



The Commission for  
Local Administration in England

# **The Local Government Ombudsman's Annual Letter to Harrogate 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**

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***

In last year's letter I reported a sharp rise in the number of complaints received by my office compared to the previous year. I saw no particular significance in that rise. This year I make the same point about a fall, from 42 to 33. This will nonetheless be welcome news to the council as will the specific fall in complaints about planning – from 24 to 16.

## **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 issued one critical report against the Council in the year. This revealed serious failings by elected members who were involved in the grant of planning permission to another member of the Council. Of course, members have the same rights as any other citizen when it comes to receiving services from the council. However, in such cases there is a need for the strictest propriety and that was sadly lacking here. I took the unusual step of naming the members in my report. To the Council's great credit it accepted my criticisms and is acting positively to put my recommendations into place. I do hope that I will not again have to report on such a sorry affair – one that will significantly damage the faith of citizens in its council.

Three complaints were settled satisfactorily without a report, and those cases raise no issues that I need raise in this letter.

### ***Other findings***

In all, 29 complaints were decided by me or my staff. Eight were premature and hence referred back to the Council to be put through its complaints procedure. Four were outside of my jurisdiction, and in four cases my staff exercised their legal discretion not to investigate.

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

Please see my comments below

## **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**

When it comes to responding to our enquiries on complaints the Council remains in the top rank. We ask for responses within 28 days. The Council achieved an average time of 25 days. Also praiseworthy is the way that the Council deals in other respects with enquiries. My staff note high standards from those within the Council with whom they deal.

The Council received two sessions of training from our dedicated trainers in 2006. Feedback was positive and I trust this will be of value. The Council's staff did note that they had no way of meaningfully holding comments or suggestions made by the public if not related to a specific file. All such information is of value in improving services. I encourage the Council to deal with that issue.

## **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**

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	4	2	6	16	2	3	33
2005 / 2006	2	2	4	24	5	5	42
2004 / 2005	0	2	6	16	1	0	25

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	1	3	0	0	9	4	4	8	21	29
2005 / 2006	0	8	0	0	16	7	3	11	34	45
2004 / 2005	0	0	0	0	12	6	1	3	19	22

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	6	25.0
2005 / 2006	24	22.5
2004 / 2005	10	25.4

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