

Local Government OMBUDSMAN

The Local Government Ombudsman's Annual Letter Stafford 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 Stafford 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

Volume

We received 12 complaints against your Council during the year, 76 fewer than last year and 26 fewer than in 2005-2006. This is a marked downward trend even when taking into account the group of 65 complaints received last year about a single matter, and I believe the Council can view it with some satisfaction.

Character

Eight complaints were about planning and building control, two were about housing, one about benefits and one about transport and highways.

Decisions on complaints

Reports and local settlements

When we need to 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 way of 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 this year and the Council paid a total of £2,450 in compensation.

In a complaint about a homelessness application the Council made unnecessary enquiries which delayed the decision on the application. The Council agreed to pay £250 in compensation.

The remaining three complaints concerned planning applications. Two were about the same error in granting planning permission for garages. The garages on the site had been removed but one planning drawing showing them in place was mistakenly stamped as approved. While the garages might have been approved if a separate application had been made at a later date, there was some uncertainty because one was located outside the residential development boundary. The two complainants received a total of £1,500 in compensation.

The Council gave planning permission for a play area in a large housing development before the complainant bought his home. Problems with ground levels and drainage led to the play area being built up, leading to overlooking. Since the Council did not own the play area it agreed to make the sum of £700 available for screening in the complainant's garden.

Other findings

Four complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

In a further six cases I took the view that the matters complained of were outside my jurisdiction.

The remaining seven 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 fault alleged.

Your Council's complaints procedure and handling of complaints

The reduction in the number of complaints made to me indicates that your Council has a robust complaints handling procedure which is easily accessible to residents in the Council's area. This view is supported by the fact that the four complaints decided as premature represent 19% of the total number of complaints determined this year. This is significantly less than the national average, which this year is 27%.

Two complaints that had been referred back to the Council as premature were resubmitted. One of these was not pursued because there was no evidence of maladministration and the other was not pursued because no significant injustice flowed from the fault alleged.

Liaison with the Local Government Ombudsman

Enquiries were made on five complaints during the year. Your Council's average response time of nine days is admirably fast and demonstrates a commitment to good complaint handling. I congratulate the Council on its exemplary improvements 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 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
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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	Benefits	Housing	Other	Planning & building control	Transport and highways	Total
01/04/2007 - 31/03/2008	1	2	0	8	1	12
2006 / 2007	2	2	1	83	0	88
2005 / 2006	0	2	7	38	1	48

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	5	2	6	4	17	21
2006 / 2007	1	7	0	0	5	4	60	4	77	81
2005 / 2006	0	2	0	0	10	28	3	4	43	47

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	9.4
2006 / 2007	13	41.2
2005 / 2006	29	37.7

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