



The Commission for
Local Administration in England

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

I received 16 complaints against the Council. This is a considerable reduction from the previous year and more in line with the figure for the year before that. Two were about housing allocations, but as in previous years the main subject of complaint was planning. Eight of these concerned planning applications and four were about enforcement, although three of these were about the same development.

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. During the year I issued no reports and I decided three local settlements.

In one complaint about building control a question was raised as to whether the Council had taken adequate action to deal with alleged contravention of building regulations. The Council agreed to meet the complainants on site and arrange a meeting with all parties involved to try to resolve the issue.

A planning enforcement complaint about the quality of information provided to a complainant was settled when the Council provided a more detailed and considered response. The complaint raised the question of whether terms contained in a planning application formed part of the planning consent if approval was granted 'in accordance with the submitted application' but the specific terms were not explicitly referred to. The Council indicated that it did not consider that such 'incorporation by reference' was good practice.

The third complaint in which a settlement was reached concerned a housing benefit claim. The Council made repeated requests for information that were unnecessary. It reviewed its procedures for backdating benefit and offered to pay £50 compensation to the complainant.

Other decisions

In a complaint which I did not uphold, I invited the Council to review its procedures in relation to footpath diversion orders. The Council agreed to do so, thus helping to ensure that people affected by such orders are aware of the position it intends to adopt at any Public Inquiry.

Your Council's complaints procedure and handling of complaints

My office referred four complaints back to the Council to be dealt with under its complaints procedure. One of these was re-submitted to me when the complainant was dissatisfied with the Council's reply, but I did not find evidence of maladministration.

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. We offer 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

My office made written enquiries on 4 complaints. The Council's average response time of just under 20 days includes one case where the response was provided the next day. Even excluding this case the average time of around 26 days, was a significant reduction on the previous year's figure and is within the 28 day target which I ask councils to comply with.

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	2	0	13	0	1	16
2005 / 2006	1	0	4	18	3	1	27
2004 / 2005	0	1	3	8	1	0	13

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	5	5	2	4	15	19
2005 / 2006	0	3	0	0	14	4	2	2	23	25
2004 / 2005	0	0	0	0	6	4	3	0	13	13

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	4	19.8
2005 / 2006	14	32.5
2004 / 2005	7	24.3

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