



The Commission for  
Local Administration in England

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

# **Newark and Sherwood 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

In the year up to 31 March 2007, I received 20 complaints about your Council. This is the lowest for three years and a drop of 37.5% on last year's figure of 32.

As this table shows the main change has been in the number of complaints I received about planning issues.

If you recall, this was an area I commented on last year because it accounted for half of the complaints about your Council. This type of complaint has more than halved and now accounts for just a third of the total complaints received.

| Category of complaints      | Received in 2006/07 | Increase/decrease on 2005/06 |
|-----------------------------|---------------------|------------------------------|
| benefits                    | 2                   | +1                           |
| housing                     | 3                   | same                         |
| other                       | 4                   | -4                           |
| planning & building control | 6                   | -10                          |
| public finance              | 4                   | +1                           |
| transport & highways        | 1                   | same                         |

## 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.

### Decisions

In 2006/07 I determined 26 complaints, a figure which differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 26 decisions: two were outside my jurisdiction, five I exercised discretion not to investigate, in six I found no evidence of maladministration and seven were 'premature' (in our view the Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

The remaining six were local settlements. These settlements were in respect of a variety of issues and did not point to any underlying systemic problems in the way the Council generally administers its services.

I did not issue any reports against your council and overall did not find issues that gave significant concern.

### **Other findings**

As you are aware, we ask for comprehensive responses to our enquiries within 28 days. Your Council responded in 34.9 days on average. This figure is skewed by one particular complaint where your response took 70 days. But for that complaint the average response time was just over 29 days. I am grateful to the Council for this.

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

The number of complaints I have investigated is too small to be considered representative of the way in which your Council handles complaints so I draw no conclusions from the raw data. However, I feel it worth sharing my observations on two of the complaints where we agreed a local settlement. In these two cases (both about housing matters) my investigator concluded that the Council could have dealt with the complaints more effectively. I raise this not to be critical but to enable your Council to reflect on it in the context of other data it has from its own complaints process.

### **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**

The liaison arrangements between our two organizations work well. Your appointed liaison staff are helpful and professional in their dealings with us. It is particularly helpful that your Council is receptive to settling complaints promptly when we find evidence of failure and shortcomings.

Your staff are also very helpful in providing information early in a complaint, before we have made formal enquiries. This is perhaps best summed up by one of my investigators who was moved to make the following observation "[the] *Council should be commended for its pragmatic and prompt response to pre investigation enquiries.*"

### **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**

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

| Complaints received<br>by subject area | Benefits | Housing | Other | Planning &<br>building<br>control | Public<br>finance | Transport<br>and<br>highways | Total |
|--|----------|---------|-------|-----------------------------------|-------------------|------------------------------|-------|
| 01/04/2006 - 31/03/2007                | 2        | 3       | 4     | 6                                 | 4                 | 1                            | 20    |
| 2005 / 2006                            | 1        | 3       | 8     | 16                                | 3                 | 1                            | 32    |
| 2004 / 2005                            | 0        | 4       | 4     | 18                                | 0                 | 0                            | 26    |

**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<br>jurisdiction | Premature<br>complaints | Total excl<br>premature | Total |
|-------------------------|---------|----|--------|---------|--------|----------|-------------------------|-------------------------|-------------------------|-------|
| 01/04/2006 - 31/03/2007 | 0       | 6  | 0      | 0       | 6      | 5        | 2                       | 7                       | 19                      | 26    |
| 2005 / 2006             | 0       | 4  | 0      | 0       | 4      | 5        | 5                       | 6                       | 18                      | 24    |
| 2004 / 2005             | 0       | 1  | 0      | 0       | 9      | 5        | 5                       | 9                       | 20                      | 29    |

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

| Response times          | FIRST ENQUIRIES           |                               |
|-------------------------|---------------------------|-------------------------------|
|                         | No. of First<br>Enquiries | Avg no. of days<br>to respond |
| 01/04/2006 - 31/03/2007 | 8                         | 34.9                          |
| 2005 / 2006             | 12                        | 29.0                          |
| 2004 / 2005             | 6                         | 18.0                          |

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

| Types of authority        | <= 28 days<br>% | 29 - 35 days<br>% | > = 36 days<br>% |
|---------------------------|-----------------|-------------------|------------------|
| 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              |