

Local Government  
**OMBUDSMAN**

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

**Gateshead Metropolitan  
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 Gateshead Metropolitan 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**

During the year I received 76 complaints against the Council which represents a fall from the 89 received in the previous year and 95 in the year before that. The Council will, I am sure, welcome this decline in the number of complaints sent to me but the numbers are too small to enable me to offer any meaningful observations.

The number of complaints about housing matters remains fairly constant, 29 this year against 30 and 28 respectively in the previous two years. Complaints about planning and related matters dropped significantly in percentage terms [over 100%] but, numerically, the fall from 17 in the previous year to 8 this year is too small to enable me to pass useful comment. I recognise though that the Council will be pleased with this fall.

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

I ask all authorities to respond to my initial enquiries within 28 calendar days. This year the Council missed this target very narrowly taking 28.1 days on average to respond to my enquiries. Last year the Council took, on average, 21.6 days to reply to me but I comment no further on the extra time taken by the Council this year. I am satisfied that the Council makes great effort to reply within the target time of 28 days and this is due to the hard work and conscientiousness of your link officer about whom those investigators here who deal with Gateshead speak very highly.

## **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.

I issued no reports against the Council this year.

### ***Other findings***

I determined 75 complaints against the Council during the year, a figure which differs from the number of complaints received because of work in hand at the beginning and end of the year. Twenty three of these complaints were premature and I sent them to you with the request that they be put through your internal complaints procedure. Of the remaining complaints 11 were outside of my jurisdiction

while I exercised my general discretion not to pursue 14 others. In 15 cases I found no evidence of maladministration while the Council agreed to settle 12 complaints accepting that something had gone wrong and that the complainant was entitled to some form of remedy. I am grateful to the Council for the willingness shown to settle complaints so readily.

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

No issues have arisen during the year to suggest to me that there are any problems with the way in which the Council handles complaints made to it by 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.

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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YORK  
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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
<b>01/04/2007 - 31/03/2008</b>	1	1	1	4	29	23	8	4	0	5	<b>76</b>
<b>2006 / 2007</b>	2	6	3	11	30	10	17	4	0	6	<b>89</b>
<b>2005 / 2006</b>	6	0	2	1	28	21	24	2	1	10	<b>95</b>

**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
<b>01/04/2007 - 31/03/2008</b>	0	12	0	0	15	14	11	23	52	<b>75</b>
<b>2006 / 2007</b>	1	9	0	0	26	8	7	33	51	<b>84</b>
<b>2005 / 2006</b>	0	19	0	0	30	15	6	28	70	<b>98</b>

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
<b>01/04/2007 - 31/03/2008</b>	24	28.1
<b>2006 / 2007</b>	35	21.6
<b>2005 / 2006</b>	39	27.7

**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