



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Stroud 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 Stroud District Council 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

We received 16 complaints against your Council in the 12 months ending 31 March 2007, five fewer than last year. I expect to see these fluctuations year on year and consider the number of complaints to be low given the number of service users in your area.

Character

The complaints spanned the full range of Council services, with complaints about planning decisions (five) forming the largest group. The profile of the complaints we received is what we would expect from a District Council.

Decisions on complaints

Reports and 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.

We did not issue any reports against your Council in the period and your Council settled two complaints. The first was about a failure to enforce a breach of condition for the change of use of a building that was being used as a hostel to house foreign workers. Your Council considered that it was not expedient to take enforcement action but took six months to reach that decision. You apologised promptly to the complainant and I treated the complaint as settled on that basis. In the second complaint your Council indicated to a resident that she might be entitled to a substantial home improvement grant when she clearly was not. The calculation of her entitlement had been incorrect and caused her to spend a substantial amount of time involving herself in a process she had little chance of benefiting from. Your Council recognised this and agreed to pay her £800 compensation.

Other findings

We did not uphold 15 other complaints against your Council. In six of these we found that there was no maladministration and in a further four we exercised our general discretion not to uphold the complaints in the particular circumstances of the case. One complaint was outside our jurisdiction and four were premature.

Your Council's complaints procedure and handling of complaints

I am pleased to see that the number of premature complaints fell from seven last year to four this year. This suggests that residents are more likely to complain to you before approaching me.

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. 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 average time taken by your Council to respond to our enquiries increased from 26 days to 30 days in the period. This is slightly longer than the 28 days we give councils to respond. I know that your Council is concerned about the decline in its performance in this area and understand that it is primarily due to the time taken by the Housing Department to provide information.

My staff have a very good working relationship with your officers and my Assistant Ombudsman visited your offices on 26 October 2006 to present last year's annual letter. I hope that you, your senior officers and Members found this helpful.

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.

J R White
Local Government Ombudsman
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Westwood Business Park
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June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

| Complaints received by subject area | Benefits | Housing | Other | Planning & building control | Public finance | Transport and highways | Total |
|--|-----------------|----------------|--------------|--|-----------------------|-------------------------------|--------------|
| 01/04/2006 - 31/03/2007 | 1 | 2 | 5 | 5 | 2 | 1 | 16 |
| 2005 / 2006 | 2 | 5 | 5 | 8 | 1 | 0 | 21 |
| 2004 / 2005 | 0 | 2 | 0 | 5 | 0 | 0 | 7 |

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 | 6 | 4 | 1 | 4 | 13 | 17 |
| 2005 / 2006 | 0 | 2 | 0 | 0 | 5 | 1 | 2 | 7 | 10 | 17 |
| 2004 / 2005 | 1 | 1 | 0 | 0 | 1 | 3 | 0 | 1 | 6 | 7 |

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 | 10 | 30.0 |
| 2005 / 2006 | 6 | 26.0 |
| 2004 / 2005 | 5 | 20.2 |

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 |