

Audit and Governance Committee Report



Report of: Chief Executive

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Wards affected: All

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To: Audit and Governance Committee

Date: 24 September 2014

Complaints procedure and statistics

Recommendations

1. That the Audit and Governance Committee approves the revised corporate complaints procedure attached as appendix one to this report.
2. To carry out a short review of the complaints procedure every twelve months and a thorough evaluation every three years.

Purpose of report

1. To seek Audit and Governance Committee's agreement to proposed changes to the corporate complaints system. This report also provides the committee with information and statistics about the complaints received during 2013/14.

Corporate objectives

2. A good complaints system helps us to achieve our objective of an efficiently run council. It gives us the opportunity to show that we want to be open and honest, that we care about providing a good service and that we value feedback on problems that need attention.
3. By analysing complaints we can identify any trends and introduce service improvements, where necessary, thereby supporting the corporate priority to put residents at the heart of service delivery and seek to provide an excellent customer experience.

Background

THE CURRENT PROCEDURE

4. The main benefits of having a council-wide procedure for dealing with complaints are that:
 - members of the public know what to do if they have a complaint and how we will deal with it
 - staff can be confident about what to do when they get a complaint
 - everyone is treated fairly and equally
 - by analysing complaints we can improve our services.
5. A good complaints procedure gives us the opportunity to show that we want to be open and honest; that we care about providing a good service and that we value feedback on problems that need attention. Our procedure has three stages:

Stage one

The head of service responds, or arranges for a member of their team to respond on their behalf, within 15 working days of receipt of the complaint. All complaints are logged on our complaints database, which generates daily automatic reminder emails from two working days prior to the target date and continues to do so until details of the response have been entered.

Stage two

The relevant strategic director responds within 15 working days of receipt of the request to escalate the complaint to stage two. Again, the complaints database generates daily automatic reminder emails from two working days prior to the target date.

Stage three

The complainant can either write to the chief executive, within six weeks of the strategic director's response, asking for district councillors to consider their complaint or, if they prefer, they can bypass this stage and take their complaint to the Local Government Ombudsman (LGO). If s/he writes to the chief executive, he will decide whether or not there is merit in referring the complaint to a panel of councillors. Our procedure does not specify a response time; however, the chief executive aims to advise the complainant of his decision in accordance with our published service standards, i.e. within ten working days of receipt of the request. The chief executive consults the leader of the council and the leader of the opposition and if, in their view, there is merit in referring the complaint to councillors, we will convene a special complaints panel.

6. If, having followed these three stages, the complainant remains dissatisfied; s/he has the right to ask the LGO to investigate their complaint.

7. Although this procedure is satisfactory for the majority of complaints, there are areas that could be improved:
 - we do not ask complainants what outcome they are seeking
 - allowing 15 working days for complaint responses has caused staff confusion during bank holiday periods, which has led to delays in responses being despatched
 - at stage two we do not ask complainants to explain why they are not satisfied with the stage one response. This can result in the stage two response simply repeating the advice given at stage one, which is not a good use of anyone's time
 - the strategic director responsible for the service the complaint relates to deals with the stage two complaint, which has led to complainants questioning the integrity of the process
 - a three stage approach means that complaints often go beyond the LGO's recommended 12 week timescale; the process can therefore be unnecessarily lengthy, time-consuming and stressful for the complainant
 - very few complaints are escalated to stage three, we only received two in 2013/14, neither of which resulted in the need to convene a panel of councillors
 - we have only convened one complaints panel since 2010/11
 - when the chief executive has declined a request to put a complaint before a panel of councillors complainants have questioned the credibility of that stage.
8. In addition to the above, since Matt Prosser's departure the chief executive has taken on portfolio responsibility for corporate strategy and economy, leisure and property. He is therefore responsible for dealing with complaints about these services at stage two, which clearly makes it difficult for him should a complaint be escalated to stage three.
9. In addition to the above, we need to be much clearer about what the complaints procedure cannot achieve or be used for. For example, there is little point in putting a complaint that we've granted permission for an extension to a neighbouring property through the complaints procedure because that cannot achieve the outcome the complainant is ultimately seeking, i.e. for the decision to be reversed. If we take this type of complaint through all stages of the procedure the complainant is likely to reach the conclusion that they've wasted their time. It is therefore important to be clear from the outset about the outcome the complainant is seeking and whether making a formal complaint can achieve that outcome.
10. Furthermore, we need to be very clear that, where there are alternative rights of appeal, we will not carry out an investigation via our complaints procedure because that is not the correct process to follow. For example the Valuation Tribunal is the correct body to consider complaints about council tax liability.

