



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Taunton Deane 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

The aim of the annual letter is to provide a summary of information on the complaints about Taunton Deane Borough 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 20 complaints during the year, a reduction on the 28 received in the previous year. We expect the number of complaints to vary from year to year. But this does seem to be a trend of fewer complaints needing to reach me, and that is to be welcomed.

Character

Eight complaints were received about planning, and two about housing. Of the seven complaints in the 'other' category, three were about land, one about environmental health and one about anti-social behaviour. Two complaints were received about transport and highways, and one about housing benefit.

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.

Four complaints were settled locally. In one complaint the Council stored the complainant's belongings following an eviction from their flat and then disposed of the goods. The Council failed to make sufficient effort to contact the complainant before destroying the property and it did not properly explain what would happen if she did not collect her goods. The complainant was caused avoidable distress. The Council agreed to pay £1,000 and wrote off outstanding rent arrears of £827.90.

The next two complaints concerned the management of Council tenancies. In one the Council unreasonably continued to make support charges for a lifeline alarm system even though the complainant did not require the service and did not receive it. There were also inconsistencies in the way the Council dealt with the issue and shortcomings in the complaint process. The Council agreed to pay the complainant £500. It was also proposed to undertake a review of the Council's complaints procedure and to use the complaint as a case study. The Council reported that it planned to withdraw the current hardwired alarm service and offer a new service if tenants wished to make use of it.

In the second complaint about managing tenancies the Council failed to share information between departments on a change of address and so delayed and confused the recovery of outstanding garage charges. The Council agreed to apologise and cancel the debt and I considered that provided a satisfactory outcome of the complaint.

The final complaint concerned private housing grants. The Council failed to inform the complainant that he could make a claim for support charges benefit when he became unemployed. The Council accepted that had he claimed he would have been entitled to this benefit. The Council agreed to refund the support charges and pay £100.

I am grateful to the Council for its help in providing appropriate redress to complainants once it can be shown that things have gone wrong. A total of £2,425 compensation was paid in response to complaints brought to my attention.

I issued no reports against the Council during the year.

Other findings

Twenty two complaints were decided during the year. Of these one was outside my jurisdiction to investigate. Four complaints were premature and, as I mentioned earlier, four were settled locally. The remaining thirteen were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them. That was mainly because I considered no significant injustice resulted from the fault alleged.

Your Council's complaints procedure and handling of complaints

The number of premature complaints (four) is relatively low when set against the number of incoming complaints (twenty). This suggests that the Council's complaints process is accessible to customers and that staff, when dealing with requests for assistance, signpost the complaints process for those who remain unhappy with what the Council has done.

Of the four complaints referred back to you as premature, only one was resubmitted and it was not upheld.

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 can 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.

If we can provide any further training for you please let Barbara Hedley, Assistant Ombudsman, know.

It was useful to have an opportunity to discuss our draft guidance on handling unreasonably persistent complainants at the Regional Seminar held in Somerset in October 2006. I am pleased to inform you that in the light of the seminar and comments received, the guidance has been revised and is now available on our website. I was pleased so many Councillors and officers were able to attend.

Liaison with the Local Government Ombudsman

We made enquiries on thirteen complaints this year, and the average time for responding was 35.9 days, a significant reduction on the 44.9 days it took last year. But our target is 28 days and an increasing number of Councils are achieving it. The Council is still short of reaching this target, particularly with responses to planning complaints where the average response time is 46.8 days with one complaint taking 70 days. These response times are not acceptable. I have no doubt that the way my enquiries are dealt with by the Council could continue to be improved. I trust that the Council will continue to improve its response times in the year to come.

No one from the Council has attended the annual link officer seminar recently and you may wish to consider sending someone to the seminar to be held later in November. If so, please let Barbara Hedley, Assistant Ombudsman, know and she will arrange for an invitation to be sent.

If it would help for Barbara Hedley to visit the Council to present this letter or to give a presentation about how we investigate complaints I 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 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
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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	8	8	0	2	21
2005 / 2006	2	5	1	18	0	2	28
2004 / 2005	3	5	4	19	2	1	34

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	4	0	0	10	3	1	4	18	22
2005 / 2006	0	2	0	0	12	4	2	7	20	27
2004 / 2005	0	2	0	0	5	9	2	11	18	29

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	14	37.6
2005 / 2006	13	44.9
2004 / 2005	16	40.0

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