



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Daventry 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 Daventry District 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 just eight complaints during the year, a significant reduction from the 20 received last year. I expect to see some fluctuation year on year, although it is pleasing that this is the third year running that overall complaint numbers have been low.

### ***Character***

The majority of complaints I received, five in total, concerned housing matters. Of the remaining three, two concerned the decision of the Council to close the outdoor swimming pool in Daventry and the other concerned a planning decision. The number of planning complaints is surprisingly low given the large area that the Council serves and is to be welcomed.

## **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, one complaint was settled locally. A former tenant of the Council, who had moved away from Daventry district, complained that the Council had failed to compensate him for improvements made to its property while he was a tenant (there is a statutory scheme to provide such compensation). My investigation found no failing in the Council's refusal to offer such compensation. However, the request itself had been poorly handled, having been subject to delay, lost inspection records and a failure to answer correspondence. The Council agreed that the complainant had been caused uncertainty and put to unnecessary time and trouble by its actions. So it offered an apology and paid him financial compensation of £100. I am grateful for the Council's help here.

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

### ***Other findings***

Fifteen complaints in all were decided during the year. Of these five were outside my jurisdiction. On three occasions this was because the complainant could appeal to another body, such as the Planning Inspectorate. The other two complaints were those received about the closure of the outside swimming pool. While I recognise such decisions can sometimes arouse strong local feeling, by law I am not permitted to investigate complaints about spending priorities that affect all or most of the

citizens of the District. I decided that these complaints fell into this category and so I could not conduct an investigation into the Council's decision. I also referred one complaint back to the Council as premature as I was not satisfied the Council had been given adequate time to deal with it.

As I mentioned earlier, one complaint was settled locally. The remaining eight were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them.

One of these complaints was concerned with a planning matter involving the effect that a neighbouring extension would have on the complainant's property. While I decided there were insufficient grounds to pursue investigation, I was concerned to note that the officer's report on the development had persistently referred to a bedroom as not being a habitable room, which I felt was potentially confusing. I trust the Council has given some reconsideration to the terminology used in its planning reports as a result of this investigation.

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

I am satisfied that the Council's complaint procedure is working effectively. The low number of complaints indicates that the Council is able to resolve most complaints it receives at an early stage or else is performing so well that it is the subject of few complaints. Either is commendable. Second, the low number of premature complaints suggests that citizens know how to complain about the Council if they want to and that its complaint procedures are effectively publicised.

The only suggestion I can make for improvement remains the same as last year. I still think the Council could provide more information on its website about its complaint procedure; specifically, how long it will take and how it works in detail. I hope the Council will consider doing so.

### **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. 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.

### **Liaison with the Local Government Ombudsman**

We made enquiries on five complaints this year, and the average time for responding was 24 days, a slight improvement on last year. This response has to be measured against a target response time of 28 days, so the Council has once again performed outstandingly well in this area. I am grateful for your help.

If it would be helpful for Stephen Purser, the Assistant Ombudsman, to visit the Council and give a presentation about how we investigate complaints then please contact him.

## **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. 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**  
**The Oaks No 2**  
**Westwood Way**  
**Westwood Business Park**  
**Coventry**  
**CV4 8JB**

**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	Public finance	Total
<b>01/04/2006 - 31/03/2007</b>	0	5	2	1	0	<b>8</b>
<b>2005 / 2006</b>	1	7	5	6	1	<b>20</b>
<b>2004 / 2005</b>	1	3	2	7	0	<b>13</b>

**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
<b>01/04/2006 - 31/03/2007</b>	0	1	0	0	8	0	5	1	14	<b>15</b>
<b>2005 / 2006</b>	0	2	0	0	7	0	1	6	10	<b>16</b>
<b>2004 / 2005</b>	0	1	0	0	18	2	0	4	21	<b>25</b>

See attached notes for an explanation of the headings in this table.

One MI report issued in 2004/5 but the Ombudsman subsequently decided that the finding could not be sustained so it has been removed from these statistics.

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
<b>01/04/2006 - 31/03/2007</b>	5	24.4
<b>2005 / 2006</b>	12	24.6
<b>2004 / 2005</b>	8	20.8

**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