



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Guildford 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

In 2006/7 I received 15 complaints against your Council, fewer than in recent years and almost half the number in 2005/6.

There was a significant reduction in complaints about planning matters: down to five from 18 in the previous year. Two each were about planning applications and enforcement and one was about forward planning. There were also two each about local taxation, waste management and anti-social behaviour. Two complainants made two complaints.

Decisions on complaints

I made decisions on 16 complaints in 2006/7. Two cases were outside my jurisdiction, in four I used my discretion not to investigate further, and in four cases I found there had been no or insufficient fault by the Council to warrant my involvement.

I referred five complaints back to the Council because it had not been given a reasonable opportunity to consider and respond to the complaint before I became involved. Two of the complainants who I referred back to the Council in this way in 2005/6 were not satisfied with the Council's response and complained to me again last year. In one case I used my discretion not to investigate further, in the other I did not find the Council to be at fault.

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. As in previous years I did not issue any formal reports against your Council.

In one case a local settlement was agreed. It involved modifications to a Section 106 agreement (attached to a planning permission), which the complainant believed should have been notified to potential property purchasers. The Ombudsman found that the omission of this information had not caused any prejudice to the purchasers of properties, but the complainant had been put to unnecessary time and trouble in pursuing the complaint, and the Council paid £100 to compensate for this. The Council also agreed to change its procedures to double-check the impact of variations to Section 106 agreements and planning obligations.

In another case, concerning the disposal of land, I had intended to issue a report but following the Council's comments on my draft, and my own further legal advice, I decided that the Council had not been at fault in the way I had originally concluded. I nevertheless made a number of recommendations relating to land disposal practices, which I am pleased the Council accepted.

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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. Some of your officers attended Effective Complaint Handling courses, either held in another authority or held at your offices specifically for your staff. I hope they found these courses 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

I ask Councils to reply to enquiries within 28 calendar days. Your Council's average response time was well within this limit. In one case your officers provided a prompt and full update by email after receipt of a telephone enquiry from one of my investigators. This sort of approach provides complainants with the service they deserve.

In the complaint involving the disposal of land, to which I have already referred, the Council was robust in its view that it had not been at fault. This was a view with which I subsequently agreed. I consider reasoned challenge, where appropriate, is beneficial to our relationship and is in the interests of all.

I see that the Standards and Audit Committee considered my 2005/6 annual letter and, if the Committee 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
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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	Children and family services	Housing	Other	Planning & building control	Public finance	Total
01/04/2006 - 31/03/2007	0	0	2	6	5	2	15
2005 / 2006	0	0	3	6	18	1	28
2004 / 2005	1	1	5	9	8	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	4	4	2	5	11	16
2005 / 2006	0	5	0	0	13	4	3	6	25	31
2004 / 2005	0	0	0	0	7	1	3	9	11	20

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	9	19.6
2005 / 2006	12	23.3
2004 / 2005	9	22.8

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