



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
South Derbyshire 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

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

We received 12 complaints about your Council during 2006/07, an increase on the five received in 2005/06 and close to the 2004/05 figure. The number of complaints is too small to be able to draw meaningful conclusions about the types of complaint received, which are spread evenly across the subject areas.

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.

We did not issue any reports about your Council during 2006/07. There were two local settlements. One resulted in the reinstatement of a garden gate and an apology for the wording of a letter to a couple involved in a neighbour dispute. The second settlement involved the Council agreeing to enclose a passageway at the entry to sheltered council flats to stop non-residents causing a nuisance there.

Your Council's complaints procedure and handling of complaints

Your Council averaged 17.7 days to respond to our initial enquiries, a quicker response rate than the previous year and well within the 28 day target. This continues to compare well with other district councils, 48.9% of which responded in 28 days or less. Speed of response is important in enabling me to provide a good quality service to complainants.

We made ten decisions during the year, of which four (40%) were that the complaint was premature, because the Council had not had a reasonable opportunity to respond to the issue. Of the complaints decided, one was a resubmitted premature complaint where the complainant was unhappy with the Council's response. This complaint was not upheld.

I welcome the Council fully reviewing its complaints procedure during the year to meet the recommendations of the Local Government Ombudsman in our guidance on running a complaints procedure.

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.

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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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 | 2 | 5 | 2 | 1 | 12 |
| 2005 / 2006 | 1 | 1 | 1 | 2 | 0 | 0 | 5 |
| 2004 / 2005 | 1 | 3 | 2 | 7 | 0 | 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 | 2 | 0 | 0 | 0 | 0 | 4 | 4 | 6 | 10 |
| 2005 / 2006 | 0 | 0 | 0 | 0 | 2 | 2 | 3 | 0 | 7 | 7 |
| 2004 / 2005 | 0 | 2 | 0 | 0 | 1 | 1 | 1 | 4 | 5 | 9 |

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 | 17.7 |
| 2005 / 2006 | 6 | 19.0 |
| 2004 / 2005 | 4 | 18.0 |

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 |