

Local Government
OMBUDSMAN

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

Wellingborough 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 Wellingborough 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 17 complaints against your Council during the year, three more than last year. We expect to see fluctuations in numbers from year to year, and I see nothing significant in the rise.

Character

Five complaints, approximately a third of all those we received against your Council, were about planning and building control. This is the same number as in previous years.

We received a similar number of complaints to last year about housing (four) and transport and highways (two).

The remaining six complaints were recorded in the "other" category. They included complaints about antisocial behaviour, cemeteries and crematorium, land, leisure and culture and waste management.

We received no complaints about public finance.

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).

Three complaints were settled locally, and compensation totalling £600 was paid.

In a complaint about homelessness the complainant alleged that your Council failed to provide her with housing advice or help her with threatened homelessness. Your Council agreed to meet the complainant, provide her with housing advice, and send her relevant housing forms so that she could make her applications.

In a complaint about your Council's handling of the complainant's transfer request and neighbour nuisance, the information published by the Council about medical need and social need was unclear. There was a lack of record keeping in relation to medical assessments, policy was not entirely followed and the Council could have done far more to monitor the nuisance caused by a disruptive

neighbour with mental health problems. Your Council agreed to pay the complainant compensation of £500.

In a complaint about local taxation, the complainant had fallen into arrears of Council Tax. He made payments and managed to clear the arrears but the Council went on to issue a liability order rather than offer a fresh repayment arrangement. Your Council also issued a bailiff's letter when only 50p was outstanding. Your Council agreed to pay compensation of £100 to the complainant.

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 two cases I took the view that the matters complained about were outside my jurisdiction.

The remaining 13 cases were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them.

Your Council's complaints procedure and handling of complaints

I am pleased to note that the proportion of premature complaints has reduced below the national average of 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 still under consideration at the end of the year.

However, I am extremely disappointed that, despite my recommendations over the last two years, your Council has not made improvements to the complaint procedure it publishes on its website. The procedure continues to state that a complaint must go right through the Council's complaints procedure before I can consider it. As I have explained, there are instances when I will use my discretion to look at a complaint at an earlier stage. I strongly urge the Council to make the changes that I have recommended. Also, as previously suggested, it may wish to provide website users with a link to this office.

Liaison with the Local Government Ombudsman

We made enquiries on 10 complaints this year, and the average time for responding was 37.3 days against a target of 28 days. In three housing cases it took an average of 47 days for a response to be received and in two transport and highways cases the responses took an average of 42.5 days. This is significantly worse than last year. I consider this to be unacceptable and hope that the Council will strive to improve its response times in the current year.

My staff have also found that, on occasions, your Council has been reluctant to agree to settlement proposals even where I have found fault on the Council's part. The Council needs to be less defensive when addressing its residents' grievances and, again, I hope there can be some improvement here in the year to come.

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 2008, 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 2007, which also came into force in April 2008. 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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	4	6	5	0	2	17
2006 / 2007	3	3	5	2	1	14
2005 / 2006	6	3	5	1	0	15

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	3	0	0	11	2	2	4	18	22
2006 / 2007	0	2	0	0	3	2	0	5	7	12
2005 / 2006	0	2	0	0	8	1	3	5	14	19

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	10	37.3
2006 / 2007	4	32.3
2005 / 2006	9	26.4

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