

**The Local Government Ombudsman's  
Annual Letter  
Erewash 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 Erewash Borough 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 23 complaints about your Council during 2007/08, an increase of 4 on the previous year and continuing the upward trend of the previous year. In terms of the types of complaints received, the number of planning and building control complaints doubled, although 7 of the 16 complaints related to the same planning application. There were small reductions in the numbers of benefits, housing and other complaints.

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

Liaison arrangements with your Council work well and my staff have not experienced any problems over the year.

The time taken to respond to first enquiries from my office reduced slightly compared to 2006/07, dropping from 25.3 days to 24.6 days, both well within the 28 day target. The Council's prompt responses to enquiries are important in helping us to 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% 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.

Once again we did not issue any reports about your Council during the year. There were 3 local settlements which resulted in payments of £100. These complaints did not raise any issues of concern.

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

We decided 14 complaints about your council during 2007/08. Of these 4 complaints (29%) were premature, that is the Council had not had a reasonable opportunity to respond to them. Two of the complaints decided (14%) were resubmitted premature complaints, where the complainant was unhappy with the Council's response. One of these resulted in a local settlement. These figures suggest the Council's complaints procedure is working satisfactorily.

One complaint was made because the Council failed to respond to a formal written complaint. This highlights the importance of ensuring that complaints are identified when they are received. No other problems were identified during our investigations.

## **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)

<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>	2	0	3	16	2	<b>23</b>
<b>2006 / 2007</b>	3	1	6	8	1	<b>19</b>
<b>2005 / 2006</b>	1	0	3	11	0	<b>15</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	3	0	0	4	2	1	4	10	<b>14</b>
<b>2006 / 2007</b>	0	2	0	0	4	2	2	7	10	<b>17</b>
<b>2005 / 2006</b>	0	3	0	0	5	3	1	7	12	<b>19</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>	9	24.6
<b>2006 / 2007</b>	8	25.3
<b>2005 / 2006</b>	8	28.9

**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