

Local Government
OMBUDSMAN

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

**Stratford-on-Avon District
Council**

**for the year ended
31 March 2010**

The Local Government Ombudsmen (LGOs) provide 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, we aim to get it put right by recommending a suitable remedy. We also use the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual reviews.

Appendix 1: Notes to assist interpretation of the statistics 2009/10

Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

Premature complaints: 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 either refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter, or give advice to the enquirer that their complaint is premature.

Advice given: These are enquiries where the LGO Advice Team has given advice on why the LGO would not be able to consider the complaint, other than the complaint is premature. For example, the complaint may clearly be outside the LGO's jurisdiction.

Forwarded to the investigative team (resubmitted premature and new): These are new cases forwarded to the Investigative Team for further consideration and cases where the complainant has resubmitted their complaint to the LGO after it has been put to the council.

Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2009/10 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2009/10 will still be in hand at the end of the year. 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 LGO 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 LGO'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 LGO's jurisdiction.

Section 1: Complaints about Stratford-on-Avon District Council 2009/10

Introduction

This annual review provides a summary of the complaints we have dealt with about Stratford-on-Avon District Council. I hope that the review will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two appendices to the review: statistical data for 2009/10 and a note to help the interpretation of the statistics.

Enquiries and complaints received

Our Advice Team deals with all initial contacts to the Ombudsmen and advise people who want to make a complaint. The Advice Team recorded 26 enquiries about your Council in 2009/10 and forwarded 18 complaints for my office to consider. The complaints we considered were spread between planning and building control (9), other (7), transport and-highways (1) and benefits (1).

Complaint outcomes

My office made decisions on 23 complaints about the Council in 2009/10. In any one year, there can be a difference in the number of complaints received and the number of decisions made by my office. This is because some decisions will have been made on complaints received in the previous year and not all the complaints received in 2009/10 will have been decided by 31 March.

Local settlements

We will often discontinue enquiries into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. 26.9% of all decisions on complaints in the Ombudsmen's jurisdiction were local settlements. Of the complaints we considered about your authority, five were locally settled (29.4%).

There was a further complaint made to my office about the same issues of delay in dealing with planning enforcement issues at a particular business site. The Council agreed to apologise and pay £900 for the inconvenience and frustration caused to the complainant by the site activities and £600 for the time and trouble in making a further complaint about the same issue.

There was a complaint about the failure to provide requested planning advice. The Council agreed to meet the complainant to discuss the particular issues relating to his proposals.

Liaison with the Local Government Ombudsman

We made four first enquiries of your Council during the year and the average response time was 27.3 days which is within the target of 28 days although slower than last year (20.5 days). In September last year, I gave a presentation to the Standards and Ethics Committee about the Annual Reviews and my role more generally. I hope your Members found this helpful.

LGO Advice Team

Enquiries and complaints received	Benefits	Public Finance inc. Local Taxation	Planning and building control	Transport and highways	Other	Total
Formal/informal premature complaints	0	2	3	0	1	6
Advice given	0	0	2	0	0	2
Forwarded to investigative team (resubmitted prematures)	0	0	2	0	5	7
Forwarded to investigative team (new)	1	0	7	1	2	11
Total	1	2	14	1	8	26

Investigative Team

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Total
2009 / 2010	0	5	0	0	9	3	6	23

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
1/04/2009 / 31/03/2010	4	27.3
2008 / 2009	8	20.5
2007 / 2008	11	32.1

Average local authority resp times 01/04/2009 to 31/03/2010

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	61	22	17
Unitary Authorities	68	26	6
Metropolitan Authorities	70	22	8
County Councils	58	32	10
London Boroughs	52	36	12
National Parks Authorities	60	20	20