

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

Cambridge City 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 Cambridge City 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 18 complaints against your Council during the year, seven fewer than last year. We expect to see fluctuations like this from year to year.

Character

Of these 18, five were about housing and six about planning and building control. Three complaints were received about highways and two about benefits. The remaining three complaints were recorded in the "Other" category. One was about land and the other antisocial behaviour.

We received no complaints about public finance

Decisions on complaints

Reports and local settlements

When we need to complete an investigation we issue a report. I issued one report against your Council this year. In this planning complaint the Council had failed to consider properly two joint applications for similar rear extensions, the second of which bordered the complainant's property. The Council operated an unfair speaking process at the Planning Committee meeting, which meant that one of the applicants spoke for both applications before the first decision was made, but the complainant was not allowed to speak against the second application before the first one had been approved. The Committee failed to consider properly the detail of the second application and failed to give reasons for overturning the planning officer's recommendation to refuse both applications, despite guidance from the Council's own Code of Practice that they should give clear reasons for doing so. The complainant had a strong perception of unfairness in the process and felt excluded from the decision-making at a crucial time. She couldn't understand why permission had been granted. She said she was overlooked by the new extension and that it was very over-bearing.

The Council had already improved its procedures for recording decision reasons in cases where the officer's recommendation was overturned and it agreed to pay £1000 compensation to the complainant.

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 way of local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

Four complaints were settled locally with your Council and a total of £9,006 was paid in compensation.

Two were about the same parking matter. The Council had failed to include information on the planning permission for some new-build properties about the restrictions on residents' parking permits. As a result of this omission, the complainants in each case had bought their properties unaware that they would not be eligible for a parking permit. This had caused the complainants considerable inconvenience and, they felt, significantly affected the value of their properties. I took the view that although the complainants could have taken more steps to find out about the restrictions on issuing parking permits, if the Council had included the information on the planning permission as it intended to do then no injustice would have arisen. I am pleased to say that the Council secured the agreement of the County Council to issue permanent residents' parking permits to both properties and paid each complainant £250 for their time and trouble in pursuing the complaints.

In another complaint about housing repairs the Council had taken two years to investigate the source of a serious damp problem in the living room of a Council property. The Council had delayed significantly during this period and not kept to promises it made about its intended actions. The complainant was very frustrated and depressed about living in poor conditions for much longer than he should have done. Following my intervention the Council agreed to inspect the living room floor immediately and take the necessary remedial action. It also agreed to pay the complainant £875 for damage to his carpets as a result of the damp and an additional £2000 compensation.

In the fourth complaint the Council had been overcharging a complainant, who ran a land search company, for carrying out personal land searches. For approximately five years the Council had been charging £4 more than the statutory charge. The complainant had made many attempts to establish the reason for the higher charge, but the Council had failed to respond properly to his complaints. In response to my enquiry letter the Council offered to refund the money overcharged for the entire period amounting to £5631. I am grateful for the Council's willingness to arrange redress when things have gone wrong

Other findings

One complaint was treated as premature and referred back to your Council so that it could first be considered through your Council's complaints procedure.

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

The remaining 12 complaints were not pursued because no evidence of maladministration was identified or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

In 2007-08 I referred only one premature complaint to the Council for it to consider, five fewer than the previous year. It was not resubmitted to me at the end of the process, and I believe the Council's complaints procedure is working well.

Liaison with the Local Government Ombudsman

Enquiries were made on 14 complaints during the year. I am disappointed that your Council's average response time of 34 days has significantly worsened following the improvements I noted last year. Responses on complaints in the housing and planning and building control categories took an average of 35.4 days and for one transport and highways complaint, 48 days. I hope your Council will make a determined effort in the coming year to effect improvements.

My staff continue to have good working relationship with your Council and the quality of responses is generally good. I was pleased to give a seminar in October 2007 to officers of authorities in Cambridgeshire. I hope those from your authority who were able to attend found it useful.

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 how useful you have found these reports, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships involving your Council.

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
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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	Transport and highways	Total
01/04/2007 - 31/03/2008	2	5	2	6	0	3	18
2006 / 2007	1	9	5	8	0	2	25
2005 / 2006	2	4	5	4	3	0	18

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	1	4	0	0	8	4	2	1	19	20
2006 / 2007	0	2	0	0	10	3	1	6	16	22
2005 / 2006	0	1	0	0	6	3	1	7	11	18

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	14	34.0
2006 / 2007	14	28.9
2005 / 2006	7	31.1

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