



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter West Berkshire 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 a total of 31 complaints against your Council this year, which is on a par with the number received in the two previous years; 32 in 2004/2005 and 30 last year.

This year the highest number of complaints (13) was in the category of planning and building control and all of them were about either planning applications or planning enforcement. Seven complaints were about transport and highways. In the category of public finance there were six complaints, all about local taxation.

Decisions on complaints

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.

I have made 33 decisions on complaints against your Council this year. Some of these complaints were received in the previous year. I did not publish a report and only three complaints were decided as local settlements involving compensation totalling around £1,500.

One local settlement was of a complaint about a planning enforcement matter. In another case the complainant was given wrong information about the ownership of land and erected a fence, which she then was asked to remove by the highway authority. Your Council agreed to instruct officers to make separate checks on land owned by the Council rather than relying on the computer record. It would be helpful if you could confirm the procedure is now being followed. The third local settlement was of a council tax complaint in which the complainant was wrongly sent a summons.

Your Council's complaints procedure and handling of complaints

Three complaints were sent back to the Council to deal with through its own complaints procedure. I decided one complaint which had previously been referred back to the Council in this way. I upheld that complaint, which was the local settlement about the council summons which had been sent in error.

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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 Council took 29.5 days on average to respond to our initial enquiries. This is a significant improvement on the previous year, when you took on average just under 40 days. I should like to thank you and your staff for this improvement which assists us in dealing promptly with complaints. I hope that in the current year the Council is able to meet the target timescale which I set of 28 days.

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. The level of complaints received about your Council is unchanged, and only three have been upheld this year which is an encouraging picture.

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	Education	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	3	0	1	13	6	7	31
2005 / 2006	1	3	2	6	13	2	3	30
2004 / 2005	0	0	3	0	16	8	5	32

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	3	0	0	19	3	5	3	30	33
2005 / 2006	0	2	0	0	10	6	5	6	23	29
2004 / 2005	0	4	0	0	10	7	3	7	24	31

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	11	29.5
2005 / 2006	8	39.8
2004 / 2005	11	22.5

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