



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
East Dorset 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

We received 11 complaints against your Council during the year which is slightly fewer than last year and significantly less than the 25 complaints received the previous year.

Character

As in previous years, the majority of the complaints concerned planning which is typical of complaints against district councils, especially those serving rural areas. The remaining five complaints concerned local taxation, council tax benefit, antisocial behaviour, employment and pensions.

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.

I issued one report this year about a housing allocations case. I concluded that there was fault in how the housing association, the Council's agent for housing/homelessness matters, dealt with the complainant. In particular, it failed to follow the law and government guidance concerning advising the complainant, a homelessness applicant, of his appeal rights, there were mistakes in awarding points to the complainant's housing application and there was no clear system for dealing with complaints. As a result, the complainant suffered uncertainty, lost opportunity and was also put to a great deal of time and trouble. I recommended that the Council pay £1000 compensation to the complainant and that it reviewed its housing and homelessness arrangements including how the housing association discharges those functions on its behalf. I also recommended that the Council devise a clear protocol with the housing association for dealing with complaints and to ensure that applicants have clear information about who to complain to. I am grateful to the Council for taking swift action to put my recommendations into effect.

There were no local settlements this year.

Other findings

Fourteen complaints were decided during the year. Of these two were outside my jurisdiction, two were premature and, as I mentioned earlier, one was the subject of a report. The remaining nine were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them.

Your Council's complaints procedure and handling of complaints

I note that the Council's website, which is shared with other Dorset authorities, has details of how to make a complaint together with an online complaint form and also a link to our website. The low number of premature complaints suggest that there is good public awareness and use of your complaints procedure.

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 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 bookings.

Liaison with the Local Government Ombudsman

We made enquiries on five complaints this year and the average time for responding was 24.4 days, well within the 28 day response time we ask for. Your staff have also been willing to deal with subsequent enquiries by e-mail and telephone which has helped us to reach decisions more quickly than would otherwise be the case. I am very grateful for the Council's excellent response times here.

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.

J R White
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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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	0	3	6	1	0	11
2005 / 2006	0	1	3	8	2	1	15
2004 / 2005	1	0	4	18	1	1	25

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	1	0	0	0	8	1	2	2	12	14
2005 / 2006	0	2	0	0	6	5	3	1	16	17
2004 / 2005	0	0	0	0	5	4	6	4	15	19

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	5	24.4
2005 / 2006	6	23.3
2004 / 2005	11	33.3

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