

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

In 2007/08 I received 105 complaints against your authority. This compares with 66 in the previous year. However the increase is accounted for by the receipt of 41 complaints about housing management issues on one estate. These were initially referred back to the Council as 'premature complaints' as we did not believe that you had had a full opportunity to deal with them through your own procedures. We subsequently received eight resubmitted complaints about the same issues (none of which I upheld).

Allowing for the impact of this particular group of complaints the distribution of complaints received remains broadly similar to previous years. The largest group of individual complaints remains planning and building control, although that number fell slightly.

Decisions on complaints

During the year we made decisions on 120 complaints against your authority. We found no maladministration in 32 complaints and we exercised discretion to close a further ten without requiring any action by the Council. A further five complaints were outside my jurisdiction. We referred 61 complaints in all to the Council as 'premature', but this figure was inflated by the 41 complaints about the same housing management issues referred to above.

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).

None of the complaints we investigated this year justified the issue of a report. We settled 12 complaints resulting in payment of compensation totalling nearly £29,000.

The substantial part of this compensation was agreed following a complaint about the Council's actions as building control authority. I concluded that the Council was not solely responsible for the complainant's losses but proposed that it undertake a range of remedial works, meet some of the complainant's costs and pay him compensation for his time and trouble. I am grateful for the Council's co-operation in agreeing this settlement.

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We settled a second complaint about building control. The Council had misled the complainant into thinking it would assist her in a prosecution of a builder who had done work at her home. The Council apologised for this and paid £100 compensation.

We settled ten complaints about planning. Issues included the Council's failure to notify complainants of proposals to develop neighbouring properties and insufficient account being taken of a petition opposed to a proposed development and of the impact of the development on the complainant's home. The Council paid a total of just over £2,100 compensation. In the light of these complaints the Council has taken action to ensure that site visit notes will be improved and that petitions will be referred to in reports on planning applications.

The Council's scheme of delegation allows for local councillors to 'call-in' applications for consideration by Committee, in response to representations from residents. One of the above complaints highlighted that the Council's leaflet and website do not draw attention to this. The Council has now updated this material.

Liaison with the Local Government Ombudsman

The Council's average time to respond to first enquiries on complaints was just over 30 days. This is slightly outside my target time of 28 days but reflects an improvement on the average for the previous year. My staff have commented on the Council's positive responses to our enquiries and our suggested local settlements.

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 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
10th 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)

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	5	58	8	29	2	3	105
2006 / 2007	7	7	13	32	4	3	66
2005 / 2006	6	5	11	22	4	3	51

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	12	0	0	32	10	5	61	59	120
2006 / 2007	4	10	0	0	14	8	6	20	42	62
2005 / 2006	0	5	0	0	22	7	4	10	38	48

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	41	30.4
2006 / 2007	13	35.1
2005 / 2006	30	24.8

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