



The Commission for  
Local Administration in England

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

### ***Volume***

In 2006/07 I received 18 complaints against the Council, slightly higher than the previous year's total of 14.

### ***Character***

As in previous years, most complaints (10) were about planning & building control matters. Four were about housing, two concerned waste management and the remaining two were about commercial and leisure matters.

## **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 2006/07 I made decisions on twenty complaints against the Council. I found no fault with the Council's actions in three cases and used my discretion not to pursue a complaint on four occasions because further investigation did not appear warranted. Four complaints were outside my jurisdiction to investigate and in two cases the Council had not had a reasonable opportunity to deal with the matter before I became involved.

I concluded six local settlements this year. One involved three connected complaints and focused on waste management matters. I found that the Council had not kept residents informed of developments as it should have done. The other settlements involved payments of modest sums of compensation and proposed changes to Council procedures.

This year I also issued a formal report against the Council. This concerned a complaint about gypsies who had been living on land next to the complainant's home, without planning permission, for a number of years. I concluded that there was maladministration causing injustice and I am pleased to say that the Council provided compensation to the complainant as agreed in the report. The Council also agreed to review its procedures for dealing with such cases. I note it has done this.

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

The Council has not always agreed with my decisions on complaints but it has nevertheless always been prepared to accept them and to comply with my recommendations. This positive attitude to my independent role does the Council much credit.

## **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.

I am pleased to see that two of the Council's staff attended the Effective Complaint Handling course in October 2006.

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**

My target is to receive council's responses to my enquiries within 28 days. In the course of my investigations this year, I made twelve enquiries to the Council. The average response time was 33.7 days, which was notably better than response times in previous years. Two planning cases took 60 and 55 days respectively, although I received the response to another in only 4 days.

I am pleased that one of your officers attended a seminar we ran for our link officers in November.

## **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.

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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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**June 2007**

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

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Transport and highways	Total
01/04/2006 - 31/03/2007	0	4	4	10	0	18
2005 / 2006	0	1	5	8	0	14
2004 / 2005	1	1	1	11	1	15

**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	1	6	0	0	3	4	4	2	18	20
2005 / 2006	0	1	0	0	3	4	1	3	9	12
2004 / 2005	0	0	0	0	2	2	3	5	7	12

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	12	33.7
2005 / 2006	0	0.0
2004 / 2005	6	47.5

**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