

Local Government  
**OMBUDSMAN**

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

**Test Valley 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 we have received about Test Valley Borough 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 11 complaints against your Council during the year, two more than last year. We expect to see fluctuations like this from year to year.

### ***Character***

Six of the complaints were about planning matters, a similar number to last year. There was one complaint about housing and one about transport and highways. The remainder were recorded in the 'other' category and included two about neighbour nuisance and anti-social behaviour and one about employment and pensions (matters outside my jurisdiction).

## **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 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).

Last year there were no complaints against your Council that required a local settlement. That has now been the case for three years and I congratulate the Council on its exemplary performance in this area.

### ***Other findings***

One complaint was treated as premature and referred back to your Council so that it 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 complaints were not pursued because no evidence of maladministration was seen.

### **Your Council's complaints procedure and handling of complaints**

The number of premature complaints remains very low, which confirms that the Council has robust complaints procedure which is continuing to work well. The complaint which was treated as premature has not been resubmitted to me.

### **Liaison with the Local Government Ombudsman**

Enquiries were made on two complaints during the year. Your Council's average response time remains the same as last year, at 21 days. The target response time is 28 days and I am very grateful for the Council's continued good work in this area.

### **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 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.

**J R White**  
**Local Government Ombudsman**

**The Oaks No 2**  
**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	Housing	Other	Planning & building control	Transport and highways	Total
01/04/2007 - 31/03/2008	1	3	6	1	11
2006 / 2007	0	2	7	0	9
2005 / 2006	2	3	15	1	21

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	3	0	2	1	5	6
2006 / 2007	0	0	0	0	6	3	2	1	11	12
2005 / 2006	0	0	0	0	4	4	8	4	16	20

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	2	21.0
2006 / 2007	2	21.0
2005 / 2006	4	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