

Local Government
OMBUDSMAN

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

**Peak District National Park
Authority**

**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 Peak District National Park Authority. 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 11 complaints against your Authority during the year, three more than last year. We expect to see fluctuations year on year and I see nothing significant in the increase.

Character

All complaints were about planning and building control, ten of which were about planning applications. This is to be expected, given the Authority's remit.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no reports against the Authority 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).

There were no local settlements agreed this year. But I did note a particular complaint which, although outside my jurisdiction because the complainant had an avenue of appeal through the Planning Inspectorate, I considered the Authority dealt with well. It identified, as a result of the complaint, a number of areas where its correspondence over planning matters and file management could be improved and it was took steps during the year to introduce improvements.

Other findings

Six of the other complaints were also considered to be outside of my jurisdiction because the complainants had an avenue of appeal through the Planning Inspectorate. Four complaints were not pursued, either because no evidence of maladministration was seen or because it was decided not pursue them for other reasons.

Two complaints were treated as premature and referred back to the Authority so that they could first be considered through the Authority's complaints handling procedure.

Your Authority's complaints procedure and handling of complaints

I have already referred to the Authority's handling of a matter that identified areas where it has responded to a need for improvements. The fact that only one premature complaint was resubmitted indicates that generally the complaint handling procedure is well signposted to complainants.

Liaison with the Local Government Ombudsman

Enquiries were made on two complaints during the year. Your Authority's response time of just over 25 days is an improvement on last year's average of 34 days and is now within the target timescale of 28 days. I am grateful for your 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 Authority'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
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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	Planning & building control	Total
01/04/2007 - 31/03/2008	11	11
2006 / 2007	7	7
2005 / 2006	5	5

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	3	1	7	2	11	13
2006 / 2007	1	1	0	0	1	1	2	0	6	6
2005 / 2006	0	1	0	0	3	1	0	0	5	5

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	2	25.5
2006 / 2007	2	34.0
2005 / 2006	4	22.3

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