



The Commission for  
Local Administration in England

## **The Local Government Ombudsman's Annual Letter**

# **Malvern Hills 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**

The aim of the annual letter is to provide a summary of information on the complaints about your authority 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***

I received 12 complaints against your authority in 2006-07, three fewer than in the previous year. I expect to see these fluctuations year on year.

### ***Character***

Of the complaints received, eight were about planning. This proportion is similar to 2005-06 and continues to reflect the rural nature of the Council's area and the importance of planning decisions to residents.

## **Decisions on complaints**

### ***Reports and local 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.

In 2006-07, I issued no reports about the Council. One complaint resulted in a local settlement. In this case, the Council failed to stop a summons for unpaid council tax after it had agreed that the complainant need not pay until her claim for council tax benefit had been determined. I am pleased that the Council not only apologised and agreed to pay £150 compensation, but also reviewed its procedures to avoid repeating the error.

### ***Other findings***

Three of the complaints which I received about the Council this year were outside my jurisdiction. My investigations of the remaining eight complaints were all discontinued because I found no or insufficient evidence of maladministration.

## **Your Council's complaints procedure and handling of complaints**

Last year I suggested that the Council might need to improve the accessibility of its complaints procedure, to reduce the number of premature complaints that I received. I am pleased to say that I received no premature complaints at all about your Council in 2006-07.

## **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. 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**

The Council has responded to my first enquiries within 25 days well within our target of 28 days. This continues the improvement that I have noted in recent years and helps us to deal more effectively and quickly with complaints for our complainants. I very much welcome the Council's efforts here.

## **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 that 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  
Leaflet on training courses (with posted copy only)

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	8	1	0	12
2005 / 2006	0	0	2	11	1	1	15
2004 / 2005	1	1	6	3	3	0	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	1	0	0	8	0	3	0	12	12
2005 / 2006	0	2	0	0	5	2	2	5	11	16
2004 / 2005	1	2	0	0	1	3	2	3	9	12

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	9	25.4
2005 / 2006	8	29.0
2004 / 2005	4	30.0

**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