

Local Government  
**OMBUDSMAN**

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

**Chester City 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 received about Chester City Council and comments on the authority's performance and complaint-handling arrangements.

As a result of the Secretary of State's decision on the future structure of local government in Cheshire this is the last Annual Letter that I shall be sending to the Council. I should like to take this opportunity of thanking all the members and officers who have dealt with my office for their courtesy and co-operation and wish you well for the future.

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 16 complaints between 1 April 2007 and 31 March 2008 compared with 23 received during the previous year. The numbers are too small to enable me to offer any meaningful observations although I do note that the drop in complaints overall was made up almost entirely by a drop in the number of complaints about planning and building control complaints. This will, I am sure, please the Council.

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

Last year I reported that the Council had taken far longer than in previous years to reply to enquiries from my office and I asked the Council to look carefully into the causes of this decline. I am sorry to have to write this year that things have actually got worse with the Council, this year, taking 40 days on average to reply to my enquiries. I ask all councils to reply to me within 28 calendar days and I am disappointed that the Council has not been able to improve on its performance in this regard. The average time is of course distorted by some complaints which are complex and do require more time but in fact the Council was able to respond to me within 28 days on only two occasions, every other response taking considerably longer. I am of course aware of the planned re-organisation of local government in Cheshire and I understand the impact this will have had upon your officers but I would ask you, for the sake of complainants who deserve better, to seek to ensure that your responses to me in the coming year reach me within 28 days.

## **Decisions on complaints**

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. In 2007/08 the Local Government Ombudsmen determined 27% [a total of a little under 2940] 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). If an investigation is completed I issue a public report.

I issued no reports against the Council in the last year. I determined 20 complaints in total but of these 7 were premature in my view and sent to you for consideration under the Council's internal complaints procedure. Of the remaining 13 complaints I found no evidence of maladministration in 7 cases and I exercised my discretion not to pursue 3 others. One complaint was outside of my jurisdiction. The Council agreed to settle two complaints accepting in both cases that the complaint had suffered some injustice as a direct consequence of something going wrong. In each of these cases, both planning matters, the response of the Council was positive and I give it credit for this.

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

I have no reason to be concerned about the way in which the Council deals with complaints from members of the public through its internal complaints procedure.

### **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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction. We will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities. Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

I enclose 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, has 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'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

## **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  
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**June 2008**

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

Complaints received by subject area	Benefits	Children and family services	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	2	0	0	5	8	0	1	16
2006 / 2007	0	1	0	5	15	1	1	23
2005 / 2006	1	0	1	9	11	0	2	24

**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	7	3	1	7	13	20
2006 / 2007	0	0	0	0	9	1	4	4	14	18
2005 / 2006	0	3	0	0	7	4	2	9	16	25

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	9	40.0
2006 / 2007	8	39.3
2005 / 2006	8	21.0

**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