



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Southend-on-Sea 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

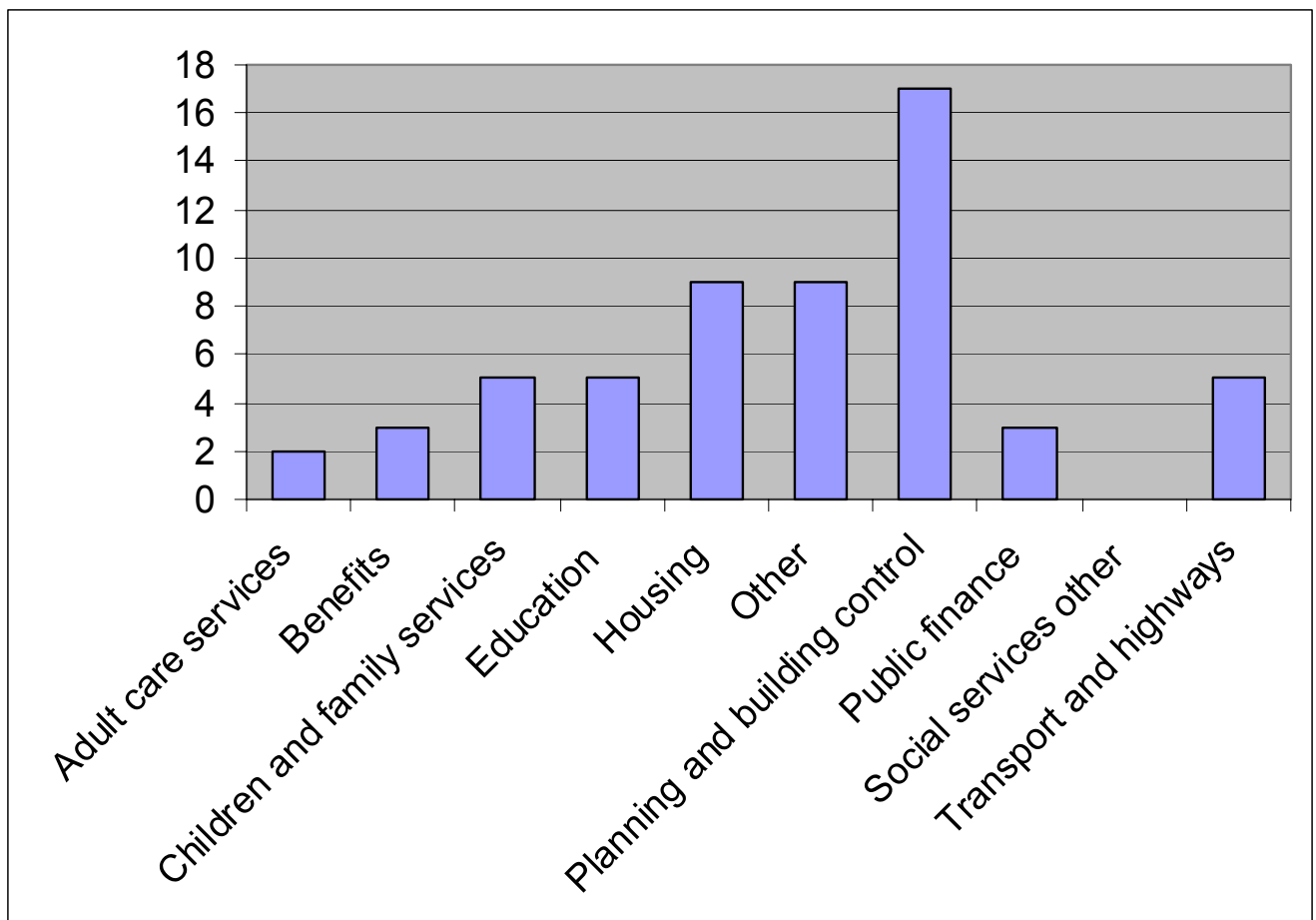
The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

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

During the year 58 complaints were received by my office. This was six more than last year. Complaints about planning and building control (17) were up by six compared to last year and again formed the largest category of complaint. Many of the planning complaints involved dissatisfaction with decisions to grant planning permission or not to take enforcement action. As you know as long as there has been no fault in the way the decision was reached I have no power to question the merits of the decision taken. There were nine complaints about housing, slightly down on last year. Six of these complaints were about housing allocations.



