



The Commission for  
Local Administration in England

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

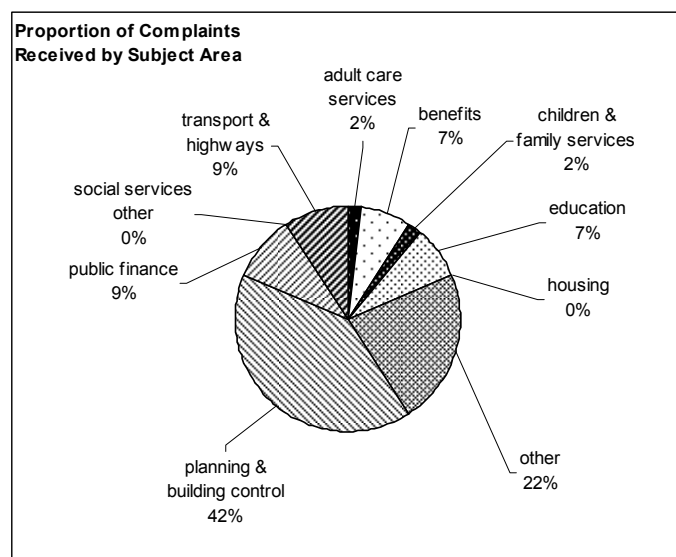
I received 54 complaints against your Council in the year ending 31 March 2007. This is a rise of 11 when compared with the previous year when I received 43 complaints. This rise in numbers represents an overall rise of just over 25%. The numbers of complaints involved is small and many factors influence the number of complaints made about a council. No conclusions should be drawn from this statistic.

Rises in complaint numbers can be indicative of a range of issues. On one hand it could be perceived as being an indication of rising levels of dissatisfaction, while on the other it can reflect an increasing confidence in a Council's complaints procedure so more people use it. I urge the Council to exercise good practice in monitoring complaints so that if there are underlying trends they can be identified early and addressed.

### Character

As the accompanying statistics show, the rise in complaints made to me is not concentrated in one area but are spread across a range of categories.

As the chart shows, a large proportion of complaints are about planning matters. The number of complaints in this category has risen from 18 to 22 from 2005/06 to 2006/07. Although the total number are small a proportion of the total, planning



complaints in 2005/06 accounted for 37%; this past year this rose to 42%. This figure is almost twice the national average of 23.6%.

While the number of planning complaints does not give rise to concern in that I have found no evidence of maladministration causing injustice during my investigations, I urge the Council to consider why for the fourth successive year this type of complaint against exceeds the national average.

## **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 2006/07 I took 40 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 40 decisions: nine were outside my jurisdiction, two I exercised discretion not to investigate, in one 14 I found no evidence of maladministration and 14 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 decision was a local settlement. I did not issue any reports against your council and overall did not identify any issues that gave significant concern.

### ***Other findings***

I am aware that the Council has made significant efforts over the year to improve the time it takes to respond to our enquiries. As you are aware, we ask for comprehensive responses to our enquiries within 28 days. I am delighted to say that in 2006/07 the Council took an average of just 20.7 days. This is less than half the time it took in the previous year (45.8 days). My staff have reported no deterioration in the quality of responses which makes this achievement all the more impressive and I am grateful to the Council for its efforts.

## **Your Council's complaints procedure and handling of complaints**

No issues about the Council's complaint handling have arisen during the course of our investigations and I have no concerns about the Council in this respect.

The Council's complaint procedure is readily accessible and its web-site provides comprehensive information and easy-to-navigate web-links that enable complaints to be made easily. I am particularly pleased to see a number of references to the LGO in its guidance and on its web-site.

## **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**

As part of the improvements in response times, I am aware that the Council has worked hard to improve general liaison between our two organizations. The officer appointed to act as our liaison point is always very helpful and has enabled us to develop an effective and professional working relationship. I and my staff are grateful for this as it facilitates more effective complaint handling by both our organizations.

### **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**  
**Beverley House**  
**17 Shipton Road**  
**York**  
**YO30 5FZ**

**June 2007**

Leaflet on  
training courses (with  
posted copy only)

Encs: Statistical data  
Note on interpretation of statistics

<b>Complaints received by subject area</b>	<b>Adult care services</b>	<b>Benefits</b>	<b>Children and family services</b>	<b>Education</b>	<b>Housing</b>	<b>Other</b>	<b>Planning &amp; building control</b>	<b>Public finance</b>	<b>Transport and highways</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	1	4	1	4	0	12	22	5	5	<b>54</b>
<b>2005 / 2006</b>	1	1	3	3	2	11	18	2	2	<b>43</b>
<b>2004 / 2005</b>	2	1	7	2	1	3	24	3	8	<b>51</b>

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

<b>Decisions</b>	<b>MI reps</b>	<b>LS</b>	<b>M reps</b>	<b>NM reps</b>	<b>No mal</b>	<b>Omb disc</b>	<b>Outside jurisdiction</b>	<b>Premature complaints</b>	<b>Total excl premature</b>	<b>Total</b>
<b>01/04/2006 - 31/03/2007</b>	0	1	0	0	14	2	9	14	26	<b>40</b>
<b>2005 / 2006</b>	0	4	0	0	18	8	4	10	34	<b>44</b>
<b>2004 / 2005</b>	0	5	0	0	31	9	3	5	48	<b>53</b>

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

<b>Response times</b>	<b>FIRST ENQUIRIES</b>	
	<b>No. of First Enquiries</b>	<b>Avg no. of days to respond</b>
<b>01/04/2006 - 31/03/2007</b>	12	20.7
<b>2005 / 2006</b>	12	45.8
<b>2004 / 2005</b>	30	30.0

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

<b>Types of authority</b>	<b>&lt;= 28 days %</b>	<b>29 - 35 days %</b>	<b>&gt;= 36 days %</b>
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