



Report to Standards Committee

Date: 14 September 2006

Author: Sue Sale - Head of Legal and Democratic Services

Subject: Ombudsman's Annual Letter 2005/06

The Ombudsman's Annual letter is attached as an **Appendix** to this report, for information.

There were no findings of maladministration against the Council and response times were within the target set out by the Ombudsman.

The Committee is asked to note the report.

21 June 2006

FIRST CLASS

Mr P Murdock
Chief Executive
Gedling Borough Council
Civic Centre, Arnot Hill Park
Arnold NOTTINGHAM NG5 6LU



The Commission for
Local Administration in England

Anne Seex
Local Government Ombudsman

Neil Hobbs
Deputy Ombudsman

Our Ref: Annual Letter 06/C/AS3/sh
(Please quote our reference when contacting us)

If telephoning contact: Mrs Agnew's Personal Assistant on 01904 380201
If e-mailing: st3york@lgo.org.uk

Dear Mr Murdock

Annual Letter 2005/06

i am writing to give you my reflections on the complaints received against your authority and dealt with by my office over the last year. i hope that in reviewing your own performance you will find this letter a useful addition to other information you hold highlighting how people experience or perceive your services.

This year we will publish the letters on our website and share them with the Audit Commission as there was widespread support from authorities for us to do this. We will wait for four weeks after this letter before making it more widely available in these ways to give you an opportunity to consider and review the letter first. If a letter is found to contain any factual inaccuracy we will reissue it.

In addition to the narrative below there are two attachments which 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

In the year ending 31 March 2006 I received 18 complaints against the Council a figure which matched exactly the number received in the previous year. Once again complaints about planning matters comprised the majority of complaints sent to me. I received 10 complaints about planning which means that 55 % of all complaints against the Council are about such matters. The numbers are not large but the Council might /.....

wish to reflect upon the fact that nationally complaints about planning issues amount to approximately 23% of all complaints made to the Ombudsman.

Decisions on complaints

I took 15 decisions in the last year a figure which differs from the number of complaints I received because of work in hand at the beginning and end of the year. Four complaints sent to me were premature in the sense that it was apparent that the Council was unaware of the complaints and had been given no opportunity to address them. I sent each of these complaints to you with the request that they be considered through the Council's Internal complaints procedure.

Two complaints were outside of my jurisdiction while in 3 other cases I exercised my discretion not to pursue the complaints. In 5 cases I found no evidence of maladministration by the Council and in the remaining case, a housing repair matter the Council, accepted that something had gone wrong and agreed to pay a small amount of compensation to the complainant.

Other findings

As you know I asked for comprehensive replies to my enquiries to reach me within 28 days. I am happy to record that in the year to 31 March 2006 replies from the Council reached me, on average, in 21.1 days. I am grateful to the Council for its co-operation in this respect.

Training in complaint handling

Our training in complaint handling is proving very popular with authorities and we continue to receive very positive feedback from participants. Over the last year we have delivered more than 100 courses from the range of three courses that we now offer as part of our role in promoting good administrative practice.

Effective Complaint Handling was the first course we developed, aimed at staff who deal with complaints as a significant part of their job. Since then we have introduced courses in complaint handling for front line staff and in handling social services complaints.

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 range of courses available together with contact details for enquiries and bookings.

Conclusions/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. I would again very much welcome any comments you may have on the form and content of the letter.

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Mr P Murdock

I would again be happy to consider requests for myself or senior colleagues to visit the Council to present and discuss the letter with Councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the Council and post it on your website should you decide to do this.

The Council should know that some re-organisation has taken place within my office and that the Assistant Ombudsman leading the team with responsibility for complaints against the Council is now Mrs Rosemary Agnew. Mrs Agnew will be very pleased to deal with any queries you may have about this letter and will be equally happy to be your first point of contact during the coming year should you have any issues of concern or should you need advice about a complaint within your own system.

Yours sincerely

Anne Seex
Local Government Ombudsman

Enc: statistical data
note on interpretation of statistics
information on complaints handling training courses

LOCAL AUTHORITY REPORT - Gedling BC

For the period ending 31/03/2006

Complaints received by subject area	Housing (not Incl. HB)	Housing Benefit	Local Taxation	Other	Planning	Social Services	Total
01/04/2005 - 31/03/2006	1	0	3	4	10	0	18
2004/2005	7	0	0	2	9	0	18
2003/2004	3	2	3	7	5	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	Ombs disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2005 - 31/03/2006	0	1	0	0	5	3	2	4	11	15
2004/2005	0	2	0	0	8	2	2	4	14	18
2003/2004	0	3	0	0	5	3	3	8	14	22

See attached notes for an explanation of the headings in this table

Average local authority response times 01/04/2005 to 31/03/2006

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2005 - 31/03/2006	7	20.1
2004/2005	8	23.5
2003/2004	7	15.7

Type of authority	28 days %	29 - 35 days %	> = 36 days %
District Councils	53.2	25.3	21.5
Unitary Authorities	41.3	34.8	23.9
Metropolitan Authorities	41.7	30.5	27.8
County Councils	55.9	26.5	17.6
London Boroughs	39.4	39.4	21.2
National Park Authorities	100.0	0.0	0.0

Notes to assist interpretation of the Commission's provisional local authority statistics

1. Local authority report

This information will form an integral part of the Annual Letter to your council, which the Ombudsman will send to you in June 2006. This year, the Annual Letter will be published on our web site, at www.Jgo.org.uk

The detailed information in the printouts is confidential.

2. Complaints received

This information shows the number of complaints received by the LGO, broken down by service area and in total within the periods given. These figures include complaints that are made prematurely to the LGO (see below for more explanation) and which we refer back to the council for consideration. The figures may include some complaints which we have received but where we have not yet contacted the council.

3. Decisions

This information records the number of decisions made by the LGO, broken down by outcome, within the periods given. **This number will not be the same as the number of complaints received**, because some complaints are made in one year and decided in the next. Below we set out a key explaining the outcome categories.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS(local settlements:) decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Premature complaints: decisions that the complaint is premature. The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter.

Total excl premature: all decisions excluding those where we referred the complaint back to the council as 'premature'.

4. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

5. Average local authority response times 2005/06

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.