

Local Government  
**OMBUDSMAN**

April 2010

To Chief Executives of Local Authorities  
and other bodies within jurisdiction

Our ref: PC/5/2/1/RPR

If telephoning please contact: Linda Cumming on 024 7682 0067  
or, if using email, send to: [l.cumming@lgo.org.uk](mailto:l.cumming@lgo.org.uk)

Dear Chief Executive

**Local Government Ombudsman – provisional complaint statistics**

We are currently in the process of producing our Annual Review to be issued to your council. I enclose our provisional end-of-year statistics to be incorporated into the Review, together with notes to aid interpretation, to give you an opportunity to raise any queries you may have.

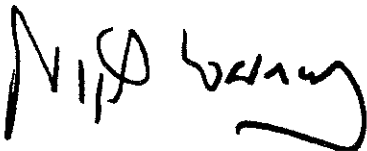
The main Local Authority Report, together with detailed printouts, will help you check the accuracy of the statistics and may also be of use in any more detailed analysis you wish to do. These detailed lists include complainants' personal information, which is confidential and so will not, of course, form part of the published statistics.

We are aiming to issue our Annual Reviews to all councils by late June so please can you contact us with any queries as soon as possible and no later than 7 May 2010. Your contact for queries is **Linda Cumming**, whose telephone number and email address are given above.

I am sending a copy of this letter and enclosures to your Ombudsman link officer.

Thank you for your co-operation.

Yours sincerely



Nigel Karney  
Deputy Chief Executive and Secretary

cc: Council's Ombudsman link officer  
Enc: Local authority report and detailed printouts  
Explanatory notes

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15 APR 2010

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**Tony Redmond**  
Chairman  
**Nigel Karney**  
Secretary

# Local Government Ombudsman provisional statistics 2009/10

The deadline for queries on these figures is

**Friday 7 May 2010**

Your contact for queries is:

**Linda Cumming**

**Tel: 024 7682 0067**

**Email: [l.cumming@lgo.org.uk](mailto:l.cumming@lgo.org.uk)**

## **List of enclosures:**

- **Notes to aid interpretation of figures.**
- **Provisional Local Authority Report** – the final version of this will form part of the Annual Review to your Authority in June.
- **Complaints forwarded** – printout of new complaints forwarded to our investigative team in the year 2009/10, broken down by service area (*see note 2 attached*).
- **Decisions** – printout of complaints on which decisions were made by the LGO in the year 2009/10, broken down by type of decision (*see note 3 attached*).
- **Response times** – printout of complaints on which enquiries were made to your Authority during 2009/10, showing response times (*see notes 4 and 5 attached*).

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

## 1. Local authority report

This information will form an integral part of the annual review to your authority, which the Ombudsman will send to you in June 2010. Again this year, the annual review will be published on our website, at [www.lgo.org.uk/CouncilsPerformance/](http://www.lgo.org.uk/CouncilsPerformance/)

The detailed information in the printouts is confidential.

Since 1 April 2008 the LGO Advice Team has been the single point of contact for all enquiries and new complaints. Our advisers provide comprehensive information and advice to callers at the outset with a full explanation of the process and possible outcomes. It enables callers to make a more informed decision about whether putting their complaint to us is an appropriate course of action. Last year it meant that direct comparison with some of the previous years' statistics was difficult and could have been misleading. This year, the annual review shows figures for two years' worth of enquiries and complaints received, and for decisions taken.

## 2. LGO Advice Team: Enquiries and complaints received

This table includes telephone enquiries made and dealt with as well as formal complaints to the Ombudsman. These enquiries are recorded on the same database as complaints, and the authority they concern is recorded, which enables us to include them in this report.

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

**Formal/informal prematures:** 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. These are 'formal premature complaints'. However, we now also include 'informal' prematures here, where advice is given to the complainant making an enquiry that their complaint is premature. As we do not notify councils of these 'informal' premature cases, we are not including a print-out of premature decisions any longer, as it will not be possible for councils to reconcile the total figure for prematures. The total of prematures shown in this line *does not include* the number of resubmitted prematures (see below).

**Advice given:** These are enquiries where the LGO Advice Team have given advice on why the Ombudsman would not be able to consider the complaint, other than the complaint is premature. For example, the complaint may clearly be outside the Ombudsman's jurisdiction. It also includes cases where the complainant has not given enough information for clear advice to be given, but they have, in any case, decided not to pursue the complaint.

**Forwarded to the investigative team (resubmitted prematures):** These are cases where there was either a formal premature decision, or the complainant was given informal advice that their case was premature, and the complainant has resubmitted their complaint to the Ombudsman after it has been put to the council.

*These figures need to be added to the numbers of 'formal/informal premature complaints' (see above) to get the full total number of premature complaints. They also need to be added to the 'forwarded to the investigative team (new)' to get the total number of forwarded complaints.*

**Forwarded to the investigative team (new):** These are the complaints that have been forwarded from the LGO Advice Team to the Investigative Team for further consideration. The figures may include some complaints that the Investigative Team have received but where we have not yet contacted the council.

