

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
Macclesfield 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 Macclesfield Borough Council and comments on the authority's performance and complaint-handling arrangements.

As a result of the Secretary of State's decision on the future structure of local government in Cheshire this is the last Annual Letter that I shall be sending to the Council. I should like to take this opportunity of thanking all the members and officers who have dealt with my office for their courtesy and co-operation and wish you well for the future.

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 22 complaints against the Council, a figure consistent with the number of complaints received in previous years. No trends arose to alarm me. Complaints about planning matters constituted the largest single group of complaints but the overall number of these complaints [13] is not so significant as to allow me to offer any meaningful observations.

Liaison with the Local Government Ombudsman

I ask all authorities to respond to my initial enquiries within 28 calendar days. My figures indicate that the Council took, on average, 29.8 days to respond to my enquiries. This is an improvement on the previous two years and I am satisfied that the Council does make a genuine effort to meet my target time and I thank the Council for its effort in this regard.

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 one report against the Council this year. This report concerned the way in which the Council dealt with an application for planning permission to erect a telecommunications mast. I am pleased to acknowledge the willingness of the Council to accept the recommendations I made in my report.

Other findings

I determined 30 complaints during the year, a figure which differs from the number of complaints received because of work in hand at the beginning of the year. In addition to the report referred to above there were 8 complaints sent to me prematurely and 3 which were outside of my jurisdiction. In 5 other cases I exercised the general discretion available to me not to pursue the matter and in 9 further cases I found there to be no evidence of maladministration by the Council. The Council agreed to settle 4 complaints recognising that something had gone wrong and that it was appropriate to offer some form of remedy to the complainant. I am grateful to the Council for the positive way in which it responded in these cases.

Your Council's complaints procedure and handling of complaints

No issues arose 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. 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
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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	1	1	13	0	4	22
2006 / 2007	0	3	4	12	0	1	20
2005 / 2006	1	1	2	19	1	0	24

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	1	4	0	0	9	5	3	8	22	30
2006 / 2007	1	6	0	0	7	2	3	2	19	21
2005 / 2006	0	2	0	0	6	3	1	4	12	16

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	5	29.8
2006 / 2007	10	33.5
2005 / 2006	13	33.3

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