

**The Local Government Ombudsman's
Annual Letter
North West Leicestershire
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 North West Leicestershire 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

I received 24 complaints against your Council during this year, five more than last year. I expect to see fluctuations like this from year to year.

Character

Seven of the complaints concerned planning and building control, a similar number to last year. We also received seven complaints about housing matters.

One complaint was received about local taxation. The remaining nine complaints were recorded in the "Other" category. This included six complaints about antisocial behaviour, three of which were about the same matter; two complaints about environmental health and one about leisure and culture.

I received no complaints about benefits this year.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no 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).

Six complaints were settled locally this year and £895 was paid in compensation.

I received a complaint about antisocial behaviour where the Council accepted that it could have been more proactive in responding to neighbour nuisance allegations. It promptly agreed to offer the complainant a priority housing transfer and I am pleased to say that she soon received an offer which she was happy to accept.

In two complaints I am pleased to note that the Council took prompt action to resolve the problems. In a complaint about environmental health it agreed to repeat noise readings and in one about housing repairs it undertook to complete repairs as a priority.

Sadly, three further complaints took longer to resolve and I comment on this later in this letter.

In a second housing repairs complaint there was poor communication and delay in the installation of a working heating system and removal of graffiti. A visit by one of my officers revealed poor record keeping and it seems to me that the Council could have resolved this situation far sooner than it did. The Council agreed to apologise, to carry out an inspection to establish whether further repairs are necessary, and make a payment of £795 in compensation for time and trouble in pursuing the complaint, additional heating costs incurred, unpaid decorating allowance and for items said to have been damaged by the Council.

The third housing repairs complaint concerned a ten-week delay in replacing a boiler for a tenant with disabilities and the provision of incorrect information about decorating allowances. To resolve the complaint the Council made a payment of £100 and agreed to reconsider whether it would pay a decorating allowance.

The final housing repairs complaint concerned the Council's failure to have a procedure to assess priority for adaptations. The Council also failed to notify the complainants that they could have applied for a disabled facilities grant. In response to the complaint, the Council revised its procedures so that priority could be assessed. It also committed to providing adaptations within a reasonable timescale (for the complainants).

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.

In three cases I took the view that the matters complained of were outside my jurisdiction.

In another three cases I used my discretion not to pursue them, and I found no evidence of maladministration in respect of 15 complaints.

Four complaints previously treated as premature were resubmitted to me this year. My investigations found no evidence of maladministration in two cases but two of the cases required local settlements, as described above.

Your Council's complaints procedure and handling of complaints

The proportion of premature complaints has fallen this year to approximately 13%. This is much lower than the national average which this year was 27%. Clearly, the Council's complaints procedure is easily visible and accessible for its citizens. I commend you on this.

Liaison with the Local Government Ombudsman

Last year I commented on the slow response times by the Council to our enquiries. I am pleased to note that there has been an improvement this year. Enquiries were made on 13 complaints and average response time was 32 days. This is still slightly above the target time of 28 days and I hope you will be able to continue to make improvements in this area in the coming year.

As mentioned above, in three housing repair cases delays were reported in the Council providing information. In one case one of my investigators had to make a visit to the Council in order to get the required information. In another case, delays occurred at every stage of the process. It appears that the failure to keep proper records accounted for the delays in responding to enquiries. I would ask you to consider whether more can be done to ensure proper record keeping in the future in respect of housing repairs generally.

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, 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	0	7	9	7	1	24
2006 / 2007	1	5	3	8	2	19
2005 / 2006	0	5	5	1	0	11

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	6	0	0	15	3	3	4	27	31
2006 / 2007	0	1	0	0	4	2	1	6	8	14
2005 / 2006	0	1	0	0	6	2	0	1	9	10

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	13	32.2
2006 / 2007	4	36.8
2005 / 2006	7	40.4

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