

**COMPLAINTS**  
**(Report by the Director of Central Services)**

**1. INTRODUCTION**

1.1 The purpose of this report is to provide Members with an analysis of internal complaints and a summary of complaints determined by the Local Government Ombudsman.

**2 SUMMARY OF COMPLAINTS**

2.1 The Council's internal complaints system summarises complaints into six categories as follows:-

- action of employee;
- council policy;
- council procedures;
- equality of service;
- failure to respond; and
- service delivery.

2.2 The table attached at Annex A provides an analysis of complaints by complaint reason, the Division involved and results compared with the previous year.

**3 SUMMARY OF OMBUDSMAN COMPLAINTS**

3.1 The Local Government Ombudsman Service has published the following statistics for complaints determined against the District Council in the year 1st April 2004 to 31st March 2005 compared with previous years.

	<b>2002/03</b>	<b>2003/04</b>	<b>2004/05</b>
<b>Complaints settled locally</b>	4	0	0
<b>No or insufficient evidence of maladministration</b>	5	3	10
<b>Ombudsman's discretion</b>	3	1	1
<b>Outside LGO's jurisdiction</b>	3	1	3
<b>Maladministration</b>	0	0	0
<b>Total</b>	<b>15</b>	<b>5</b>	<b>14</b>

3.2 A comparison of complaints received by category provides the following picture in relation to District Council services including premature complaints. The Ombudsman does not normally consider a complaint unless a Council has had an opportunity to deal with the complaint itself. So if someone complains to the Ombudsman without having taken the matter up with a Council the Ombudsman will usually refer it back to the Council as a 'premature complaint' to see if the Council can itself resolve the matter.

	<b>2002/03</b>	<b>2003/04</b>	<b>2004/05</b>
<b>Highways</b>	3	5	4
<b>Housing (not including HB)</b>	2	0	4
<b>Housing Benefit</b>	1	3	1
<b>Local Taxation</b>	2	0	4
<b>Other</b>	1	0	3
<b>Planning</b>	4	4	8
<b>Total</b>	<b>13</b>	<b>12</b>	<b>24</b>

- 3.3 Although there has been double the number of complaints received by the Ombudsman compared with the previous year, the Ombudsman has indicated that there is no special significance in the rise and they expect to see a variation in complaint numbers year on year.
- 3.4 Throughout the year 18 complaints were determined against the District Council, with no complaint being upheld and the majority of complaints were determined as no maladministration.
- 3.5 The number of premature complaints remained the same as the previous year and four premature complaints were referred back to the Council to deal with under the internal complaints procedure. This figure is well below the national average of 25% for all authorities last year. The Ombudsman has suggested that this is an indication that the complaints procedure is well published to residents and all employees.

#### **4 CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Panel are invited to note the contents of the report.

#### **BACKGROUND PAPERS**

**Local Government Ombudsman Annual Reports 2001/02 – 2003/04  
Annual Letter 2004/05**

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**ANNEX A**

<b>Complaint Reason</b>	<b>Division Involved 2004/05 + action</b>	<b>Decision Involved 1/4/05 to date + action</b>
Action of Employee	1 Committee / Member Services (NAT) 4 Council Tax (2 NAT, 1 SI & 1 RTC) 3 Housing (2 NAT & 1 SI) 4 Benefits (NAT) 1 Business Rates (RTC)	1 Development Control (SI)
Council Policy	1 Council Tax (NAT)	1 Development Control
Council Procedures	8 Council Tax (7 NAT & 1 SI) 3 Development Control (1 NAT & 2 SI) 1 Business Rates (NAT)	3 Benefits (1 SI, 1 NAT & 1 CIP) 1 Council Tax (NAT) 1 Business Rates
Equality of Service		2 Development Control (1 NAT)
Failure to Respond	1 Benefits (NAT)	1 Housing (NAT) 1 Benefits
Service Delivery	2 Council Tax (1 NAT & 1CIP) 4 Development Control (3 NAT & 1 SI) 3 Housing (1 NAT & 2 RTC) 3 Benefits (NAT) 1 Business Rates (NAT) 1 Cashiers (NAT)	2 Benefits (1 SI & NAT) 3 Development Control (1 NAT) 1 Council Tax (NAT) 1 Highways
<b>Total</b>	<b>41</b>	<b>18</b>

**Key:**

NAT No Action Taken  
 CIP Change in Procedures  
 SI Staff Instruction  
 RTC Referral to Contractor  
 CIS Change in Service