



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Plymouth City 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

During the year I received 94 complaints against the Council, 22 fewer than last year. Fluctuations in numbers of complaints are to be expected but it is encouraging to note that the number of complaints received is less than 100 for the first time in some years. In your response to my Annual Letter last year you referred to improvements made in working practices and procedures across services with the aim of enhancing the Council's response to customer complaints. This is a positive indication that improvements are yielding results which I trust will be maintained.

Character

As in previous years the most complaints were about Housing (22), closely followed by Planning (18). Numbers of complaints on other subjects were similar in pattern to previous years. The number of complaints about benefits (two) is low given the nature of the Council area.

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.

Local settlements were agreed on 14 complaints during the year, just over 30% of the complaints decided (excluding complaints which were premature or outside my jurisdiction). This is only slightly above the national average of 27.7%.

Five local settlements were agreed on Transport and Highways issues. In one case compensation of £1,000 was offered to a citizen whose car was stolen and vandalised after having been removed from the highway by the Council's contractors in a way which did not accord with government guidance or its own procedures. On another, compensation of £150 was offered to recognise the complainant's time and trouble in pursuing the Council for a response to a request first made in January 2004 to remove gates across a path which would allow a disabled resident to get to the shops more easily.

Local settlements were agreed on three complaints about Housing matters. In one, £250 was offered to a disabled resident who had waited over a year for a response to a request for action to overcome access problems to her home.

The Council agreed to waive for six months part of the charges due for licences for a commercial venture and to offer compensation of £1,500 to recognise delay in taking action which impacted on the start date for the business.

On a case involving alleged anti-social behaviour the Council agreed to set up meetings between officers and the complainants, to provide an opportunity for discussion of what action could be expected of the Council and to establish communication with relevant officers.

Delay in completing consideration of a complaint through the Social Services complaints procedures led to compensation of £750 being offered to a couple who had been waiting for over two years to know the outcome of their complaint. They had been distressed and confused by Social Services' intervention and would never know whether this might have been avoided if Social Services had followed appropriate procedures.

One local settlement was agreed on a Planning matter. The Council agreed to meet the cost of installing a glass door (£386) to overcome loss of light from a new building granted planning permission where it could not be demonstrated that proper account had been taken of the impact on the complainant's property.

I issued one report during the year, on a complaint concerning the grant of planning permission for a golf course. I found that the Council did not properly consider the application because Members of the Planning Committee and the public were not given sufficient information about the likely impact of the construction. An infill operation to achieve the approved contours involved an estimated 66,000 heavy lorry journeys through a residential area over a three year period but the impact of this operation had not been addressed during the consideration of the application. The complainant suffered injustice from his sense of outrage that the application had not been properly considered and that a different decision might have been made and the disruption and inconvenience suffered might have been reduced. The Council has accepted my recommendation for a payment of £1,000 to recognise this and the complainant's time and trouble in pursuing the complaint.

I continue to have an interest in the management of Plymouth City Airport by virtue of two reports I issued, in November 2002 and October 2005, where my recommendations are still the subject of Council action. I wrote last year about the Council's intentions to take decisions about next stages in September 2006. I recognise why this did not happen and that the issues are complex and time consuming. However, I understand that significant decisions should be taken very shortly and I hope then that I may be satisfied with the responses to those reports. I look forward to hearing from you with the next month.

A total of £5,566 was paid in compensation by the Council as a result of complaints made to me.

Other findings

Decisions were made on 97 cases during the year (including the local settlements and report mentioned above). Thirty seven cases were referred back to the Council as premature and 15 concerned matters outside my jurisdiction. On 23 complaints there was no or insufficient evidence of maladministration and on seven complaints it was decided for other reasons not to pursue investigation.

Your Council's complaints procedure and handling of complaints

Complaints can be made through the Council's website which explains the procedure clearly. The links are accessible under the heading of 'Have Your Say' and the option of submitting the complaint electronically or downloading the complaint form will be appreciated by citizens.

Over a third (37) of the complaints we received were referred back to the Council as premature. Nationally the average is just over 28% of all complaints. This suggests that there is scope for the

Council to improve its own complaints-handling, possibly by increasing citizens' awareness of its own complaints procedures and by ensuring that officers implement them at an appropriate stage.

Of those 37 premature complaints only 13 have been resubmitted to me after completing the Council's complaints procedures. This suggests that the Council is able to resolve concerns through its complaints procedure. Ten of the resubmitted complaints have already been decided without further criticism of the Council.

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 a number of 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 Council's link officers have been helpful and positive in responding to our enquiries. Responses are generally comprehensive. The average time taken to respond to first enquiries has been almost 31 days. This is above the target of 28 days but shows continuing improvement over recent years and I do hope that efforts will be maintained to achieve our target.

As you know we offer training for link officers at annual seminars and you may wish to consider sending someone to the seminar to be held in November. If so please let my Assistant Ombudsman, Stephen Purser, know and he will arrange for an invitation to be sent. In addition if it would help for Mr Purser to visit the Council and give a presentation about how we investigate complaints he 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.

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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	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	3	2	7	1	22	26	18	3	0	12	94
2005 / 2006	2	8	6	5	26	31	15	6	2	15	116
2004 / 2005	6	4	5	3	21	27	20	6	2	9	103

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	1	14	0	0	23	7	15	37	60	97
2005 / 2006	1	20	0	0	32	20	13	41	86	127
2004 / 2005	2	26	0	0	32	12	10	29	82	111

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	20	30.7
2005 / 2006	52	34.9
2004 / 2005	56	32.3

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