



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Thurrock 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 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

I received 51 complaints against your authority in 2006/07, a small increase compared to the previous year. The distribution of complaints across the main service delivery areas remains broadly the same.

Decisions on complaints

During the year my office made decisions on 46 complaints against your authority. We found no maladministration in nine complaints and we exercised discretion to close a further eight without requiring any action by the Council. We found that seven 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.

Report

I issued one report against your Council last year about a homelessness case. The Council failed to investigate properly three homelessness applications from a pregnant woman who had fled domestic violence. I recommended that the Council apologise to the complainant, pay her £2,250 compensation and review its training for front-line staff to ensure they have a sound grasp and understanding of homelessness law and practice. I was pleased that the Council accepted my findings and implemented my recommendations. It has agreed to conduct a review of its procedures, working practices and case recording to prevent these problems occurring again. I would be grateful if the Council could let me know the outcome of its review.

Local settlements

We settled six complaints, leading to a total of £1,650 compensation being paid to complainants.

Three of these complaints were about the way the Council dealt with breaches of planning control. One concerned the Council's failure to take enforcement action regarding the unauthorised use of a garage for residential purposes. The Council agreed to settle the complaint by serving a suitable enforcement notice. A second was about the Council's delay in dealing with the unauthorised use of green belt land next to the complainant's home. The site was used for the breaking and storage of motor vehicles. The complainant experienced 18 months of uncertainty while overlooking an eyesore. The Council settled the complaint by taking enforcement action and paying £900 compensation.

The third concerned delay by the Council in explaining to the complainant whether or not it would seek to enforce the replacement of trees that had been removed due to disease. The Council paid £200 to the complainant and agreed to monitor the replanting that in the event took place.

One complaint concerned the Council's failure to consult an adjacent neighbour about a planning application. The Council agreed to pay £500 to the complainant to compensate him for the lost opportunity to comment on the development and it is now reviewing its neighbour notification process. It will be helpful to know the outcome of this in due course.

One complaint concerned 18 months delay by the Council in taking action about high hedges next to the complainant's house. The Council had already refunded the fee the complainants had paid for it to investigate their high hedges complaint and it also agreed to pay £50 for their time and trouble in making the complaint.

The final complaint was about irrelevant information that a schools admissions appeal panel may have taken account of when considering an appeal. The Council settled the complaint by agreeing to admit the pupil to the school in question.

Other findings

A complainant alleged that the Council had not credited a council tax payment that she had made by using the Council's hand till system. We did not uphold the complaint but nevertheless raised concerns about the Council's recording of payments made via the hand till. We asked the Council to review its use of this system. I would be interested to know the outcome of this review.

Your Council's complaints procedure and handling of complaints

My office referred 15 '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.

Five premature complaints were resubmitted to me during the period as the complainants were not satisfied with the Council's response. I found no evidence of fault in one of these cases; the other four were not decided at the end of the year in question.

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 now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. 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 to our enquiries is 28 calendar days. Your Council's average response time was 26.8 days, an increase compared with the previous year but still within my target time.

We now carry out most of our correspondence by email and I note that the Council responds to enquiries by email. I do not yet have dedicated email contact for our enquiries and it would be helpful if you could let me know if the Council has set this up.

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.

Tony Redmond
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	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	2	2	1	4	11	15	11	4	0	1	51
2005 / 2006	2	5	0	4	15	4	11	3	0	3	47
2004 / 2005	1	1	3	4	12	14	6	4	2	3	50

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	1	6	0	0	9	8	7	15	31	46
2005 / 2006	0	2	0	0	6	7	12	20	27	47
2004 / 2005	0	3	0	0	23	3	9	16	38	54

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	19	26.8
2005 / 2006	13	21.5
2004 / 2005	21	25.9

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