



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
North East Derbyshire 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

We received twenty-one complaints about your Council during 2006/07, six fewer than the previous year. In terms of types of complaint, the only significant changes were a reduction in housing complaints after an increase last year, and a small increase in other complaints. These changes are well within the normal fluctuations seen in the numbers and types of complaints.

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.

For a second year we did not issue any reports about your Council. There were seven local settlements, compared to two last year. The local settlements resulted in payments of £1,165, and included a complaint about shortcomings in dealing with noise nuisance from a pub, failures to deal appropriately with enforcement issues about council owned garage sites which compounded problems of rat infestation and compensation for damage to personal possessions caused by failure properly to repair a water leak. One complaint resulted in a new procedure to ensure that decisions on planning decisions are taken within the relevant time limit and communicated quickly to the applicant.

Your Council's complaints procedure and handling of complaints

Your Council took an average of 42.4 days to respond to our initial enquiries, considerably longer than the 28 day target. This problem was found across all types of complaint and no response was received within the 28 day target. It continues the trend of increasing response times to the Ombudsman, seen over the last four years. This poor performance seriously affects my ability to provide a quality service to complainants. I would therefore like to hear from the Council within three months of receiving this letter what measures it will be taking to reduce response times for complainants.

We decided 21 complaints, of which 28.6% were premature, that is the Council had not had a reasonable opportunity to respond to them. Of the complaints decided, two were resubmitted premature complaints where the complainants were dissatisfied with the Council's response. One of these resulted in a local settlement. These figures suggest that the Council's complaints procedure is working satisfactorily.

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.

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
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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	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	1	3	8	6	1	2	21
2005 / 2006	1	12	5	7	2	0	27
2004 / 2005	0	2	3	7	1	2	15

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	7	0	0	4	2	2	6	15	21
2005 / 2006	0	2	0	0	6	1	3	11	12	23
2004 / 2005	0	3	0	1	8	3	2	6	17	23

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	42.4
2005 / 2006	7	35.6
2004 / 2005	6	27.5

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