25.3

**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