



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Maldon 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

My office received sixteen complaints against your authority this year, just one more than last year. As in previous years, the most significant category of complaints concerned planning and building control, where there were seven complaints.

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 issued no reports this year.

There were two local settlements. The first was a delicate case where the Council had arranged a public funeral for a deceased man who was one of its tenants without making efforts to contact his next of kin. This was based on a wrong assumption that he had no living relatives, when a search of the property would have proved otherwise. Our investigation revealed that there was no policy in place to deal with such a situation. I am grateful that you accepted our suggestion to offer the next of kin £1,250 in compensation for her distress and to meet her and formally apologise. You also amended the Council's policies, which I hope will prevent anyone else from experiencing similar distress.

The second settlement concerned a complainant whose neighbour had accused him of harassment. The Council had no written procedure on how to notify someone in his position of the outcome of the Council's investigation into the allegation. As a result, he was not told in a timely manner that the allegation had not been upheld. Your Council agreed to tell the complainant formally of the outcome and to introduce a procedure that would ensure others did not have the same experience.

In both of these settlements I am impressed by your willingness to accept a need to improve procedures for the benefit of others.

Other findings

My office made decisions on sixteen other complaints in the year. We referred five back to the Council to consider because they were premature as the Council had not had sufficient time to consider them before the complainants referred them to my office. Two others were outside my jurisdiction. Of the remaining eleven I found no administrative fault in ten. I closed the remaining

complaint because the injustice claimed by the complainant was insufficient to warrant an investigation.

Although I found no fault in respect of the complaints about planning I dealt with this year I note that the Council has still not adopted the Audit Commission's recommendation of 2005 that members of the public should be able to speak at Planning Committee meetings. Although this is a decision for the Council to make, I wonder if affording people an opportunity to voice their concerns about planning applications before decisions are taken might reduce the number of complaints which are made about planning issues where people feel their concerns were not taken into account during the process.

Your Council's complaints procedure and handling of complaints

We receive so few complaints against your authority it is difficult to form any conclusions on how your complaints system operates. My letter last year referred to a visit I made in July 2005 where, among other things, the possible appointment of a customer services manager was discussed. It may be useful for us to have more up-to-date information about your procedures. I note from your Leader's budget speech in February 2007 that the Customer Contact Centre has gone live and will be expanding its services, and this seems an interesting initiative.

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 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 only needed to make formal enquiries on three complaints this year. Your average response time was 30.7 days, which is slightly outside our target of 28 days. Since January 2007 our preferred form of contact with councils is by email and we hope this will improve response times.

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.

Tony Redmond
Local Government Ombudsman
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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	0	1	5	7	2	1	16
2005 / 2006	3	0	3	9	0	0	15
2004 / 2005	0	0	3	12	0	0	15

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	10	1	2	3	15	18
2005 / 2006	0	1	0	0	8	1	1	4	11	15
2004 / 2005	0	1	0	0	5	5	1	4	12	16

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	3	30.7
2005 / 2006	8	19.9
2004 / 2005	4	20.0

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