

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

**North East Derbyshire
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 received about North East Derbyshire District Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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

We received 23 complaints about your Council during 2007/08, an increase of 2 on the previous year. There were small changes in the types of complaints received, with increases in housing, benefits and other and reductions in planning and building control and transport and highways.

Liaison with the Local Government Ombudsman

Liaison arrangements with your Council work well and my staff have not experienced any problems over the year.

The time taken to respond to first enquiries from my office reduced very substantially compared to 2006/07, dropping from 42.4 days to 18.8 days, whilst maintaining the quality of responses. The target is 28 days. I am pleased that the new procedures put in place by the Council and hard work of officers have improved speed of response, as this is an important factor in ensuring that the Ombudsman can provide a quality service to North East Derbyshire complainants.

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.

For the third year running, we did not publish any reports about the Council. There were 2 local settlements, compared to 7 last year. One complaint concerned the way the Council had disposed of a site containing a children's play area and provided new facilities elsewhere. The planning report outlining the matter was unclear and the Council agreed that in future planning reports will state what is required in policy terms, what is proposed and if there is a discrepancy, why it is considered reasonable.

Your Council's complaints procedure and handling of complaints

Decisions were made on 21 complaints during 2007/08, of which 38% were premature, that is the Council had not had a reasonable opportunity to deal with them. Looking at the number of resubmitted premature complaints and the decisions made on them gives an indication of how the Council's complaints procedure is operating. Three decisions were made on resubmitted premature complaints, where the person complaining was unhappy with the Council's response. Of these, one resulted in a local settlement. This limited evidence suggests the complaints procedure is working satisfactorily.

The Council did not deal with one complaint which my office referred to it as premature, because of the long-term absence of an officer. It is important that the Council has procedures in place to track the progress of complaints within the Council.

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.

The Council took advantage of the Effective Complaints Handling course during the year. I hope the Council has seen its benefits both in developing officers' skills in complaint investigation and resolution and in helping to improve response times to enquiries.

I enclose information on the full range of courses available together with contact details for 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	2	7	9	4	1	0	23
2006 / 2007	1	3	8	6	1	2	21
2005 / 2006	1	12	5	7	2	0	27

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	6	4	1	8	13	21
2006 / 2007	0	7	0	0	4	2	2	6	15	21
2005 / 2006	0	2	0	0	6	1	3	11	12	23

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	18.8
2006 / 2007	9	42.4
2005 / 2006	7	35.6

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