



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Basildon 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 and character

I received 63 complaints against your Council, a significant increase on the 49 complaints received in the previous year. As with previous years the majority of these complaints were about housing in general with most of these being made about housing repairs issues. I also received 13 complaints in the category called "Other" which we use to refer to miscellaneous complaints. This group included five complaints about the way the Council has dealt with reports about anti-social behaviour which would have had some input and involvement from the housing department should either the alleged perpetrator or the victim have been one of its tenants. The remaining complaints categorised as "Other" related to small numbers of complaints made about a broad range of services including Environmental Health, Leisure and Culture, Waste Management, and Council owned Land.

Seven complaints about planning and building control were received which is a similar level to those received about these issues last year. No complaints about either Housing Benefit or Council Tax Benefit were received this year.

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.

My office decided 62 complaints against your Council over the course of the 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. This year there were 15 settlements and no reports. This amounts to 40% of all decisions (excluding complaints outside my jurisdiction and those referred back to your Council as 'premature' as it did not seem that you had yet been afforded a reasonable opportunity of dealing with them). This is well above the national average of 28%.

Your Council paid a total of £3,650 in compensation. The majority of the compensation related to delays in carrying out repairs to Council housing. One settlement was reached where there was a delay of one year in completing repairs to a sheltered housing complex and residents had not been kept informed of the progress of the works. The Council agreed to pay £500 to the residents for a group activity and to provide an information sheet explaining what works would be carried out and when. Another settlement concerned a six month delay repairing unsafe windows and insecure doors at a property. The Council agreed to pay the complainant £350 for delay and the time and trouble caused. You also agreed to finish the outstanding repairs.

I understand that your Council has introduced a number of measures to address the problems we have identified with the way in which you have dealt with housing repairs during 2006/2007. Those changes include closer monitoring of complaints about repairs, weekly meetings with the Council's contractor to discuss requests for repairs which have escalated to a complaint, and an increased number of visits to those who have found it necessary to complain to offer a more personal service. I see that the Council recently transferred its housing to stock to an Arms Length Management Organisation, St George's Community Housing. I hope that the new procedures which have been put in place prove to be beneficial during this period of re-organisation.

Your Council's complaints procedure and handling of complaints

Of the total complaints decided in the 2006/07 period we referred 16 back to the Council to consider because they were premature as the Council had not had sufficient time to consider them before the complainants referred them to my office. As a percentage this is 26% of the total decisions taken and is therefore just below the national average of 28%. Seven complaints were resubmitted as the complainants remained dissatisfied with the Council's response.

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 have also successfully piloted a course on reviewing complaints for social services review panel members. 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

Two of your officers attended a meeting with my office in May to discuss how complaints about housing repairs are handled and how to improve liaison with this office. This was in response to a report I had recently issued which will come within the scope of next year's Annual Letter. I understand that the meeting was useful in that it enabled your officers to get a clearer understanding of the remedies I seek in respect of housing repair cases where the disrepair has had a significant impact on an individual's ability to enjoy their own home.

The average time taken for your Council to respond to enquiries from my office was 31 days. This is slightly above the Commission's target of 28 calendar days from the receipt of our enquiry letter albeit we have recently started sending more and more information by email which your officers have said will speed up the process of responding to enquiries where it is necessary to obtain information across a number of different departments.

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
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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	Children and family services	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	0	2	37	13	7	2	2	63
2005 / 2006	2	0	30	11	6	0	0	49
2004 / 2005	0	0	20	6	5	0	1	32

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	15	0	0	19	3	9	16	46	62
2005 / 2006	0	7	0	0	15	5	4	14	31	45
2004 / 2005	0	4	0	0	11	6	11	8	32	40

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	35	30.7
2005 / 2006	22	27.3
2004 / 2005	17	21.5

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