

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

**North Shropshire  
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 North Shropshire 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 19 complaints against your Council during the year. This is less than half the number received in the previous year. Last year's figure represented a significant increase however, and this year's number is more in line with the figures for the previous few years.

### ***Character***

Nine of the complaints we received concerned planning, a significant reduction from 21 in the previous year. Four complaints concerned housing matters, three waste management, with one each for public finance and highways and one miscellaneous complaint.

## **Decisions on complaints**

### ***Reports and local settlements***

When we complete an investigation we issue a report. I did not issue any reports against your council during the year.

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).

Three of the complaints we received were concluded with a local settlement.

In one case, the Council lost the complainant's appeal against its decision not to award her additional priority for a housing transfer. The Council apologised and agreed to review its procedures. In addition, it reinstated the complainant onto the housing register with no loss of priority and wrote off her rent arrears.

In another case, the Council had properly considered a complaint of antisocial behaviour but had failed to inform the complainant of its decision. By the time the complaint was considered, management of the Council's housing stock had transferred to a social landlord. In settlement of the complaint, the Council obtained the new landlord's agreement to write to the complainant formally closing the case and informing her of how she could bring new matters to its attention.

In the final case settled locally, the complainant alleged that the Council had failed to prune a tree close to his home. Again, responsibility for the tree had transferred to a housing association by the time the complaint was determined. Despite there being no evidence of specific fault on the Council's part, it acted with commendable speed to obtain agreement for the tree to be pruned.

## ***Other findings***

Four complaints were treated as premature and referred back to the Council so that they could first be considered through your corporate complaints procedure.

In a further two cases, I took the view that the matters complained of fell outside my jurisdiction. The remaining 15 complaints were not pursued because there was no evidence of maladministration, or because I used my discretion not to pursue them, mainly because no significant injustice flowed from the fault alleged.

## **Your Council's complaints procedure and handling of complaints**

The four complaints regarded as premature represent 17% of the complaints determined in the year. This is well below the national average of 27%, and would seem to suggest that your Council has a complaints procedure which is accessible to your citizens and which is, for the most part, effective in resolving complaints.

Only three complaints which had previously been referred back to the Council were resubmitted to my office, none of which was upheld.

## **Liaison with the Local Government Ombudsman**

Enquiries were made on eight complaints during the year. Your Council's average response time was 12.9 days, which is a significant improvement on previous years and is well within my target timescale of 28 days. I am grateful to your officers for their efforts here.

## **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 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.

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

**J R White  
Local Government Ombudsman  
The Oaks No2  
Westwood Way  
Westwood Business Park  
Coventry CV4 8JB**

**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	4	9	1	1	19
2006 / 2007	1	5	12	21	0	1	40
2005 / 2006	1	3	6	20	0	0	30

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	3	0	0	10	5	2	4	20	24
2006 / 2007	0	4	0	0	13	4	7	12	28	40
2005 / 2006	1	3	0	0	9	2	1	8	16	24

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	12.9
2006 / 2007	12	20.9
2005 / 2006	14	32.5

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