



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter to Hambleton 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

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to assist with your 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.

Two attachments 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 & Character

Complaints against the Council received by my office have remained, at 22, broadly the same as the previous year. Planning (with 16) remains the main source of complaints but I have no basis to attribute this to any systemic faults within that department – the most likely explanation being the sensitivity of planning issues in an area like Hambleton.

Decisions on complaints

Reports and local settlements

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

I have not issued any reports against the Council during the year. Three complaints merited obtaining some settlement. Two were concerned with planning and related to the same issue. The problem was over delay in taking enforcement action. Whilst the consequences in these cases were relatively minor (both being settled with payments of £50) I would like to stress to the Council that consequences can be much more serious and delays must be avoided.

Other findings

In all, 23 complaints were decided by my staff with five of those being premature – ie the Council had not itself been given a fair chance to investigate and respond to the complainant before we became involved. Two complaints were outside of my jurisdiction. In 11 cases my staff found no evidence of maladministration, and in the remaining two complaints discretion was exercised not to investigate.

Liaison with the Local Government Ombudsman

The Council took on average nearly 30 days to respond to enquiries from my office. That is outside our target of 28 days, and is disappointing for a council that has previously performed well in this regard.

Working relations between our two offices remain good. There was a small glitch in the year as to who was responsible for responding, but that seems to have been overcome.

The Assistant Ombudsman previously responsible for the team that deals with the Council met twice during the year with a representative group of planners from North Yorkshire. The Council sent representatives to both meetings. Issues of mutual concern were discussed. Concerns were raised about the effect of possible judgements from me or my staff on the planning process. It is too soon to say how that will all turn out but I am available for discussion should the Council feel that is needed.

Your Council's complaints procedure and handling of complaints

I am not aware of any problems in the way the Council handles complaints from members of the public.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training 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 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.

LGO developments

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and discuss with you the implications for the Council.

I hope you have received our latest special report about telecommunications masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

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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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	2	3	16	1	0	22
2005 / 2006	0	9	14	0	0	23
2004 / 2005	0	2	11	0	1	14

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	3	0	0	11	2	2	5	18	23
2005 / 2006	0	0	0	0	10	4	1	7	15	22
2004 / 2005	0	0	0	0	5	7	1	1	13	14

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	8	29.8
2005 / 2006	12	19.4
2004 / 2005	8	17.0

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