

Local Government OMBUDSMAN

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

Cannock Chase District 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 Cannock Chase District 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

I received 18 complaints against your Council this year, six fewer than last year. We expect to see these fluctuations and I see nothing significant in the fall.

Character

The number of complaints about planning and building control fell from 14 last year to four. Three complaints were received about housing matters, two about public finance and one each about benefits and adult care services. In the other category, three complaints were about leisure and culture, two about land and one each about disposal on death and environmental health.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no reports against your Council this year.

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).

Two complaints were settled locally this year.

Confusion about whether the County Council or the District Council was responsible for an alleyway which was subject to antisocial behaviour problems led to delays in the complainant being able to apply for a gating order. Your Council agreed to pay the complainant £250 for its contribution to the problem. The County Council made a similar payment and agreed to introduce a new procedure for applying for gating orders.

A complaint about environmental health issues was settled by an agreement, reached through mediation, to enable the complainant to channel any future concerns in an agreed and appropriate way.

Other findings

Of the 16 complaints decided this year, six were referred back to your Council as premature for consideration under the Council's complaints procedure.

Two complaints were outside my jurisdiction and the remaining six complaints were not pursued either because no evidence of maladministration was seen or for other reasons, mainly that significant injustice did not flow from the fault alleged.

Your Council's complaints procedure and handling of complaints

The six premature complaints represent just over a third of all complaints decided. This is slightly higher than the national average, which this year is 27%. The situation was similar last year and I suggested that a review of the accessibility of the complaints procedure might be timely. I know your Council intended to follow up this suggestion and it is unfortunate that there has been no obvious improvement. I know your Council will continue to seek to secure improvements in this area.

Of those six complaints, five were resubmitted to me later in the year. Three complaints were not pursued for a variety of reasons, one was settled locally and one had not been determined by the end of the year.

Liaison with the Local Government Ombudsman

I made enquiries about six complaints this year and your Council's average response time was 41 days. While this is an improvement on last year's average of 48 days, it is the seventh year running where the Council has failed to meet my target time for responses, now set at 28 days.

When the individual cases are examined it is clear that two responses which were received on the day that enquiries were made (adult care services and disposal on death) significantly skewed the average. If these two complaints are discounted, the Council's average response time for the remaining four complaints was 61 days. Three planning and building control enquiries were made and response times were 50, 53 and 73 days respectively. In a complaint about leisure and culture the Council's response took 68 days. This is unacceptable to me, causes additional frustration for the complainant, and damages the credibility of the Council's response when it does eventually arrive.

Last year your Council recognised that its response times were unacceptable and undertook to work to meet the target. I am sure you will agree that much more needs to be done in this area and I hope to see progress during the year.

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
Westwood Business Park
Coventry CV4 8JB

June 2008

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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	1	1	3	7	4	2	0	18
2006 / 2007	0	0	3	5	14	0	2	24
2005 / 2006	0	0	4	6	2	1	0	13

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	2	0	0	4	2	2	6	10	16
2006 / 2007	0	1	0	0	3	12	1	7	17	24
2005 / 2006	0	1	0	0	12	4	1	4	18	22

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	6	40.8
2006 / 2007	8	47.9
2005 / 2006	4	33.8

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