



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter**

**Hinckley & Bosworth 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 Hinckley and Bosworth Borough Council 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

We received 17 complaints during the year. This was a slightly higher number than those received in the previous year, but I see no significance in the rise.

Character

Seven complaints were received about planning, four were about housing and one was about local taxation. Four complaints in the 'other' category were about antisocial behaviour and one was about contracts and business matters.

Decisions on complaints

Reports and 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.

One complaint was settled locally. The complainants were in urgent need of a disabled facilities grant and the Council referred them to an agency which said it was administering the grant on the Council's behalf. The plans for a new downstairs bathroom were revised three times, with three months delay each time a revision occurred. This meant that by the time the grant application was complete, the complainants' situation had changed and the household had enlarged significantly. The complainants then had to complete a second application for the new scheme which included a downstairs bedroom. The second grant application was then refused as the complainants had started the work before the grant was approved. I found no maladministration in the Council's decision to refuse the second grant application; this is what the law requires.

The Council's failure to monitor the agency and ensure that it completed the first grant application within its timescales was maladministration. To remedy the complaint the Council paid the complainant £17,266 compensation. This reimbursed the cost of the works which should have been carried out under the first grant application, plus interest. I am grateful to the Council for its ready assistance in settling this complaint.

I issued no reports against the Council during the year.

Other findings

Eighteen complaints were decided during the year. Of these two were outside my jurisdiction, five complaints were premature and, as I mentioned earlier, one was settled locally. The remaining ten were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them.

Your Council's complaints procedure and handling of complaints

The number of premature complaints (five) reflects the national average (at 28%). This suggests that complainants can easily access the Council's complaints procedure which appears to be readily available at your offices and on the Council's website.

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 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.

We spoke to officers from your and neighbouring councils at the Leicestershire planning enforcement forum on 17 November 2006. I hope this was useful. If we can provide any further training for you please let Barbara Hedley, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on six complaints this year, and the average time for responding was 25 days, a slight decrease on the 27 days it took last year. This is a commendably fast response time and officers are always quick to respond to email enquiries.

In the last two years I have arranged Regional Seminars in various county areas, inviting Members and Officers of each Council within the locality to meet me to explain the work of the Ombudsman and to explore common concerns. I would like to hold such a seminar in Leicestershire during 2007/08 and would be glad to receive an indication from your Council about whether this would be of interest. We would naturally contact you with further details nearer the time.

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 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.

J R White
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June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

Complaints received by subject area	Adult care services	Benefits	Housing	Other	Planning & building control	Public finance	Total
01/04/2006 - 31/03/2007	0	0	4	5	7	1	17
2005 / 2006	0	1	3	4	7	0	15
2004 / 2005	1	0	1	0	8	0	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	1	0	0	4	6	2	5	13	18
2005 / 2006	0	1	0	0	7	1	1	6	10	16
2004 / 2005	1	0	0	0	7	1	1	1	10	11

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	9	27.1
2004 / 2005	5	20.4

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