

Local Government  
**OMBUDSMAN**

**The Local Government Ombudsman's  
Annual Letter  
East Riding of Yorkshire 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 East Riding of Yorkshire Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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**

We received 120 complaints about your Council during 2007/08, a reduction of 11 on the previous year. There were no significant changes in the types of complaints received, with small increases in those about education and other and small reductions in adult care services, children and family services, housing and planning and building control.

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

I visited the Council to discuss specific complaints last year and at that meeting we also touched on issues about the relationship between our two organisations. I would like to thank the Council for the very helpful placement it provided for one of my investigators during the year.

The time taken to respond to first enquiries from my office reduced compared to 2006/07, dropping from 31.9 days to 25.3 days, within the 28 day target. I am pleased that the Council has been able to improve its speed of response, as this is an important factor in ensuring that the Ombudsman can provide a quality service to complainants.

## **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 (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.

We published one report about your Council during 2007/08, which concerned a children and family services complaint. I found that there had been maladministration leading to injustice to the person complaining and the Council agreed to pay £1,200 financial compensation in recognition of the anxiety caused by the events which took place.

There were 11 local settlements (14% of decisions excluding premature complaints and those outside jurisdiction) and these resulted in payments of just over £3,500. One complaint was about changes to a conservation area boundary. The Council agreed that a Committee would reconsider the decision to change the boundary, taking account of the views of the complainant and the Parish Council. Another complaint involved the Council giving incorrect advice about the Local Plan and what it meant for a proposal planning application. This resulted in a payment of £1,000 as well as planting to ensure a neighbouring development was screened.

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

We decided 128 complaints about your council during 2007/08. Of these 35 complaints (27%) were premature. Twenty three of the complaints decided (18%) were resubmitted premature complaints, where the complainant was unhappy with the Council's response. This compares to a national figure of 10%. Three of these resulted in a local settlement (13%), below the national figure of 21%. This suggests the Council's complaints procedure is working satisfactorily.

One complaint highlighted that the Council had wrongly refused to allow an adult care issue to be considered through the statutory social services complaints procedure. It is important that eligible complaints are considered through the statutory procedure, as it allows an independent investigation of all aspects of the complaint as well as an opportunity for a review panel to consider the issues.

## **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.

The range of courses is expanding in response to demand. In addition to 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 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  
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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	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	5	1	9	12	9	24	50	3	0	7	120
2006 / 2007	8	2	14	9	14	20	55	3	0	6	131
2005 / 2006	5	7	6	6	6	25	42	5	1	13	116

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	11	0	0	29	40	12	35	93	128
2006 / 2007	0	15	0	0	25	19	17	39	76	115
2005 / 2006	3	17	0	0	22	19	13	47	74	121

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	44	25.3
2006 / 2007	41	31.9
2005 / 2006	45	30.6

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