Complaints received in period

Decisions on complaints

Reports and local settlements

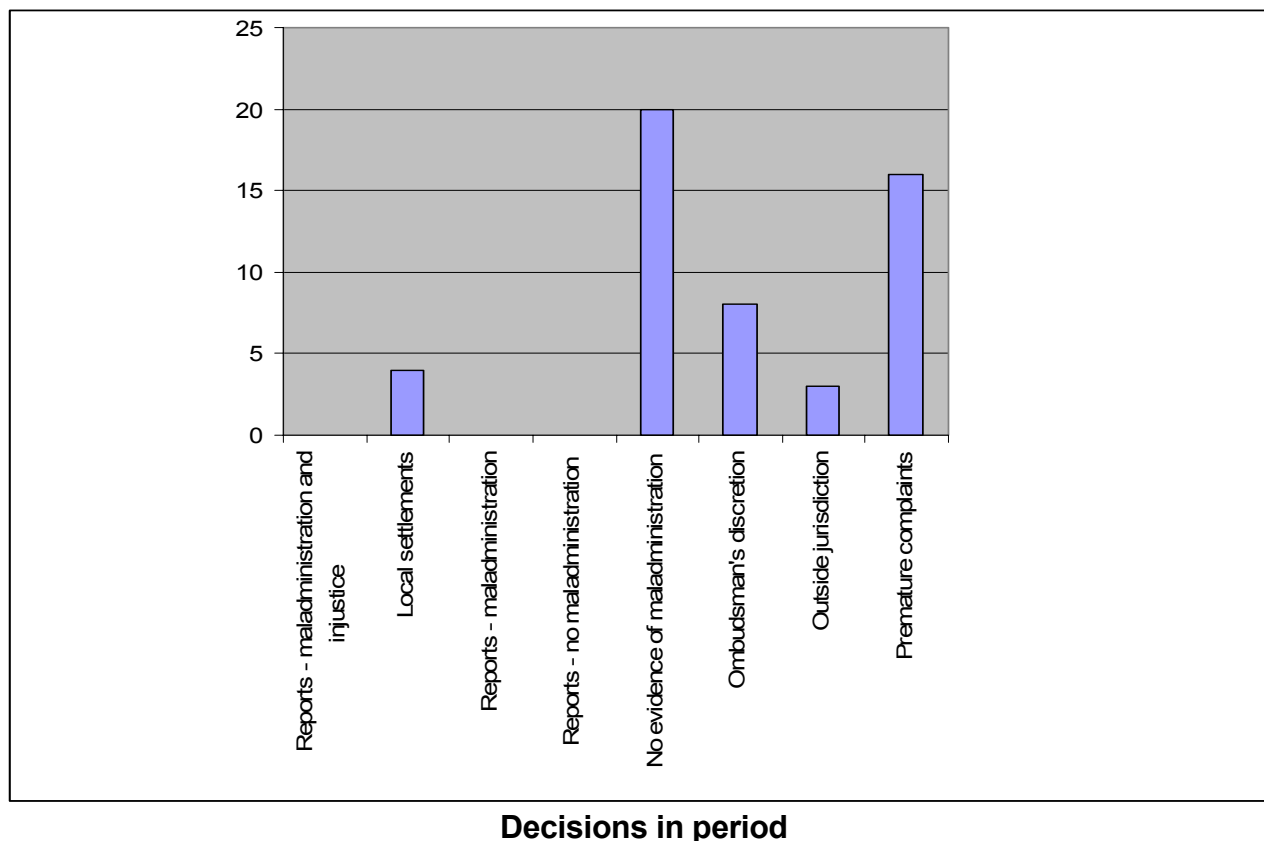
We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

There were four local settlements this year (12.5% of all decisions excluding those which were premature or outside my jurisdiction). This is considerably lower than the national average figure of 27.7%. A total of £330 was paid in compensation to complainants.

£300 was paid to a complainant to compensate him for the time and trouble he was put to in making a complaint to me about faults in a case officer's report on a planning application. The Council failed to take action to rectify the faults although it had the opportunity to do so.

Your Council also failed to take action to exercise discretion to cancel a parking penalty when the motorist made representations that the parking restrictions were poorly signed. It would have been reasonable for the Council to have done so because, in a case at the same location, the parking adjudicator had criticised the Council and allowed an appeal. Your Council agreed to refund the penalty which the motorist had paid and alter the layout so that there would be less confusion.

Taking into account the high proportion of complaints made in the planning and building control category I am disappointed that more progress has not been made in the amount of information which is available to the general public on your website. Many councils have full information on-line including details of planning applications, relevant drawings, reports, and decisions. Please let me know what plans have been made, if any, for this information to be made available on your website in future.



Your Council's complaints procedure and handling of complaints

Sixteen complaints (31.4%) were considered to be premature and referred back to your Council for consideration under your complaints procedure. This is slightly above the national average of 28.8%. Six of these complaints were resubmitted to me after they had been through the Council's complaints procedure because the complainant was not satisfied by the Council's response. One of these complaints remained open at the year end, one was outside my jurisdiction and in the other four I found no fault.

In all the settlements which my office dealt with this year I was impressed by your Council's prompt response to proposals and willingness to accept improvements in procedures.

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 and in addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. 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

Your Council took an average of 37.5 days to respond to first enquiries by my office. This is a slight improvement on last year's performance but should be seen in the context of the target of 28 days. I would be grateful if the Council could provide any information about the reasons for the length of time it takes to respond and what steps it could take to improve on this in future.

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.

Tony Redmond
Local Government Ombudsman
Millbank Tower
Millbank
London
SW1P 4QP

June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	2	3	5	5	9	9	17	3	0	5	58
2005 / 2006	0	3	3	4	12	10	13	3	1	3	52
2004 / 2005	6	3	1	2	5	7	16	4	3	9	56

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	20	8	3	16	35	51
2005 / 2006	2	5	0	0	25	9	14	10	55	65
2004 / 2005	0	1	0	0	20	4	11	10	36	46

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	21	37.5
2005 / 2006	24	39.2
2004 / 2005	15	32.3

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