

**The Local Government Ombudsman's  
Annual Letter  
Crewe and Nantwich Borough 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 received about Crewe and Nantwich Borough Council and comments on the authority's performance and complaint-handling arrangements.

As a result of the Secretary of State's decision on the future structure of local government in Cheshire this is the last Annual Letter that I shall be sending to the Council. 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.

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***

I received 22 complaints against the Council during the year a figure which is in line with the numbers of complaints received in previous year. The numbers are not significant and I can offer no meaningful commentary other than to say that no issues of concern arose during the year.

### ***Character***

The largest number of complaints [15 in total] concerned planning and building control matters. Again this figure, although slightly more than in previous years, is not significant.

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

I ask all councils to respond to enquiries from my office within 28 days. I made formal enquiries of the Council on only two occasions during the year but while in one case the Council was able to reply within 24 days, the other response took 64 days. I would ask the Council to seek to ensure that it responds to enquiries from my office within 28 days.

On a more positive note I am pleased to record and acknowledge the willingness of the Council to deal with enquiries from my office on a less formal basis by the use of e-mail. One complaint settled very quickly during the year was dealt with almost exclusively by e-mail to the benefit of all parties including the complainant and it is to the credit of the Council that it was both willing and able to demonstrate the flexibility needed to deal with a complaint in this way.

## **Decisions on complaints**

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

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. In 2007/08 the Local Government Ombudsmen determined 27% of complaints by local settlement, some 2940 complaints nationally, (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction). If an investigation is completed I issue a public report.

I issued no public reports against the Council this year. The Council settled 4 complaints during the year accepting that something had gone wrong to the detriment of the complainant and that some remedy was appropriate. It is to the credit of the Council that it felt able to respond so positively in these cases.

## ***Other findings***

Four complaints sent to me during the year were premature and sent to you so that the Council might have a reasonable opportunity to address the concerns. I found no evidence of maladministration in 6 cases and in 3 others I exercised my general discretion not to pursue the issues. Two complaints were outside of my jurisdiction.

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

No issues of concern have been raised with me about the way in which the Council deals with complaints made directly to it by members of the public.

## **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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction. We will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities. Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

I enclose 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'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

## **Conclusions and general observations**

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex  
Local Government Ombudsman  
Beverley House  
17 Shipton Road  
YORK  
YO30 5FZ**

**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       | 4     | 15                          | 1              | 2                      | 22    |
| 2006 / 2007                         | 1        | 0       | 6     | 10                          | 0              | 0                      | 17    |
| 2005 / 2006                         | 2        | 2       | 8     | 11                          | 1              | 0                      | 24    |

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       | 4  | 0      | 0       | 6      | 3        | 2                    | 4                    | 15                   | 19    |
| 2006 / 2007             | 0       | 2  | 0      | 0       | 10     | 1        | 2                    | 3                    | 15                   | 18    |
| 2005 / 2006             | 0       | 0  | 0      | 0       | 7      | 3        | 1                    | 6                    | 11                   | 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 | 2                      | 44.0                       |
| 2006 / 2007             | 11                     | 30.7                       |
| 2005 / 2006             | 11                     | 25.8                       |

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           |