



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Corby 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 Corby Borough Council 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

We received 23 complaints during the year, a significant reduction from the 33 we received last year. While the reduction is welcome, I expect to see some fluctuation year on year, and I note that the number of complaints we have received this year is very similar to 2004/05.

Character

There was a big fall in the number of complaints I received about Council housing management issues, just four this year compared with 14 in 2005-06. In part this is due to a change in the way in which we record statistics, with complaints about anti-social behaviour being recorded differently (to reflect the fact that these are not all made by or about Council housing tenants). In total this year, there were six complaints received about the Council's handling of complaints of anti-social behaviour. Even so, the overall reduction in numbers of complaints about housing management reflects well on the Council as does the fact that there were no complaints received this year about the Council's administration of housing and council tax benefit.

The remaining complaints were about a diverse array of Council services, including its management of land, waste management (household rubbish collection) and planning issues.

Decisions on complaints

Reports and 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.

This year, eight complaints were settled locally. Two settlements were reached in complaints that concerned housing repairs, compared with seven the previous year. In both instances my investigators found that the Council had failed to adequately resolve reports of disrepair over several years. In one instance the source of the initial complaint was a single leak; in the other case the complainant reported multiple repairs (over 100 in total over three years). In the first instance the Council agreed to apologise and pay financial compensation of £100. In the second, I decided no apology or compensation was necessary. While my investigation had found that the Council had not always kept a clear audit trail as to why some repairs had not been carried out, the complainant had contributed to the extraordinary number of items of disrepair by damaging property as well as breaching her tenancy conditions in several other regards. The settlement was therefore confined to the Council committing to undertake those repairs that were its responsibility to carry out.

A failure to keep complainants informed was a theme in four settlements reached this year. In one case the Council had failed to advise a complainant why it did not consider it could take any action with regard to a noise nuisance that had been reported. An apology was deemed sufficient remedy on that occasion. In a second case the Council had failed to reply to lengthy correspondence on the condition of a footpath behind the complainant's home, which had become overgrown. On that occasion the failings were sufficient to justify £100 compensation for the complainant's time and trouble in addition to an apology.

In the third case, the Council had failed to reply to correspondence on a disputed boundary over several years. While I could not resolve the dispute itself, the delays were serious enough to warrant £250 compensation. And in the fourth case the Council had initially responded in an exemplary manner when it recognised it gave incorrect advice to a complainant, causing him to lay paving outside his home without the necessary planning permission. The Council had offered a full apology, assistance with obtaining the necessary permission and to replace the paved area in the event permission was refused. But the Council failed to make good on its promises and did not keep in touch with the complainants or process the planning application. The Council was obliged to offer a further apology and paid financial compensation of £350 in this instance. It is disappointing that having started so well the Council then failed to follow through.

While in total the Council has only had to pay compensation to the value of £900 this year, as opposed to £4300 last year, it can be seen that much of this could have easily been avoided had the Council not allowed correspondence to go unanswered and left complainants feeling ignored.

In those remaining cases where settlement was reached, one case involved a re-launched investigation into recovery of housing benefit (a complaint made initially during 2005-06). And the other concerned a right to buy sale conducted between June 2003 and October 2004. In the latter case, confusion centred on when the sale actually completed, which in turn affected the amount of money the complainant would have to repay the Council as she had decided to sell within three years of purchase. The Council agreed to waive approximately half the money it might have been entitled to recover (£4550), because it recognised it had contributed to the confusion over the initial completion date.

When we complete an investigation we must issue a report. I issued no reports against the Council during the year.

Other findings

In total, 24 complaints were decided during the year. Of these one was outside my jurisdiction to investigate as it concerned a personnel matter.

A further eight complaints were referred back to the Council to deal with through its own complaint procedure as I was not satisfied the Council had been given an opportunity to deal with the complaint first.

As I mentioned earlier, eight complaints were settled locally. The remaining seven were not pursued because no evidence of maladministration was seen.

Your Council's complaints procedure and handling of complaints

I have noted some improvements in the way in which the Council deals with complaints. First, its website appears much improved from last year. The Council gives prominence to its complaint process and explains how long it should take for the complaint to be investigated. It has also included a helpful link to my office. These are facilities that are much valued by the public.

Second, of the 24 complaints that were decided this year only four were resubmitted to me after I had asked the Council to consider them first as premature. This too is an improvement on last year. It suggests that in many cases the Council is able to resolve complaints satisfactory when it is asked to.

But the picture is by no means consistent. Of the four complaints that were submitted to me, two were included in the local settlements above when I highlighted complaints where the Council had failed to keep in touch with complainants.

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.

In the past twelve months we delivered one course to the Council, on Effective Complaint Handling (investigation and resolution) and a specific briefing to planning staff on common areas of complaint to the Ombudsman. I am confident that these will have gone some way towards improving the Council's culture of handling complaints that I refer to above. I am aware that not all staff will have received the benefit of this training, so please contact us if you consider the Council can benefit from more. In particular, please note that we offer a Good Complaint Handling (identifying and processing complaints) which is tailored to the needs of frontline staff.

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

We made enquiries on 12 complaints this year, and the average time for responding was 45 days, against a target of 28 days.

Last year I commented that the Council's performance in this area was unacceptable. It is a message that my investigators have continued to reinforce in their contacts with the Council, where subpoenas compelling the Council to reply to enquiries have had to be threatened one more than one occasion. And in January this year, my Assistant Ombudsman, Mr Purser spoke to you and to the Council's management team to emphasise our concern on its performance in this area.

I hope that this improves matters in the months to come. But if it does not then I will use my statutory powers to require the attendance of officers at Coventry.

My office is committed to helping the Council improve its liaison and its overall performance in handling complaints. In November your link officer attended a seminar I held in Coventry and I hope this was helpful. If it would help for the Assistant Ombudsman to visit your Council and give a further presentation about how we work to officers involved in the preparation of responses to enquiry letters or to present this letter to Members please let him know.

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 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. There have been some welcome developments in the past twelve months in terms of the numbers of complaint submitted to me and more favourable outcomes; although I think more work is needed by the Council to encourage a culture of efficient complaint handling. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

J R White
Local Government Ombudsman

June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Transport and highways	Total
01/04/2006 - 31/03/2007	0	4	16	3	0	23
2005 / 2006	3	14	6	8	2	33
2004 / 2005	2	13	4	1	1	21

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	8	0	0	7	0	1	8	16	24
2005 / 2006	0	11	0	0	13	3	1	8	28	36
2004 / 2005	1	7	0	0	4	5	1	7	18	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	12	45.4
2005 / 2006	19	44.0
2004 / 2005	9	33.6

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