



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Thanet 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 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**

In 2006/7 I received 66 complaints against your authority, compared with 51 in the previous year.

This increase was largely accounted for by a rise in complaints about planning and building control. I am aware that there is much development taking place in the area and this in itself may well prompt complaints. But the Council may wish to consider if there are any other reasons for this increase. The distribution of other complaints was broadly similar to the previous year.

## **Decisions on complaints**

During the year we made decisions on 62 complaints against your authority. We found no maladministration in 14 complaints and we exercised discretion to close a further 8 without requiring any action by the Council. We found that 6 were outside jurisdiction.

## ***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.

### ***Reports***

I issued a report on four complaints against your Council. They all concerned the Council's incorrect description of a development and its failure to include an accurate planning history in the report it prepared when deciding the application under delegated powers. The Council agreed with my proposal to pay £500 to each of the complainants by way of compensation.

### ***Local settlements***

My office settled ten other complaints resulting in compensation of £4200. I give details of some of the settlements below.

One complaint concerned the Council's failure to inform an applicant for a tourism and leisure grant that a revised scheme did not meet the criteria for funding. Although there was delay and a failure to respond to the applicant's requests for information, the Strategic Finance Director took quick action once she became involved. The Council was also willing to try to resolve the complaint. In the end the Council paid £2500 in compensation to the applicant to recognise the difficulties its actions had caused him.

Five other complaints concerned planning issues, including a failure to consider properly enforcement action; inadequate consideration of neighbouring owners' amenity and inadequate information on the Council's website as a result of which the complainant lost the opportunity to comment on a listed building consent application. The Council paid compensation totalling £1600. It has improved its procedures to ensure documents are scanned properly onto its website.

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

My office referred 20 'premature complaints' to your authority for consideration, as we did not think you had had sufficient opportunity to deal with them through your own procedures. At 32% of all decisions this is slightly above the national average.

Eight premature complaints were resubmitted to me during the period. One was outside my jurisdiction and the remaining seven were not yet decided at the end of the year.

I am not aware of any particular problems in the way the Council is dealing with complaints through its own procedure.

### **Training in complaint handling**

As you know part of our role in providing advice on good administrative practice involves offering training courses for all levels of local authority staff in complaints handling and investigation. Your staff have received training in the past and 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 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 target time for councils to respond when we make enquiries is 28 days. Your Council's average response time was nearly 35 days, an increase on last year's average of 25 days despite a fall in the number of enquiries being made. This average is partly explained by four cases where the initial response took an unusually long time. However I hope that in the coming year the Council is able to reduce this average time to meet my target.

My Investigators inform me that the quality of your responses is good. More generally I welcome the Council's willingness to agree to settlements and to implement changes in its procedures. My Investigators have received considerable assistance from senior Council staff, particularly in relation to complaints which have raised complex issues.

I was pleased to visit the Council's offices last May to meet senior Council officers and leading Members. I value the opportunity that meetings such as these provide for our respective organisations to exchange views and information.

## **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.

## **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.

**Tony Redmond**  
**Local Government Ombudsman**  
**10<sup>th</sup> Floor**  
**Millbank Tower**  
**Millbank**  
**LONDON SW1P 4QP**

**June 2007**

Enc: 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>	7	7	13	32	4	3	<b>66</b>
<b>2005 / 2006</b>	6	5	12	21	4	3	<b>51</b>
<b>2004 / 2005</b>	2	6	15	26	3	1	<b>53</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>	4	10	0	0	14	8	6	20	42	<b>62</b>
<b>2005 / 2006</b>	0	5	0	0	22	7	4	10	38	<b>48</b>
<b>2004 / 2005</b>	2	1	0	0	16	5	4	13	28	<b>41</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>	13	35.1
<b>2005 / 2006</b>	30	24.8
<b>2004 / 2005</b>	13	37.0

**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