

Local Government  
**OMBUDSMAN**

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

**North York Moors National Park**  
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 North Yorkshire Moors National Park Authority and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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**

During the year I received 9 complaints, an increase of 4 over the previous year. The number of complaints made to me remains small and even though the bulk of the complaints [8 in total] concern planning matters I would not seek to draw any meaningful conclusions from so small a sample.

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

I ask all authorities to respond to my initial enquiries within 28 days. I am pleased to say that the Authority, this year, took, on average, just 25.3 days to respond to my enquiries. In one case the Authority took just 5 days to reply to me and I commend it for the clear effort made to let me have the comments of the Authority in a timely fashion.

## **Decisions on complaints**

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

We will often discontinue enquires into a complaint when an authority 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 by local settlement (excluding 'premature' complaints - where authorities 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 Authority during the year.

### ***Other findings***

I determined 10 complaints against the Authority during the year a figure which differs from the number of complaints received because of work in hand at the beginning of the year. I found no evidence of maladministration in any of these cases, a fact which will please the Authority. Two complaints were put to me prematurely while another was outside of my jurisdiction. I exercised my general discretion not to pursue one complaint and the remaining six cases were closed on the basis that there was no evidence of maladministration.

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

No issues arose during the year to suggest that there are any problems with the way in which the Authority 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 authorities over the past three years shows very high levels of satisfaction. We will customise courses to meet your Authority'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 Authority is involved.

## **Conclusions and general observations**

I welcome this opportunity to comment on our experience of complaints about the Authority over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your 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)

Complaints received by subject area	Planning & building control	Transport and highways	Total
01/04/2007 - 31/03/2008	8	1	9
2006 / 2007	4	1	5
2005 / 2006	8	0	8

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	0	0	0	6	1	1	2	8	10
2006 / 2007	0	0	0	0	0	0	0	3	0	3
2005 / 2006	0	0	0	0	5	0	0	2	5	7

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	25.3
2006 / 2007	0	0.0
2005 / 2006	5	24.8

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