



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Hart 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

We received a total of 21 complaints against your Council in the year, a slight increase over 2005/2006. Three quarters of the complaints concerned Planning/Building Control and 'Other', comprising Environmental Health and Waste Management. Four complaints were about Transport and Highways, one concerned Benefits and one was about Public Finance.

Decisions on complaints

Reports and local settlements

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.

Of the 17 decisions we made in the year three were local settlements. This is a similar proportion to last year. Two of the settlements concerned local taxation and the third was about a planning application. The Council paid out a total of £900 compensation. Here is a brief summary of these complaints:

- The Council overpaid the complainant a large sum in council tax benefit. While it was still considering whether the overpayment was recoverable it started legal proceedings. The Council later apologised and wrote off the overpayment. It paid the complainant £150 for the distress and uncertainty caused and his time and trouble in pursuing the complaint.
- The Council incorrectly addressed letters to the complainant concerning his council tax liability. It also sent a letter which wrongly stated that a liability order (court order) had been obtained. The Council apologised, withdrew the legal proceedings, wrote off the costs and reviewed the complainant's council tax account.
- The Council opened a skate park close to the complainant's home. Despite a number of noise reduction measures, the noise from the park remained at an unacceptable level. For a significant part of a 15-month period the Council took no effective action and failed to keep the complainant informed. It agreed to pay £750 compensation and to carry out further work to the skate park ramps by a certain date, monitoring noise levels thereafter. It also promised to keep the complainant informed of the outcome.

I am pleased that once again I found no cause to issue a report against the Council this year.

Other findings

Of the 14 other complaints I decided, four were sent back to you because we considered you had not had a reasonable opportunity to investigate the matter. In five instances I found no or insufficient evidence of maladministration. I exercised my discretion not to pursue a further three complaints and remaining two were outside my jurisdiction.

Your Council's complaints procedure and handling of complaints

The Council's website contains full information to help people wanting to make comments or complaints. There is a useful link to the complaints section from the home page. The Council also provides a leaflet outlining the complaints procedure. From the evidence I have seen from the complaints to me your procedures here are working well.

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. We offer generic courses in 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

Your response times to our first enquiries on a complaint average nearly 37 days. This has fallen back to the level of your response times in 2004/2005 after a marked improvement last year. We ask for your response in 28 days, and would welcome any steps you can take to reduce the time taken in the coming year.

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 about this.

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.

J R White
Local Government Ombudsman
The Oaks No 2 Westwood Way
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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	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	8	7	1	4	21
2005 / 2006	5	5	4	4	1	19
2004 / 2005	4	0	9	5	1	19

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	3	0	0	5	3	2	4	13	17
2005 / 2006	0	4	0	0	3	5	4	5	16	21
2004 / 2005	0	4	0	0	3	2	3	7	12	19

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	10	36.7
2005 / 2006	5	26.2
2004 / 2005	6	36.0

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