

Local Government
OMBUDSMAN

**The Local Government Ombudsman's
Annual Letter
Salisbury 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 Salisbury 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 16 complaints against your Council during the year, four fewer than last year. We expect to see fluctuations like this from year to year.

Character

Six complaints were about planning and building control and two were about housing. We received one complaint in each of the following categories: benefits, public finance and transport and highways. The remaining five were recorded in the 'other' category and covered a number of service areas including anti-social behaviour, contracts and business matters, land and licensing.

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).

Five complaints were settled locally, and compensation totalling £1,850 was paid. In the most significant of these the Council paid the complainant £1,550 following a delay of some 20 months in dealing with his request to grant a lease on commercial premises.

In another case the complainant had rented a property from the Council but when it was handed back empty it sent the Council Tax demand for the remainder of the year to that empty property instead of to the complainant's residential address. The Council offered to settle the complaint before it was referred to us by cancelling a summons and associated charges in respect of the outstanding debt and by funding two credit searches. This, together with a payment of £50 in respect of time and trouble, ultimately remedied the complaint.

In a complaint about planning, the Council accepted that it had not notified the complainant about a planning application and this left her with the feeling that her amenity had not been properly considered. However a subsequent visit to the site resulted in an assessment that impact on amenity is minimal and so a modest settlement sum of £250 was agreed to take account of the complainant's time and trouble.

Other findings

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

In a further four cases I took the view that the matters complained of were outside my jurisdiction. The remaining two complaints were not pursued because no evidence of maladministration was seen.

Your Council's complaints procedure and handling of complaints

The number of complaints treated as premature represented 45% of the total complaints we decided. The national average this year is 27%. I suggested last year that the Council look at ways of improving its complaints process, in particular with regard to an on-line complaints facility, and while I am pleased to note that the Council's website now includes a comments form which can be submitted electronically, the complaints form still cannot be completed and re-submitted in this way. I would urge your Council to take action in this area.

Only one of the five premature complaints was resubmitted to me. This complaint was still under consideration at the end of the year.

Liaison with the Local Government Ombudsman

Enquiries were made on six complaints during the year. Your Council's average response time has increased from 40.75 days in 2006/07 to 87.5 days this year. The target response time is 28 days.

I know of course that the authority will no longer exist in its current form from April 2009 but nevertheless these exceptionally high response times are unacceptable and I hope there will be a significant improvement next year.

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 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.

As a result of the Secretary of State's decisions on the future structure of local government in Wiltshire this is the last Annual Letter that I shall be sending to the Council for Salisbury in its present form. I should like to take this opportunity of thanking all the Members and officers who have dealt with my office for their courtesy and cooperation and wish you well for the future.

J R White
Local Government Ombudsman

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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	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	1	2	5	6	1	1	16
2006 / 2007	0	2	8	8	1	1	20
2005 / 2006	0	2	6	26	0	0	34

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	5	0	0	2	0	4	5	11	16
2006 / 2007	0	3	0	0	4	1	6	9	14	23
2005 / 2006	0	21	0	0	8	5	3	5	37	42

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	6	87.5
2006 / 2007	3	40.7
2005 / 2006	11	33.5

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