



The Commission for
Local Administration in England

The Local Government Ombudsman's Annual Letter

Tamworth 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 Tamworth Borough 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 20 complaints during the year, an increase on the eight received last year.

Character

Three complaints were about planning-related matters, and 12 about housing. Of the five complaints that we recorded as "other", two were about land-related issues, two about waste management and the other about antisocial behaviour. We received no complaints during the year about housing benefit matters.

Decisions on complaints

I decided a total of 15 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 and nor did I uphold any complaints requiring a local settlement.

Other findings

Of the 15 complaints I decided seven were treated as premature and referred back to your Council so that they could first be considered under your own complaints procedure. One complaint was outside my jurisdiction. The remaining seven 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 (seven of 15) is much higher than the national average (28%) when viewed as a percentage of all decisions taken. They account for almost half of all the complaints that I determined against your Council. Of the eight complaints that were dealt with in this way two have been resubmitted to my office. One of those was not pursued and the other is still being considered.

Last year I commented that your complaints procedure appeared to be readily available to service users. In light of the relatively high number of premature complaints I wonder if now might be an opportune time for your Council to review the accessibility and workings of that process. It may well be that signposting of complainants to the Council's complaints procedures may need some sharpening up through staff training or guidance.

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 seven complaints during the year and your Council's average time for responding was 36 days. This is an increase on last year's figure of 34 days. For the third successive year your Council's response time is outside 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
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June 2007

Enc: Statistical data
Note on interpretation of statistics
Details of training courses

Complaints received by subject area	Adult care services	Benefits	Housing	Other	Planning & building control	Total
01/04/2006 - 31/03/2007	0	0	12	5	3	20
2005 / 2006	0	1	3	1	3	8
2004 / 2005	1	4	10	5	2	22

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	0	0	0	5	2	1	7	8	15
2005 / 2006	0	1	0	0	2	4	0	1	7	8
2004 / 2005	0	4	0	0	11	2	3	9	20	29

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	35.9
2005 / 2006	4	33.5
2004 / 2005	8	32.1

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