

Local Government  
**OMBUDSMAN**

**The Local Government Ombudsman's  
Annual Letter  
Breckland District Council  
for the year ended  
31 March 2008**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction**

This annual letter provides a summary of the complaints we have received about Breckland District Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your 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.

Two attachments 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 26 complaints against your Council this year, the same number as last year.

### ***Character***

As in previous years, complaints about planning and building control (18) account for some two thirds of all those received. One complaint was about benefits and two complaints were about public finance.

In the 'other' category, one complaint was about elections and the electoral register (matters outside my jurisdiction) and there were two each about land and environmental health matters.

## **Decisions on complaints**

### ***Reports and local settlements***

When we complete an investigation we issue a report. I issued no reports against your Council this year.

A 'local settlement' is a complaint where, during the course of our investigation, the Council has agreed to take some action which we consider is a satisfactory response to the complaint. The investigation is then discontinued. In 2007/08 the Local Government Ombudsmen determined some 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

One complaint, about land matters, was settled locally this year. The Council agreed to pay £400 to a complainant who incurred avoidable legal costs as a result of delay in completing the sale of land.

In one case, while I found no maladministration causing injustice, I did consider that the Council's 'Guide to Public Speaking at the Development Control Committee' could benefit from clarification. I hope the Council has had the opportunity to review the guide.

### ***Other findings***

Of the 26 complaints decided this year, seven were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

One complaint was outside my jurisdiction. The remaining 17 complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the maladministration alleged.

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

Seven out of the 26 complaints decided this year were premature. This is close to the national average, which this year is 27%. Of the three complaints re-submitted to me, one was still premature, one was not pursued because no evidence of maladministration was seen and one had not been decided at year end.

## **Liaison with the Local Government Ombudsman**

We made enquiries on thirteen complaints this year and your average response time was 15 days, some four days less than last year. All the responses were received within our target of 28 days and once again I am grateful for your prompt and thorough responses.

My officers comment favourably on liaison arrangements within your Council and the helpful and effective responses they receive. I commend the Council for its openness in this area and its willingness to learn from the complaint experience.

## **Training in complaint handling**

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. This year we carried out a detailed evaluation of the training with councils that have been trained over the past three years. The results are 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 different 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.

## **LGO developments**

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, have dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. I would appreciate your feedback on these, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships your Council has set up.

## **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  
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Westwood Business Park  
Coventry CV4 8JB**

**June 2008**

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>Education</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>01/04/2007 - 31/03/2008</b>	1	0	0	5	18	2	0	<b>26</b>
<b>2006 / 2007</b>	2	1	1	1	17	4	0	<b>26</b>
<b>2005 / 2006</b>	0	0	1	4	18	0	1	<b>24</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>01/04/2007 - 31/03/2008</b>	0	1	0	0	13	4	1	7	19	<b>26</b>
<b>2006 / 2007</b>	1	1	0	0	15	4	1	7	22	<b>29</b>
<b>2005 / 2006</b>	0	0	0	0	17	1	3	6	21	<b>27</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>01/04/2007 - 31/03/2008</b>	13	15.1
<b>2006 / 2007</b>	13	18.9
<b>2005 / 2006</b>	7	18.1

**Average local authority response times 01/04/2007 to 31/03/2008**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt; = 36 days %</b>
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0