



The Commission for  
Local Administration in England

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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to 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**

We received twenty-three complaints about your Council during 2006/07, three less than the previous year. The spread of complaints by subject is very similar to last year, with the largest number of complaints remaining those about housing.

## **Decisions on complaints**

### ***Reports and local settlements***

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

As in the previous two years, we did not issue any reports about your council in 2006/07. Five complaints led to local settlements, resulting in payments of £5,500. One complaint highlighted the lack of an anti-social behaviour policy, which I recommended should be developed as soon as possible and staff given relevant training. Another complaint was caused by understaffing in the Council's legal department, leading to unreasonable delay in dealing with a property sale. I understand that appropriate staffing is now in place.

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

Response times to our initial enquiries were significantly slower last year, increasing from 28.5 days in 2005/06 to 34.1 days in 2006/07. The delays are mainly due to the time taken to respond to enquiries on housing complaints, which averaged 42.8 days. I would welcome action to speed up responses, as prompt accurate responses are important for complainants and for the Ombudsman in providing a quality service.

We decided 24 complaints during the year, one-third of which were premature, that is the Council had not had a reasonable opportunity to respond to them. This is slightly fewer than last year, but given the small number of complaints involved no firm conclusions can be drawn from these figures. Of the complaints decided, seven were resubmitted premature complaints as the complainant was unhappy with the Council's response. This represents 29% of all the decisions made, compared to the national average of 10%. Of these seven complaints, one led to a local settlement.

## **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. The feedback from councils that have taken up the training 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 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.

## **LGO developments**

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and discuss with you the implications for the Council.

I hope you have received our latest special report about telecommunications masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

## **Conclusions and general observations**

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex**  
**Local Government Ombudsman**  
**Beverley House**  
**17 Shipton Road**  
**YORK**  
**YO30 5FZ**

**June 2007**

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>01/04/2006 - 31/03/2007</b>	0	9	8	5	1	0	<b>23</b>
<b>2005 / 2006</b>	2	10	9	5	0	0	<b>26</b>
<b>2004 / 2005</b>	0	6	8	6	0	1	<b>21</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>01/04/2006 - 31/03/2007</b>	0	5	0	0	7	3	1	8	16	<b>24</b>
<b>2005 / 2006</b>	0	4	0	0	4	3	1	10	12	<b>22</b>
<b>2004 / 2005</b>	0	4	0	0	4	6	1	9	15	<b>24</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>01/04/2006 - 31/03/2007</b>	11	34.1
<b>2005 / 2006</b>	11	28.5
<b>2004 / 2005</b>	9	25.3

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

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