

# Local Government OMBUDSMAN

## **The Local Government Ombudsman's Annual Letter Bedford Borough Council for the year ended 31 March 2008**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction**

This annual letter provides a summary of the complaints we have received about Bedford Borough Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can 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***

We received 23 complaints during the year. While this is an increase from the previous year, numbers can fluctuate considerably year on year where the total number of complaints is quite small.

### ***Character***

Eight complaints related to planning and building control and six were about housing. Seven related to benefits, one was about transport and highways, and the remaining complaint was classed as 'other', and was about contracts and business matters.

## **Decisions on complaints**

### ***Reports and local settlements***

When we complete an investigation we issue a report. I did not issue any reports against your Council in the year 2007-08.

A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued. In 2007/08 the Local Government Ombudsmen determined some 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

One complaint was settled locally this year. The Council accepted that it had delayed in telling the complainant that his planning application was a matter for the County Council, and agreed to pay the complainant £100 for his time and trouble. I am grateful that the Council was able to settle this complaint.

### ***Other findings***

Twenty complaints were decided during the year. Of these, one was outside my jurisdiction as the complainant had a right of appeal to a tribunal. Four were premature and, as I mentioned above, one was settled locally. Of the remaining fourteen, eight were not pursued because no evidence of maladministration could be seen. In a further six cases I exercised my discretion not to pursue the complaint further mainly because no significant injustice flowed from the fault alleged.

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

The number of premature complaints (four) is the same as last year and is below the national average of 27%. The Council advertises its complaints procedure clearly on its website and allows

complainants to submit complaints on-line. I am pleased to note that the website contains information about the Commission's website to assist complainants.

### **Liaison with the Local Government Ombudsman**

We made enquiries on 10 complaints this year and the average time for responding was 36.2 days. This is an increase on last year's commendable average of 23 days and falls short of our target time of 28 days. The Council's responses are generally comprehensive and I hope that the increased use of email and scanned documents will enable the Council to improve its response times in the coming year.

I trust that the re-organisation of local government in Bedfordshire will not disrupt the smooth handling of complaints. Please let me know if we can be of assistance to you here.

### **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. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are very positive.

The range of courses is expanding in response to demand. 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 different 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.

### **LGO developments**

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, have dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. I would appreciate your feedback on these, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships your Council has set up.

## **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**  
**Local Government Ombudsman**

**The Oaks No2**  
**Westwood Way**  
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**18 June 2008**

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

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	7	6	1	8	0	1	23
2006 / 2007	2	0	2	8	1	2	15
2005 / 2006	2	0	3	4	2	0	11

**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
01/04/2007 - 31/03/2008	0	1	0	0	8	6	1	4	16	20
2006 / 2007	0	0	0	0	5	6	5	4	16	20
2005 / 2006	1	2	0	0	3	1	1	0	8	8

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
01/04/2007 - 31/03/2008	10	36.2
2006 / 2007	3	23.0
2005 / 2006	6	26.7

**Average local authority response times 01/04/2007 to 31/03/2008**

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0