

Local Government
OMBUDSMAN

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

We received 25 complaints against the Council which is the same as the number received in each of the preceding two years.

This year the number of complaints about planning fell to two (down from eight the previous year) but there was an increase in the number of complaints about housing to nine (up from two in each of the two previous years). Seven of these complaints were about housing repairs.

There was also a reduction in the number of complaints about benefits to three (down from five).

Our figures show two complaints about Highways but these relate to a single issue and are recorded as two complaints because we originally referred the complaint to the Council to consider under its complaints procedure and a fresh complaint was received when the complainant was not satisfied with the Council's response.

Decisions on complaints

During the year we decided 25 complaints.

Reports and local settlements

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.

None of the complaints we investigated this year justified the issue of a report. We decided three complaints as local settlements, as follows:

- a delay in dealing with a claim for housing benefit was resolved by an apology and payment of £120 compensation;
- a complaint about delay in dealing with repairs to a garage roof resulting in damage to the tenant's possessions was resolved by the Council carrying out repair work and paying compensation of £550 plus a partial reduction in rent;
- a complaint about delays in arranging appointments to inspect a property and remove rubbish had been partially resolved by the time we investigated it and we felt the Council's offer of £50 compensation was appropriate. The Council agreed to make another appointment and also offered to turf part of the garden.

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Other findings

Four complaints were about matters that fell outside my jurisdiction but one revealed concerns about the way the council tax department dealt with correspondence and so I raised this issue in my decision letter. I was pleased to receive a reply confirming that a manager had been appointed to oversee council tax and benefits and that one of the manager's roles will be to look at the handling of correspondence and continuity of service when staff leave or change jobs. I hope this has addressed this issue.

Your Council's complaints procedure and handling of complaints

During the year we referred six complaints to the Council's complaints procedures because we felt the Council had not had a reasonable opportunity to investigate and respond to the complaints. We decided three complaints which had previously been referred back to the Council in this way but where the complainants came back to us, dissatisfied with the Council's reply. We did not uphold these resubmitted complaints.

Liaison with the Local Government Ombudsman

The Council's average response time to our written enquiries is 26 days. This is slightly longer than last year but it is still within the target timescale we expect councils to meet

In March an Assistant Ombudsman visited the Council and met a number of senior officers. He noted that Eastbourne Homes had secured the release of funding which should result in fewer complaints about disrepair or delays in the decent homes programme. We note with interest that Eastbourne Homes has a three stage complaints procedure culminating in an appeals panel which includes members appointed from the ALMO's Board. The Council has its own two stage complaints procedure which I understand is currently under review. I should be interested to see the outcome of that review in due course.

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 (including yours) 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 now offer these courses specifically for social services staff and a course on reviewing complaints for social care review panel members. 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.

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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'. Again, 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.

Tony Redmond
Local Government Ombudsman
10th floor, Millbank Tower
Millbank
LONDON SW1P 4QP

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	3	9	6	2	3	2	25
2006 / 2007	5	2	7	8	3	0	25
2005 / 2006	9	2	5	5	1	3	25

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	3	0	0	10	2	4	6	19	25
2006 / 2007	0	3	0	0	13	7	5	1	28	29
2005 / 2006	0	2	0	0	8	2	5	5	17	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	10	26.0
2006 / 2007	17	23.9
2005 / 2006	9	30.6

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