

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

**Blackburn with Darwen
Borough Council**

**for the year ended
31 March 2008**

The Local Government Ombudsman (LGO) provides 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, the Ombudsmen aim to get it put right by recommending a suitable remedy. 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 2007/08 - Introduction

This annual letter provides a summary of the complaints received about Blackburn with Darwen Borough Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied 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.

Complaints received

I received 50 complaints about the Council in 2007/08. This is the same number as the previous year. The complaints were dispersed across all service areas, with no single area having a particularly higher concentration of complaints than another.

The numbers of complaints are too small to enable any meaningful conclusions to be drawn, but your Council may wish to consider this information in light of data from your own complaints procedure.

Liaison with the Local Government Ombudsman

My staff find the Council's liaison officer to be approachable, helpful and professional. As the statistical information shows, the average response time to first enquiries is within the requested 28 days. I thank your Council for its continued cooperation in this as it helps my staff reduce the time it takes to respond to complaints, ensuring a better service for our complainants.

Decisions on complaints

Reports and local settlements

We will often discontinue enquires 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. In 2007/08 the Local Government Ombudsmen determined 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction). If an investigation is completed I issue a public report.

I did not issue any reports about the Council in 2007/08. Of the 31 complaints I investigated, six were determined by local settlement. The six local settlements were in respect of different service areas. I read nothing into this because it is such a small number of complaints.

In the complaints determined by local settlement was (for the most part) the Council's willingness to discuss the issues raised and look for constructive solutions and remedies. On one occasion, the Council offered an appropriate local settlement as soon as it became apparent there had been shortcomings in the service to the complainant, without waiting to be formally approached by my office.

Other findings

In total, I made 56 decisions on complaints about your Council. This number differs from the number of complaints received as it includes complaints received in the previous year. As you can see from the statistical information, 15 of these were premature, ten were outside my jurisdiction and of the 31 other decisions, 16 resulted in a finding of no maladministration.

I did not find any evidence of particular types of issues or widespread problems in the complaints I

investigated.

Your Council's complaints procedure and handling of complaints

My officers have received mixed feedback from complainants about how their complaints were handled by the Council. Most complainants were complimentary of the way their complaint had been dealt with and simply disagreed with the outcome, hence the complaint to me. Others were less satisfied, the main reason cited being the way the decisions were communicated; either complainants did not understand the way in which technical issues were explained or were upset with the tone of the letter. I must stress these were in the minority. I mention it not as a criticism but to raise awareness, as my own investigators have concluded similarly in one or two cases. For example, in one complaint my investigator was moved to write to your Council about the lack of clarity and tone of letter to the complainant, even though we did not investigate.

I should re-iterate, we do not routinely identify negative issues about your complaint handling process – quite the opposite. Many complainants, and my own investigators, are more often complimentary about your Council especially about your complaints manager and their obvious commitment to customer service and service improvements.

Training in complaint handling

As you are aware from the training your Council received, 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. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction.

The range of courses is expanding in response to demand. In addition to 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 a course on reviewing complaints for social care review panel members. We will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities.

Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses. I hope that the staff who attended the course we delivered to your staff in June 2007, enjoyed the training and took a lot from it. I know our trainer found it to be a very positive experience.

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

LGO developments

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, has dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

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
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June 2008

Enc: 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	Transport and highways	Total
01/04/2007 - 31/03/2008	3	3	3	0	4	18	9	2	8	50
2006 / 2007	3	3	4	4	3	11	12	5	5	50
2005 / 2006	1	4	7	3	1	3	19	0	10	48

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
01/04/2007 - 31/03/2008	0	6	0	0	16	9	10	15	41	56
2006 / 2007	0	6	0	0	11	8	6	15	31	46
2005 / 2006	0	3	0	0	10	5	4	18	22	40

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
01/04/2007 - 31/03/2008	18	27.4
2006 / 2007	14	29.1
2005 / 2006	22	24.8

Average local authority response times 01/04/2007 to 31/03/2008

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authorities	71.4	28.6	0.0