*The print out being supplied in relation to this table **only** covers the complaints forwarded to the Investigative Team.*

### **3. 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 that have been decided during 2009/10 will already have been in hand at the beginning of the year, and some will have been forwarded in 2009/10 but are not yet decided. 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 that were outside the Ombudsman's jurisdiction.

*The print out in relation to this table will be the same as provided in previous years, except that it will not include premature decisions.*

### **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. We give the two previous years' comparative data for this table.

**5. Average local authority response times 2009/10**

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

**6. Complaints about personnel matters (employment and pensions)**

We receive some complaints from members of council staff about personnel matters. These are usually outside our jurisdiction, and our practice is now to advise you that we have received the complaint without informing you of who made it.

For that reason, any such complaints on the attached printouts will show a blank space for the complainant's name.

# GO Advice Team

Enquiries and complaints received		Housing	Benefits	Public Finance inc. Local Taxation	Planning and building control	Transport and highways	Other	Total
2009 / 2010	Formal/informal premature complaints	3	0	0	1	0	0	4
	Advice given	0	1	0	0	0	1	2
	Forwarded to investigative team (resubmitted prematures)	0	0	1	1	0	1	3
	Forwarded to investigative team (new)	4	1	2	5	0	5	17
	<b>Total</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>7</b>	<b>0</b>	<b>7</b>	<b>26</b>
2008 / 2009	Formal/informal premature complaints	0	1	0	1	0	1	3
	Advice given	1	1	0	2	1	0	5
	Forwarded to investigative team (resubmitted prematures)	1	0	1	4	0	0	6
	Forwarded to investigative team (new)	4	1	0	3	0	5	13
	<b>Total</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>10</b>	<b>1</b>	<b>6</b>	<b>27</b>
<b>Total</b>	<b>13</b>	<b>5</b>	<b>4</b>	<b>17</b>	<b>1</b>	<b>13</b>	<b>53</b>	

## Investigative Team

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Total
2009 / 2010	0	2	0	0	10	7	3	22
2008 / 2009	0	2	0	0	10	2	3	17
Total	0	4	0	0	20	9	6	39

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

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
1/04/2009 / 31/03/2010	16	29.0
2008 / 2009	11	37.5
2007 / 2008	11	36.9

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	60	22	18
Unitary Authorities	65	26	9
Metropolitan Authorities	53	39	8
County Councils	58	32	10
London Boroughs	52	36	12
National Parks Authorities	60	20	20

Ref no	Date rcvd by LGO	Surname	Decision Date	Detailed Category
<b>Benefits</b>				
09 000 590	14/04/2009	B [REDACTED]	07/07/2009	Council tax benefit
<b>Group total:</b>		<b>1</b>		

**Housing**

09 005 206	03/07/2009	K [REDACTED]	14/12/2009	Homelessness
09 001 435	05/05/2009	M [REDACTED]	29/10/2009	Housing allocations
09 009 286	22/09/2009	F [REDACTED]	22/12/2009	Housing allocations
09R006 654	16/11/2009	L [REDACTED]	03/03/2010	Private housing: grants
<b>Group total:</b>		<b>4</b>		

**Other**

09 001 177	27/04/2009	H [REDACTED]	14/09/2009	Antisocial behaviour
09 004 054	22/06/2009	J [REDACTED]	21/01/2010	Antisocial behaviour
08 016 492	29/05/2009	M [REDACTED]	Still open	Environmental health
09 010 853	22/10/2009	D [REDACTED]	06/04/2010	Environmental health
09 014 522	07/01/2010	C [REDACTED]	Still open	Environmental health
09 007 001	05/08/2009	B [REDACTED]	28/09/2009	Waste management
<b>Group total:</b>		<b>6</b>		

**Planning and building control**

08 002 503	17/04/2009	I [REDACTED]	Still open	Enforcement
09 001 512	05/05/2009	S [REDACTED]	24/08/2009	Enforcement
08 017 978	09/04/2009	W [REDACTED]	30/07/2009	Planning applications
09 009 144	16/09/2009	E [REDACTED]	11/03/2010	Planning applications
09 015 424	01/02/2010	S [REDACTED]	03/03/2010	Planning applications
09 016 645	23/02/2010	P [REDACTED]	Still open	Planning applications



Ref no	Date revd by LGO	Surname	Decision Date	Detailed Category
<b>Group total:</b>		<b>6</b>		

**Public finance**

08 021 909	24/07/2009	H [REDACTED]	29/01/2010	Local taxation
09 013 808	04/01/2010	L [REDACTED]	Still open	Local taxation
09 018 221	22/03/2010	T [REDACTED]	Still open	Local taxation
<b>Group total:</b>		<b>3</b>		

**Grand total:** 20

Ref no	Date revd by LGO	Surname	Decision Date	Main subject area	Detailed Category
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### LS (Local Settlements)

09 001 177	27/04/2009	H [REDACTED]	14/09/2009	Other	Antisocial behaviour
09 009 144	16/09/2009	E [REDACTED]	11/03/2010	Planning and building control	Planning applications

