



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Aylesbury Vale District Council

**for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. 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 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into 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.

There are two attachments which 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

This year we received 24 complaints against your Council, significantly more than in 2005/6 when just 14 complaints were made, and a return to the levels of complaints made in 2004/5.

Character

As with previous years and in keeping with the profile of complaints made to me about District Councils, the majority of complaints made to my office (13) concerned issues about planning or building control. The second largest category of complaints (5) related to housing. I note that in July 2006 the Council transferred its housing stock to the Vale of Aylesbury Housing Trust and so complaints about housing management and repairs etc. will no longer come to me but will go to the Independent Housing Ombudsman. We also received a small number of complaints about a broad range of Council functions including benefit administration and transport and highways.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

I decided 25 complaints against your Council this year. The measure of administrative fault causing injustice is not the total number of decisions by my office but the number of settlements and formal reports which found maladministration and injustice. I did not issue any reports against your Council this year and made no findings of fault causing injustice which would necessitate a local settlement. This is an impressive achievement for the Council when compared with the national average settlement rate of 27% for all authorities (excluding complaints which are either premature – as they have been made to me before a council has had a reasonable opportunity of dealing with them – or outside jurisdiction).

Of the 25 complaints I decided, five were passed back to your Council to deal with as you had not yet had a sufficient opportunity to address the concerns that had been raised by the complainants, I was unable to consider four complaints as they were not within my jurisdiction, I found no evidence of administrative fault in ten cases, and I exercised my discretion to discontinue my involvement in the remaining six complaints due to a lack of evidence of significant injustice having been caused to the complainant.

Your Council's complaints procedure and handling of complaints

We referred five complaints back to the Council as 'premature' in that your Council had not had an adequate chance to respond to them. Only one of these complaints was subsequently re-submitted to my office as the complainant was not satisfied with the Council's response. My decision on that complaint was that there was no or insufficient evidence of maladministration to merit my continued involvement. Although the proportion of complaints referred back to your Council as 'premature' is in keeping with the national average of 28%, the evidence would suggest that the Council's complaints handling arrangements are working well in that I have not found any fault in respect of the complaints which have come to me once the Council has had an opportunity of attempting to resolve them.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand and 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. We can run open courses for groups of staff from 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.

Liaison with the Local Government Ombudsman

This year the average length of time taken to respond to the eleven sets of initial enquiries my office was within the 28 day target I set all councils which is welcomed. I recognise that this is a challenging target and acknowledge the obvious efforts your staff go to in meeting it, as they also did last year.

As you know we have recently adopted email as our preferred method of sending initial enquiries to councils and hopefully this will enable you to continue your impressive performance in terms of the time taken to respond to our enquiries.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

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 2007

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
01/04/2006 - 31/03/2007	1	5	2	13	1	2	24
2005 / 2006	0	3	2	9	0	0	14
2004 / 2005	2	3	4	12	1	0	22

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
01/04/2006 - 31/03/2007	0	0	0	0	10	6	4	5	20	25
2005 / 2006	0	3	0	0	5	1	3	2	12	14
2004 / 2005	0	3	0	0	9	4	5	4	21	25

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
01/04/2006 - 31/03/2007	11	23.9
2005 / 2006	3	25.7
2004 / 2005	8	29.1

Average local authority response times 01/04/2006 to 31/03/2007

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0