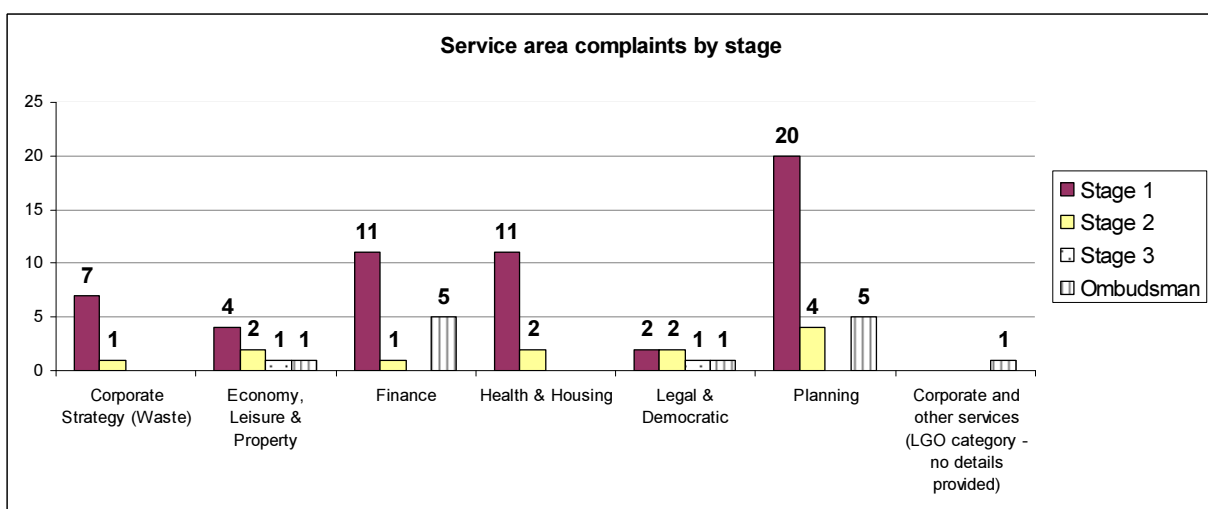
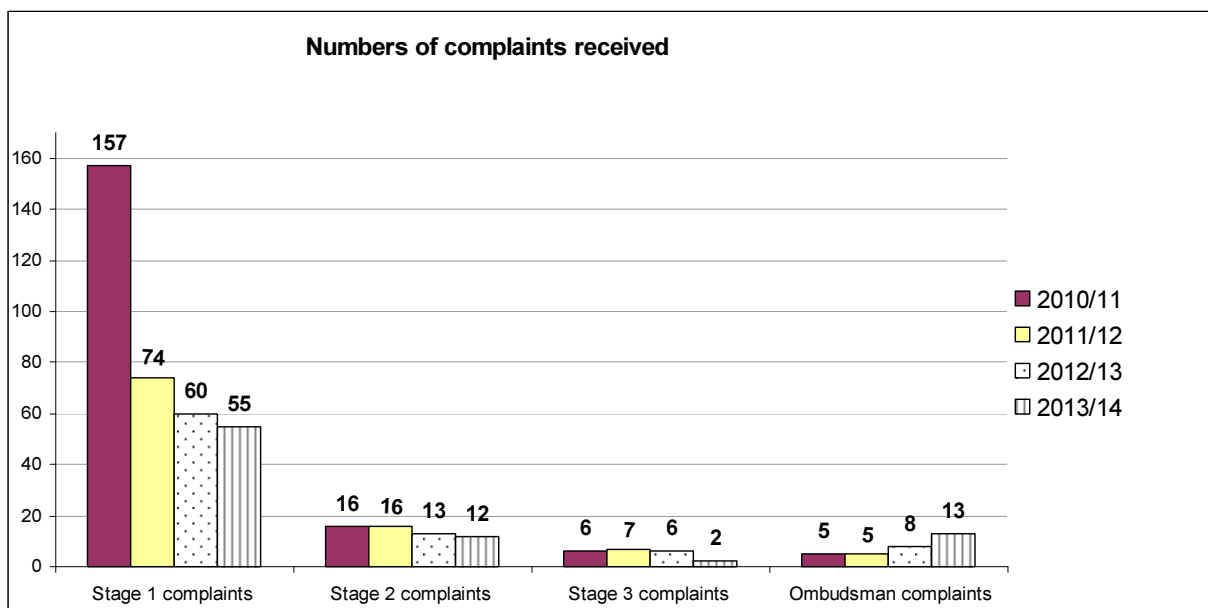
11. Finally we need to review the complaints procedure on a regular basis to ensure it remains fit for purpose and continues to meet the needs of our residents.

