



The Commission for
Local Administration in England

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

We received 27 complaints last year, which is 10 more than last year. Seventeen of these were planning complaints, nine of which concerned the grant of planning permission to extend one particular property. But for this single issue, complaint numbers would have been similar to previous years.

Decisions on complaints

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.

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. There were 28 decisions on complaints during the year but no reports were issued and there were no local settlements. Of the 20 cases that were neither referred back to your Council as premature as you had not yet had a reasonable opportunity of responding to them nor outside jurisdiction, the finding in 15 of them was that there was no or insufficient evidence of administrative fault. In the other five I ended my involvement as I had not been able to conclude that the complainant had sustained an injustice which was significant enough to merit investigation. As I said in relation to last year's figures, this is a very good performance.

Your Council's complaints procedure and handling of complaints

We referred five complaints back to the Council as premature – in that the Council had not had a reasonable opportunity to respond to them and, of those five, two were concerned with the planning decision mentioned above which were obviously difficult to resolve locally and so were eventually determined by my office.

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

The Council's took an average of 14.8 days to respond to enquiries made by my staff, which is a significant improvement on last year's figure of 40 days. My staff tell me that they receive every co-operation from the officers whom they meet or otherwise deal with.

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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June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Benefits	Education	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	3	0	2	2	17	2	1	27
2005 / 2006	1	1	0	5	6	1	3	17
2004 / 2005	4	0	2	4	6	1	2	19

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	16	5	3	5	24	29
2005 / 2006	0	0	0	0	8	1	4	4	13	17
2004 / 2005	0	1	0	0	5	2	4	5	12	17

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	4	14.8
2005 / 2006	7	40.3
2004 / 2005	4	23.5

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