

Local Government
OMBUDSMAN

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

**Staffordshire Moorlands 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 Staffordshire Moorlands 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 12 complaints against your Council during the year, two fewer last year and 16 fewer than in 2005-2006. This indicates that the downward trend in complaint numbers noted in last years letter is continuing.

Character

Five complaints were about planning and building control, three were about public finance and one about parking. Three other complaints were received about environmental health, leisure and culture and waste management.

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 some 27% of complaints by way of local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction).

One planning enforcement complaint was settled locally this year. It was clear from reading the Council's files that it was aware that maladministration had occurred although it did not initially acknowledge this in its response to my enquiries. There were a number of identifiable faults. The Committee report did not make Members aware that the landscaping scheme for a golf course required the importation of a significant quantity of soil. There had been a failure to consult Highways, failure to impose appropriate conditions relating to tipping and failure to require a survey of the completed scheme to ensure that it complied with approved plans. The Council had an informal agreement with the developer to monitor the works but the complainant suffered stress and disruption during them. He will never know whether an appropriately conditioned permission would have controlled the development properly and therefore mitigated the impact on his home. The Council commissioned an independent survey which confirmed that the scheme as built complied with the approved plans and made a payment of £1000 to the complainant.

Other findings

Four 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 one case I took the view that the matters complained of were outside my jurisdiction.

The remaining eight 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

The reduction in the number of complaints made to me indicates that your Council has a robust complaints handling procedure which is easily accessible to residents in the Council's area. The four complaints decided as premature represent 29% of the total number of complaints determined this year, similar to the national average, which this year is 27%.

No complaints that had been referred back to the Council as premature were resubmitted.

Liaison with the Local Government Ombudsman

Enquiries were made on four complaints during the year. Your Council's average response time of 21 days is admirably fast and demonstrates a commitment to good complaint handling. There is also a significant improvement over the response time of 31 days from last year. I am very grateful for the improvement here.

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, 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
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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	0	0	3	5	3	1	12
2006 / 2007	1	1	1	11	0	0	14
2005 / 2006	1	2	6	16	0	3	28

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	5	3	1	4	10	14
2006 / 2007	0	3	0	0	5	8	1	3	17	20
2005 / 2006	0	5	0	0	12	4	2	8	23	31

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	4	21.3
2006 / 2007	7	31.0
2005 / 2006	22	39.0

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