

Local Government OMBUDSMAN

The Local Government Ombudsman's Annual Letter South Norfolk 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 Norfolk 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 15 complaints against your Council this year which is five fewer than last year. We expect variations to occur from year to year and I see nothing of significance in the change.

Character

Eight complaints about planning and building control were received, half the number received last year (16).

One complaint was made in each of the housing and public finance categories.

In the 'other' category, two complaints were received about land matters and three about drainage.

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).

The Council agreed to pay a total of £1745 in compensation this year in respect of two complaints about planning applications.

In the first, the Council failed to notify the complainant of a planning application for a two storey dwelling near her home which was subsequently approved under delegated authority. When the error was drawn to the Council's attention it arranged a site visit and prepared a report for consideration by elected Members. The Committee took account of the complainant's views but decided that there were no material planning considerations which would have led it to refuse planning permission. I consider that this was good practice on the part of the Council and I am particularly pleased to note that if the Committee had concluded that it would not have granted planning permission the Council was prepared to make a more substantial remedy. The Council agreed to make a payment of £100 for time and trouble.

In the second complaint, against both the County and District Councils, both Councils failed to observe on site that safe access from the highway was not achievable and misadvised the Committee which went on to approve the planning application. The complainants engaged solicitors and the Council subsequently reviewed the decision and revoked the planning permission. The County and District Councils agreed to share the complainants' legal costs and so the District Council made a payment of £1645.

I am grateful for your Council's willingness to settle complaints locally when fault is identified.

Other findings

Of the 11 complaints decided this year, two were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

Four complaints were outside my jurisdiction for a variety of reasons. The remaining three complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the maladministration alleged.

Your Council's complaints procedure and handling of complaints

Two out of the 11 complaints decided this year were premature. This is a little below the national average, which this year is 27%. One complaint was re-submitted to me and it was not pursued because no evidence of maladministration was seen.

Liaison with the Local Government Ombudsman

We made enquiries on five complaints this year and your average response time was 19.4 days, some four days less than last year. All the responses were received within our target of 28 days and once again I am grateful for your prompt and thorough responses.

My officers comment favourably on liaison arrangements within your Council and the helpful and effective responses they receive. I commend the Council for its openness in this area and its willingness to learn from complaint experience.

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 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
Local Government Ombudsman
The Oaks No2
Westwood Way
Westwood Business Park
Coventry CV4 8JB

June 2008

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	1	5	8	1	0	15
2006 / 2007	0	3	16	0	1	20
2005 / 2006	0	7	5	0	0	12

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	2	0	0	2	1	4	2	9	11
2006 / 2007	0	0	0	0	7	5	3	6	15	21
2005 / 2006	0	0	0	0	2	2	3	3	7	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	5	19.4
2006 / 2007	6	23.3
2005 / 2006	3	15.3

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