

**The Local Government Ombudsman's
Annual Letter
Cotswold 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 Cotswold 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 19 complaints against your Council this year, 13 more than last year. We expect to see fluctuations like this from year to year and I see nothing significant in the rise.

Character

Ten complaints, a little over half of those received, were about planning and building control. Last year, complaints in this category also represented the majority of complaints received, and that is a typical pattern in rural districts.

Three complaints were received about transport and highways, two about benefits, two about public finance, one about housing, and one was recorded in the 'Other' category.

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 was settled locally and a total of £250 was paid in compensation.

This complaint related to a failure to notify the complainants of amended plans relating to a neighbour's development which had a greater impact on their amenity than the original application would have been done. The lack of notification resulted in the complainants losing any opportunity to register objections. The Council agreed to making a payment of £250 in recognition of this loss of opportunity to make representations.

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 another three cases I took the view that the matters complained of were outside my jurisdiction.

Five complaints were not pursued because no evidence of maladministration was seen and in another two I exercised my discretion not to pursue the investigations.

Your Council's complaints procedure and handling of complaints

Of the six complaints referred back to your Council to allow you the opportunity to investigate under your own complaints procedure only one has been resubmitted to me and is still under consideration.

Liaison with the Local Government Ombudsman

We only needed to make enquiries on five complaints this year. Last year I commented on the Council's disappointing response times which were considerably above our average target time of 28 days. I congratulate the Council on the efforts it has made to address this issue during this year where the average response time has fallen to 23 days, now within our target time of 28 days. The quality of those responses has remained high.

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, 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
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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	1	1	10	2	3	19
2006 / 2007	0	0	0	4	2	0	6
2005 / 2006	1	0	3	4	0	0	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	1	0	0	6	2	3	6	12	18
2006 / 2007	0	0	0	0	0	1	2	1	3	4
2005 / 2006	0	1	0	0	4	0	2	1	7	8

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	5	23.0
2006 / 2007	2	42.0
2005 / 2006	2	25.5

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