

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

**Tonbridge & Malling
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 Tonbridge & Malling 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

I received nine complaints about your Council last year compared with ten complaints the previous year. As before planning generated the most complaints although fewer than in the year before. Across the board the numbers of complaints remain small.

Decisions on complaints

We made decisions on ten complaints during the year. We found no maladministration in five and we exercised discretion to close two without requiring any action by the Council. We referred three complaints to your authority as 'Premature' as we did not think you had had sufficient opportunity to deal with them through your own procedures. As in the previous year, none of the complaints we investigated this year justified the issue of a report and no complaints required a local settlement.

Your Council's complaints procedure and handling of complaints

In my experience, the Council's investigation of complaints is thorough and I am sure that this is one reason for the continuing low level of complaints against your authority. Furthermore, your personal involvement as Chief Executive both at Stage 3 of your own complaints procedure and in responding to complaints to my office demonstrates the importance attached by the Council to complaints handling.

Liaison with the Local Government Ombudsman

I made formal enquiries of the Council on only two complaints this year, and note that both responses were made well within my target deadline of 28 days calendar days. My investigators have also found your office helpful in its response to informal enquiries on complaints.

The possibility of a member of our office visiting to talk to elected members has been raised in the past. Should you wish to pursue this, we would be pleased to arrange such a visit.

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.

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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. This year we have been pleased to run these courses for several of the Kent District Councils.

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, 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'. Again 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.

Tony Redmond
Local Government Ombudsman
Millbank Tower
Millbank
London
SW1P 4QP

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	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	0	2	4	3	0	9
2006 / 2007	1	1	6	1	1	10
2005 / 2006	3	4	5	0	0	12

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	5	2	0	3	7	10
2006 / 2007	0	0	0	0	3	5	0	3	8	11
2005 / 2006	0	1	0	0	2	5	1	3	9	12

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	15.5
2006 / 2007	1	28.0
2005 / 2006	2	16.0

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