



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
Lake District National Park  
Authority  
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***

Last year 13 complaints were received against the Authority, a fall of just under a third from the 19 complaints received during the previous year.

### ***Character***

The reduction of six complaints equates exactly with the fall in complaints about planning and building control services: from 17 complaints in the previous year to 11 last year, comfortably the largest category of complaint as might be expected, given the Authority's responsibilities.

## **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.

No report was published against the Authority last year, but two complaints were locally settled. In one case the Authority agreed to pay £100 to the complainant because of its delay in deciding upon enforcement action and its failure to keep the complainant properly informed. I am pleased to note that the Authority introduced new guidance on dealing with such enforcement matters.

### ***Other findings***

Decisions were taken upon 14 complaints, only one of which was found to be premature in the sense that the Council had not yet had a proper opportunity to consider and respond to those complaints as is required by law. Another 13 complaints lay outside my jurisdiction, and in three other cases no maladministration was found. Five complaints were closed using my discretion to do so for a variety of reasons.

## **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.

### **Liaison with the Local Government Ombudsman**

During the last year the Authority responded within an average of 32 calendar days upon the nine complaints where enquiries were made by investigators. While this average time is only marginally greater than the Commission's new target of 28 calendar days, it is disappointing to note that 32 calendar days is almost exactly twice the time the Authority took to respond to a larger number of complaints during the previous year.

I hope that during the coming year the Authority may be able to comply with the Commission's 28 calendar day target.

### **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**  
**Local Government Ombudsman**  
**Beverley House**  
**17 Shipton Road**  
**YORK**  
**YO30 5FZ**

**June 2007**

Enc: Statistical data  
Note on interpretation of statistics  
Leaflet on training courses (with posted copy only)

<b>Complaints received by subject area</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	11	2	<b>13</b>
<b>2005 / 2006</b>	1	17	1	<b>19</b>
<b>2004 / 2005</b>	1	8	0	<b>9</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	2	0	0	3	5	3	1	13	<b>14</b>
<b>2005 / 2006</b>	0	0	0	0	14	1	2	4	17	<b>21</b>
<b>2004 / 2005</b>	0	0	0	0	2	0	1	1	3	<b>4</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	9	32.0
<b>2005 / 2006</b>	11	16.9
<b>2004 / 2005</b>	2	16.0

**Average local authority response times 01/04/2006 to 31/03/2007**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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