



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Spelthorne 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

In 2006/2007, I received ten complaints against the Council, the same as in the year before. Previously, the majority of complaints have been about planning and building control matters, but last year there were only three such complaints. The number of complaints is low and their nature is likely to fluctuate year on year

I received seven complaints in 2006/2007 which were classified as 'other': three people each made two complaints about changes to the provision of facilities for the elderly, and there was one complaint about anti-social behaviour.

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.

In 2006/2007, I made decisions on 15 complaints against the Council. I issued no reports but concluded three local settlements, all relating to planning and building control complaints. Two of these complaints concerned the same planning application: in one I found that the Council had not accurately reported the distance between one complainant's home and a proposed development, and in the other I found that the Council failed to notify that complainant of the date of the committee meeting which decided the application. As a result, the complainant was denied the opportunity to speak at the meeting. I could not conclude that the outcome of the planning application would have been different if these faults had not occurred, but I recommended that the Council pay them £100 and £50 respectively for their uncertainty and lost opportunity. I welcome the Council's decision to change some of its procedures because of these complaints.

The third local settlement related to a planning enforcement case. I found that the Council delayed in taking action and awarded the complainant £100 for time and trouble and the uncertainty caused by the delay.

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Other findings

Two complaints were outside my jurisdiction to investigate and in five cases the Council had not had a reasonable opportunity to deal with matters before I became involved. Three of these 'premature' complaints were about changes to the provision of facilities for the elderly and were later resubmitted to me because the complainants were not satisfied with the Council's response. In these and one other case I did not find there had been significant fault by the Council. In one further case I used my discretion not to continue with an investigation.

Your Council's complaints procedure and handling of complaints

Nationally, 28.2% of all complaints are referred back to councils to consider before I may get involved. With your Council it was a third of cases. This does not seem out of line with the national average.

In my annual letter for 2005/2006, I commented on the excessive delay in the Council's response to two planning complaints and noted that the Council's average response time to my initial enquiries was significantly outside my target of 28 calendar days. Last year, however, the Council's average response time to first enquiries was 15 days, well within my target. I welcome this significant improvement.

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 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.

The Council has booked one of our Effective Complaint Handling courses over the coming year. We look forward to meeting your delegates and trust that they find the course helpful.

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

As you know, I seek to visit all councils in my jurisdiction periodically, although neither I nor any senior member or my staff has visited your Council since January 2005. An officer did attend our link officer seminar on 1 November 2006 and I trust she found this 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.

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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
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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	Adult care services	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	0	0	7	3	0	0	10
2005 / 2006	0	0	0	9	0	1	10
2004 / 2005	1	2	0	6	2	0	11

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	4	1	2	5	10	15
2005 / 2006	0	0	0	0	2	1	0	4	3	7
2004 / 2005	1	1	0	0	2	0	0	7	4	11

See attached notes for an explanation of the headings in this table. As agreed with the council, we have only counted one MI report but this related to seven cases in 2004/5 figures.

Average local authority response times 01/04/2006 to 31/03/2007

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	2	15.0
2005 / 2006	4	53.3
2004 / 2005	1	40.0

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