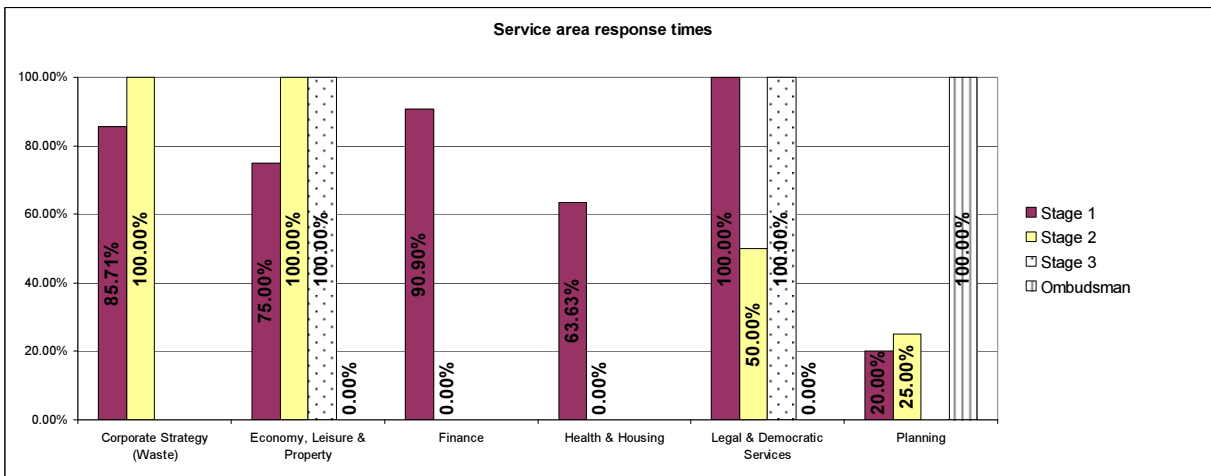
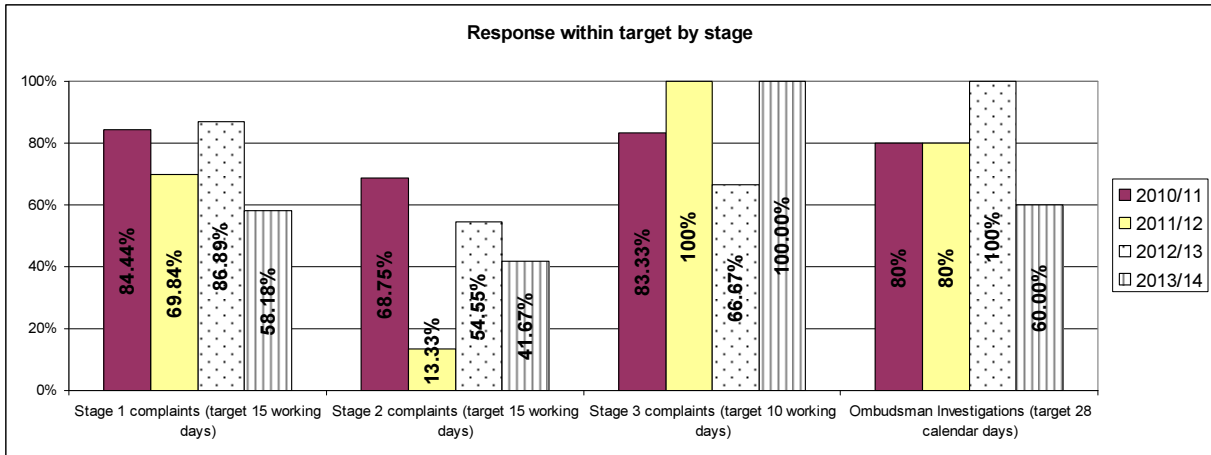
12. We therefore consider that the revised policy attached at appendix one is more open and efficient and will result in complaints being dealt with more quickly. It will also make the process simpler and less stressful for complainants.

Complaints statistics

13. Complaint statistics are reported in the March and September Board Reports each year, which is available to councillors via a web link in In Focus. The Board Report is also available to the public on our website.

STATISTICS





SUMMARY OF COMPLAINT DETAILS

14. The numbers of stage one complaints received has reduced from 60 last year to 55 this year.

15. Planning and finance received the highest number of complaints:

Finance: 11 stage one complaints received compared to 19 last year; mainly about the delays in dealing with benefit claims, receipt of summonses and bailiff action. No changes in practice were required as a result of these complaints.

Planning: 20 stage one complaints received compared to 21 last year; mainly about lack of enforcement action.

One complainant had been given incorrect information about circulating photographs to councillors at the committee meeting. As a result, the head of planning ensured staff received appropriate training to make sure this did not happen again.

16. The percentage of stage one and stage two complaints dealt with within target has reduced compared to last year. In particular, the response time for complaints

about the planning service remains very low and the chief executive continues to address this.

