



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

East Lindsey 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

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

In the year up 31 March 2007, I received 86 complaints against your Council. This is a rise on the previous twelve months of 31 (56%). This is in a year when complaints to the Local Government Ombudsmen have shown a fall of 1.64%.

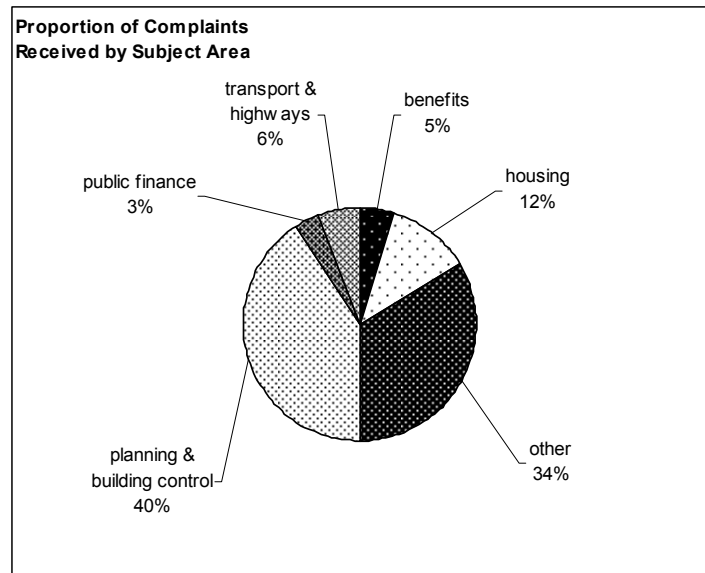
While this is the second successive year there has been a rise, no immediate conclusions can be drawn from these figures. There are many factors that contribute to increased numbers of complaints. On one hand, increases in complaint numbers can be interpreted as an indication people are increasingly dissatisfied with services, while on the other it can indicate improvements in complaints handling that gives people more confidence to complain because they believe the Council will resolve the issues.

Character

Simply examining the volume of complaints received does not give the whole picture. The profile of types of complaints is also important.

The accompanying statistics give a full breakdown of numbers of complaints by category. Of those categories there are two I would like to comment on specifically; housing and planning & building control. I have not commented further on 'other' as this category covers a diverse variety of types of complaints.

As the chart shows, housing complaints account for just 12% of the total complaints received against your Council. While the proportion is relatively low, it is significant because of the rise in this type of complaint. In 2005/06 I received just two complaints against your Council about housing issues. By 2006/07 this had risen to ten. While the numbers are small and it is too soon to draw any conclusions from this, the Council may wish to reflect further on this rise.



This brings me to complaints about planning issues. As the chart illustrates, this category of complaint accounts for 40% of all complaints received against your Council. The national average is a little over 23%.

While this is obviously disappointing to the Council, the context for this cannot be ignored. The actual number has dropped slightly from 37 in 2005/06 to 35 in 2006/07. As a proportion of the total, planning complaints have fallen from 67% in 2005/06 to 40% this past year. In those complaints I have investigated, I have found no significant systemic problems.

I am aware that the Council has made significant efforts to improve both its planning processes and the handling of complaints in this area. For example, it has provided training for both officers and members in planning matters. Let us hope that the very marginal fall is the start of a downward trend. I would, however, urge the Council to continue to reflect on what moves so many people to complain about planning matters and in particular the effectiveness of the Council's communications in relation to them.

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.

Decisions

In 2006/07 I took 80 decisions, a figure which differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 80 decisions: nine were outside my jurisdiction, I exercised discretion not to investigate 12 of them, in 24 I found no evidence of maladministration and 29 were 'premature' (in our view the Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

The remaining six were local settlements. I did not issue any reports against your council. Overall I did not find evidence of systemic problems.

Other findings

As you are aware, we ask for comprehensive responses to our enquiries within 28 days. I am pleased to say your Council responded in 26 days on average.

Your Council's complaints procedure and handling of complaints

No obvious problems have come to light with the way in which your Council deals with complaints. I am aware that the Council is working to make its complaint handling more effective and accessible, particular in relation to planning issues which is to be welcomed.

I am pleased to see that the Council makes direct reference to the LGO in its published complaints information and on its web-site.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training 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.

Liaison with the Local Government Ombudsman

The liaison between my staff and your Council is generally positive and professional. As the very good response times demonstrate the process works well. Thank you for that. In the vast majority of responses you send us, the information you provide is helpful and comprehensive.

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
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June 2007

Encs: 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	3	10	29	35	4	5	86
2005 / 2006	4	2	6	37	5	1	55
2004 / 2005	4	4	7	27	2	6	50

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	6	0	0	24	12	9	29	51	80
2005 / 2006	1	2	0	0	13	6	2	19	24	43
2004 / 2005	1	3	0	0	14	10	11	15	39	54

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	24	25.4
2005 / 2006	18	21.3
2004 / 2005	12	24.7

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