



The Commission for
Local Administration in England

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

We received 37 complaints during the year, one more than the previous year. We expect the number of complaints to vary from year to year.

Character

Almost two thirds of complaints received were about planning and building control matters, a slight decrease, but a broadly similar proportion to the previous year. This is likely to reflect the physical character of the area and high level of interest among residents in amenity issues. Complaints about housing increased and we received six complaints about other matters relating to antisocial behaviour, waste management and miscellaneous issues.

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.

Just one complaint was settled locally. It concerned the Council's refusal to carry out a home visit to the complainant's property on the basis that the Council did not consider that the person was a suitable person to own a dog. I found that the Council's decision was based on old information that it had not put to the person before making its decision and informing the charity, who had requested the home visit. This caused the complainant a lost opportunity to put her view and justifiable anger. The Council agreed to look again at whether to carry out such home visits and if it continues to offer the service, what information it holds, so that affected individuals have the chance to comment on any adverse records. The Council also agreed to ask the charity to disregard details it had given relating to the complainant that inferred that she was unsuitable to own a dog.

During the year, I was not required to issue any reports against your authority.

Other findings

Thirty three complaints were decided during the year. I found no evidence of maladministration in nineteen complaints, of which fourteen related to planning and building control matters. I decided that one complaint about the outcome of a planning application was outside my jurisdiction as the

complainant had obtained a remedy through court proceedings. I exercised my discretion not to pursue five complaints in the absence of evidence of a significant personal injustice. Six complaints were premature, the same total as the previous year.

Your Council's complaints procedure and handling of complaints

The number of premature complaints (6) remained static and a relatively small proportion of the total complaints received. This suggests that the Council's complaints process is visible for service users and working. The Council's web site contains helpful information on how to make a complaint and how to contact my office.

Of the six complaints referred back to you, four were resubmitted 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. 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 have not delivered any formal training courses to your Council this year. If we can provide any training for you, please let Vereena Jones, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on twenty four complaints this year. The average time for responding was 35.9 days, a welcome continued decrease on the previous year, but still outside the 28 days we ask for. The Council's performance in this area is improving, against a background of a rising number of first enquiries from my office. This effort is appreciated by my staff. But I ask your authority to further consider this issue as part of any re-examination of complaints handling arrangements.

I was pleased to note the attendance of your Link Officer at the seminar held by my office in November 2006. These seminars are a valuable opportunity to share experience in complaint handling, to learn about the work of my office and for my staff to meet with representatives of your authority. If you would like to send someone from your authority to this year's seminar who has not attended before, please contact Vereena Jones.

If you would like Vereena Jones to visit the Council to present this letter or to give a presentation about how we investigate complaints, I would be happy to arrange this.

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.

J R White
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB

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	7	6	24	0	0	37
2005 / 2006	1	4	1	27	0	3	36
2004 / 2005	1	4	2	12	2	6	27

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	1	0	0	19	6	1	6	27	33
2005 / 2006	0	2	0	0	14	9	7	6	32	38
2004 / 2005	0	3	0	0	6	5	4	6	18	24

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	24	35.9
2005 / 2006	16	41.9
2004 / 2005	4	48.5

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