

Local Government  
**OMBUDSMAN**

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

**West Oxfordshire 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 West Oxfordshire 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 11 complaints against your Council during the year, one fewer than last year. We expect to see such fluctuations like this from year to year.

### **Character**

Five complaints were about planning and building control and we received two about public finance, one about housing and one about benefits. The remaining two complaints were recorded in the 'Other' category and concerned flooding and 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).

Two complaints were settled locally and a total of £1500 was paid in compensation.

In one, the Council failed to ensure that the complainant was given a comprehensive and clear explanation of the changes in council tax benefit requirements and I took the view that the Council's apology was sufficient remedy.

The other complaint was about delay in taking enforcement action. The Council had written to the complainant on 21 June 2004 saying that the breach of planning control had not been remedied and from then enforcement action was expected but did not occur. The enforcement action appeared on the local land charge registers and so the complainant had found it difficult to sell the property and had continued to experience the nuisance caused by the breach of planning control. The Council agreed to pay to the complainant the sum of £1500 and report to Members on my findings and recommendation.

### **Other findings**

Three 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 two complaints I exercised my discretion not to pursue the investigations.

In one other complaint I took the view that the matters complained of were outside my jurisdiction.

The remaining complaint was not pursued because no evidence of maladministration was seen.

### **Your Council's complaints procedure and handling of complaints**

Eleven complaints were received this year and of those three were referred back to your Council as premature. The number is in line with the national average of 27% and suggests that the Council continues to publicise and operates the complaints procedure effectively with on-line access to your own complaints procedure and a link to our website.

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

Last year I commented on the disappointing response times to my enquiries. I congratulate the Council on its work during the year which has brought this year's response times to 25.8 days which is within my target of 28 days and a welcome improvement on previous performance.

### **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.

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### **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	Benefits	Housing	Other	Planning & building control	Public finance	Total
01/04/2007 - 31/03/2008	1	1	2	5	2	11
2006 / 2007	1	2	1	6	2	12
2005 / 2006	0	1	1	6	1	9

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	1	2	1	3	6	9
2006 / 2007	0	0	0	0	8	2	2	3	12	15
2005 / 2006	0	0	0	0	5	1	1	0	7	7

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	25.8
2006 / 2007	5	51.4
2005 / 2006	8	33.0

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