

**The Local Government Ombudsman's  
Annual Letter  
Kennet 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 we have received about Kennet District 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***

We received 11 complaints against your Council during the year, two fewer than last year and one more than during 2005/2006. Small fluctuations such as these are expected.

### ***Character***

Of the eleven complaints received, one was about benefits, one about housing, five involved planning and building control. There was a further complaint relating to public finance and one in connection with transport and highways. The final complaints of the eleven concerned waste management and one classified as miscellaneous.

## **Decisions on complaints**

Decisions were made on a total of 11 complaints during the year.

### ***Reports and local settlements***

When we complete an investigation we issue a report. I did not issue any reports against your Council this year.

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).

Your Council settled one complaint. This involved an apparent discrepancy in how a property belonging to the complainant, and the road in which it was situated, was recorded by the Council and the Ordnance Survey. The Council helpfully offered to waive the £135 administration fee to change the name of the property.

### ***Other findings***

Four of the complaints were premature and so were referred back to the Council to be considered under your own complaints procedure. Two of these were subsequently resubmitted to me and of these one was dealt with via the local settlement detailed above, and in the other I found no evidence of any maladministration or injustice. One complaint was outside my jurisdiction. In the remaining cases, I found no evidence of maladministration by the Council.

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

The Council's own complaint's procedures appear to be working well as evidenced by the relatively low number of complaints made to me.

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

Your officers' response to enquiries has continued to be efficient and comprehensive. While there has been an increase in the average number of days to respond to first enquires to 21.7 days, this remains within our target. The responses received have been clear and helpful and your staff continue to liaise well and constructively with my investigative staff.

## **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 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.

## **LGO developments**

We launched the LGO Advice Team in April 2008, 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 2007, which also came into force in April 2008. 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. As a result of Secretary of State's decisions on the future

structure of local government in Wiltshire, this is the last Annual Letter that I shall be sending to Kennet 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 cooperation and wish you all well for the future.

**J R White**  
**Local Government Ombudsman**  
**The Oaks No2**  
**Westwood Way**  
**Westwood Business Park**  
**Coventry CV4 8JB**

**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>Benefits</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>	1	1	2	5	1	1	<b>11</b>
<b>2006 / 2007</b>	1	0	3	9	0	0	<b>13</b>
<b>2005 / 2006</b>	0	0	2	7	1	0	<b>10</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	1	0	0	3	2	1	4	7	<b>11</b>
<b>2006 / 2007</b>	0	2	0	0	5	2	0	4	9	<b>13</b>
<b>2005 / 2006</b>	0	0	0	0	5	0	1	4	6	<b>10</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>	3	21.7
<b>2006 / 2007</b>	5	10.2
<b>2005 / 2006</b>	2	29.0

**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