



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Staffordshire Moorlands
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 Staffordshire Moorlands 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 14 complaints during the year, a significant reduction on the 28 received in the previous year. This is the third year in which there has been a reduction in the number of complaints received. This is, I believe, a significant trend and I comment on it below.

Character

Eleven complaints were received about planning and building control, one about housing and one about benefits. There was one complaint in the other category which was about waste management. We received no complaints about local taxation for the second year running, suggesting especially good complaint handling and resolution in this Council function.

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

In one complaint, the Council accepted as minor amendments changes to a planning application and failed to advise the objector of this before he addressed the Planning Committee. While there is no requirement on the Council to re-notify when changes are minor amendments, objectors should generally be told of them and I considered that the failure to inform the complainant before he spoke put the complainant in a false position. The Council agreed to pay £350 in recognition of this failure.

In another case, the Council agreed to pay £100 to compensate for four months delay in determining housing benefit and discretionary housing benefit claims.

In the third case, the Council signed off a renovation grant without checking that the complainant was satisfied with the standard of the work. As a result the complainant had no redress against the builder as the money had been paid. To remedy the complaint the Council paid to have the work completed to a satisfactory standard, it paid surveyors fees' and contributed to the cost of a replacement carpet, as well as paying £300 compensation to the complainant.

In total, the Council paid compensation of £750 in respect of complaints brought to me. I am grateful to the Council for its assistance in settling these complaints.

I issued no reports against the Council during the year.

Other findings

Twenty-one complaints were decided during the year. Of these, one was outside my jurisdiction because the complainant had a right of appeal to the Planning Inspectorate. Three complaints were premature and, as I mentioned earlier, three were settled locally. The remaining 13 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

I am very pleased to note that the number of premature complaints has fallen this year to just three. This suggests that the Council's complaints process is visible to customers and that staff, when dealing with requests for assistance, signpost the complaints process for those who remain unhappy with what the Council has done. I believe that this also reflects the Council's commitment to good complaint handling with the appointment of a new staff member who has clearly contributed to the improvements noticed this year. This improvement, evident in all Council services, has almost certainly contributed to the reduction in complaints to me in recent years and is much to be welcomed.

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.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

We delivered the effective complaints handling course at the Council on 28 September 2007. I hope this was useful. If we can provide any further training for you please let Barbara Hedley, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on seven complaints this year, and the average time for responding was 31 days, an improvement on the 39 days it took last year. I welcome this but it is still slightly longer than our target time of 28 days. I hope that you will look at this in the coming year so that further improvements in response times can be achieved.

I was pleased to welcome your link officer to the seminar I held in Coventry in November. I hope she found the seminar useful. I am aware that this officer also visited our offices and met with some of my investigators. They report that this was a very useful meeting and has assisted with our handling of complaints.

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
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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	1	1	1	11	0	0	14
2005 / 2006	1	2	6	16	0	3	28
2004 / 2005	1	0	5	30	1	0	37

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	5	8	1	3	17	20
2005 / 2006	0	5	0	0	12	4	2	8	23	31
2004 / 2005	0	3	0	0	11	5	2	9	21	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	7	31.0
2005 / 2006	22	39.0
2004 / 2005	10	23.1

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