



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter  
South Staffordshire 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 Staffordshire 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 seven complaints during the year, an insignificant rise on last year.

### ***Character***

Five complaints were about planning and building control matters, one about benefits and one about local taxation. We received no complaints during the year about housing matters.

## **Decisions on complaints**

I decided a total of nine complaints during the year.

### ***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. When we complete an investigation we must issue a report.

As last year, I did not issue any reports against your Council.

Three cases were determined on the basis of local settlements. One of those concerned a breach of planning control at a new development where there was a dispute about the accuracy of initial measurements that had been taken. Your Council recognised that errors had been made and, following consideration of the matter by your Complaints Panel, a compensatory payment of £250 was offered to the complainant. I took the view that this was an appropriate way to settle the complaint and so did not pursue it further.

In another case your Council accepted that there had been a delay in determining a person's housing benefit claim which meant she was unclear about how much council tax and rent she had to pay. Your Council apologised for these errors and made a compensatory payment of £100.

The third case I decided as a local settlement concerned a complaint that a person's objections to his neighbour's planning application for an extension had not been properly considered. While I agreed with the Council that the outcome would not have been different had the objections been taken into account, it apologised to the complainant and made a compensatory payment of £250.

## ***Other findings***

One complaint was treated as premature and referred back to your Council so that it could first be considered under your Council's own complaints procedure. Another complaint was outside my jurisdiction. The remaining four complaints 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 complaints treated as premature is much lower than the national average when viewed as a percentage of all decisions taken. This indicates the thoroughness of your Council's own complaints procedure and that the process is easily accessible to service users. The Council is to be commended here.

## **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 also run open courses for groups of staff from smaller authorities and 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.

We have not delivered any training to your Council during the year. 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 five complaints and your Council's average time for responding was 33 days. This is an increase on the previous year's figure of 22 days and is also beyond the 28 day period in which I request responses. I hope your Council will now take whatever steps are necessary to improve its response times, particularly given the relatively low number of enquiries that we make of your Council.

## **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.

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  
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	1	0	0	5	1	0	7
2005 / 2006	0	1	0	5	0	0	6
2004 / 2005	1	0	5	6	2	1	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	3	0	0	3	1	1	1	8	9
2005 / 2006	0	0	0	0	5	1	0	2	6	8
2004 / 2005	0	3	0	0	5	2	0	5	10	15

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	5	33.0
2005 / 2006	5	22.2
2004 / 2005	9	22.8

#### 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