LGO INVESTIGATIONS

17. The LGO again changed its business processes during the course of 2013/14 and was therefore unable to provide a consistent set of data for the entire year. In addition, it will not enter into detailed correspondence about its figures. We have therefore taken the data below from our own records.

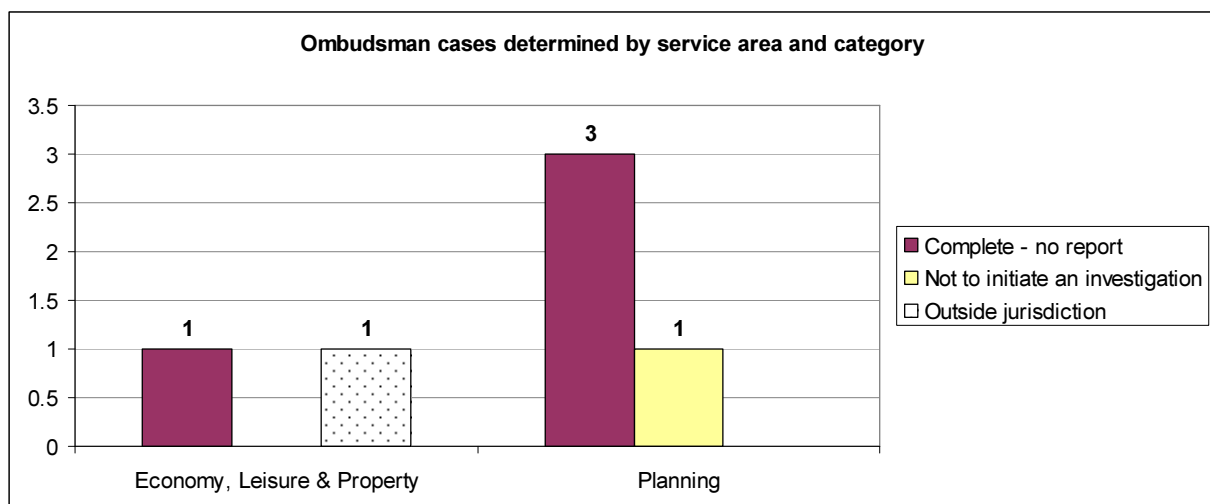
18. During 2013/14 the LGO received 13 complaints and enquiries about this council. This compares very favourably with the other Oxfordshire district councils, which had a cumulative average of 19.5.

19. Not all enquiries received by the LGO require us to make a formal response. This can be for a number of reasons including:

- the LGO can reach a decision from seeing copies of the responses sent at the different stages of our complaints procedure
- the complaint is outside the LGO's jurisdiction and a response from us is therefore unnecessary
- the complainant has an alternative right of appeal and the LGO is therefore unable to investigate the complaint
- having contacted the LGO the complainant decided not to pursue their complaint.

20. Of the 13 enquiries the LGO received during 2013/14, only five required a response. We sent those responses within an average of 25.6 days, inside the target of 28 calendar days set by the LGO.

21. During 2013/14 the LGO determined six complaints; the same as during the previous year. The following table provides details by service area of those complaints.



22. A summary of these complaints is attached at appendix two.

Financial implications

23. There are no financial implications arising directly from this report.

Legal implications

24. There are no legal implications arising from this report.

Risks

25. Having a formal complaints procedure allows us to analyse complaints and improve services where necessary; it also gives members of the public clarity about what to do if they have a complaint, and how we will deal with it. If we did not have a formal procedure, we would be unable to carry out such analysis, with the risk that we would fail to make service improvements.

Other implications

26. There are no human resources, sustainability, equality or diversity implications arising directly from this report.

Conclusion

27. As stated in paragraph six above, the current procedure works satisfactorily; however, we have not reviewed it for six years and there are some areas we could improve to make the process more credible and easier to follow for both staff and members of the public.

28. This report also sets out the statistical data for complaints and received during 2013/14.

Background papers


29. None.

Comments, compliments and complaints

At the Vale of White Horse District Council we aim to provide a high standard of service to all our customers, but we know that we don't always get it right first time. To help us improve, we need you to tell us when you are not happy with any part of the service you have received from us or our contractors. This way we can take measures to ensure that it does not happen again.

This leaflet outlines the steps to take if you feel we have failed:

- **to provide a service**
- **to be courteous**
- **in our standards of work**
- **in our administration of procedures**
- **to adhere to our rules or regulations**
- **to provide you with the correct information**
- **to treat you fairly and promptly**



Your comments are important to us because they help us to put things right and improve our services. So whether you have something good to say, a question to ask, or need to make a complaint – we want to hear from you.

