

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

Chesterfield 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 received about Chesterfield Borough Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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

During 2007/08 we received 25 complaints about your Council, 13 less than the previous year and close to the number in 2005/06. There were reductions in complaints about planning and building control, other and housing and increases in those about public finance and transport and highways. This is a normal level of variation in complaint numbers and types over time.

Liaison with the Local Government Ombudsman

There were some problems with liaison arrangements between the Council and my office during the year, particularly with correspondence not being passed on within the Council leading to delays in responding to enquiries. I am pleased that action has been taken to resolve these issues and I hope they will not recur in the future.

We made 18 first enquiries of your Council during the year and it took an average of 33.2 days to respond, compared to the target of 28 days. This is slower than last year when the average was 27.7 days. The average figure is distorted by 3 complaints which took 89, 63 and 62 days for the Council to respond to. Speed of response is important in ensuring that we can provide a quality service to complainants.

Decisions on complaints

Reports and local settlements

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% 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.

As in the previous two years, we did not issue any reports about your Council during 2007/08. Ten complaints resulted in local settlements, 31% of all the substantive complaints we considered. The comparable figure last year was 23%. The local settlements led to payments of £3,435. One complaint involved delay in taking action on serious neighbour nuisance, failure to follow policies and procedure, a lack of adequate support and inadequate inter-agency and inter-department co-ordination. The Council offered an unreserved apology, agreed to pay £2,000 to the complainant and to review its policy and information collection practice. Another complaint highlighted flaws in the how the Council dealt with noise nuisance from a public house. This resulted in a review of policy and procedures and a payment of £350.

Your Council's complaints procedure and handling of complaints

We decided 39 complaints during the year. Of these 7 (18%) were premature, that is the Council had not had a reasonable opportunity to respond to the complaint. Eleven of the complaints decided (28%) were resubmitted premature complaints where the complainant was unhappy with the Council's response. Six of these complaints (55%) resulted in a local settlement, compared to the national figure of 21%. Although only a small number of complaints are involved, the Council may want to consider if work is required to improve the way that it deals with complaints and whether to take advantage of the training we offer.

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.

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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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	0	6	7	7	4	1	25
2006 / 2007	0	10	12	16	0	0	38
2005 / 2006	3	3	12	8	0	0	26

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	10	0	0	19	3	0	7	32	39
2006 / 2007	0	3	0	0	7	3	1	10	14	24
2005 / 2006	0	3	0	0	8	5	2	7	18	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	18	33.2
2006 / 2007	10	27.7
2005 / 2006	7	22.7

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