

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

Complaints against the Council increased significantly from single figures in the preceding two years to 24 in 2007/08. The largest single category was planning and building control with ten complaints, all about the Council's handling of planning applications. Several of these complaints related to the same application.

We received four complaints about local taxation and three each about housing and highway management.

## **Decisions on complaints**

### ***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.

None of the complaints we investigated this year justified the issue of a report. Two complaints were decided as local settlements, both about planning applications. In the first, although the Council did not accept any fault, it agreed to take action to help achieve screening to reduce the effect on the complainant of floodlighting in a neighbouring development. In the second, the Council agreed to compensate the complainant for the lost opportunity to comment on a planning application and her time and trouble in pursuing the complaint.

### ***Other findings***

Although I did not find that there was injustice which called for a remedy for the two complainants, I asked the Council to ensure that all appropriate neighbours are notified of planning applications and to review its arrangements for receiving post to make sure that representations received are not misplaced.

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

Of the 23 decisions made by my office, ten were returned to the Council to be dealt with under its own complaints procedure. We decided two complaints which had previously been referred back to the Council in this way but where the complainants came back to us, dissatisfied with the Council's reply. We did not uphold those complaints.

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

During the year we made more written enquiries on complaints than in the preceding two years. The Council's average response time improved to just over 24 days, within the target timescale which we set.

I was pleased that an officer of the Council attended the Link Officer seminar we held in November. An Assistant Ombudsman also visited the Council in March, when he learned more about the new joint management structure which, from April, the Council entered into with Adur District Council. I understand that there will be a series of service reviews and I look forward to hearing how the changes will affect the Council's complaints handling arrangements.

## **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 run open courses for groups of staff from different smaller authorities and also customise courses to meet your Council's specific requirements. It was good that the Council was represented at a course in Effective Complaint Handling which we ran in December for the West Sussex authorities.

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**  
**10<sup>th</sup> 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)

<b>Complaints received by subject area</b>	<b>Benefits</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	2	3	2	10	4	3	<b>24</b>
<b>2006 / 2007</b>	1	0	1	5	0	0	<b>7</b>
<b>2005 / 2006</b>	0	2	2	1	2	1	<b>8</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	0	2	0	0	7	4	0	10	13	<b>23</b>
<b>2006 / 2007</b>	0	2	0	0	1	1	1	2	5	<b>7</b>
<b>2005 / 2006</b>	0	2	0	0	3	0	1	4	6	<b>10</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2007 - 31/03/2008</b>	8	24.5
<b>2006 / 2007</b>	2	33.0
<b>2005 / 2006</b>	3	18.3

**Average local authority response times 01/04/2007 to 31/03/2008**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt; = 36 days %</b>
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