

21 June 2005

Mr N Clifford
Lead Director
Reigate & Banstead Borough Council
DX 54102
REIGATE 2

If telephoning contact: Richard Shaw on 020 7217 4669
Email address: r.shaw@lgo.org.uk

Dear Mr Clifford

Annual Letter 2004/05

I wrote to you in January 2005 to explain our proposals for annual letters for 2005 and to invite your comments on the format of statistics and plans to make the letters more widely available in the future. We are grateful to all those councils who replied.

As a result of the comments received, we have decided not to include the proposed simplified heading of 'complaints upheld in full or part' above the figures for reports finding maladministration and local settlements. We agree with those who say this would misrepresent those cases where a local settlement is offered by a council before I, or one of my colleagues, have decided whether to uphold a complaint; and that it could undermine this practice, which would not be to the benefit of complainants.

There was widespread support for our proposals to put annual letters on our website and to share the letters with the Audit Commission, so we will go ahead with this from 2006. We will wait for four weeks after sending you the 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.

I am writing now 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.

In addition to this narrative 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.



The Commission for
Local Administration in England

Tony Redmond
Local Government Ombudsman
Peter MacMahon
Deputy Ombudsman

Complaints received

I received 23 complaints about the Council in 2004/2005, about a third more than in the previous two years. But we would expect to see year on year fluctuations and the overall complaint numbers are relatively small compared with the number of decisions the Council takes on behalf of its residents.

However, I note that there has been a marked rise in the number of complaints received about planning matters: in the past two years they have more than doubled. In terms of service areas, planning complaints are by far the most numerous. Generally, they are from neighbours complaining about a decision to grant planning permission. I am not aware of any specific reasons for the increase in complaints which are peculiar to the Council.

Nevertheless, in view of the increase the Council may wish to review its planning complaints and consider if these reveal any wider problems or issues which need to be addressed at a local level.

Decisions on complaints

I did not issue any reports on complaints against the Council last year, but I did conclude two local settlements. In one case, about a planning application, the Council failed to include the complainants' objections in a report to Committee (though others were referred to), failed to notify them of amendments to the application (a fifth floor roof light was changed to a dormer window) and wrongly decided the amended proposal under delegated authority. The window was not then constructed in accordance with the approved plans. I could not conclude permission would not have been granted, but the Council agreed to pay the complainants £250 compensation in recognition of their time and trouble in pursuing matters. The Council also agreed to consider taking enforcement action over the discrepancy between what had been approved and what was built.

The other case concerned the Council's investigation of complaints against a voluntary office holder. The complaints were not upheld, but it removed her from her role. The investigation was protracted, causing her unnecessary uncertainty and time and trouble, and her removal from her role did not seem fair. The Council agreed to pay her £1,000 compensation.

Your council's complaints procedure and handling of complaints

I have no general issues to raise about the Council's complaints handling, but in the allotments complaint referred to above the Council's investigation appears to have been unnecessarily prolonged. You may wish to review the way this particular matter was handled to see if any lessons can be learned.

Liaison with my office

For 2004/2005 we asked to receive responses to our enquiries within 21 days of the date of our enquiry letter. Generally, your Council's response times were close to the target, although the average time was skewed by the 59 days it took to reply on a planning case. We recognise that it can be difficult for councils to meet the current 21 day target and provide good quality, comprehensive responses to our enquiries. So, from 1 July 2005, we are revising this target to 28 days.

One of your officers attended the seminar we organised for council link officers in July last year. I trust this was useful. We will let you know if any similar events are planned in future in case other officers wish to attend.

Training

Last year, we told you about the training we were developing for local authorities on complaints handling as part of our role in promoting good administrative practice and asked for your views. Our pilot programme has been extremely successful with very positive feedback from the local authorities involved, so we are now increasing the amount of training that we can provide.

A key element of the training is our Effective Complaint Handling course, specifically developed for council staff who deal with complaints as a significant part of their job. This one-day course is aimed at those who handle complaints in the higher stages of the authority's complaints procedure, up to the point of deciding the complaint. A further course has been developed on Complaint Handling for Front-line Staff and other specialist areas are also being considered to meet the needs of local authorities and further promote good practice.

All courses are presented by an experienced investigator, so participants benefit from their knowledge and expertise of complaint handling. Courses can be delivered to a single local authority or to staff from a group of authorities at a regional centre. We do have to charge for the training, just to cover our costs, but the feedback has shown that councils consider it good value for money.

I have enclosed some further information about our complaints handling training courses including contact details.

General observations

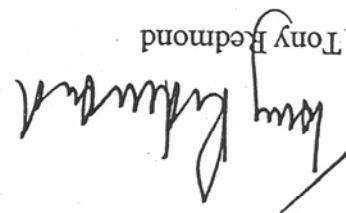
I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I understand that you found last year's annual letter to be helpful. I hope that you find the information and assessment provided this year

are also 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.

I visit councils in the area covered by my Office – as does my Deputy – on a continuing basis. We have already visited several councils over the last year or two and have programmed several further visits throughout 2005. During these visits we explain our work, and how our service is changing, but we also use the opportunity to discuss the annual letter with senior officers and councillors. You may not yet have had a visit from us but we are hoping to have visited all councils in the area before too long. We hope you will take the opportunity at that time to comment on the annual letters you receive from me, so that we can learn how to improve them.

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.

