

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

This year we received just 11 complaints against your Council, slightly fewer than in 2006/7 when 14 complaints were made.

Character

The majority of the complaints (nine) concerned issues about planning or building control as in previous years. This reflects the profile of complaints I generally tend to receive against District Councils. The remaining two complaints concerned Local Taxation and Transport and Highways. Unlike previous years I received no complaints about the administration of Benefits, Housing, or Anti-Social Behaviour.

Decisions on complaints

Of the 14 complaints on which we made decisions this year we passed two back to the Council to deal with as it did not seem that it had yet been afforded a reasonable opportunity of attempting to resolve them before I had been asked to intervene. Four complaints were about matters not within jurisdiction. Of the remaining eight I found evidence of administrative fault causing injustice in just one case. This was settled when the Council agreed to take some specific action and so did not result in the issuing of a report.

Reports and local settlements

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 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). None of the complaints we investigated this year justified the issue of a report.

The complaint we settled concerned a Case Officer's Planning Report which contained material inaccuracies despite the complainant having pointed them out, when he first had sight of the document. Although the errors amounted to fault, we could not conclude that – but for the errors – the decision on the application would have been any different. The Council agreed to pay the complainant £200 for his time and trouble in having to pursue the matter and the outrage caused by the poor quality of the report.

Your Council's complaints procedure and handling of complaints

I referred just two complaints back to the Council as premature. This is far lower than the national average of 27% for all local authorities in England.

There may be a more general lesson to take from the one case we settled. The Council's own investigation should have revealed the shortcomings of the officer's report and led to a local resolution of the complaint. This might have avoided the need for the complainant to come to me.

Liaison with the Local Government Ombudsman

My office made enquiries on six complaints this year, and the average response time was 36.5 days, well outside my requested timescale of 28 days. Nationally 56.4% of District Councils manage to respond to first enquiries within this target period. I raised this issue last year, and was pleased to note that there has been a slight improvement from 38 days. I would be grateful if the Council could let me know what steps it intends to take to meet the time target I have set.

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, has 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'. Again, 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.

Tony Redmond
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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	0	0	0	9	1	1	11
2006 / 2007	2	1	3	6	0	2	14
2005 / 2006	1	0	5	10	0	5	21

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	1	0	0	5	2	4	2	12	14
2006 / 2007	0	1	0	0	8	4	3	3	16	19
2005 / 2006	0	0	0	0	10	4	5	1	19	20

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	36.5
2006 / 2007	4	38.0
2005 / 2006	6	28.0

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