What to do if I have a complaint

If you feel that the service we have provided has fallen below the standard you expect, please complain. At this stage it would be helpful to talk directly with the officer you are dealing with, or their manager, and let them know what the problem is. We will investigate your complaint quickly and informally and it will not affect the service we provide to you.

Our response will include details of who to complain to if you are not happy with the outcome at this stage.

What to do if I'm still not happy

Make a formal complaint.

How do I make a formal complaint?

Please contact the chief executive's office (see contact details overleaf).

What happens when I make a formal complaint?

Your complaint will go through the following procedure:

Stage one

The chief executive's PA will confirm receipt of your complaint within two working days and will pass it to the relevant head of service. She will also establish what outcome you are seeking if that is not already clear.

The head of service will then investigate your complaint and let you know the outcome within 20 calendar days.

If you are not satisfied with the response you receive you can go on to stage two.

Stage two

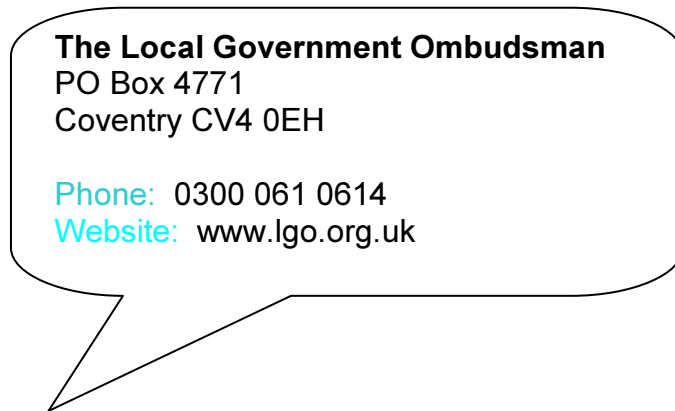
You can contact the chief executive's PA, preferably by email, within six weeks of the date of the stage one response and ask for your complaint to be investigated further, as well as explaining why you are dissatisfied with the original response.

We will let you know we have received your request and a director will investigate your complaint. They will let you know the outcome within 20 calendar days. The investigating director will not be responsible for the delivery of the service to which the complaint relates.

If you are not satisfied with the response you receive at this stage you can contact the Local Government Ombudsman.

Local Government Ombudsman

The ombudsman is not part of the Vale of White Horse District Council and will take an independent look at your complaint. The ombudsman's service is confidential and free of charge. If you would like a leaflet that explains the process, contact us or write to:



To process complaints we will need to hold your information on computer. We may use this information to research how satisfied customers are with this service.

Who can help me make a complaint?

If you would like help making a complaint you can contact your local councillor or MP. You could use a family member or friend to speak on your behalf. You can also get help from a specialist advice agency or organisation which represents people, such as a Citizens Advice Bureau.

What to do if you have a comment or compliment

While we need to know if we're getting something wrong, it's equally important to know when we're doing something right – so we can ensure we know what you like about our service and maintain these standards.

Likewise, we want to answer any questions or respond to any comments you may have. Please refer to the contact details overleaf.



Complaints

You can contact us via our website (preferred option)

<http://www.whitehorsedc.gov.uk/about-us/how-we-work/contact-us/complaints>

By email to complaints@whitehorsedc.gov.uk

By phone on 01235 520202

In person at our offices Vale of White Horse District Council, Benson Lane, Crowmarsh Gifford, Wallingford, Oxfordshire, OX10 8ED

By writing to

Chief Executive's PA

Vale of White Horse District Council

Benson Lane

Crowmarsh Gifford

Wallingford

Oxfordshire OX10 8ED

Comments and compliments

Website www.whitehorsedc.gov.uk/about-us/how-we-work/contact-us

By email comments@whitehorsedc.gov.uk

By phone 01235 520202

In person/writing at our offices:

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If you are unable to make your complaint in writing, due to disability or limited English for example, please call the chief executive's PA on 01491 823103 (text phone users add 18001 before you dial) to make your complaint over the phone.

Alternative formats of this publication are available on request. These include large print, Braille, audio, email, easy read and alternative languages.

OMBUDSMAN DECISIONS – 1 APRIL 2013 TO 31 MARCH 2014

1. Ombudsman decision – complete – no report

Decision date – 30 July 2013

Ombudsman main subject area – environmental service and public protection and regulation

Complaint

That the council failed to take appropriate action when watercourses that take water away from a large pond became blocked downstream.

Background

Mrs A has a large pond on her land that is fed by a natural spring. Her property was previously used for cress growing. Highway drainage also enters this pond.

Mrs A complained that officers failed to take action following her complaints about rising water levels, which she claimed were 14 inches higher than they should be. Her pond drains north-west via a watercourse; it also drains to the north via a pipe into a ditch. Mrs A was concerned that these outlets had been blocked.

