



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Kerrier 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

We received 21 complaints against the Council in 2006/07 a decrease from the previous year. We expect to see these fluctuations over time and I see no significance in the fall. As in previous years the majority of complaints concerned planning and building control, and that is typical of rural areas in England.

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.

There were no reports issued against the Council.

In three complaints I concluded that local settlements agreed by the Council offered a satisfactory remedy for the injustice that had arisen and the investigation did not have to be completed:

1. The Council's action in undertaking inspections by environmental health officers and the environmental health services manager to reach a view on the concerns that waste water running from a nearby house may include sewage was deemed to be sufficient to allay the complainant's fears, particularly when the Council offered a commitment to re-inspect should any further problems occur.
2. The Council delayed the assessment of a complainant's Council Tax Benefit and lost a letter from the complainant, adding to confusion over the account. The Council resolved the matter by assessing the claim and crediting the account and by payment of £75 in recognition of the inconvenience caused.
3. The Council failed to provide an adequate explanation of its reasons for not taking enforcement action and for delay in responding to complaints that a conservatory had been built next to a complainant's home without the appropriate permission. For the delay and inadequate explanation the Council agreed to pay £250.

Other findings

We decided 18 complaints. Of these only four were referred back to the Council for consideration under its own complaints procedure. In one I exercised my general discretion and in ten there was no maladministration by the Council.

Your Council's complaints procedure and handling of complaints

The number of complaints referred back to the Council was much smaller this year and that may be because of the publicity given to the complaints procedure by the Council.

The Council continues to invite complaints to be made via its website, and I am pleased there is a link to our website. The site has a leaflet that is easy to download setting out how the complaint will be investigated, and it explains how I can investigate the complaint if citizens are unhappy with the outcome.

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. 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

The average time for the Council to respond to enquiries about complaints was 42.1 days, an increase of almost 10 days from last year when we investigated a higher number of complaints. This is well outside our target time of 28 days and shows that the times are deteriorating from the position in 2005/06. The quality of the responses we receive is usually very high and that is appreciated. But the Council will now need to take steps to provide responses within the time target of 28 days and so match the performance of nearly half English District Councils.

Last year I noted that nobody from your Council had attended one of our seminars recently and I again wonder if this may prove a useful way of finding out how my office operates and help to develop an effective working relationship. If you would like someone from your council to attend, please contact Mr R Stephen, Assistant Ombudsman.

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
Local Government Ombudsman

The Oaks No 2
Westwood Business Park
Westwood Way
Coventry CV4 8JB

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	1	0	3	16	0	1	21
2005 / 2006	1	2	2	20	1	2	28
2004 / 2005	4	4	2	18	0	0	28

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	10	1	0	4	14	18
2005 / 2006	0	2	0	0	11	6	2	11	21	32
2004 / 2005	1	5	0	0	8	2	1	5	17	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	13	42.1
2005 / 2006	10	32.2
2004 / 2005	21	30.6

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