

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
Gosport 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 we have received about Gosport Borough 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

We received four complaints against your Council during the year, two fewer than last year. We expect to see fluctuations like this from year to year.

Character

The four complaints we received against your Council concerned four separate matters, indicating no particular pattern. The complaints were about local taxation, waste management, environmental health, and planning and building control.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no reports against your Council this year.

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).

One complaint about antisocial behaviour was settled locally and £500 was paid in compensation. The complaint related to noise nuisance and antisocial behaviour caused by a licensee rather than a tenant. A lack of clear procedures for dealing with complaints about licensees led to a situation where the complainant was denied access to the support to which she was entitled in addressing the antisocial behaviour she was suffering. I felt a payment of £500 was appropriate and the Council agreed to this and also took a number of practical steps to ensure complaints about licensees receive a proper level of consideration in future.

Other findings

Two complaints were not pursued because no evidence of maladministration was seen.

Your Council's complaints procedure and handling of complaints

The proportion of premature complaints determined was 25% (one complaint). This is in line with the national average of 27%. This complaint was not resubmitted so it seems that it was dealt with satisfactorily by your Council's complaints procedure.

Last year I commended your Council on its accessible complaints procedure and the ready availability of information relating to it on your Council's website. There is also an easily accessible complaints form and a link to my website and complaints form. I am pleased to see that this remains the case and there is also a link to your Council's complaints procedure from the home page. I am also pleased to note that the size of the text on the screen can be increased and that there is also a facility to have the text read out aloud, both of which helps to make the online information more accessible.

Liaison with the Local Government Ombudsman

As you are aware, we ask councils to respond to our enquiries within 28 days. In 2007-2008 we made enquiries on one complaint and received a response 30 days later. This is only marginally outside the target response time, but I would welcome any steps the Council could take to improve its times here.

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 now offer these courses specifically for social services staff and a course on reviewing complaints for social care review panel members. 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)

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Total
01/04/2007 - 31/03/2008	0	0	2	1	1	4
2006 / 2007	0	2	2	2	0	6
2005 / 2006	1	4	1	0	0	6

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	1	0	0	1	0	0	1	2	3
2006 / 2007	0	0	0	0	3	1	1	1	5	6
2005 / 2006	0	1	0	0	3	1	0	3	5	8

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	1	30.0
2006 / 2007	2	37.0
2005 / 2006	4	27.8

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