



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Rossendale 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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to assist with your 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.

Two attachments form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

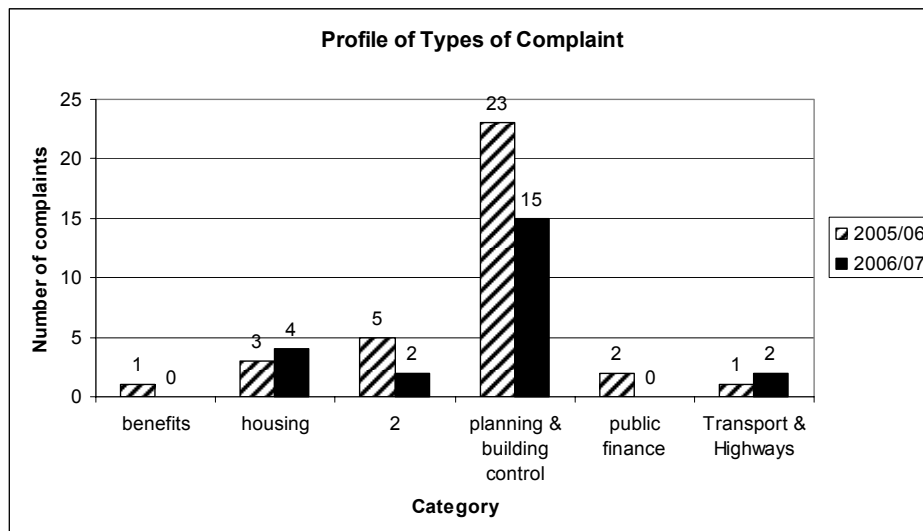
## Complaints received

### Volume

I received 23 complaints about your Council in the 12 months ending 31 March 2007. This was a reduction of 12 on the previous year and represents an overall reduction of 38% since the year ending March 2005.

### Character

As this chart shows, falls in complaint numbers have been across the board and for the first time in the last three years I have not received any complaints about housing and council tax benefits and public finance (administration of Council Tax).



As with the previous year, the largest proportion of complaints were about planning matters. Although the volume fell, it comprised 65% of all complaints received. This is little changed on the previous year. It is unfortunate as this statistic belies the work the Council has put into improving planning services and it is interesting to note that of the 15 planning complaints I received, 14 were made in 2006. In the period January to March 2007, I received just one complaint.

## **Decisions on complaints**

### ***Reports and local settlements***

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

Two complaints were reported on it the year. Both were in respect of planning issues and highlighted major shortcomings in the Council's procedures. In fairness to the Council, many of the shortcomings related to events spanning a number of years and since then your Council has, I know, put new procedures in place.

In 2006/07, we resolved eight complaints by local settlement. Of these, six were in relation to planning issues and the result of finding shortcomings in policy, procedure and record keeping. Again, many of these issues predated the action the Council has taken over the last 12 months to improve its planning services.

The maladministration I identified in relation to planning issues was systemic and widespread within the department. This is not to say that every complaint I investigated resulted in a finding of fault, many did not. I have been greatly encouraged by the Council's actions to address these problems over recent months and impressed by the openness of your Council and willingness to tackle the issues. I wait with interest to see if this results in a further drop not just in planning complaints but, more importantly, in the number of findings of maladministration.

### ***Decisions***

In addition to the 10 decisions reported on or settled locally, I made 26 decisions. The total number of decisions, 36, differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 26 decisions: one complaint was outside my jurisdiction, five I exercised discretion not to investigate, in 10 I found no evidence of maladministration and 10 were 'premature' (in our view the Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

Notwithstanding my earlier comment about planning matters, I did not identify systemic problems across your Council that gave cause for concern, although a feature of many of the settled complaints was delay or failure to keep complainants informed.

### ***Other findings***

As you are aware, we ask for comprehensive responses to our enquiries within 28 days; your Council responded in a little over 41 days on average. High as this figure is, it is a fall of nine on the previous year. This fall is welcomed, especially as I know the Council has made considerable efforts to improve liaison and complaint handling arrangements. I am grateful to your Council for its cooperation in this respect.

## **Your Council's complaints procedure and handling of complaints**

Your Council has demonstrated a renewed commitment to customer service and effective complaint handling over the last twelve months. It has reviewed complaint handling procedures and received training from the LGO in effective complaint handling.

The information your Council publishes about how to make complaints is readily accessible and I am pleased to see that in responses to complainants you make direct reference to the LGO.

### **Training in complaint handling**

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training 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 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 poor response times your Council achieved last year do not reflect the positive and professional liaison arrangements that you have put in place. The staff appointed to act as our liaison point are helpful and responsive to our requests.

Significantly for me, my staff have noticed a more proactive approach in recent months from staff at all levels and across departments in your Council. This is perhaps best illustrated by a number of investigations early in the New Year. One of my investigators investigated a batch of planning complaints in a different way to the approach we normally take. This enabled us to deal with a large proportion of them quickly and to take a wider overview of the new processes the Council was putting in place. I am grateful to your Council for this level of cooperation.

### **LGO developments**

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and discuss with you the implications for the Council.

I hope you have received our latest special report about telecommunications masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

## **Conclusions and general observations**

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex  
Local Government Ombudsman  
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York  
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**June 2007**

Encs: Statistical data  
Note on interpretation of statistics  
Leaflet on training courses (with posted copy only)

<b>Complaints received by subject area</b>	<b>Benefits</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	4	2	15	0	2	<b>23</b>
<b>2005 / 2006</b>	1	3	5	23	2	1	<b>35</b>
<b>2004 / 2005</b>	1	5	15	12	1	3	<b>37</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	2	8	0	0	10	5	1	10	26	<b>36</b>
<b>2005 / 2006</b>	6	4	0	0	4	4	5	4	23	<b>27</b>
<b>2004 / 2005</b>	0	10	0	0	4	4	5	9	23	<b>32</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	11	41.1
<b>2005 / 2006</b>	13	52.0
<b>2004 / 2005</b>	21	38.8

**Average local authority response times 01/04/2006 to 31/03/2007**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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