

Local Government  
**OMBUDSMAN**

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

**East Northamptonshire 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 East Northamptonshire 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***

Fourteen complaints against your Council were received during the year, a similar number to previous years.

### ***Character***

These complaints followed the pattern of previous years, with the majority (ten) concerning Planning issues, quite usual for a largely rural District. One complaint was made about a Housing matter, one about Housing Benefit and two about Environmental Health.

## **Decisions on complaints**

Decisions were made on a total of 12 complaints during the year.

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

When we complete an investigation we issue a report. During the year I did not find it necessary to issue a report on any complaints against your Council.

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).

The Council agreed local settlements on two complaints.

Compensation of £250 was offered by the Council to a complainant aggrieved about the grant of planning permission for new bungalows which were built on a raised bank 1.6m above and behind their home. No condition had been added to the permission to control the levels of the bungalows. The Council responded very positively to this complaint, meeting the complainant on site to offer a personal apology. In addition to the compensation the Council negotiated with the developer to secure changes to the layout and provision of screening to reduce the impact of the new dwellings, and paid for an independent drainage survey to ensure this was adequate along the boundary. I am happy to note that, following changes made by the Council in planning practice relating to levels, the circumstances which gave rise to this complaint should not recur.

Following a complaint about housing allocations the Council made an offer of accommodation which was accepted so further investigation of the complaint was not necessary.

### **Other findings**

One complaint was considered premature and referred to the Council to be considered under your own complaints procedures. That premature complaint was subsequently resubmitted to me, and was one of the six complaints where investigation was discontinued because investigators found no or insufficient evidence of maladministration. Three complaints concerned matters which were outside my jurisdiction so could not be investigated.

### **Other findings**

*One complaint was considered premature and referred to the Council to be considered under your own complaints procedures. That premature complaint was subsequently resubmitted to me, and was one of the six complaints where investigation was discontinued because investigators found no or insufficient evidence of maladministration. Three complaints concerned matters which were outside my jurisdiction so could not be investigated.*

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

The Council's own complaints procedures appears to be working effectively, as evidenced by the relatively low number of complaints made to me. It is commendable that only one of the complaints received by my office was found to be premature, as this suggests that your complaints procedure is well signposted for citizens. Nationally an average of 27% of complaints received are premature.

In my Annual Letter for 2006-7 I noted that the Council's website did not provide a link to my own. I am happy to note that the Council's website contains clear details about the Ombudsman's service and a link is now provided to information on my own website about how to complain to me.

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

Your officers' response to enquiries is efficient and comprehensive. As noted above, on the planning complaint where a local settlement was agreed the Council's response was very positive. Enquiries were made on seven complaints during the year and the average number of days for a response on these was 27.6, within the target of 28 days.

### **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 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 2008, 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 2007, which also came into force in April 2008. 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.

**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)

<b>Complaints received by subject area</b>	<b>Benefits</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	1	1	2	10	0	<b>14</b>
<b>2006 / 2007</b>	0	0	3	8	0	<b>11</b>
<b>2005 / 2006</b>	1	0	2	10	1	<b>14</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	0	2	0	0	6	0	3	1	11	<b>12</b>
<b>2006 / 2007</b>	1	1	0	0	3	1	3	2	9	<b>11</b>
<b>2005 / 2006</b>	0	3	0	0	12	2	1	2	18	<b>20</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2007 - 31/03/2008</b>	7	27.6
<b>2006 / 2007</b>	4	19.5
<b>2005 / 2006</b>	6	32.0

**Average local authority response times 01/04/2007 to 31/03/2008**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt; = 36 days %</b>
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