Group total: 2

### No mal (No or insufficient evidence of maladministration)

09 005 206	03/07/2009	K [REDACTED]	14/12/2009	Housing	Homelessness
09 001 435	05/05/2009	N [REDACTED]	29/10/2009	Housing	Housing allocations
09 009 286	22/09/2009	F [REDACTED]	22/12/2009	Housing	Housing allocations
09R006 654	16/11/2009	L [REDACTED]	03/03/2010	Housing	Private housing: grants
08 011 094	22/08/2008	D [REDACTED]	31/07/2009	Other	Antisocial behaviour
09 004 054	22/06/2009	J [REDACTED]	21/01/2010	Other	Antisocial behaviour
08 017 944	16/01/2009	C [REDACTED]	29/05/2009	Planning and building control	Enforcement
09 001 512	05/05/2009	S [REDACTED]	24/08/2009	Planning and building control	Enforcement
08 019 903	24/02/2009	F [REDACTED]	23/07/2009	Planning and building control	Planning applications
08 017 978	09/04/2009	V [REDACTED]	30/07/2009	Planning and building control	Planning applications

Group total: 10

### Omb disc (Ombudsman's Discretion)

08 020 260	27/02/2009	H [REDACTED]	30/04/2009	Housing	Regeneration and improvement
08 020 247	27/02/2009	J [REDACTED]	30/04/2009	Housing	Regeneration and improvement
08 020 258	27/02/2009	K [REDACTED]	30/04/2009	Housing	Regeneration and improvement
08 020 241	27/02/2009	R [REDACTED]	30/04/2009	Housing	Regeneration and improvement
08 021 720	26/03/2009	T [REDACTED]	09/10/2009	Other	Environmental health
09 015 424	01/02/2010	S [REDACTED]	03/03/2010	Planning and building control	Planning applications
08 021 909	24/07/2009	H [REDACTED]	29/01/2010	Public finance	Local taxation

Group total: 7

### Outside jurisdiction

09 000 590	14/04/2009	E [REDACTED]	07/07/2009	Benefits	Council tax benefit
09 007 001	05/08/2009	E [REDACTED]	28/09/2009	Other	Waste management
08 017 604	25/02/2009	K [REDACTED]	15/05/2009	Public finance	Local taxation

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Ref no	Date revd by LGO	Surname	Decision Date	Main subject area	Detailed Category
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<b>Group total:</b>		<b>3</b>			
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<b>Grand total:</b>	<b>22</b>				
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Ref no	Date revd by LGO	Surname	Date enquiry sent to Council	Date response received	Time taken (calendar days)	Detailed Category
<b>Housing</b>						
09 005 206	03/07/2009	K [REDACTED]	23/07/2009	10/08/2009	18	Homelessness
09 001 435	05/05/2009	M [REDACTED]	24/07/2009	17/08/2009	24	Housing allocations
09 009 286	22/09/2009	F [REDACTED]	26/10/2009	16/11/2009	21	Housing allocations
<b>Group total:</b>		<b>3</b>	<b>Average no. of days to respond for Group:</b>		<b>21.0</b>	

<b>Other</b>						
09 001 177	27/04/2009	H [REDACTED]	28/05/2009	24/06/2009	27	Antisocial behaviour
09 004 054	22/06/2009	J [REDACTED]	10/08/2009	04/09/2009	25	Antisocial behaviour
08 016 492	29/05/2009	M [REDACTED]	08/06/2009	14/07/2009	36	Environmental health
08 021 720	26/03/2009	T [REDACTED]	20/04/2009	24/04/2009	4	Environmental health
09 010 853	22/10/2009	D [REDACTED]	25/11/2009	11/01/2010	47	Environmental health
<b>Group total:</b>		<b>5</b>	<b>Average no. of days to respond for Group:</b>		<b>27.8</b>	

<b>Planning and building control</b>						
08 002 503	17/04/2009	L [REDACTED]	26/05/2009	23/06/2009	28	Enforcement
08 017 944	16/01/2009	C [REDACTED]	18/02/2009	16/04/2009	57	Enforcement
09 001 512	05/05/2009	S [REDACTED]	12/06/2009	02/07/2009	20	Enforcement
08 017 978	09/04/2009	V [REDACTED]	11/05/2009	03/06/2009	23	Planning applications
08 019 903	24/02/2009	P [REDACTED]	17/03/2009	21/04/2009	35	Planning applications
09 009 144	16/09/2009	B [REDACTED]	11/11/2009	14/12/2009	33	Planning applications
<b>Group total:</b>		<b>6</b>	<b>Average no. of days to respond for Group:</b>		<b>32.7</b>	

<b>Public finance</b>						
08 021 909	24/07/2009	H [REDACTED]	12/10/2009	17/11/2009	36	Local taxation
09 013 808	04/01/2010	L [REDACTED]	01/02/2010	03/03/2010	30	Local taxation
<b>Group total:</b>		<b>2</b>	<b>Average no. of days to respond for Group:</b>		<b>33.0</b>	

Ref no	Date revd by LGO	Surname	Date enquiry sent to Council	Date response received	Time taken (calendar days)	Detailed Category
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Grand total: 16

Average no. of days to respond: 29.0