



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Eden 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

Last year there were 11 complaints against the Council.

Character

The bulk of the complaints (8) like last year were about planning and building control services.

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.

There were no reports and no locally settled complaints against the Council last year.

Other findings

There were decisions taken upon 11 complaints last year, three of which were premature complaints in the sense that the Council had not yet had a proper opportunity to consider and respond to those complaints as is required by law. Two complaints were found to be outside my jurisdiction, no maladministration was found in another three complaints, and investigators used their delegated authority to exercise my discretion not to pursue a further three complaints.

Your Council's complaints procedure and handling of complaints

I was pleased to note that as well as outlining its own complaints procedure upon the Council's website, there is a direct link from that website to the Commission's own website, so that complainants dissatisfied with the Council's response to a complaint can readily access the service offered by the York office of the Commission. This service is not always found in the smaller authorities, and I am pleased to note that Eden has taken this initiative to make my service accessible to its customers.

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.

I am pleased to note that, together with other councils in Cumbria, Eden is considering the possibility of contributing to a collective training course for complaints handling in Cumbria, and I hope that this proposal may reach fruition during the coming year.

Liaison with the Local Government Ombudsman

Last year the Council responded within an average time of just over 46 calendar days upon the five complaints where investigators made enquiries of the Council. Half of all district councils respond within the Commission's new target of 28 calendar days, and only 27% take longer on average than 36 days. On the face of it, therefore, it is disappointing that the Council's average time has risen from only 19 calendar days during the previous year to as long as 46.2 calendar days last year: over double its average length of time.

However, the Council points to a particular complaint which has extended the average, and I accept that in this case there were some mitigating circumstances.

I urge the Council during the coming year to ensure that the average time it takes to respond to enquiries made by investigators returns to within the target of 28 calendar days.

During the year you welcomed the Assistant Ombudsman who now leads the team of investigators dealing with complaints against your Council. This visit was a useful opportunity to explain changes within the Commission's structure, procedures and objectives; discuss complaints; consider training and to meet the staff who deal with our enquiries. I hope that the relationship will continue to be constructive.

On occasion investigators need to inspect the Council's files upon complaints and interview officers who have been connected with the issue. I am pleased to note that an investigator conducting such work was most impressed by the Council's diligence in making the arrangements for the interview of offices and obtaining information which was required by the investigator. The Council was most prompt and helpful during this process and the officers concerned are to be congratulated.

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
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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	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	3	8	0	0	11
2005 / 2006	2	6	0	0	8
2004 / 2005	2	6	1	1	10

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	3	3	2	3	8	11
2005 / 2006	0	2	0	0	3	2	0	2	7	9
2004 / 2005	0	0	0	0	4	2	0	4	6	10

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	5	46.2
2005 / 2006	5	19.0
2004 / 2005	3	29.7

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