

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

**Great Yarmouth
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 Great Yarmouth 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 25 complaints against your Council during the year, 21 fewer than last year (46), but on a par with 2005/6 when we received 29 complaints. We expect to see these fluctuations year on year and I see nothing significant in the movements here.

Character

The complaints that we received about benefits reduced significantly from 11 in 2006/7 to three in 2007/8. Four housing complaints were received this year, half of the number in 2006/7, and planning complaints reduced by a third, from 12 in 2006/7 to eight this year.

We received a similar number of public finance complaints this year (five) to last year.

The remaining five complaints were recorded in the 'other' category. They included complaints about waste management, environmental health, drainage, land and one miscellaneous matter.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of the investigation, the Council takes or agrees to take some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report. I issued no reports against your Council this year.

Two complaints were settled locally. In a housing repairs complaint, the Council delayed in completing a roof repair and failed to keep the complainant informed, with the result that she had to cope with a leaking roof for longer than necessary. The Council included the dwelling in its re-roofing plans for the year and paid £250 for the time and trouble the complainant experienced.

In the second complaint, the complainant believed that his Council tax balance was nil but the Council then took recovery against him. It was established that the balance on one account was nil but that there was an outstanding balance on another property and that the Council had delayed in recovering the amount. As a gesture of good will the Council agreed to refund the enforcement costs of £68.

The Council paid a total of £318 in compensation this year.

Other findings

Nine complaints were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

In a further five cases I took the view that the matters complained about were outside my jurisdiction.

The remaining 15 complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

Your Council's complaints procedure and handling of complaints

This year nine complaints were determined to be premature and were returned to your Council to respond to. This accounted for 29% of all complaints decided, this is in line with the national average of 27%.

Four of those nine complaints were re-submitted to me. In all cases the complaints were not pursued, either because insufficient evidence of maladministration was seen or because it was decided not to pursue them for other reasons.

Liaison with the Local Government Ombudsman

Enquiries were made on nine complaints during the year. Your Council's average response time was just over the target timescale of 28 days.

The average response time in respect of seven of the nine complaints relating to planning and building control, Housing and public finance and was just less than 24 days.

My investigators also made enquires on two benefits complaints. In each case the Council took 44 days to respond, although in one of these cases, emailed correspondence between my officers and the Council was misdirected, which contributed to some of the delay.

Overall, the Council has made pleasing progress to improve its response times to my enquiries over the last three years.

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, 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, have 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'. I would appreciate your feedback on how useful you have found these reports, particularly on any complaints protocols put in place as part of the overall governance arrangements for partnerships involving your Council.

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
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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	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	3	4	5	8	5	0	25
2006 / 2007	11	8	9	12	6	0	46
2005 / 2006	6	9	7	4	2	1	29

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	2	0	0	13	2	5	9	22	31
2006 / 2007	0	6	0	0	8	1	4	19	19	38
2005 / 2006	0	3	0	0	12	3	7	11	25	36

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	9	28.3
2006 / 2007	13	27.8
2005 / 2006	15	36.1

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