

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

**Calderdale Metropolitan
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 Calderdale Metropolitan 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

Volume

As you can see from the attached statistical data, I received 34 complaints about your Council in 2007/08. This was a reduction of 20 on the previous year. While these numbers are too small to enable meaningful conclusions to be drawn, it is worth noting that the reduction in volume was 37%, which compares very favourably to the national average reduction in complaints to the Ombudsmen of 3.8%.

Character

The complaints I received were distributed across all service areas. Most of these service areas saw a drop, the most notable being in planning complaints. While the number of planning complaints dropped in absolute numbers, they still accounted for 37% of all complaints received (compared to 40% last year). I read nothing into this as the numbers concerned are low, but your Council may find it of value to compare this to the data from your own complaints procedures.

Liaison with the Local Government Ombudsman

My office continues to enjoy an excellent relationship with your Council's liaison officer who provides timely responses to our initial enquiries. My staff have commented to me about how professional your liaison officer is and how this contributes to the resolution of complaints. It is essential that my investigators remain independent and impartial, but having someone who is very approachable makes our investigations that much easier.

Unfortunately, this experience is not always the same across all your departments and I encourage your Council to consider how it might engender a culture that supports an open approach to complaints and their resolution at all levels.

As the statistical information shows, the average response time for first enquiries was 25.9 days; well 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 your Council in 2007/08, but this is not because I found no maladministration. It is more a reflection of the individual complaints investigated balanced with the public value issuing a report would have given.

In total, nine complaints were determined by local settlement. While the numbers are relatively small, it is worth noting that of the nine, seven were in relation to planning and building control. I read nothing into this but encourage your Council to compare the volume and outcome of planning complaints to your own data. You may for example, wish to investigate whether there are any emerging trends in relation to complaints and whether the points I made about the individual cases indicate a wider need for training or reviews of procedures.

Most of the complaints where I was critical appeared to be one-off issues, rather than indicative of systemic problems. They included issues such as errors in application of policy and procedures, and calculations relating to specific situations. I did not see any evidence of problems with the policies and procedures themselves.

In most of the cases determined as local settlements, your Council accepted my recommendations readily. I was impressed by the corporate commitment to resolving complaints and improving services.

Other findings

In total, I made 47 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, 12 of these were premature, five were outside my jurisdiction and of the 21 other decisions, 14 resulted in a finding of no maladministration.

Your Council's complaints procedure and handling of complaints

I have seen no indication of issues in your complaint-handling that raise concerns.

Training in complaint handling

As you aware from having received training in November of last year, 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 this is an experience your officers shared and they found the course useful.

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	1	1	2	3	1	7	13	0	6	34
2006 / 2007	1	4	1	4	0	12	22	5	5	54
2005 / 2006	1	1	3	3	2	11	18	2	2	43

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	9	0	0	14	7	5	12	35	47
2006 / 2007	0	1	0	0	14	2	9	14	26	40
2005 / 2006	0	4	0	0	18	8	4	10	34	44

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	22	25.9
2006 / 2007	12	20.7
2005 / 2006	12	45.8

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