

Local Government OMBUDSMAN

The Local Government Ombudsman's Annual Letter Purbeck 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 Purbeck 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 14 complaints against your Council during the year, the same number as the previous year and only a few more than the year before that. We expect to see small fluctuations from year to year.

Character

Eleven complaints were about Planning matters, and the other three were about drainage, environmental health and land respectively. This pattern is not significantly different to previous years. The proportion of Planning complaints is not unusual for councils in rural areas.

Decisions on complaints

Reports and local settlements

When we complete an investigation we issue a report. I issued no 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).

One complaint made to me was settled locally during the year. It involved an avoidable delay of six months in replying to correspondence about a planning matter, causing a degree of frustration and inconvenience to the complainants and their representative in having to pursue a response. The Council agreed to pay the complainant £100, which I considered to be reasonable in all the circumstances. The Council also agreed to review the resources it deploys in that area to ensure that it can provide a satisfactory service, and I am grateful for its willingness to do so.

Other findings

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

In three cases I took the view that the matters complained of were outside my jurisdiction.

The remaining 13 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

Three complaints which had previously been referred back to the Council were re-submitted to my office. One remained open at the end of the year, but investigation of the other two was discontinued in the absence of evidence of fault by the Council. This would suggest that your Council has a complaints procedure which is accessible to your citizens and which is effective in resolving complaints where appropriate.

Liaison with the Local Government Ombudsman

Enquiries were made on eleven complaints during the year, all of which were about Planning matters. Your Council's average response time of 36 days is well outside my target timescale of 28 days. I recognise that some cases can be complex and require more time, but overall I would expect the Council to be able to achieve the target on average. Please consider what action you can take to improve your Council's performance 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, 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'. 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 | Benefits | Other | Planning & building control | Transport and highways | Total |
|--|----------|-------|-----------------------------------|------------------------------|-------|
| 01/04/2007 - 31/03/2008 | 0 | 3 | 11 | 0 | 14 |
| 2006 / 2007 | 1 | 2 | 11 | 0 | 14 |
| 2005 / 2006 | 0 | 2 | 7 | 1 | 10 |

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 | 1 | 0 | 0 | 11 | 2 | 3 | 2 | 17 | 19 |
| 2006 / 2007 | 0 | 2 | 0 | 0 | 2 | 0 | 1 | 2 | 5 | 7 |
| 2005 / 2006 | 0 | 2 | 0 | 0 | 5 | 0 | 2 | 1 | 9 | 10 |

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 | 11 | 36.0 |
| 2006 / 2007 | 0 | 0.0 |
| 2005 / 2006 | 5 | 38.8 |

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 |