

Local Government
OMBUDSMAN

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

Volume

We received 40 complaints against your Council during the year, slightly more than last year and continuing an upward trend since 2005-2006.

Character

Half the complaints were about planning and building control matters, a broadly similar proportion compared with last year. Four complaints concerned planning enforcement, one was about planning advice and fifteen related to planning applications.

Ten complaints were about "other" matters and concerned anti-social behaviour (five), leisure and culture (two), land (one), access to information (one) and one miscellaneous matter. Complaints in this category increased from last year and accounted for a quarter of the total received.

We received four complaints about housing matters, a reduction of over a half from last year. Two complaints were about homelessness and two concerned housing allocations.

Three complaints were received about public finance and local taxation, and two about transport and highways.

One complaint was received about housing benefit.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report.

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).

I was not required to issue any reports against your Council last year. During 2007/2008, I did not determine any complaint against your authority by way of a local settlement.

Other findings

Ten 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 six cases I took the view that the matters complained of were outside my jurisdiction. I decided that in five complaints the complainants had alternative statutory rights of appeal available to them. I did not pursue one complaint as the matters complained of were over 12 months old and I did not see grounds to exercise my discretion to look into them.

The remaining 27 complaints were not pursued, mostly because no evidence of maladministration was seen (24). I decided not to pursue two complaints because no significant injustice flowed from the fault alleged. One complaint was withdrawn.

Your Council's complaints procedure and handling of complaints

The proportion of complaints treated as premature last year (23.25%) remained below the national average of 27%.

Three complaints that had been referred back to the Council as premature were resubmitted. I did not pursue the complaints because there was no evidence of maladministration. All this indicates that the Council's complaints handling is reasonably robust.

Liaison with the Local Government Ombudsman

Enquiries were made on 25 complaints during the year. I am pleased to note that your Council met my target timescale of 28 days for responses to first enquiries. But I ask your authority to keep this issue under review as the average response time of just under 27 days showed an increase from last year.

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 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.

My office also runs an annual seminar for local authority complaints officers on the work of the Ombudsman and complaints handling. We receive very positive feedback on the content and value of the seminars. I note that your Council has not sent a representative over the last three years, and if you would like to do so please let the Assistant Ombudsman know.

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
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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	1	4	10	20	3	2	40
2006 / 2007	0	9	6	16	2	3	36
2005 / 2006	0	6	8	10	1	1	26

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	0	0	0	24	3	6	10	33	43
2006 / 2007	0	2	0	0	17	5	3	6	27	33
2005 / 2006	0	1	0	0	12	6	1	5	20	25

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	25	26.9
2006 / 2007	10	22.3
2005 / 2006	14	23.9

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