Mrs A stated that, as part of work on a neighbour's property in the 1990s, a 30 metre section of the watercourse to the north-west was culverted in a 200mm-400mm pipe. We have no record of planning permission or listed building consent having been granted for these works; however, given the length of time that has elapsed since the works were carried out, they are now immune from enforcement action. Mrs A's neighbour would have needed formal consent from the Environment Agency (EA) to install a culvert and build over the watercourse. Unfortunately, the EA only holds records dating back six years so it was not possible to check if the EA had granted any formal consent.

Officers visited Mrs A's property on a number of occasions and met a representative of the EA. They found that the bed of the pond was 100mm below the bed level of the watercourse to the north-west, which caused some impounding of silt. The culvert appeared to be the correct size but it was possible it was not at the correct level. However, officers said it would be difficult to show beyond reasonable doubt this was the cause of higher water levels in the pond; in addition, the culvert was immune from planning enforcement action. Officers further advised Mrs A that, given that the works at her neighbour's property were immune from any enforcement action and that the EA had no records of the culvert, remedial action would seem to be the best solution and organised:

- inspection of the culvert and later carried out regular maintenance of the culvert
- rectification of the bow in the 100mm pipe running north into the ditch and improvement to the flow

- inspection of the watercourse downstream of the culvert to ensure property owners were carrying out regular maintenance of the watercourse.

Mrs A did not think this action was sufficient. She stated that the work carried out in the 1990s to introduce the culvert was to blame for much of the problem. She also stated that the ditch to the north needed to be reinstated and sought action to lower the pipe to the north so it drained water into the ditch sooner. Officers considered these issues in accordance with our policy regarding maintenance and enforcement of watercourses. Our engineer's professional opinion was that the culvert was suitable.

In summary, officers did not consider formal enforcement action was warranted and had taken the informal action they considered appropriate. They felt it would be difficult to say beyond reasonable doubt that any one factor had caused the increased water levels.

Mrs A considered that the solution lay in a local project that aimed to have positive impacts on the ecology of the area and the pond itself and officers committed to support this project and its outcomes.

Ombudsman's conclusions

The ombudsman's investigator could not investigate the part of Mrs A's complaint relating to the works at her neighbour's property in the 1990s as it occurred too long ago. Similarly, the investigator could not investigate the part of the complaint relating to the council's failure to use its powers of enforcement under the Land Drainage Act 1991, as this also occurred too long ago.

The investigator concluded that there had been no administrative fault by the council.

2. Ombudsman decision – complete – no report

Decision date – 9 May 2013

Ombudsman main subject area – planning and development

Complaint

That the council:

- failed to properly apply its conservation policies when granting planning permission for a development close to Mr B's property
- based its decision on a misleading report
- failed to consider a substantial increase in plot density
- failed to consider the impact removal of a hedge would have on the conservation area.

Background

Mr B's property lies within a conservation area. On 27 March 2012 we received a planning application for the demolition of an existing single-storey dwelling, which was adjacent to the conservation area, and the erection of two four-bedroom dwellings close to Mr B's property; he submitted a letter of objection. Planning Committee granted planning permission 20 June 2012.

Mr B complained that officers had not considered how the development would impact on the conservation area properly. The officer's report went into detail about the area, its conservation area status and the nature of surrounding properties. The impact on the conservation area was also listed in the summary of objections and the officer referred to the fact that the conservation area and architects' advisory panel recommended approval. In addition, Mr B addressed the committee and raised concerns about how the development would impact on the conservation area.

Mr B questioned the professional rigour and accuracy of some of the statements in the officer's report, including those of the planning officer himself as well as those from other officers, particularly the conservation officer.

The purpose of the officer report is to summarise the principal issues for the Planning Committee to consider, including the relevant planning policies. All councillors have access to the local plan and they have undertaken planning training. They are very familiar with local plan policies so officers do not need to explain them in detail in each report.

The conservation officer's comments related to the limited architectural merit of the existing bungalow and the higher quality design of the two new dwellings. Whilst this is clearly a subjective professional view, it was one that was supported by other planning officers and the architects' advisory panel.

Mr B questioned the proposed boundary treatment, which involved the removal of the existing hedge. In his opinion, the area has a valuable, rural character partly due to its narrowness and in large part due to its unmanaged and high, rambling state. This was discussed at the Planning Committee meeting, when the chairman commented that the existing hedge was scrappy and not worthy of retention; the council's tree officer supported that view. In any event, the hedge was not protected so could be removed without the need for permission from this council. There were no wider landscape impacts arising from the proposal and the council's landscape officer did not therefore comment on the planning application.

Ombudsman's conclusions

The ombudsman's investigator could find no grounds on which to criticise the council.

