



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Blackpool Borough Council
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

This annual letter provides a summary of the complaints we have received about your authority. Where possible, we comment on the authority's performance and complaint-handling arrangements to assist with your service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two attachments form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

As you are a local Social Services authority I want to take this opportunity to draw your attention to an issue of significant public interest. In the last two years I have issued reports following complaints from people living in Blackpool, Liverpool and Sheffield about failings in home care services provided under contract.

In each case a vulnerable person was placed at significant risk as a result of carers failing to visit, calling late and failing to provide the specified care. Tragically, in one case the actions of a carer resulted in a death. Complaints had been made to all three Councils but no effective action had been taken. Although the services were provided under contract, it seems clear that similar problems could occur even if the carers are directly employed. I urge you to ensure that senior staff responsible for care services to adults are aware of the issues raised by these reports (which can be found on our web-site) and consider whether action needs to be taken by your Council. The 2006 report of the Commission for Social Care Inspection 'Time to Care? An Overview of Home Care Services for Older People in England' provides very useful contextual information.

Complaints received

Volume

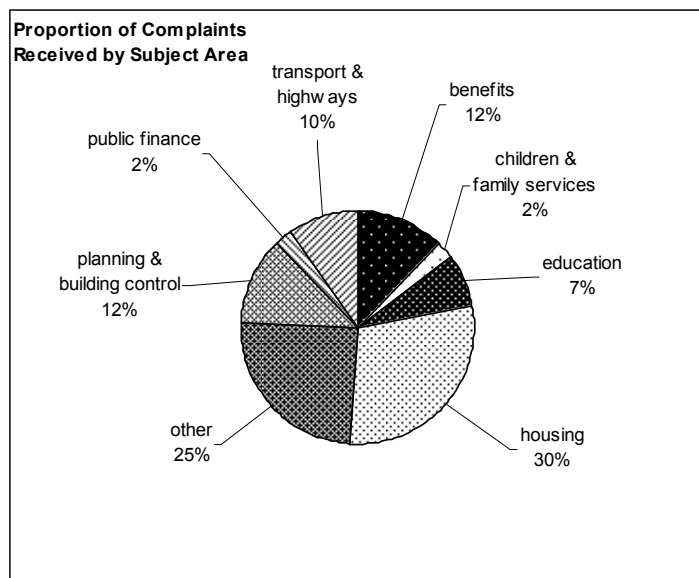
I received 41 complaints against the Council in the year ending 31 March 2007. This is a reduction of 24, or 37%, on the previous year. The numbers involved are too small for any meaningful conclusion to be reached.

Character

As the accompanying statistics show, of the types of complaints I received there were no increases in any particular category, with all but complaints about transport and highways reducing in number (this remained the same at four).

As can be seen from the chart, the largest category of complaints (after 'other' which contains a variety) was housing. I received 12 complaints about housing matters, 29% of the total. This proportion is higher than the national average of 21%. While the numbers themselves are small, the Council may wish to reflect on why almost a third of the complaints I received are in relation to housing matters.

The other significant type of complaint in terms of numbers received is planning and building control. In 2005/06 I received 15 complaints against your Council about planning and building control matters. At



23% of the total this was close to the national average. This past year, the number has fallen from 15 to four; 10% of the total and well below the national average of 23.6%.

Decisions on complaints

Reports and local settlements

A 'local settlement' is a complaint that is resolved by the Council taking, or agreeing to take, action which we consider is a satisfactory response to the complaint so that the investigation can be discontinued. In 2006/07 27.7% of complaints dealt with by the three Local Government Ombudsmen (excluding premature and those outside jurisdiction) were resolved by local settlement. When we complete an investigation we must issue a report.

Decisions

In the year ending 31 March 2007 I took 47 decisions, a figure which differs from the number of complaints received because of work in hand at the start and finish of the year.

Of those 47 decisions: two were outside my jurisdiction, two I exercised my discretion not to investigate, 19 found no maladministration and 19 were 'premature' (in our view the Council had not been given adequate opportunity to investigate and resolve them for itself, so were returned to the Council to consider through its internal complaint procedure).

The remaining five were local settlements. I did not issue any reports against your council and overall did not find any administrative issues that gave significant concern or were indicative of systemic problems.

Other findings

As you are aware, we ask for comprehensive responses to our enquiries within 28 days. I am pleased to say your Council responded in a little over 25 days on average and we are grateful for this, especially as it reflects an improvement of just under ten days on the previous year.

Your Council's complaints procedure and handling of complaints

The Council issues a helpful fact sheet outlining its complaint procedure which is readily available via its web-site. I am also pleased to see the web-site also includes a reference and direct link to the LGO.

While I have not identified any specific concerns about the way in which the Council investigates complaints, I do have an emerging concern about the way in which the Council remedies complaints. While I cannot comment directly on the way the Council remedies complaints it considers through its own complaint procedure, my staff are experiencing reluctance by the Council both to agree to remedies and to implement them once my decision has been made. In fairness to the Council, this is a view reached on the basis of experience of a very small number of complaints, but I would ask the Council to reflect critically on its approach to remedying complaints.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from councils that have taken up the training is very positive.

The range of courses is expanding in response to demand. In addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution), we now offer these courses specifically for social services staff and have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open

courses for groups of staff from different smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

Liaison with the Local Government Ombudsman

Notwithstanding our earlier comment about remedying complaints, generally liaison with the Council is constructive. On an individual level, officers are helpful in responding to our enquiries and requests for information. As the response times show, the process by which the two organizations communicate is clearly working effectively.

LGO developments

You may be interested in the development of our initiative to improve the first contact that people have with us. A new Access and Advice Service will provide a gateway to our services for all complainants and enquirers. It will encourage telephone contact but will also deal with email, text and letter correspondence. We will let you have further details about how it will operate and the expected timescales and we will discuss with you the implications for your Council.

I hope you have received our latest special report about telecommunication masts. It draws on our experience of dealing with complaints about planning applications for masts which can be highly controversial. We recommend simple measures that councils can adopt to minimise the chances of maladministration occurring.

In July we will be publishing a special report about the difficulties that can be encountered with complaints when local authorities deliver services or discharge their functions through partnerships. *Local partnerships and citizen redress* provides advice and guidance on how these problems can be overcome by good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

Anne Seex
Local Government Ombudsman
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June 2007

Encs: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	0	5	1	3	12	10	5	1	0	4	41
2005 / 2006	3	9	3	1	13	15	15	2	0	4	65
2004 / 2005	8	9	1	3	4	16	13	6	1	5	66

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

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	6	0	0	19	2	2	19	29	48
2005 / 2006	1	7	0	0	21	6	6	25	41	66
2004 / 2005	3	5	0	0	21	4	2	24	35	59

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

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	15	25.3
2005 / 2006	23	35.9
2004 / 2005	30	32.8

Average local authority response times 01/04/2006 to 31/03/2007

Types of authority	<= 28 days %	29 - 35 days %	>= 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0