



The Commission for  
Local Administration in England

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

In the year to 31 March 2007 my office received 40 complaints against your Council. While this is an increase on the number we have received in recent years, the number remains small, given the number of decisions the Council makes on behalf of its citizens each year.

### ***Character***

Twenty-one of the 40 complaints concerned planning matters. The high proportion of planning issues is typical of the pattern of complaints against district councils, particularly those serving rural areas. There were six complaints about anti-social behaviour, which is an increase on previous years. We do however expect to see such fluctuations from year to year.

## **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.

I am pleased that this year I had no cause to issue a report against the Council.

There were four local settlements, the key points of which I have summarised below.

- The Council delayed responding to a letter from the complainant setting out details of anti-social behaviour he was suffering. He had requested that the Council fence off an area adjacent to his home where young people gathered. In the course of the investigation the Council agreed to provide a fence. I regarded this as a reasonable basis on which to settle the complaint, without the need for compensation.
- The Council failed to provide an elderly man with a warden service in accordance with its Tenancy Support Scheme. It also delayed installing a shower at his home. The Council

agreed to my proposal that it pay compensation totalling £1394 to the man and to his son, who had been put to avoidable time and trouble in caring for his father. I am grateful to your officers for their willingness to accept my findings and proposal here.

- The Council delayed the sale of a plot of land to the complainant's business, leading to increases in both the sale price and legal costs. I took the view that the increases were only in part due to delays for which the Council was responsible, and recommended a payment of £1500 compensation based on a proportion of the complainant's legal costs, together with an element for his time and trouble. The Council made the payment.
- The Council erroneously told the complainant that it did not deal with applications for Disabled Facilities Grants, leading to an avoidable delay in his application being processed. I recommended a payment of £350 in recognition of the Council's fault and the injustice it caused, which, after some reluctance, the Council agreed to do.

In total the Council agreed to pay compensation of £3244 in respect of complaints brought to me.

### ***Other findings***

We made decisions on 40 complaints in 2006/07. In addition to the four local settlements set out above, seven complaints were outside my jurisdiction, in 13 I found no significant evidence of maladministration and I used my discretion to discontinue the investigation of four complaints. The remaining 12 complaints were referred back to you to be considered through the Council's own complaints procedure.

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

The 12 complaints we regarded as premature and referred back represent an increase on previous years. However, the proportion is still broadly in line with the national figure. It would therefore appear that your complaints procedure continues to be effective and accessible to your citizens. I note the ease with which details of your complaints procedure can be accessed from the Council's home page and the clarity of the information provided.

### **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 note that we have recently provided three courses to your staff, which I hope they found useful and enjoyable.

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**

We made initial enquiries on 12 cases in the last year and, on average, the Council responded in 20.9 days. This is a great improvement on the response times in the previous year, and I am most grateful to your officers for the work they have done to achieve this result.

I note that Ms Jones, one of my Assistant Ombudsmen, attended your Scrutiny Committee to present last year's annual letter. I do hope that you found her presentation 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 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	Transport and highways	Total
01/04/2006 - 31/03/2007	1	5	12	21	1	40
2005 / 2006	1	3	6	20	0	30
2004 / 2005	1	7	6	6	0	20

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	4	0	0	13	4	7	12	28	40
2005 / 2006	1	3	0	0	9	2	1	8	16	24
2004 / 2005	0	1	0	0	11	3	1	3	16	19

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	12	20.9
2005 / 2006	14	32.5
2004 / 2005	12	25.6

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