

Local Government
OMBUDSMAN

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

Scarborough 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 received about Scarborough District Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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

During the year I received 34 complaints against the Council. This marks a fall in complaints sent to me when compared with the two previous years in each of which I received 46 complaints. The drop is not statistically significant and I could offer no meaningful observations other than to recognise that the Council will be pleased with this fall in the number of complaints sent to me.

Liaison with the Local Government Ombudsman

I am happy with the working relationship between the Council and my office. As you know, I ask all authorities to respond to my initial enquiries within 28 days. I asked for detailed comments from the Council on 11 occasions during the year and the Council, on average, took just 15.5 days to reply. This performance reflects well on the Council.

Decisions on complaints

Reports and local settlements

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. 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). If an investigation is completed I issue a public report.

I issued no reports against the Council during the year.

Other findings

I determined 41 complaints during the year, a figure which differs from the number of complaints sent to me because of work in hand at the beginning of the year. Of these complaints 8 had been sent to me prematurely while 3 were outside of my jurisdiction. In 11 cases I exercised the general discretion available to me not to pursue the matter while in 16 cases I found no evidence of maladministration by the Council. The Council agreed to settle 3 complaints acknowledging that something had gone wrong and that it was appropriate to offer some form of remedy to the complainant. I am grateful to the Council for the positive way in which it responded in each of these cases. I recognise that, in one of these cases, the Council did not agree with my conclusion but nevertheless agreed to offer a remedy. This reflects particularly well on the Council. My investigators made special note in two of these cases of the help given to them and the diligence shown by the Council's liaison officer. I am grateful to the Council for this level of co-operation.

Your Council's complaints procedure and handling of complaints

Nothing arose during the year to suggest to me that there are any problems with the way in which the Council handles complaints made directly to it by members of the public.

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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction. We will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities. Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

I enclose 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, 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, 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'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

**Anne Seex
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	5	4	11	10	2	2	34
2006 / 2007	4	6	13	14	2	7	46
2005 / 2006	4	0	10	18	1	13	46

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	3	0	0	16	11	3	8	33	41
2006 / 2007	0	2	0	0	21	7	6	4	36	40
2005 / 2006	0	1	0	0	6	6	5	22	18	40

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	15.5
2006 / 2007	20	28.2
2005 / 2006	11	24.0

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