

# Local Government OMBUDSMAN

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

## **Hinckley and Bosworth 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 Hinckley and Bosworth 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**

### ***Volume***

Fourteen complaints were received against your Council during the year, three fewer than last year. I expect to see fluctuations like this from year to year.

### ***Character***

Seven complaints, 50% of all those received against your Council, were about planning and building control. Last year complaints in this category accounted for approximately 40% of the total.

Two complaints were about housing and two were about benefits. The remaining three complaints were recorded in the "Other" category. They included one complaint about antisocial behaviour, one about land and one about environmental health.

## **Decisions on 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. 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). When we complete an investigation we issue a report.

I issued no reports against your Council this year.

One complaint, about planning applications was settled locally. When determining a neighbour's planning application, the Council incorrectly took the view that the complainants had extended their property although there was no evidence to support this. While the decision on the planning application was likely to have been the same the complainants were outraged that incorrect information had formed part of the decision making process. The Council paid compensation of £500 to resolve the complaint.

### ***Other findings***

Four complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

I took the view in two cases that the matters complained of were outside my jurisdiction.

In two cases I discontinued the investigation because no evidence of maladministration was seen. In the remaining four cases I used my discretion not to pursue them.

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

The proportion of premature complaints has remained at a similar level to last year, approximately 30% and this is just slightly higher than the national average of 27%. I hope that you will continue to advertise your complaints procedure both within Council offices and on your website.

Of the four premature complaints, none has been resubmitted to me. This suggests that when the complaints were received in your complaints procedure a satisfactory outcome was achieved.

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

I was pleased to give a seminar in February of this year to officers of authorities in the Leicestershire region. I hope those from your authority who were able to attend found it useful.

Last year I commended your Council on its very speedy response times. I am extremely pleased to note that your complaint response times have improved again this year. Enquiries were made on six complaints with an average response time of 22 days. Please pass on my thanks to those officers who have provided such speedy responses.

### **Training in complaint handling**

As you are aware, part of our role is to provide advice and guidance about good administrative practice. Last year's letter offered training to all local authority staff in complaint handling. I am very pleased that your Council took this up and we delivered three courses on Good Complaint Handling during the year to your staff. I hope that you found this useful and that you have been able to incorporate some of the learning into your complaint handling.

We can provide other courses tailored to your needs if this would be helpful. 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  
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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	Total
01/04/2007 - 31/03/2008	2	2	3	7	0	14
2006 / 2007	0	4	5	7	1	17
2005 / 2006	1	3	4	7	0	15

**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	1	0	0	2	4	2	4	9	13
2006 / 2007	0	1	0	0	4	6	2	5	13	18
2005 / 2006	0	1	0	0	7	1	1	6	10	16

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	22.3
2006 / 2007	6	25.0
2005 / 2006	9	27.1

**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