

**The Local Government Ombudsman's  
Annual Letter  
Tynedale 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 received about Tynedale District Council and comments on the authority's performance and complaint-handling arrangements.

As a result of the Secretary of State's decision on the future structure of local government in Northumberland, this is the last annual letter that I shall be sending to the Council.

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 to wish them well for the future.

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***

There were nine complaints against the Council last year, falling from 14 during the previous year.

### ***Character***

The majority of these (7) were about planning and building control, as in the two previous years and the largest single category of complaint.

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

The Council responded swiftly to the first enquiries made upon three complaints last year. The average time taken was only 18 calendar days, much less than the average of 31 calendar days taken during the previous year.

## **Decisions on complaints**

Decisions were taken upon 13 complaints last year. Two were found to be premature complaints, where the Council had not yet had a proper chance to deal with the complaint itself. One complaint lay outside my jurisdiction, while another nine I chose to close either because I found no maladministration on the part of the Council (6) or because I exercised my discretion not to further investigate the complaint (3).

## ***Reports and local settlements***

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. In 2007/08 the Local Government Ombudsmen determined 27% of complaints by local settlement (excluding 'premature' complaints and those outside our jurisdiction). There was one complaint dealt with this way last year and the Council agreed to pay the complainant £600 because it placed the complainant's property in the wrong ward on its website, leading the complainants to incur significant abortive costs.

If an investigation is completed I issue a public report. I issued such a report against the Council on the 21st March 2007. I had found that the Council's failure to properly consider attaching conditions to a planning permission led to the installation of a long overhead power line with 12 electricity poles across an Area of Outstanding Natural Beauty.

The Council did not agree to my recommendations to remedy this injustice. I have therefore recently, issued a second report repeating my criticism of the Council and my recommendations.

## **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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction. We will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities. Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

I enclose 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'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

## **Conclusions and general observations**

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex**  
**Local Government Ombudsman**  
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**YORK**  
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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	0	1	7	0	9
2006 / 2007	0	4	1	6	3	14
2005 / 2006	0	0	1	3	0	4

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	1	0	0	6	3	1	2	11	13
2006 / 2007	1	1	0	0	1	1	1	7	5	12
2005 / 2006	0	0	0	0	2	1	0	0	3	3

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	3	18.0
2006 / 2007	2	31.0
2005 / 2006	2	26.5

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