

18 June 2015

*By email*

Ms Mary Weastell  
Chief Executive  
Selby District Council

Dear Ms Weastell

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2015. This year's statistics can be found in the table attached.

The data we have provided shows the complaints and enquiries we have recorded, along with the decisions we have made. We know that these numbers will not necessarily match the complaints data that your authority holds. For example, our numbers include people who we signpost back to the council but who may never contact you. I hope that this information, set alongside the data sets you hold about local complaints, will help you to assess your authority's performance.

We recognise that the total number of complaints will not, by itself, give a clear picture of how well those complaints are being responded to. Over the coming year we will be gathering more comprehensive information about the way complaints are being remedied so that in the future our annual letter focuses less on the total numbers and more on the outcomes of those complaints.

During the year we published a further report about a planning complaint because the council did not implement all of the recommendations in our earlier report.

We found the council failed to deal properly with relevant and material planning considerations when deciding a planning application for an extension to a cottage close to the complainants' converted barn. The council apologised to the complainants for failing to make specific reference to their planning objection in the Case Officer's report and paid them £250 for their time and trouble in pursuing the matter. However it refused to accept another part of our recommended remedy, that it should pay their planning consultant's fees of £1,896.

After the council failed to accept our further report, we published a statement of non-compliance which stated our position that we remain dissatisfied with the council's actions. Our legislation prescribes that our involvement in this complaint ends with the publication of the statement. However there has clearly been maladministration by the council leading to injustice. The council should accept our report and further report and pay the rest of the recommended remedy. We regret the council has failed to do so and expect that this situation will not happen again.

## **Supporting local scrutiny**

One of the purposes of the annual letter to councils is to help ensure that learning from complaints informs scrutiny at the local level. Supporting local scrutiny is one of our key business plan objectives for this year and we will continue to work with elected members in all councils to help them understand how they can contribute to the complaints process.

We have recently worked in partnership with the Local Government Association to produce a workbook for councillors which explains how they can support local people with their complaints and identifies opportunities for using complaints data as part of their scrutiny tool kit. This can be found [here](#) and I would be grateful if you could encourage your elected members to make use of this helpful resource.

Last year we established a new Councillors Forum. This group, which meets three times a year, brings together councillors from across the political spectrum and from all types of local authorities. The aims of the Forum are to help us to better understand the needs of councillors when scrutinising local services and for members to act as champions for learning from complaints in their scrutiny roles. I value this direct engagement with elected members and believe it will further ensure LGO investigations have wider public value.

## **Encouraging effective local complaints handling**

In November 2014, in partnership with the Parliamentary and Health Service Ombudsman and Healthwatch England, we published *'My Expectations'* a service standards framework document describing what good outcomes for people look like if complaints are handled well. Following extensive research with users of services, front line complaints handlers and other stakeholders, we have been able to articulate more clearly what people need and want when they raise a complaint.

This framework has been adopted by the Care Quality Commission and will be used as part of their inspection regime for both health and social care. Whilst they were written with those two sectors in mind, the principles of *'My Expectations'* are of relevance to all aspects of local authority complaints. We have shared them with link officers at a series of seminars earlier this year and would encourage chief executives and councillors to review their authority's approach to complaints against this user-led vision. A copy of the report can be found [here](#).

## **Future developments at LGO**

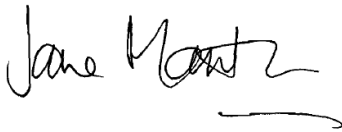
My recent annual letters have highlighted the significant levels of change we have experienced at LGO over the last few years. Following the recent general election I expect further change.

Most significantly, the government published a review of public sector ombudsmen in March of this year. A copy of that report can be found [here](#). That review, along with a related consultation document, has proposed that a single ombudsman scheme should be created for all public services in England mirroring the position in the other nations of the United Kingdom. We are supportive of this proposal on the basis that it would provide the public with clearer routes to redress in an increasingly complex public service landscape. We will advise that such a scheme should recognise the unique roles and accountabilities of local

authorities and should maintain the expertise and understanding of local government that exists at LGO. We will continue to work with government as they bring forward further proposals and would encourage local government to take a keen and active interest in this important area of reform in support of strong local accountability.

The Government has also recently consulted on a proposal to extend the jurisdiction of the LGO to some town and parish councils. We currently await the outcome of the consultation but we are pleased that the Government has recognised that there are some aspects of local service delivery that do not currently offer the public access to an independent ombudsman. We hope that these proposals will be the start of a wider debate about how we can all work together to ensure clear access to redress in an increasingly varied and complex system of local service delivery.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – Selby District Council

For the period ending – 31/03/2015

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

| Local Authority | Adult Care Services | Benefits and tax | Corporate and other services | Education and children's services | Environmental services and public protection | Highways and transport | Housing | Planning and development | Total |
|-----------------|---------------------|------------------|------------------------------|-----------------------------------|--|------------------------|---------|--------------------------|-------|
| Selby DC        | 0                   | 2                | 1                            | 0                                 | 0  | 2                      | 1       | 17                       | 23    |

### Decisions made

| Local Authority | Detailed investigations carried out |            | Advice given | Closed after initial enquiries | Incomplete/Invalid | Referred back for local resolution | Total |
|-----------------|-------------------------------------|------------|--------------|--------------------------------|--------------------|------------------------------------|-------|
|                 | Upheld                              | Not Upheld |              |                                |                    |                                    |       |
| Selby DC        | 1                                   | 4          | 1            | 8                              | 0                  | 7                                  | 21    |