



The Commission for  
Local Administration in England

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

In 2006/7 I received 24 complaints against your Council, compared to 11, 21 and 19 in the previous three years. While numbers in 2005/06 appear to have been relatively low, complaints seem to have risen a little in the last year.

Nine concerned planning and building control (mostly these were about planning applications) and 9 related to housing matters (a mix concerning housing repairs, managing tenancies, housing allocations, homelessness, housing sales/leaseholds and private housing grants). The remaining complaints involved transport and highways and our 'other' category (in this case drainage, environmental health and consumer affairs). The general pattern is similar to that in previous years.

## **Decisions on complaints**

I made decisions on 22 complaints in 2005/6. One case was outside my jurisdiction, in five I used my discretion not to investigate further, and in eight cases I concluded there had been no or insufficient fault to warrant my involvement.

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. In two cases last year a local settlement was agreed. Both concerned delay in taking action. When we complete an investigation we must issue a report. As in previous years I did not issue any formal reports against your Council.

In one case, a resident complained about cars parking on a verge outside his house, in breach of a bylaw. Rather than place notices on the vehicles, the Council decided to ask the DVLA for the names and addresses of the owners. But it delayed in doing this, and did not keep the complainant informed. The Council readily agreed to pay the complainant £100 compensation for the unnecessary time and trouble they had experienced and it changed its procedures to avoid a repeat.

In the second case there was delay in taking action against alleged noise nuisance from a neighbour. The main reason for the delay was that the Council does not have an out of hours noise service. The Council agreed to undertake visits out of normal office hours when possible, to ensure that any nuisance is properly assessed. It also said that depending on budget considerations it may introduce an out of hours service. I would be grateful to be kept informed of developments here.

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

Six complaints were referred back to the Council because it had not yet had a reasonable opportunity to consider the matters alleged before I became involved. This is in line with the national average. The numbers of such premature complaints against the Council are very much the same from year to year.

With the complaint about parking on the verge, I was very pleased with the Council's response to my proposed settlement. But I cannot help feeling that this settlement could have been agreed as part of the Council's own complaints procedure, rather than having to come to me.

## **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.

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 enquiries within 28 calendar days. Your Council's average response time of 31 days improved on previous years, but was still outside this target. The average response time to enquiries about housing was within my target. The average response time to enquiries about planning and building control was 40.3 days.

A member of your staff attended our link officer seminar in November 2006 and I hope they found it useful. It is possible that if officers dealing with complaints took advantage of our training response times to my enquiries may improve and more acceptable settlements may be achieved during the Council's own investigations.

If a Council Committee formally considers this letter it would be helpful to be sent a copy of the minutes of the meeting, along with a copy of any report on complaints made to the Committee.

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## **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**  
**London**  
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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	Public finance	Transport and highways	Total
01/04/2006 - 31/03/2007	0	9	3	9	0	3	24
2005 / 2006	1	2	4	2	2	0	11
2004 / 2005	0	7	3	6	1	4	21

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	2	0	0	8	5	1	6	16	22
2005 / 2006	0	1	0	0	1	3	0	5	5	10
2004 / 2005	0	3	0	0	8	1	2	6	14	20

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	10	31.1
2005 / 2006	5	37.2
2004 / 2005	10	25.0

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