

# Local Government OMBUDSMAN

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

The number of complaints I received against your Council during the year increased from 32 to 41. We expect to see fluctuations like this from year to year, and I see no significance in the rise.

### ***Character***

Ten complaints were about planning and building control; seven were about children and family services; four were about housing; four were about transport and highways, and three were about public finance. I received two complaints in each of the following categories: adult care services, benefits and education. The remaining seven were recorded in the 'other' category and covered a number of service areas including anti-social behaviour, contracts and business matters, leisure and culture, land and 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 nationally 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).

Six complaints were settled locally, and compensation totalling £1,900 was paid. In the most significant of these the Council paid the complainant £1,000 when it accepted there had been delay in seeking compliance with planning conditions which had an impact on the complainant's authority.

Two other planning complaints were settled locally. In one, the Council accepted that planning conditions lacked clarity and it paid the complainant £150 in respect of time and trouble taken in pursuing the matter. In the second case, the Council failed to notify the complainant about a planning application and it paid him £250 in recognition of his lost opportunity to object to the application.

A complaint about children and family services was settled when the Council paid the complainant £400 in recognition of failures to follow guidance and to keep him informed in matters relating to his daughter.

A complaint about delay in respect of an appeal relating to bandings for allocation of housing led to a settlement payment of £100 and a review of procedures in this area.

## ***Other findings***

Sixteen complaints were treated as premature and referred back to you so that they could be considered through the Council's complaints procedure.

In a further eight cases I took the view that the matters complained about were outside my jurisdiction.

The remaining 11 complaints were not pursued because no evidence of maladministration was seen or because it was decided for other reasons not to pursue them, mainly because no significant injustice flowed from the fault alleged.

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

The number of complaints treated as premature represented 39% of the total complaints we decided. The national average this year is 27%. In last year's letter I remarked on the relatively high number of premature complaints and suggested that further staff training might be appropriate to ensure that potential complainants are directed appropriately to the formal complaints procedure. I am pleased to note that during the year my office has been able to provide two training sessions on effective complaints handling for your staff, and that you were able to send a representative to the annual link officer seminar. I hope that these initiatives will assist the Council in improving its performance in the coming year.

Four of the 16 premature complaints were resubmitted to me at the end of the Council's process. In two of these cases I found no evidence of maladministration and in another I took the view that the matter complained of was outside my jurisdiction. The fourth was resolved by way of a local settlement.

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

Enquiries were made on ten complaints throughout the year. Your Council's average response time of 33.8 days represents a disappointing picture. In complex cases I appreciate that the Council may need more time to gather information and prepare its response. It is always appreciated when a Council contacts my office to explain that it needs more time because we can then keep the complainant informed. But five planning complaints gave an average response time in that category of 37 days. I would be grateful if the Council would strive for improvements in this area.

## **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, 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 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'. 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)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2007 - 31/03/2008	2	2	7	2	4	7	10	3	0	4	41
2006 / 2007	1	2	2	2	2	5	8	6	0	4	32
2005 / 2006	1	5	1	4	5	17	7	3	3	11	57

**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	6	0	0	7	4	8	16	25	41
2006 / 2007	0	4	0	0	12	3	6	10	25	35
2005 / 2006	1	10	0	0	20	2	11	18	44	62

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	10	33.8
2006 / 2007	13	32.8
2005 / 2006	28	34.9

**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