



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Kettering 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

In 2006 -7 I received 27 complaints against your authority. This represents a slight increase on the previous year and was mainly due to a rise in planning and building control complaints: 16 compared to nine in the previous year. But I do not attach any particular significance to these fluctuations, which I expect to see from year to year.

Once again the highest numbers of complaints were about planning and building control, which is typical of local authorities in rural areas.

Decisions on complaints

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.

During 2006-7 I made decisions on 13 complaints, excluding premature complaints. I did not issue any reports against your Council. Two complaints were upheld wholly or in part and remedied by way of local settlement. In one of these the Council delayed for two months in dealing with a complaint that a flickering sign in a shop window had caused a complainant to have an epileptic seizure. Some of the correspondence from the Council was inappropriate in tone and the Council failed to ask the complainant for any supporting evidence but then cited a lack of such evidence to justify its reasons for not taking further action. The Council readily agreed to pay the complainant £150 to compensate for his frustration and his perception that his complaint was not being taken seriously.

In the second case the Council's mistakes led to the complainant receiving two bailiff visits for a case totally unrelated to him. The Council had already accepted that it was at fault but had not offered a remedy for the distress these events caused. Following our intervention the Council paid the complainant £150 compensation.

In five of the remaining 11 complaints I found no or insufficient maladministration by the Council. In another two I exercised my discretion to discontinue my investigation and a further four complaints were outside my jurisdiction.

Your Council's complaints procedure and handling of complaints

The Council's complaints procedure appears to have worked well during the year. Complaints seem to have been dealt with appropriately and within the timescales laid down.

In 2006-07 I referred seven premature complaints to the Council for it to consider, one fewer than the previous year. Three of these were resubmitted, two of which related to planning where a high rate of resubmission can be anticipated. The information on the Council's website about its complaints procedure remains very clear and accessible, enabling complaints to be made online. In summary, complaint handling in the Council appears to be 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 and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. 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

My staff continued to have a positive working relationship with the Council's officers during the year and the quality of the Council's responses to our enquiries has been good.

I made enquiries on nine complaints this year and the average response time to our first enquiries was 33.2 days. This was a slight improvement on the previous year (34.5) but is still outside our target time of 28 days. Further efforts to improve this time would be welcomed.

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. As part of this project my Deputy and an Assitant Ombudsman recently visited your Customer Services Centre to talk to staff and to learn from you Council's experience in

operating your service. This was very helpful and I am grateful to you for making the arrangements.

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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	4	5	16	1	0	27
2005 / 2006	0	2	8	9	1	0	20
2004 / 2005	0	5	9	22	1	1	38

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	4	7	13	20
2005 / 2006	0	0	0	0	13	3	0	8	16	24
2004 / 2005	0	5	0	0	15	3	2	14	25	39

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	9	33.2
2005 / 2006	11	34.5
2004 / 2005	16	42.2

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