



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Tynedale 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

Volume

Last year 14 complaints were received against the Council, some ten more than the previous year.

Character

Six of the complaints received were about planning and building control, which was twice as many as those received in the previous year (3). While no complaints were received about housing in that year, four complaints were received last year. Similarly, while no complaints were received about transport and highways in either of the two previous years, three complaints were received last year.

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.

Last year the Council agreed to locally settle one complaint where it had failed to take into account the impact on the complainant's property of a garage with a window overlooking the complainant's property. The Council agreed to pay £250 to the complainant's mother to recognise her anxiety and the time and trouble taken by the complainant in making the complaint.

When we complete an investigation we must issue a report.

During the two previous years I had no cause to issue a report critical of the Council, but last year I did so. The complaint was about the way the Council considered a planning application to change the use of an agricultural building to a dwelling, which had originally proposed to erect a nine metre high domestic wind turbine in an area of outstanding natural beauty (AONB), to avoid the need to mount 1600 metres of power line upon 12 poles which would both have reduced the amenity of the AONB, and presented a danger to wildlife. Believing that the developer would proceed with the wind turbine, the Council did not take the precaution of placing a condition upon the development requiring any power lines to be placed underground. When the developer chose not to install a wind turbine, and instead to install power lines upon poles across the AONB, the Council was powerless. I have recommended that the Council should negotiate with the developer and the power supply company to remove the overhead lines and to install, at the Council's expense, the promised wind turbine. Otherwise the Council should negotiate with both parties to ensure that the power supply is removed from the 12 poles and placed underground, again at the Council's expense. The Council is still considering that recommendation.

Other findings

Decisions were taken upon 12 complaints last year, though the majority of these were premature complaints in the sense that the Council had not yet had a proper opportunity to consider and respond to those complaints as is required by law.

Your Council's complaints procedure and handling of complaints

I am pleased to note that in addition to clearly outlining its own complaints procedure upon the Council's website, there is a clear and direct link to the Commission's own website, so that those complainants initially disappointed by the Council's response through its complaints procedure, may choose to progress their complaint through the Commission's complaints procedure instead.

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.

I am pleased to note that Tynedale, like other Northumberland councils, is considering the possibility of a training course run for the collective benefit of Northumberland councils, and I hope that this may come to fruition during the coming year.

Liaison with the Local Government Ombudsman

Last year the Council responded to the two complaints upon which enquiries were made, within an average time of 31 calendar days. This is longer than in either of the two previous years, and is now beyond the Commission's new target of 28 calendar days. I am hopeful that during the current year, the Council will once more return to providing such responses within 28 calendar days.

During the year you welcomed the Assistant Ombudsman who now leads the team of investigators dealing with complaints against your Council. This visit was a useful opportunity to explain changes within the Commission's structure, procedures and objectives; discuss complaints; consider training and to meet the staff who deal with our enquiries. I hope that the relationship will continue to be constructive.

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
Beverley House
17 Shipton Road
YORK
YO30 5FZ**

June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	4	1	6	0	3	14
2005 / 2006	0	1	3	0	0	4
2004 / 2005	1	1	7	1	0	10

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

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	2	31.0
2005 / 2006	2	26.5
2004 / 2005	5	16.2

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