

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

**South Bedfordshire
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 South Bedfordshire 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 23 complaints during the year. While this is an increase from the previous year, numbers fluctuate considerably year on year where the total number of complaints is quite small.

Character

Seven complaints related to planning and building control and seven were about housing. One was about public finance and the remaining eight were classed as 'other', which included two about waste management and two about anti-social behaviour.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I did not issue any reports against your Council in the year 2007-08.

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).

Four complaints were settled locally. In one case, it was possible that the complainant's housing points total did not accurately reflect the housing need, and the Council agreed to consider awarding additional points on welfare grounds. In a case where there had been a delay of 11 months in arranging to treat damp at the complainant's home, the Council agreed to pay compensation of £1,550. The Council reimbursed legal fees and the search charge in a case where it had not identified the location of a tree protection order during a legal search. And in a complaint about the removal of a wheelie bin, the Council had already acknowledged its error and said that it would review its procedures, so I was satisfied that the Council's offer to pay £75 for the complainant's distress was a fair remedy. I am grateful that the Council was able to settle these complaints. The Council paid a total of £2128 in compensation.

Other findings

Twenty-four complaints were decided during the year. Of these, three were outside my jurisdiction for a variety of reasons. Nine were premature and, as I mentioned above, four were settled locally. Of the remaining eight, four were not pursued because no evidence of maladministration could be seen. In a further four cases I exercised my discretion not to pursue the complaint further, mainly because no significant injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

The number of premature complaints (nine) shows an increase on the number received last year (five), and is at about the same rate of 37%. This is above the national average of 27%. The Council advertises its complaints procedure clearly on its website and allows complainants to submit complaints on-line and in time this may help to reduce the number of premature complaints we receive. I am pleased to note that the website helpfully contains a hyperlink to the Commission's website to assist complainants and signposts the role of the Standards Board for England.

Liaison with the Local Government Ombudsman

We made enquiries on 12 complaints this year and the average time for responding was 29.5 days. This is a slight increase on last year and falls just short of our target time of 28 days. However, Council officers responded within a week to enquiries about a continuing complaint and I am grateful for this prompt and helpful response. The Council's responses are generally comprehensive and I hope that the increased use of email and scanned documents will enable the Council to improve its response times in the coming year.

I trust that the re-organisation of local government in Bedfordshire will not disrupt the smooth handling of complaints. Please let me know if we can be of assistance to you here.

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 acknowledge that your Council may not wish to take advantage of our training at this time. But I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings which may be of interest to those officers transferring to the new authority.

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. As a result of Secretary of State's decisions on the future structure of local government in Bedfordshire this is the last Annual Letter that I shall be sending to the Council for South Bedfordshire 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 well for the future.

J R White
Local Government Ombudsman

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18 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	0	7	8	7	1	0	23
2006 / 2007	0	1	3	2	8	1	0	15
2005 / 2006	1	0	8	2	5	1	1	18

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	4	0	0	4	4	3	9	15	24
2006 / 2007	0	1	0	0	2	5	0	5	8	13
2005 / 2006	0	2	0	0	6	3	2	5	13	18

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	12	29.5
2006 / 2007	4	26.8
2005 / 2006	9	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