



The Commission for  
Local Administration in England

# **The Local Government Ombudsman's Annual Letter to Sedgefield Borough 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**

### ***Volume & Character***

The number of complaints against the Council received by this office fell from 30 to 26. That will be welcome but is within the normal range of apparently random variation from year to year. The distribution of those complaints between departmental areas gives no cause for concern.

## **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.

I did not issue any reports against the Council during the year. Three complaints merited my staff seeking some form of remedy from the Council. In one case there was a failure to identify faults with a domestic boiler despite over 30 visits! A private contractor used by the council at our request immediately identified the fault. The Council needs to ensure that its repair services are up to the job and I ask it to tell me what followed from this unfortunate case – one that resulted in £4,000 worth of much deserved compensation for the complainant. In all three settled cases there were favourable comments from the Investigators about the way the Council dealt with the complaints. I commend the Council for this.

### ***Other findings***

21 complaints were decided in the year by my staff. Eight of those were premature – ie the Council had not had a prior opportunity to investigate and respond under its complaints procedure. One complaint was outside my jurisdiction, and in three cases my Investigators exercised their discretion not to investigate the complaints. In the remaining six cases, no evidence of maladministration was found after investigation.

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

I have to draw to the Council's attention its lamentable figure for responding to enquiries. We set a target of 28 days on average. In the previous year the Council was close with around 31 days. Last year the average time was over 70 days on nine enquiries. One complaint took over 200 days. This was the complaint about the boiler to which I refer above. I accept that things were happening in the

interim but this was far too long. In response to last year's relatively good times, the Council said it was looking into making improvements. This year's figures are, therefore, doubly disappointing and I ask the Council to let me know as a matter of urgency how it proposes to get back on track next year.

Beyond the problems noted above working relations as between our offices remain good. The Council's staff attended training in complaints handling provided by our own training team at the neighbouring Easington Council in June 2006. Feedback was positive and I trust that the Council can make good use of this. Further details of our training courses are given below.

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

The number of premature complaints to me is a rather higher percentage than is normal. I am reluctant to make too much of this figure but it could indicate that the Council's own procedure is not as well known as it might be to citizens and/or staff.

### **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	0	11	5	9	0	1	26
2005 / 2006	0	15	7	7	1	0	30
2004 / 2005	1	3	8	11	1	2	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 jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	3	0	0	6	3	1	8	13	21
2005 / 2006	0	0	0	0	11	5	2	8	18	26
2004 / 2005	0	2	0	0	12	11	3	2	28	30

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	70.8
2005 / 2006	19	30.7
2004 / 2005	11	30.8

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