

Local Government  
**OMBUDSMAN**

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

**Norwich City 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 Norwich City 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***

Thirty-five complaints were received this year, nine more than last year (26). We expect to see variations from year to year and I see nothing significant in the increase.

### ***Character***

Housing matters (16) account for about 45% of all complaints and this is not dissimilar to last year's figure of 14.

Transport and highways complaints doubled from four last year to eight this year. One complaint was received in each of the benefits and public finance categories and four about planning and building control matters.

In the 'other' category four complaints were made about antisocial behaviour and one about waste management.

## **Decisions on complaints**

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

When we complete an investigation we issue a report. I issued no reports against your Council this 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).

Four complaints were settled locally this year and the Council paid £4,275 compensation.

One concerned the failure of highways to plant two trees and to complete resurfacing of a stretch of highway. On receipt of my enquiry letter, the Council met with the complainant and undertook to complete the outstanding works within twelve months and so the complaint was resolved promptly. I appreciate the Council's timely action here.

In a housing repair complaint, the Council had failed to give the complainant sufficient information about electrical and asbestos-removal works and to carry out repairs in a reasonable timeframe. The Council remedied its fault by agreeing to complete all the repairs together and to set out options for having the electrical and asbestos removal works undertaken.

In the third complaint settled locally, which concerned private housing grants, there was delay in rectifying sub-standard disabled facility grants works carried out in 2003. The Council demonstrated great willingness to resolve the matter although relations between it and the complainant had broken down. It agreed to make a payment of £2,000 in remedy for distress and inconvenience and to pay invoices up to the value of a further £2,000 for outstanding works to be undertaken by a builder of the complainant's choice.

The final settlement resulted from delay in sending an appeal about a housing benefit decision to the appeals service and the Council made a payment of £275.

I am grateful for the Council's willingness to settle complaints at a local level when fault is identified.

### ***Other findings***

I decided 34 complaints this year. Sixteen of these were treated as premature and referred back to your Council so that they could first be considered through your Council's complaints procedure.

Seven complaints were outside my jurisdiction for a variety of reasons. The remaining seven were not pursued either because I had identified no maladministration or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

This group includes one complaint about managing tenancies. The complainant had, with the Council's permission, carried out substantial improvements to his home. When he moved home he sought recompense under the qualifying improvements scheme and was unhappy with the Council's decision on what qualified and what did not. While I did not consider that the alleged maladministration had resulted in injustice it did seem to me that the information given to tenants could be clearer. I therefore recommended that the Council should produce a fact sheet for its tenants explaining the limitations on qualifying improvements to properties and their right of appeal through the courts in the event of disagreement. I hope the Council has been able to consider this advice.

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

The 16 premature complaints referred back to your Council account for about 45% of all the decisions taken (34) this year. This is much higher than the national average, which this year is 27%. It is also significantly higher than last year when the two premature complaints represented less than a tenth of all decisions. I have not identified any specific reason for the increase because the complaints cover all categories but the Council may wish to review its publicity arrangements for its complaints procedure.

Four cases were re-submitted to me; in two instances I found no evidence of maladministration and two had not been decided at year end.

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

I made enquiries on nine complaints this year and your Council's average response time was just over 27 days, within my target for responses of 28 days. It represents a significant improvement of 12 days on last year's performance (39.4 days) and I am grateful for the Council's efforts in this area.

Responses are usually comprehensive and officers are helpful in providing clarification if this is needed.

### **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, 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, have 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'. 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**  
**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)

<b>Complaints received by subject area</b>	<b>Benefits</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	1	16	5	4	1	8	<b>35</b>
<b>2006 / 2007</b>	1	14	4	3	0	4	<b>26</b>
<b>2005 / 2006</b>	2	11	7	5	1	1	<b>27</b>

**Note:** these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2007 - 31/03/2008</b>	0	4	0	0	4	3	7	16	18	<b>34</b>
<b>2006 / 2007</b>	0	10	0	0	12	2	2	2	26	<b>28</b>
<b>2005 / 2006</b>	0	4	0	0	5	2	3	9	14	<b>23</b>

See attached notes for an explanation of the headings in this table.

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2007 - 31/03/2008</b>	9	27.4
<b>2006 / 2007</b>	15	39.4
<b>2005 / 2006</b>	11	27.7

**Average local authority response times 01/04/2007 to 31/03/2008**

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt; = 36 days %</b>
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