3. Ombudsman decision – complete – no report

Decision date – 11 July 2013

Ombudsman main subject area – planning and development

Complaint

That the council's decision to grant planning permission was flawed and the subsequent consideration of enforcement action was inadequate.

Background

The head of planning granted planning permission in 2009, under his delegated powers, for a detached, contemporary house on a plot that adjoins the bottom half of Ms C and Mr D's garden. He approved a revised scheme in 2011; the changes did not make any significant difference to the relationship of the proposed development with Ms C and Mr D's property. Ms C and Mr D were particularly concerned about the large, single-storey garage part of the development that ran along the side of the bottom half of their garden, near to the boundary.

In January 2012 Ms C and Mr D contacted the planning service because they thought the development was higher than it should have been and generally was not as the plans showed. They thought this was because the window openings in the garage were higher in relation to their fence than they appeared on the approved plans. An officer carried out an investigation and visited the site. At that time the building was very much under construction at approximately 3.5 metres in height. The officer obtained construction plans from the architect and compared these to the approved plans; the dimensions were the same. She therefore concluded that the development appeared to be progressing in accordance with the approved plans.

The ombudsman's investigator concluded that this enforcement investigation was inadequate. She said that there was an obvious discrepancy between the plans held by this council and those provided by the developer. The investigator considered that proper enquiries or investigations were not carried out.

Ms C and Mr D remained concerned, appointed a barrister and submitted a further complaint. Officers continued to investigate over the next few months and, in September 2012, commissioned an independent survey of the site. This established the garage was 0.43 metres higher than shown on the approved plans. They considered whether to take enforcement action but decided that the increase was not so great as to materially affect Ms C and Mr D's amenity.

The strategic director, in her response under stage two of our complaints procedure, accepted that there had been unacceptable delays in dealing with the enforcement investigation and offered the complainants a modest payment of £150 in recognition of the inconvenience they endured. The complainants declined this offer.

The investigator considered whether the delays had caused injustice to the complainants. She concluded that, had officers carried out a proper enforcement investigation sooner, they would still have reached the same conclusion. Ms C and Mr D argued that, if officers had raised the changes with the developer at an earlier stage, then changes could have been made. The inspector considered that, on the balance of probabilities, this was not likely as building works were proceeding and the developer made no attempts to change the form of the development during the

enforcement investigation. She therefore did not consider there was anything to suggest the developer would have been amenable to making changes informally.

Ms C and Mr D sought reimbursement of the fees they incurred in appointing a barrister. The investigator concluded that it was possible for them to have raised their concerns about the initial enforcement investigation without obtaining legal advice. She therefore could not say that we should reimburse their costs.

However, the investigator did consider that Ms C and Mr D had been put to more time and trouble than they would otherwise have been because of the flawed initial investigation. She therefore concluded that compensation of £150 was due for this specific failing and the consequences, in addition to the £150 the strategic director had already offered. Officers agreed to make this payment.

Another part of Ms C and Mr D's complaint related to the fact that a deer proof fence was not erected between the development and the neighbouring green belt land prior to the occupation of the dwelling, which was one of the conditions of the planning permission. The fence was subsequently erected; although it was not a deer proof fence, officers considered it adequate for the purpose. The ombudsman's investigator did not consider the erection of the fence had any direct impact on Ms C and Mr D but, in any event, considered officers had given an adequate explanation of its position. She did not consider Ms C and Mr D had suffered any significant injustice as a result of any possible delay in dealing with this and did not consider it further.

The final aspect of the complaint related to the windows in the garage not being as approved. The planning permission required three clear glazed uneven windows and the developer installed three obscure glazed evenly sized windows. Officers approved the windows as installed as a non-material amendment to the planning permission. Again, the investigator did not consider this was of any consequence to Ms C and Mr D and did not consider it further.

Ombudsman's conclusion

Officers agreed to make a payment of £300 compensation to Ms C and Mr D, which the investigator considered a reasonable remedy; she therefore discontinued her investigation.

Following the receipt of the ombudsman's decision, the chief executive's PA contacted Ms C and Mr D to ask if they wished to accept the payment. They responded that they did not and had asked for a senior manager review of the ombudsman decision. We have received no further correspondence.

4. Ombudsman decision – complete – no report

Decision date – 7 May 2013

Ombudsman main subject area – planning and development

Complaint

That the council:

- failed to consult Mr and Mrs E on a planning application for a development on a site neighbouring their property
- failed to consider how the development would impact on their amenity and on the area of outstanding natural beauty (AONB)
- based its decision on misleading drawings
- failed to take action to establish the building had been built in accordance with the approved plans.

Background

We received a planning application in April 2011 seeking to change the use of land adjacent to Mr and Mrs E's property and consulted a number of neighbours. Unfortunately, this did not include Mr and Mrs E. The head of planning granted planning permission, under his delegated powers, in July 2011.

