



The Commission for  
Local Administration in England

**The Local Government Ombudsman's  
Annual Letter**

**Suffolk Coastal 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 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**

I received 83 complaints against your Council last year. This is a very substantial increase on the numbers received in the preceding two years (17 and 13), but the total was significantly distorted by 63 complaints about one issue - the Council's decision to approve a skateboard park in Felixstowe. 27 of these complaints were initially referred back to the Council to be dealt with through its own complaints procedure before I got involved; 36 re-submitted or new complaints were received later in the year about the same issue.

When the distorting impact of the skateboard park complaints is excluded, the pattern of complaints against the Council was much in keeping with previous years. Most of these other complaints were about planning matters.

## **Decisions on complaints**

### ***General comments***

Decisions were made on 77 complaints against your Council in 2006/2007. These included both some of my decisions to refer back the skateboard park complaints to the Council, as it had not had a reasonable opportunity to deal with them before I became involved, and my substantive decisions on these complaints. These were that, while some matters might have been better dealt with, the level of injustice caused by any fault did not justify my further investigation. I also exercised my discretion not to pursue a further three complaints involving other matters. I was unable to consider three complaints because they fell outside of my jurisdiction, and in five cases I found no maladministration.

### ***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.

As in 2005/06, I did not issue any formal reports finding fault causing injustice on a complaint against your Council last year. But two complaints resulted in local settlements.

/...

One local settlement involved a relatively minor matter and compensation payment where the Council had caused some confusion about the amount of an offered housing grant. In the other, an applicant proposed to demolish a building in a conservation area. The Council decided to agree to the proposal, but was then notified of the Planning Inspector's decision which was relevant to its consideration. In law, permission is not granted until a decision notice is issued. The Council intended not to issue the decision and to refer matters back to its Committee for further consideration in the light of this new information. Instead, it prematurely published a decision on its website, giving consent to the application. I could not say the outcome would have been different if the Council had been able to take account of the new information. But I asked it to pay the complainant £250 compensation to recognise her dissatisfaction and the time and trouble she took in pursuing the issue. The Council also agreed to retrain its staff and modify its computer software to prevent a recurrence of the problem.

### **Your Council's complaints procedure and handling of complaints**

I referred 28 complaints back to the Council as premature in 2006/2007, including 27 complaints about the skateboard park issue. 25 of these reported that they did not receive a response from the Council under its own complaints procedure: the Council has acknowledged that it mislaid the paperwork. I am concerned about the Council's lapse in this respect, which clearly did not reflect well on it in dealing with an issue that had caused considerable local interest and concern. But I am reassured that the Council has now changed its systems for handling complaints in an effort to prevent a recurrence of this problem. I note it provided suitable apologies and responses to the affected complainants when their complaints were finally addressed.

### **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 we provide 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**

I ask councils to reply to my initial enquiries within 28 calendar days. Your Council's average response time was just over 32 days. But I do not read too much into this statistic because it was so heavily influenced by the response times on the skateboard park complaints where special arrangements had been made for my Investigator to collect the Council's comments in person.

## 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**  
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**Millbank Tower**  
**Millbank**  
**LONDON SW1P 4QP**

**June 2007**

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

<b>Complaints received by subject area</b>	<b>Benefits</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	1	1	0	79	1	1	<b>83</b>
<b>2005 / 2006</b>	1	1	2	11	1	1	<b>17</b>
<b>2004 / 2005</b>	1	1	1	10	0	0	<b>13</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	2	0	0	5	39	3	28	49	<b>77</b>
<b>2005 / 2006</b>	0	0	0	0	7	4	6	3	17	<b>20</b>
<b>2004 / 2005</b>	6	0	0	0	2	1	6	2	15	<b>17</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	41	32.9
<b>2005 / 2006</b>	4	33.8
<b>2004 / 2005</b>	3	30.3

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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