



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

High Peak 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

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

We received 30 complaints about your Council in 2006/07, an increase of eight on 2005/06 and continuing an upward trend from 2004/05. There were small increases in the numbers of all types of complaints, other than transport and highways which remained static.

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.

We did not issue any reports about your Council during 2006/07. Ten complaints led to local settlements, a substantial increase on the two such settlements last year. There were local settlements on 71.4% of all substantive complaints (excluding those which were premature or outside my jurisdiction). The national figure is 27.7%. Nine of these ten settlements related to housing, with the other being a transport and highways complaint. Housing services are provided by High Peak Community Housing, an Arms Length Management Organisation (ALMO).

The nine housing local settlements led to payments of £1,450. One neighbour nuisance complaint led to a review of procedures in the light of failures to comply with policy and procedures, poor record keeping, lack of investigation of the complaint and poor communication. Another complaint highlighted problems with the repairs record system and poor communication, which resulted in a review of the repairs record system. There were a further four complaints about delays in repairs being done. After delays in being transferred, a further complainant was moved to a more suitable property.

The highways complaint was about a parking ticket and highlighted a failure by officers to pass on contact details for my office. I note that all staff have now been reminded that they must do this when requested.

Your Council's complaints procedure and handling of complaints

Your Council took an average of 37.6 days to respond to initial enquiries from my office. This is an improvement on the 43 days it took last year, but still well over the 28 day target. Breaking this figure down by subject, housing enquiries took the longest time to respond to, averaging 48 days, with two complaints taking 93 and 71 days respectively. Whilst we welcome full responses, it is also important

that these are timely, given that these complaints will already have been considered through the ALMO's own complaints procedure. As this is the second year of significant problems in responding to our initial enquiries, I would like the Council and ALMO to review how it can improve the speed of response and write to let me know the outcome within three months of receiving this letter.

We decided 23 complaints during 2006/07, of which eight (34.8%) were premature, that is the Council had not had a reasonable opportunity to respond to them. This is a lower proportion than last year (47.1%) and suggests that the Council's complaints procedure is becoming more accessible to local people. Of the complaints decided, seven were resubmitted premature complaints where the complainant was dissatisfied with the Council's response. Five of these complaints (71.4%) led to local settlements, and these five were all the housing complaints resubmitted to my office. This suggests that there are significant problems with how housing complaints are being dealt with.

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. I am pleased that your Council will be taking advantage of the training on Good Complaint Handling and Effective Complaint Handling during 2007/08. I hope that the lessons learnt from this training will be reflected in the complaints I consider when writing next year's Annual Letter.

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.

Liaison with the Local Government Ombudsman

In light of the problems with housing complaints identified in this letter, my Assistant Ombudsman has recently met you and senior officers from the Council and ALMO to discuss the problems and how they might be resolved. I hope to see significant improvements during the year.

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.

**Anne Seex
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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	Transport and highways	Total
01/04/2006 - 31/03/2007	1	10	8	10	1	30
2005 / 2006	0	8	6	7	1	22
2004 / 2005	0	5	7	4	2	18

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	10	0	0	3	1	1	8	15	23
2005 / 2006	0	2	0	0	6	1	0	8	9	17
2004 / 2005	0	1	0	0	7	3	3	8	14	22

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	37.6
2005 / 2006	8	43.0
2004 / 2005	6	28.8

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