

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

Environment Agency

**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 an authority 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 the Environment Agency. We have included comments on the Agency'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 Agency 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

We received 12 complaints between April 2007 and the end of March 2008, a slight increase on the 10 received in the previous year.

Of the 12 received, 11 were classified as "other" and were about drainage issues. One was about transport and highways and it was decided that this one was outside our jurisdiction.

Decisions on complaints

Reports and local settlements

A 'local settlement' is a complaint where, during the course of our investigation, the authority 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 authorities have not had a proper chance to deal with them - and those outside our jurisdiction).

This is the third year in which we have issued no reports on complaints against the Environment Agency. We have also found no grounds to seek local settlement in the complaints we have decided on during this year.

Other findings

We made decisions on nine complaints during the year. Three were premature. One of these was resubmitted. We found insufficient grounds to continue an investigation into that complaint. Two complaints were outside jurisdiction. We discontinued the remaining investigations on the ground that there was insufficient evidence of maladministration or injustice.

Your Authority's complaints procedure and handling of complaints

The information given on your website about how to complain is clear. Because we receive a relatively small number of complaints against the Agency we cannot make informed comment on how the procedure works in practice.

Liaison with the Local Government Ombudsman

We made enquiries on four complaints during the year and the Agency's average response time was 39.3 days, which is only a marginal improvement on the 40 day average of the previous year. It is perhaps because we make so few enquiries that you do not have systems in place to allow a quicker response time. I would ask you to consider ways of bringing the response times more in line with the requested time of 28 days.

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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. All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

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. We can run open courses for groups of staff from different smaller authorities and can also customise courses to meet your Agency's specific requirements.

Two of your staff attended our open course in December 2007. I trust they found it useful in helping them to deal with complaints effectively.

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 Agency 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 Agency 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 Agency's services.

Tony Redmond
Chairman

June 2008

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Other	Planning & building control	Transport and highways	Total
01/04/2007 - 31/03/2008	11	0	1	12
2006 / 2007	9	1	0	10
2005 / 2006	10	4	0	14

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	0	0	0	1	3	2	3	6	9
2006 / 2007	0	0	0	0	9	3	2	2	14	16
2005 / 2006	0	3	0	0	4	2	0	2	9	11

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	4	39.3
2006 / 2007	3	40.0
2005 / 2006	8	33.5

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