



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Kennet 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

Volume and Character

There has been a slight year-on-year rise in the number of complaints received against your authority over the last two years, but this would appear to reflect a national rise in planning complaint numbers rather than any systemic problem within the Council's administrative procedures.

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.

I had no need to issue any report against your Council this year. Two cases were settled locally: the issues involved were relatively minor, and the total compensation sought by my Investigators and paid by the Council was modest (£30). In my view these complaints hold no particular lessons for the Council. However, I am pleased to note that the Council felt able to offer this compensation in one case despite the fact that officers had also made considerable efforts to assist the complainant. Errors occur in any administrative process from time to time; when this happens it is helpful if the authority can acknowledge the fact and the effort involved in pursuing the complaint.

Other findings

During the year, I determined seven other complaints. In none of them did I find evidence that maladministration had caused the complainant concerned injustice. As I mentioned earlier, most complaints concerned planning matters and were submitted by neighbours objecting to proposed developments: but as you know, I cannot normally criticise the merits of a correctly taken decision, however unpopular it may be.

Your Council's complaints procedure and handling of complaints

The Council's complaints procedure appears to be reasonably easy to access and robust. The responses I have seen under the complaints procedure have been full and clear: my investigative staff find them helpful in deciding how best to approach a complaint.

Before I entertain a complaint, I must satisfy myself that the Council has had a reasonable opportunity to investigate and resolve the matter itself. I would normally expect it to have gone through the Council's own complaints procedure: if it is clear that this has not happened, the complaint would

normally be referred back to the Council to enable that to happen. There has been a slight increase in the proportion of such “premature” complaints referred back to you over the past two years, but I have no particular concerns about this.

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.

Liaison with the Local Government Ombudsman

I was pleased to welcome six Members and officers from your Council to the seminar I gave at County Hall on 6 December 2006. I hope the attendees found it useful.

No one from the Council has attended the annual link officer seminar recently and I understand that you may wish to consider sending someone to the seminar to be held in November. I will arrange for an invitation to be sent in due course.

Response times to my enquiries were an impressive ten days, against a target of 28. The Council is to be commended for this: I recognise the effort that has been put in by officers to achieve this, and it is a very great improvement on performance just two years ago.

In addition, if it would help for Mr Purser the Assistant Director to visit the Council and give a presentation about how we investigate complaints I would be happy to arrange this.

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.

J R White
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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	Total
01/04/2006 - 31/03/2007	1	3	9	0	13
2005 / 2006	0	2	7	1	10
2004 / 2005	0	0	6	1	7

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	2	0	0	5	2	0	4	9	13
2005 / 2006	0	0	0	0	5	0	1	4	6	10
2004 / 2005	0	0	0	0	6	2	1	1	9	10

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	5	10.2
2005 / 2006	2	29.0
2004 / 2005	8	41.5

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