



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Great Yarmouth 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 Great Yarmouth 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 46 complaints during the year, a significant increase on the 29 received in the previous year.

Character

The number of complaints about benefits almost doubled from six last year to 11 this year and planning complaints trebled, rising from four to 12. There were also increases in complaints about Public Finance from two last year to six this year and in the 'other' category, which included three complaints about anti social behaviour and two about drainage. We do expect the number of complaints to vary from year to year, and the figures here should be seen in the context of a rise in planning complaints nationally.

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. When we complete an investigation we must issue a report.

Six complaints were settled locally. In one complaint, the Council had lost the complainant's mother's ashes. Although the Council had already refunded the crematorium fees and revised its procedures for the handling of remains, I felt that some further remedy was due and the Council agreed to provide a bench with a plaque for the churchyard where the complainant's father is buried.

In a planning enforcement complaint, where a planning permission granted in 1984 had been subject to informal amendment, the Council settled the complaint locally by seeking counsel's opinion to assess the legality of the planning permission and ongoing building work.

Three complaints about housing benefit were settled locally. In one complaint the Council apologised for giving the wrong advice. Two complaints featured delay in deciding housing benefit claims and the Council made payments of £350 and £50 respectively. My officers comment favourably on the helpfulness of the Council's housing benefit staff here.

In a complaint about a maintenance bill the Council had failed to respond to a leaseholder's request for arbitration. It subsequently settled the complaint by agreeing to arbitration in principle.

I am grateful to the Council for its help in providing redress to complainants once it can be shown that things have gone wrong.

Just £400 was paid in total as compensation for complaints determined by me this year.

I issued no reports against the Council during the year.

Other findings

Thirty-eight complaints were decided during the year. Of these four were outside my jurisdiction for a variety of reasons. Nineteen complaints were premature and, as I mentioned earlier, six were settled locally. 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

Nineteen of the 46 incoming complaints were premature. This is approximately 40% of the total and is similar to the ratios in 2005/2006. This is higher than the national average of 28%. The Council has an informative webpage allowing complaints to be made on line but perhaps the Council might wish to consider whether sufficient signposting to the complaints process is provided in other ways. It may well be that staff training might help the Council recognise when a referral to the complaints process is appropriate, and I return to this point below.

Of the 19 complaints referred back to you as premature, nine were re-submitted. A decision has yet to be made on one complaint and one other was settled locally.

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 includes a 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.

We have not delivered any formal training to your Council this year but if we can provide any assistance please contact Barbara Hedley, Assistant Ombudsman.

Liaison with the Local Government Ombudsman

I made enquiries on 13 complaints this year, and the average time for responding was 27.8 days, a significant improvement on the 36 days it took last year. I congratulate the Council on this improvement. It means that you now meet our response time target of 28 days and this places you in the top 50% of district councils nationally.

No-one from the Council has attended the annual link officer seminar recently and you may wish to consider sending someone to the seminar to be held later in November. If so, please let Barbara Hedley know and she will arrange for an invitation to be sent. In addition, if it would help for her to visit the Council and give a presentation to officers and Members about how we investigate complaints I would be happy to arrange this.

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
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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	Transport and highways	Total
01/04/2006 - 31/03/2007	11	8	9	12	6	0	46
2005 / 2006	6	9	7	4	2	1	29
2004 / 2005	5	14	3	8	1	2	33

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	6	0	0	8	1	4	19	19	38
2005 / 2006	0	3	0	0	12	3	7	11	25	36
2004 / 2005	0	2	0	0	13	1	6	11	22	33

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	13	27.8
2005 / 2006	15	36.1
2004 / 2005	11	41.6

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