

Local Government
OMBUDSMAN

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

This year we received 15 complaints, a significant increase from 2006/07 when we received seven complaints. However, four of those 15 complaints were about the same matter.

Character

All but one of the 15 complaints were about planning issues. In both of the previous years nearly all the complaints I received were about planning issues, and this is typical of English rural authorities.

Decisions on complaints

We decided a total of 13 complaints during the year.

Reports and settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of the investigation, the Council takes or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

There were no cases where local settlements were required and no reports were issued against the Council this year.

Other findings

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

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

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

Your Council's complaints procedure and handling of complaints

Just over half the complaints we received against your Council were premature although four of those eight cases were about the same matter. The national average this year is 27%. I understand that your Council's complaints procedure was reviewed in March 2007 but it might be an opportune time for its accessibility to be examined further.

Three complaints that had been determined as premature were resubmitted. None of these was pursued further either because they were outside jurisdiction or for other reasons. This indicates that the Council's complaints procedure is providing a properly considered outcome for complainants.

Liaison with the Local Government Ombudsman

We made enquiries on three complaints during the year and your Council has significantly reduced its response time from 33 days in the previous year to 17.3 days in 2007/8. I welcome the steps taken by the Council to produce this improvement. The quality of responses has been good.

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. 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, 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, 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'. 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 | Benefits | Housing | Other | Planning & building control | Public finance | Total |
|--|----------|---------|-------|-----------------------------------|-------------------|-------|
| 01/04/2007 - 31/03/2008 | 0 | 0 | 1 | 14 | 0 | 15 |
| 2006 / 2007 | 1 | 0 | 0 | 5 | 1 | 7 |
| 2005 / 2006 | 0 | 1 | 0 | 5 | 0 | 6 |

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 | 0 | 0 | 0 | 2 | 1 | 2 | 8 | 5 | 13 |
| 2006 / 2007 | 0 | 3 | 0 | 0 | 3 | 1 | 1 | 1 | 8 | 9 |
| 2005 / 2006 | 0 | 0 | 0 | 0 | 5 | 1 | 0 | 2 | 6 | 8 |

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 | 3 | 17.3 |
| 2006 / 2007 | 5 | 33.0 |
| 2005 / 2006 | 5 | 22.2 |

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 |