



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
South Hams 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 South Hams District Council 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

We received 26 complaints during the year, a small increase on the 19 received in the previous year. We expect to see some fluctuation year on year and I see no significance in the rise.

Character

Seventeen complaints were received about planning. Of the six complaints in the "other" category, three were about environmental health, two about waste management and one about anti-social behaviour. Only one complaint each was received about housing, public finance and transport and highways, and for the second year running there were no complaints about benefits. This is commendable, suggesting especially good complaint handling and resolution in these Council functions. Housing benefit staff in particular should be proud of this record.

Decisions on complaints

Reports and 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. Four complaints were settled locally. In one complaint, about planning applications, the Council agreed to review the Council's scheme of delegated decision making and the way it operates in practice. It also agreed to pay the complainant £1000 in recognition of the protracted correspondence between him and the Council and his continuing uncertainty about the Council's role and responsibility in relation to his complaints about increased drainage problems following the building of his neighbour's extension. In three linked complaints, also about planning, the Council readily accepted that an inadequate assessment of an application site had created a harmful affect on the amenity of nearby neighbours. The Council agreed to pay one complainant £150 to reflect the anxiety and aggravation he was caused and to take account of the time and trouble he had spent pursuing the complaint. The Council agreed to pay two further complainants £50 each and for all three of them the Council proposed to ensure effective screening by mature planting at the Council's expense.

The total compensation agreed was £1250. I am grateful to the Council for its assistance in settling these complaints.

When we complete an investigation we must issue a report. I issued no reports against the Council during the year.

Other findings

Twenty complaints were decided during the year. Of these four were outside my jurisdiction for a variety of reasons. Seven complaints were premature and, as I mentioned earlier, four were settled locally. The remaining five were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them.

Your Council's complaints procedure and handling of complaints

The number of premature complaints (seven) is relatively high when set against the number of incoming complaints (20). This suggests that the Council's complaints process may not be sufficiently visible to customers or that staff, when dealing with requests for assistance, do not signpost the complaints process for those who remain unhappy with what the Council has done. The Council may wish to review these aspects of its complaint handling during the coming year.

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

We made enquiries on six complaints this year, and the average time for responding was 39 days against a target of 28 days. This was an increase on the 36 days it took last year. All these enquiries were about planning. The Council should take steps to improve its' response times here, particularly given the relatively low number of enquiries I made of the Council.

No one from the Council attended the annual link officer seminar last year and you may wish to consider sending someone to the seminar to be held in November. If so, please let Stephen Purser the Assistant Ombudsman know and he will arrange for an invitation to be sent.

In addition, if it would help for Mr Purser to visit the Council and give a presentation about how we investigate complaints I would be happy to arrange this.

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 we work and again we will keep you informed as relevant.

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
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June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

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	6	17	1	1	26
2005 / 2006	0	0	3	14	0	2	19
2004 / 2005	1	0	4	21	3	4	33

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	4	1	4	7	13	20
2005 / 2006	0	6	0	0	12	5	1	3	24	27
2004 / 2005	0	1	0	0	11	6	3	7	21	28

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	6	38.8
2005 / 2006	7	36.3
2004 / 2005	16	35.7

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