Officers apologised to Mr and Mrs E for failing to consult them and, in his response to their stage three complaint, the chief executive offered £250 compensation. The chief executive also offered to approach the owner of the site to ascertain whether it was possible for them to erect additional screening.

The ombudsman's investigator said that officers had conceded they were at fault for not consulting Mr and Mrs E on the planning application. This happened because the planning officer failed to recognise that Mr and Mrs E's property had a boundary with the application site. The investigator continued that officers had apologised for that failure and offered Mr and Mrs E £250 compensation, which was in line with what the ombudsman would normally seek in such circumstances. The investigator could only recommend a different level of compensation if she were satisfied that, had Mr and Mrs E had an opportunity to object and present their case to a committee, it would have resulted in a different outcome. The investigator did not consider that was the case because she was satisfied that the delegated report specifically referred to neighbouring properties to the north and south of the site and recorded the fact that they were over 100 metres away in each direction. The investigator considered that, although the officer should have recorded in that report the reasons why she considered that the development would not have an unacceptable impact on neighbouring properties, it was clear that it was the distances between buildings that led officers to take that view. The investigator could therefore not conclude that officers would have reached a different decision had Mr and Mrs E had an opportunity to submit objections.

As far as taking account of the impact the development would have on the AONB was concerned, the investigator was satisfied officers took this into account. She reached that view because the report recorded the fact that the site is located in the AONB and goes on to discuss how the building would sit on the existing site and referred to the existing screening in place. The report concluded with the officer's view that the development would not have an unacceptable impact on the AONB.

Turning to the issue of the plans, there was some confusion in relation to the plan submitted with the application as a result of difficulty interpreting them when they

were printed onto A4 paper. The investigator noted, however, that the dimensions of the building and levels on the site were indicated on those plans. She was therefore satisfied that, when dealing with the full-size plans, there was no reason why officers would not have been able to interpret them properly. She also noted that the precise dimensions of the building were recorded in the officer's report and therefore concluded she had no grounds on which to criticise the council.

Mr and Mrs E questioned whether the development had been built in accordance with the approved plans; this stemmed from their concern about whether the plans could be interpreted accurately. The investigator repeated her view that she could see no reason why officers could not have understood what was being proposed from the full-size plans. She also noted that an enforcement officer had visited the site and compared the building as built to that shown on the plans and had concluded there was no discrepancy. The investigator did not consider, therefore, that there were any grounds on which to criticise the council.

Ombudsman's conclusions

The investigator concluded that the action officers had taken, i.e:

- apologised to Mr and Mrs E for failing to consult them
- offered Mr and Mrs E £250 compensation
- offered to contact the owner of the site about the possibility of providing additional screening

was an acceptable outcome. She did, however, recommend that the head of planning remind planning officers of the need to record in their planning reports their reasoning in relation to how a development will impact on neighbouring properties.

Following the receipt of the ombudsman's decision the chief executive's PA contacted Mr and Mrs E to ask if they wished to accept the payment. They did not respond.

5. Ombudsman decision – not to initiate an investigation

Decision date – 29 August 2013

Ombudsman main subject area – planning and development

Complaint

That the council had failed to make progress in building homes to meet housing needs in the council's area.

Background

Mr F has made numerous complaints about the slow process and lack of progress in building homes to meet housing needs in his area. He said that a large development was approved as part of the council's local plan over ten years ago.

He complained that the Planning Committee had not considered a developer's planning application and no houses had been built.

Ombudsman's conclusions

The ombudsman's investigator concluded that the, although the provision of a significant amount of social housing was likely to benefit those currently waiting for suitable accommodation, Mr F had not shown he had suffered enough personal injustice because of the faults he had alleged. The investigator therefore decided not to investigate Mr F's complaint

6. Ombudsman decision – outside jurisdiction

Decision date – 9 August 2013

Ombudsman main subject area – corporate and other services

Complaint

That the council spent nearly £5,000 of public money on unnecessary electrical work.

Background

Mr G works in the field of electrical installations and has carried out work at one of the council's mobile home parks for a number of years. In December 2011 he complained that officers had arranged for unnecessary work to be carried out. An officer responded to say that the works were appropriate, necessary and compliant with relevant standards.

Ombudsman's conclusions

The ombudsman's investigator concluded that this complaint fell outside the ombudsman's jurisdiction because the way in which the council uses public money is a matter which affects all or most of the people in the council's area and the ombudsman cannot investigate it by law.

In addition, Mr G had known about the works for more than 12 months before he contacted the ombudsman. This also placed it outside the ombudsman's jurisdiction and the investigator concluded that there were no grounds on which to use the discretion available to consider the matter.