

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

We received 63 complaints about the Council, up from 54 last year. The complaints were spread across most services as follows:

*Transport and highways:* 13 complaints, mostly about the issue of parking penalty charge notices. Like last year, this is the single largest category of complaint.

*Planning and building control:* nine complaints, mainly about the Council's handling of applications for planning permission.

*Children and family services:* nine complaints, including two which were initially sent back to the Council to be dealt with under the statutory procedures but which were resubmitted to us by the complainants. In the preceding two years we received no complaints about children and family services so this is a very significant increase which I invite the Council to explain.

*Local taxation:* nine complaints, more than double the number received last year.

*Housing:* six complaints, down from ten last year, covering homelessness, housing allocations and repairs.

*Benefits:* four complaints about housing benefit

*Education:* four complaints split between school admissions and special educational needs.

*Other:* the nine complaints in this category include antisocial behaviour and waste management.

## 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 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).

We issued one report on a complaint against the Council, linked to another report about the actions of a voluntary aided primary school which delayed unreasonably in considering the Council's request for a place for a child who had a statement of special educational needs. We found that the Council had failed to explain to the school the relevant procedure and time limits. The issue of the report was an important part of the remedy as it brought these matters into the public arena. I am pleased that the Council agreed to implement our recommendation that it should offer the complainant an apology and pay compensation.

We decided seven complaints as local settlements, just under 23% of our decisions excluding premature complaints and those outside our jurisdiction. Two of the settlements related to how the Council had dealt with complaints arising from the issue of penalty charge notices. In neither case did I look at the substantive issue of the penalty charge, but both cases highlighted delay by the Council in dealing with the associated complaints.

Two of the settlements were on complaints about planning, in one of which the Council agreed to pay compensation to reflect the complainant's lost opportunity to object to a planning application.

In a housing complaint the Council paid compensation for its delay in responding to the complainant's request to see her files.

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

It was interesting to read, in your responses to last year's annual letter, that in 2006/07, the Council's experience was that over half of the complaints it dealt with in that year were upheld either wholly or in part. It was also good to see that Members were given details of recommendations arising from Stage 2 investigations or stage 3 reviews.

Of the 60 complaints we decided, 21 were referred back to the Council to be dealt with under its complaints procedure. At 35%, this is somewhat higher than the average for all authorities (27%) and I should welcome the Council's thoughts about why that should be.

We decided six complaints which had previously been referred back to the Council in this way, but where the complainant had sent them back to us, dissatisfied with the Council's reply. We upheld only one of these, obtaining a local settlement to reflect the complainant's time and trouble in pursuing his concerns in a child protection complaint, compensation which a social services review panel had declined to recommend.

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

We made written enquiries on 19 complaints and the Council's average response time, at 29.2 days, fell short of our target timescale of 28 days. Most of the delay is in relation to complaints about three services: education, planning and housing. I should be grateful if the Council will identify what measures need to be taken to achieve faster responses when we make enquiries about these services.

My staff have recorded on several occasions that in dealing with our enquiries the Council's officers have been helpful and prompt. I am very grateful to those concerned.

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## **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.

In October we delivered a course in Effective Complaints Handling to 10 of the Council's officers. 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, 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'. Again, 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.

**Tony Redmond**  
**Local Government Ombudsman**  
**10<sup>th</sup> floor, Millbank Tower**  
**Millbank**  
**London SW1P 4QP**

**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>Adult care services</b>	<b>Benefits</b>	<b>Children and family services</b>	<b>Education</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>	0	4	9	4	6	9	9	9	13	<b>63</b>
<b>2006 / 2007</b>	4	0	0	4	10	6	11	4	15	<b>54</b>
<b>2005 / 2006</b>	0	3	0	18	13	9	6	8	9	<b>66</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>	1	7	0	0	11	12	8	21	39	<b>60</b>
<b>2006 / 2007</b>	0	10	0	0	12	10	9	18	41	<b>59</b>
<b>2005 / 2006</b>	0	5	0	0	21	13	17	12	56	<b>68</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>	19	29.2
<b>2006 / 2007</b>	17	28.3
<b>2005 / 2006</b>	25	29.5

**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