Yours sincerely


Tony Redmond

Complaints received by subject area	Highways	Housing (not incl. HB)	Housing Benefit	Local Taxation	Other	Planning	Total
01/04/2004 - 31/03/2005	1	4	1	0	1	16	23
2003 / 2004	1	1	0	0	2	13	17
2002 / 2003	3	1	2	1	3	7	17

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	Ml reps	LS	M reps	NM reps	No mal	Omb disc	Outside Jurisdiction	Premature complaints	Total excl premature	Total
01/04/2004 - 31/03/2005	0	2	0	0	4	5	5	4	16	20
2003 / 2004	0	0	0	0	5	3	5	2	13	15
2002 / 2003	0	3	0	0	5	2	6	3	16	19

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

Average local authority response times 01/04/2004 to 31/03/2005

Types of authority	<= 21 days %	22 - 28 days %	> = 29 days %
District Councils	22	38	40
Unitary Authorities	11	24	65
Metropolitan Authorities	17	44	39
County Councils	12	59	29
London Boroughs	9	21	70
National Park Authorities	60	20	20

FIRST ENQUIRIES		Response times	
No. of First Enquiries	Avg no. of days to respond	01/04/2004 - 31/03/2005	2003 / 2004
4	32.5	2003 / 2004	3
7	33.9	2002 / 2003	7

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

1. 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.

2. 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. (The figures for the year 2002/3 may include reports which had a finding of 'local settlement'. For legal reasons, the LGO no longer issues reports with this finding.)

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'.

3. 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.

4. Average local authority response times 2004/05

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

Training from the Local Government Ombudsman



The Commission for
Local Administration in England

Dealing well with complaints is a vital part of good customer care. Local authorities are becoming more and more aware of how good complaint handling can improve customer relations, help their organisations to learn and improve, and maximise public value.

Over more than three decades of complaint investigation we have developed an unequalled overview of the way local authorities deal with complaints – and a unique perspective on what constitutes good practice in complaint handling. In response to an increasing demand from authorities for us to share our knowledge and experience with them, and as part of our role in promoting good administration, we are now offering a range of training courses on dealing with complaints – all devised by us with the particular needs of local government in mind.

Details of the courses

All our courses are presented by experienced LGO investigative staff, so participants can be confident that their presenter has genuine practical expertise in complaint handling and can draw on a fund of real knowledge about the theory and practice covered.

In addition to the courses which we describe below, we are currently developing new courses applying good investigative practice to different subject areas of complaints. We are also working to produce a menu of training modules from which authorities will be able to select the ones which they think best meet their particular needs.

The charges we make for our 'off the peg' courses just cover our costs in delivering training (see below for more details). We believe they represent very good value for money.

Effective Complaint Handling

'Effective Complaint Handling' is a one-day course we have developed specifically for local authority staff who deal with complaints as a significant part of their job. It is aimed at people who handle complaints in the higher stages of an authority's complaints procedure, after the informal stage and up to the point of making a final decision on the complaint.

This is the course for which we've had greatest demand to date, and it has been extremely well received.

The aims of this course are to help participants -

- define complaints accurately
- identify and use sources of information
- make and communicate robust decisions
- resolve complaints quickly and appropriately

The training day is designed to be interactive, and involves a variety of activities and materials. It begins with participants drawing on their own experiences of customer care, and concludes with an exploration of the benefits of good complaint handling to their organisation. Much of the training day is centred around a case study which illustrates and informs about the various stages of complaint handling. Participants are given basic details of a fictional but realistic complaint. They are then asked to define the complaint; to collect, analyse and evaluate information about it; to reach a reasoned decision, including a proposed remedy; and to consider how to communicate the decision to the complainant. At all stages the presenter offers guidance and insights on applying the LGO's principles of good practice.

Effective Complaint Handling in Social Services complaints

This course applies the principles and practice of good complaint handling to investigating complaints under the current statutory social services complaints procedures. It has been devised for senior social services staff and independent investigators who deal with Stage 2 complaints. The central case study uses a social services complaint which raises and addresses crucial issues in this field of investigation.

'Effective Complaint Handling' courses in other specific subject areas are being researched and developed. For further information contact us.

Good Complaint Handling for Front Line Staff

Front line staff have a crucial part to play in the early identification and resolution of complaints. Their dealings with customers who are unhappy with services can often determine which issues will end up being pursued as formal complaints, as well as influencing complainants' views about the authority.

The one-day course which we have devised for front line staff aims to help them develop their awareness and understanding of -

- issues in good customer care
- factors which make the experience of complaining a good or bad one
- their role in
 - distinguishing complaints from other contacts e.g. service requests
 - assisting customers to clarify their complaints
 - managing expectations, for the benefit of the authority and its customers
 - settling complaints rapidly where appropriate, and
 - improving services and customer satisfaction

A central element in the training day is the use of a case study. In this exercise front line staff home in on the way they can affect the course and even outcomes of complaints as well as customer experiences of the process.

Tailored Events

As well as providing these course packages we will carry on responding positively, where our resources permit, to requests from authorities for us to devise courses tailored to their particular needs. In such cases we have to charge for course development time as well as course delivery. We will be able to supply an estimate on request.

Prices

Our 'Effective Complaint Handling' courses (generic or subject specific) and the course in 'Good Complaint Handling for Front Line Staff' are available at the following prices:

One-day course for a group of up to 15, with one presenter: £750
One-day course for a group of up to 30, with two presenters: £1270

[Prices exclude VAT. No extra charge made for trainer's travel and expenses. Prices assume you will supply the venue for the course. Full details of venue requirements and of our terms and conditions for supplying training provided on request.]

Smaller authorities with fewer than 15 staff to put forward for training may wish to get together with neighbouring authorities to hold a regional LGO training event, and so share the costs.

For further information or bookings please contact Anne Carus at our York office:

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YORK, YO30 5FZ

tel. 01904 380226 or e-mail a.carus@lgo.org.uk