

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
Mid Suffolk District 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 Mid Suffolk District 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

I received 22 complaints against your Council last year, compared to 18 received the year before.

The number of complaints about planning matters has fallen over the last three years. This may indicate improvements in the service about which I have been critical in recent years. They still represent a significant proportion of the total complaints received, but this is the norm for district councils.

Decisions on complaints

I came to decisions on 23 complaints during the year.

Reports and local settlements

The term 'local settlement' refers to the outcome of a complaint where, during the course of our investigation, a council has agreed to take some action which we consider is a satisfactory response to the complaint. In 2007/08, the Local Government Ombudsmen nationally determined 27% of complaints by local settlement. This figure excludes 'premature' complaints - which councils have not had a proper chance to deal with - and those outside our jurisdiction.

None of the complaints we investigated this year justified the issue of a report. There were five complaints where the outcome was a local settlement. All were about planning matters. The remedies provided varied from sums of £100 or less in three cases, to £1,250 plus a significant sum in professional fees. The smaller amounts reflected issues such as uncertainty or inconvenience caused by procedural fault which had relatively little direct impact on the complainant. For example, the Council failed to inform a complainant of an application for five new houses adjacent to her home. Although the complainant was unable to comment on the application before it was approved, the developer decided not to proceed with the scheme.

In one complaint there were serious delays in dealing with planning applications (where, exceptionally, I could not expect the complainant to have appealed, because they had been informed the Council would grant planning permission) and a legal agreement, associated with an application for a major housing development. I agreed a settlement of £1,250 to reflect time and trouble to which the complainant had been put and the outrage experienced over the Council's failures. More significantly, the Council agreed to meet about £17,500 of fees which the complainants would not otherwise have incurred.

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Other outcomes

Of the other 18 complaints decided last year, three were passed back to your Council to consider because I was not satisfied you had had a reasonable opportunity of addressing the complaints direct. In seven cases, I found that there had been no fault by your Council. I considered a further two complaints were outside my jurisdiction because there was an alternative, statutory remedy available to the complainant.

I exercised my discretion not to complete the investigation of the remaining six complaints. In each case this was because I considered that, while there may have been fault, the impact on the complainant was not so significant that further investigation was justified. For example, one complaint was about the loss of £2 in a parking meter. However, one complaint identified a flaw in how the Council considered the impact of a planning application on the setting of a listed building. While in the particular case the effect on the complainant was not significant, the investigation identified a general problem which was brought to the Council's attention.

Your Council's complaints procedure and handling of complaints

The target time for responding to enquiries from my staff is 28 days. In my last two annual letters, I raised concerns about this target being greatly exceeded. I am pleased to see that the average time last year had almost halved, to 28.4 days. The target was only exceeded on three occasions, all in the first part of the year.

I am pleased to note the assurances given last year, in response to the concerns raised by my Assistant Ombudsman about your Council's performance on planning matters in particular, and about response times, appear to have been borne out by subsequent events.

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.

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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'. 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.

Tony Redmond
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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	0	4	1	13	2	2	22
2006 / 2007	1	0	0	17	0	0	18
2005 / 2006	0	0	3	24	0	4	31

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	5	0	0	7	6	2	3	20	23
2006 / 2007	0	2	0	0	5	4	1	3	12	15
2005 / 2006	0	3	0	0	10	7	4	6	24	30

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	8	28.4
2006 / 2007	12	54.5
2005 / 2006	6	52.7

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