

**The Local Government Ombudsman's
Annual Letter
Nuneaton and Bedworth
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 received about Nuneaton and Bedworth Borough Council 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 23 complaints against the Council a very slight rise when compared with the previous year but a rise of no statistical significance. Complaints were reasonably spread across the range of the services provided by the Council but no trends emerged to give cause for concern.

Liaison with the Local Government Ombudsman

I ask all authorities to respond to my initial enquiries within 28 calendar days. The Council has consistently met this target and this year took 26.9 days, on average, to reply to my enquiries. I am grateful to the Council for the efforts it makes to ensure that its responses to my enquiries reach me in such timely fashion.

Decisions on complaints

Reports and local settlements

We will often discontinue enquires into a complaint when a council 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 councils 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 Council during the year.

Other findings

I determined 25 complaints during the year a figure which differs from the number of complaints I received during the year because of work in hand at the beginning of the year. Of these complaints, 11 were premature while 2 were outside of my jurisdiction. In one case I exercised the general discretion available to me not to pursue the complaint. I found, in 6 cases, no evidence of maladministration by the Council. The Council agreed, in five cases, to settle the complaint acknowledging both that something had gone wrong and that the complainant deserved some form of remedy. I am grateful to the Council for its willingness to respond so positively in these circumstances.

Your Council's complaints procedure and handling of complaints

I have referred above to premature complaints which are those complaints sent to me before the Council has been given notice of the complaint and a reasonable opportunity to address it. In cases such as these I send the complaint to the Council and ask you to put the matter through the Council's internal complaints procedure. Complainants who remain dissatisfied following the Council's consideration of the complaint may of course ask me to consider the matter and many do. I was particularly interested to note that, this year, 5 people asked me to look again at their complaint following consideration of the matter by the Council. In 3 of these cases I found evidence of maladministration causing injustice and asked the Council to settle the matter. In each case the Council agreed but I raise the question of whether the Council's complaints procedure is as robust as it needs to be. The sample is too small to enable me to comment beyond simply raising the question but I would ask the Council to reflect upon this. I am happy to offer any advice or guidance on this question.

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 councils over the past three years shows very high levels of satisfaction. We will customise courses to meet your Council'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 Council is involved.

Conclusions and general observations

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

**Anne Seex
Local Government Ombudsman
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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	Adult care services	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	0	3	4	7	6	2	1	23
2006 / 2007	1	4	3	4	2	3	0	17
2005 / 2006	0	0	5	8	13	2	2	30

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	5	0	0	6	1	2	11	14	25
2006 / 2007	0	4	0	0	8	4	1	4	17	21
2005 / 2006	0	3	0	0	15	1	2	10	21	31

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	7	26.9
2006 / 2007	7	23.7
2005 / 2006	13	21.8

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