

**The Local Government Ombudsman's
Annual Letter
Stratford-on-Avon 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 Stratford-on-Avon 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 22 complaints against the Council. This compares with 33 complaints received in the previous year. While I am sure that the Council will welcome this fall in the number of complaints sent to me, the number is too small to enable me to draw any meaningful conclusions about a relatively small decline over a period of one year. No patterns or trends emerged during the year although I note that complaints about planning and building control matters fell by 36% but again the fall, in strict numerical terms, is too small to enable me to pass detailed comment.

Liaison with the Local Government Ombudsman

I ask all authorities to respond to my initial enquiries within 28 calendar days. I expressed concern last year that the Council was taking too long to respond to me and, despite an improvement this year which has brought the average time down to 32.1 days, I have to raise the same issue again this year. I am grateful to the Council though for the efforts it has made over the year to respond to me more quickly and there is evidence in a number of complaints where the response has been sent to me within the 28 day target, including one case where the response reached me in one day, that the Council does genuinely look to respond to me in a timely fashion.

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 32 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. In 6 of these cases the complaints were premature and I sent each one to the Council so that it might have the opportunity to address the issues. Four complaints were outside my jurisdiction and in 4 further cases I exercised the general discretion available to me not to pursue the complaint. In 13 cases I found there to be no evidence of maladministration by the Council. The Council agreed to settle 5 cases acknowledging that something had gone wrong and accepting that it would be appropriate to offer some form of remedy. I am grateful to the Council for the willingness shown to settle complaints so positively in this way.

Your Council's complaints procedure and handling of complaints

No issues have arisen during the year to suggest that there are any problems in 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 | 1 | 1 | 4 | 14 | 1 | 1 | 22 |
| 2006 / 2007 | 0 | 1 | 7 | 22 | 0 | 3 | 33 |
| 2005 / 2006 | 0 | 1 | 2 | 20 | 2 | 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 | 5 | 0 | 0 | 13 | 4 | 4 | 6 | 26 | 32 |
| 2006 / 2007 | 0 | 5 | 0 | 0 | 5 | 4 | 2 | 9 | 16 | 25 |
| 2005 / 2006 | 1 | 3 | 1 | 0 | 10 | 4 | 3 | 5 | 22 | 27 |

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 | 32.1 |
| 2006 / 2007 | 11 | 35.7 |
| 2005 / 2006 | 8 | 22.5 |

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 |