

# Local Government OMBUDSMAN

## **The Local Government Ombudsman's Annual Letter Bridgnorth 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 Bridgnorth 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 six complaints against your Council during the year, 13 fewer than last year. This is a significant drop but we do expect to see fluctuations like this from year to year.

### ***Character***

Two complaints of those we received against your Council were about housing which is the same as last year.

One complaint was received about planning and building control. This is a significant improvement on last year when we received seven in this category.

The remaining three complaints were recorded in the "other" category. They included a complaint about antisocial behaviour, one about environmental health and one about land.

We received no complaints about benefits, transport and highways or public finance.

## **Decisions on complaints**

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

When we need to complete an investigation we issue a report.

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).

I did not need to issue any reports against your Council during the year and no opportunities were identified for local settlements. I am pleased to say that this has been the case for the last three years. I congratulate the Council on its outstanding record here.

### ***Other findings***

Two complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

In a further five cases I took the view that the matters complained about were outside my jurisdiction.

The remaining four complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them. One complaint was still under consideration at the end of the year.

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

The proportion of premature complaints has reduced this year to 18% which is lower than the national average, of 27%. This suggests that your Council has a robust complaints handling procedure which is easily accessible to residents in the Council's area.

One of the complaints that had been referred back to the Council as premature was resubmitted. This was not pursued because there was no evidence of maladministration.

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

Enquiries were made on four complaints during the year. Your Council's average response time of 50 days was significantly worse than last year and well in excess of the 28 days we ask for. The response to a complaint about antisocial behaviour took 93 days and was not received until we threatened to issue a summons. I consider this to be unacceptable, particularly in cases where complainants are vulnerable or have an ongoing injustice.

Up until this year the Council's response times have been very good indeed, and well within the 28 days we ask for. I appreciate that there have been issues in the Council's legal department this year which may well account for the delays.

### **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 2008, 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 2007, which also came into force in April 2008. 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. As a result of the Secretary of State's decision in the future structure of local government in Shropshire this is the last Annual letter that I shall be sending to the Council in its present form. I should like to take this opportunity of thanking all the members and officers who have dealt with my office for their courtesy and co-operation and wish you well for the future.

**J R White**  
**Local Government Ombudsman**  
**The Oaks No2**  
**Westwood Way**  
**Westwood Business Park**  
**Coventry CV4 8JB**

**June 2008**

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	Total
01/04/2007 - 31/03/2008	0	2	3	1	0	6
2006 / 2007	1	2	9	7	0	19
2005 / 2006	0	2	1	3	2	8

**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
01/04/2007 - 31/03/2008	0	0	0	0	3	1	5	2	9	11
2006 / 2007	0	0	0	0	4	3	0	7	7	14
2005 / 2006	0	0	0	0	7	0	0	2	7	9

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
01/04/2007 - 31/03/2008	4	50.0
2006 / 2007	4	17.3
2005 / 2006	5	15.8

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

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
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