



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Hastings 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

Volume

There has been a further increase in complaints against the Council, up to 45 from 36 in the previous year and more than doubling over a two year period. To some extent the increase reflects several complaints from more than one person about the same matters.

Character

Complaints were mainly about planning applications, council tax and housing benefit. The multiple complaints related to the leasing of land, telecommunications masts and a travellers' site.

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.

We issued no reports against the Council in 2006/07. There were five local settlements which involved the payment of compensation totalling £575. In one case, the Council paid £250 to a complainant whose complaints about noise from a building site were not properly responded to. We asked the Council to review the way it communicates with those who report breaches of statutory notices so that they are kept informed about whether the Council is intending to take enforcement action.

The Council also paid £150 for its delays in dealing with a claim for housing benefit and smaller sums to settle complaints about a traffic order consultation, council tax recovery and delays in dealing with correspondence on a planning matter.

Other findings

In addition to the complaints which resulted in local settlements, we decided 48 complaints and in a third of those we found no or insufficient evidence of maladministration.

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Your Council's complaints procedure and handling of complaints

We referred 18 complaints back to the Council to be dealt with under its complaints procedure. At almost 34% of our decisions, this is above the average for all authorities (28%) but this may be explained in part by the fact that some of the multiple complaints were sent back to the Council.

During the year we decided three complaints which we had previously referred back to the Council and where the complainants had resubmitted them to us. We did not find in the complainant's favour in any of the three complaints.

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 Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) courses. 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

In last year's annual letter I expressed concern about the Council's slow responses to our written enquiries on complaints. In 2006/07 the average time taken by the Council to respond was 48 days. That is very poor indeed. The delays were not restricted to just one service area. Since 2005 we have asked councils to reply to our enquiries within 28 days and I now call on the Council to address the problem and to improve significantly its response times in the current year.

On a more positive note, I was pleased that one of the Council's officers attended the seminar for "link officers" which we held in November 2006. I hope that she found the event to be informative.

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.

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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
10th floor, Millbank Tower
Millbank
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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	5	1	14	12	9	4	45
2005 / 2006	4	1	8	16	3	4	36
2004 / 2005	3	1	4	8	1	5	22

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	5	0	0	16	9	5	18	35	53
2005 / 2006	0	1	0	0	11	4	5	10	21	31
2004 / 2005	0	2	0	0	5	7	5	4	19	23

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	48.0
2005 / 2006	7	52.9
2004 / 2005	8	43.5

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