

**The Local Government Ombudsman's  
Annual Letter  
Easington 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 received about Easington District Council and comments on the authority's performance and complaint-handling arrangements.

As a result of Secretary of State's decisions on the future structure of local government in Durham this is the last Annual Letter that I shall be sending to the Council in its present form. 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**

During the year my office received 31 complaints against the Council a figure slightly lower than, but not inconsistent with, the number of complaints received in previous years. Fourteen of the complaints sent to me during the year concerned planning or building control matters and although the numbers are relatively small [a rise from 6 to 14 when compared with the previous year] the Council might wish to reflect upon possible reasons behind this rise. Of more pressing concern to me is the amount of time taken by the Council to respond to enquiries from my office. I raised this issue with the Council last year, repeating a concern expressed the previous year, but again I have to report that the Council's performance has worsened rather than improved. I ask all councils to respond to my initial enquiries within 28 calendar days. This year the Council took, on average, 48.5 days to respond. More worryingly, given what I say about planning complaints, responses to enquiries made about planning matters took 65 days on average to reach me. Neither I nor my staff have been given any explanation as to why the Council misses what is a reasonable target by such a large margin but yet again I am forced to air this concern with the Council and yet again ask it to make greater efforts to respond to my enquiries in a more timely manner. If there are difficulties and you feel that I can be of assistance do please let me know.

## **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 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 during the year.

### ***Other findings***

I determined 38 complaints against the Council during the year, a figure which differs from the number of complaints I received simply because of the work in hand at the beginning of the year. Of these complaints, 13 were sent to me prematurely and I sent each one to you with the request that you consider the matter through your internal complaints procedure. In 13 cases I found no evidence of maladministration by the Council while in 4 cases I exercised my general discretion not to pursue the complaint. Two other complaints were outside of my jurisdiction. The Council agreed to settle 6 complaints and I give the Council credit for it's willingness to accept that something had gone wrong and that the complainants were entitled to some form of remedy.

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

No issues have been raised with me during the year to suggest that there are any problems with the way in which the Council handles complaints made to it by members of the public.

## **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**  
**Beverley House**  
**17 Shipton Road**  
**YORK**  
**YO30 5FZ**

**June 2008**

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

<b>Complaints received by subject area</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	8	8	14	0	1	<b>31</b>
<b>2006 / 2007</b>	19	12	6	2	1	<b>40</b>
<b>2005 / 2006</b>	15	13	3	4	1	<b>36</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	0	6	0	0	13	4	2	13	25	<b>38</b>
<b>2006 / 2007</b>	0	7	0	0	3	5	1	17	16	<b>33</b>
<b>2005 / 2006</b>	0	12	0	0	8	1	2	12	23	<b>35</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2007 - 31/03/2008</b>	11	48.5
<b>2006 / 2007</b>	15	42.6
<b>2005 / 2006</b>	21	41.1

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt; = 36 days %</b>
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