

Local Government
OMBUDSMAN

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

Rushmoor Borough 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 Rushmoor Borough 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 13 complaints against your Council this year, an increase of five over last year. We expect to see fluctuations like this from year to year.

Character

Seven complaints, just over half the total received, related to planning and building control. Three complaints concerned transport and highways, two were about local taxation and one was about housing allocations.

Decisions on complaints

Reports and local settlements

When we need to 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 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 was settled locally this year. The Council took action to try to resolve a complaint about on-street parking in a residential area after a Councillor's attempt to find a solution had failed. To resolve the complaint the Chief Executive wrote personally to the complainant and another resident, and also offered to put them in touch with a mediation service.

Other findings

We treated three complaints as premature and referred them back to your Council so that they could be considered through the Council's own complaints procedure.

Six cases were not pursued because no evidence of maladministration was seen. I exercised my discretion not to pursue a seventh.

Your Council's complaints procedure and handling of complaints

Two complaints we treated as premature were later resubmitted to us for further consideration. In one of these I found no evidence of maladministration. The other remains open at the time of writing. This, together with the low number of complaints overall, suggests that the Council's complaints procedure is well-publicised, accessible and effective.

Liaison with the Local Government Ombudsman

We made enquiries of your Council on just two cases this year. The response times were inconsistent. The planning department replied within 22 days, compared with the transport and highways response which took 40 days. As we ask for replies within 28 days, there is room for improvement here. I hope the Council will meet our target time in future.

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.

Some of your staff attended our Effective Complaints Handling course in April 2007. I hope they found it helpful.

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.

**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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	1	0	7	2	3	13
2006 / 2007	2	2	2	0	2	8
2005 / 2006	2	4	3	1	4	14

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	6	1	0	3	8	11
2006 / 2007	0	0	0	0	3	2	0	3	5	8
2005 / 2006	0	0	0	0	6	1	3	1	10	11

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	31.0
2006 / 2007	7	30.9
2005 / 2006	4	30.8

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