

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
Cherwell 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 Cherwell 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 14 complaints against your Council during the year, two fewer than last year. We expect to see fluctuations like this from year to year.

Character

Seven complaints, i.e. half the total number we received against your Council, were about planning and building control. Last year complaints in this category accounted for 75% of the total.

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 issue any reports against your Council this year or recommend that any complaints should be locally settled. This has now been the case for four years. Once again I congratulate the Council and commend the quality of its complaint handling.

Other findings

Six 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 one other case I took the view that the matters complained of were outside my jurisdiction.

Of the remaining nine complaints, eight were not pursued because no evidence of maladministration was seen. I discontinued my investigation of the last complaint in the exercise of my discretion.

Your Council's complaints procedure and handling of complaints

The number of premature complaints has risen in the last year to six, a high proportion of the 16 decisions which I made and higher than the national average of 27%. Last year the numbers were two

and 18 respectively, but, given the small number of complaints overall, I do not consider this increase to be significant unless the trend continues next year. It would be helpful if the Council's complaints procedure was directly accessible and signposted on the homepage of your website.

Three of the six premature complaints were resubmitted to me. In two cases I decided that there were no grounds to pursue the investigations because no evidence of maladministration was seen. The third case was outside my jurisdiction.

Liaison with the Local Government Ombudsman

We made enquiries on six complaints this year and the average time for responding was 34.7 days. This is an improvement of four days on last year's average time but still falls short of our target time of 28 days. There remains much scope for improvement here, and I would be grateful for your assistance in raising the Council's game in this regard.

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 now offer these courses specifically for social services staff and a course on reviewing complaints for social care review panel members. 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, had dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, e-mail 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. 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

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	2	2	1	7	2	14
2006 / 2007	0	2	1	12	1	16
2005 / 2006	1	3	0	15	3	22

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	8	1	1	6	10	16
2006 / 2007	0	0	0	0	11	3	2	2	16	18
2005 / 2006	0	0	0	0	4	8	2	3	14	17

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	6	34.7
2006 / 2007	10	38.7
2005 / 2006	8	27.0

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