



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Kings Lynn & West Norfolk
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 Kings Lynn & West Norfolk 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 24 complaints during the year, under half the number received in the last year (49).

Character

Eighteen complaints were received about planning, four fewer than last year. There was a significant drop in the number of complaints in the 'other' category from 16 to two this year. These concerned antisocial-behaviour and environmental health matters. There were no complaints about benefits and your Council has a history of low levels of these sorts of complaints which indicates that the function is well run and that complaints are resolved quickly.

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.

Three complaints were settled locally this year and the Council paid a total of £7,750 in compensation.

There was delay in drafting a Planning Agreement and then the draft did not accurately reflect the planning constraints which Members wished to impose. The Council also failed to consult the County Council at the appropriate time. The delay resulted in increased professional fees. The Council paid the complainant £5,000.

In a complaint about planning applications, the Council mislaid the complainant's letter of objection and agreed to make a payment of £250 to reflect their outrage at being unable to influence the planning outcome. In another complaint the Council failed to consider the relationship between existing dwellings and the proposed development despite earlier concerns on a withdrawn application about mass. The plans were inaccurate and misrepresented the size and location of the complainant's home. As a result the new building extends further beyond the rear of the complainant's home than should have been the case. The Council agreed to pay compensation of £2,500.

I am grateful to the Council for its assistance in settling these complaints.

I issued no reports against the Council during the year.

Other findings

Thirty-two complaints were decided during the year. Of these two were outside my jurisdiction for a variety of reasons. Six complaints were premature and, as I mentioned earlier, three were settled locally. The remaining 21 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

The number of premature complaints (six) compared to the total number of incoming complaints (24) is not dissimilar with the national average of 28%. This suggests that the Council's complaints process is visible to customers and that staff, when dealing with requests for assistance, signpost the complaints process for customers who remain unhappy with what the Council has done.

Your Council's website is accessible and includes a customer feedback form. It does not appear to have a dedicated compliments and complaints page with any explanation of the complaint procedure. This might be something the Council could usefully review in the coming year.

Only two of the six complaints referred back to you were resubmitted to me. I decided not to pursue one complaint and the other is still under investigation.

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 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. If we can provide any further training for you please let Barbara Hedley, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on 20 complaints this year, and the average time for responding was 26 days days, an improvement of four days on last year's figure of 30 days. Yours is now one of the 50% of district councils nationally which meets my 28 day time target for responses. I very much appreciate the effort the Council has made in this area.

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.

I hope Members and officers found Barbara Hedley's presentation about our approach and purpose on 25 September 2006 useful.

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	Transport and highways	Total
01/04/2006 - 31/03/2007	0	1	2	18	1	2	24
2005 / 2006	2	4	16	22	5	0	49
2004 / 2005	4	1	17	31	5	0	58

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	15	6	2	6	26	32
2005 / 2006	0	12	0	0	25	3	8	12	48	60
2004 / 2005	0	3	0	0	10	2	6	14	21	35

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	20	25.9
2005 / 2006	32	29.6
2004 / 2005	20	21.5

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