

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

**Oldham 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 Oldham 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***

Last year 67 complaints were received against the Council, almost exactly the same number as in the two previous years (68 and 65 respectively).

### ***Character***

The largest category of complaint was housing, as in previous years. A total of 19 complaints were received about housing, with 13 received about planning and 10 about transport and highways. Housing complaints in fact fell marginally from the previous year, but planning complaints doubled from six to 13, whilst transport complaints increased marginally from eight to 10.

## **Liaison with the Local Government Ombudsman**

The time taken on average by the Council to respond to first enquiries upon complaints has steadily risen over the last three years from 28 days in 2005/06 to 42 days last year. This is a pity as in the previous year enquiries upon 30 complaints had taken 33 days on average, while last year a smaller number (23) of enquiries took significantly longer – almost 10 calendar days longer on average.

Almost 60% of metropolitan councils, like Oldham, respond to first enquiries within an average of 28 calendar days. I am hopeful that Oldham may be among them next year.

## **Decisions on complaints**

Decisions were taken upon 69 complaints last year, with almost half of those (30) premature complaints, where the Council had not yet had a proper chance to deal with the complaint itself. Eight complaints lay outside my jurisdiction, while no maladministration was found in 18 cases.

### ***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).

Last year seven complaints were locally settled and payments totalling £3,787 made to four complainants.

In one case the complainant was paid £1,500 because the Council had failed to properly review the situation of the complainant's grandchildren when it became aware of a breakdown in the relationship between the children's parents. The Council placed the children with their grandparents without proper planning or assessment and failed to provide support. There were a succession of other failings, including delay by the Council in dealing with the complaint. The Council has now put into place measures to ensure that such problems do not recur.

In a case concerning the management of waste the Council paid the complainant £1,387, as the Council had failed to undertake a proper review of its trade waste policy, and had wrongly charged a parish centre for the collection of its waste.

If an investigation is completed I issue a public report. Last year I published one such report against the Council following its closure of a public library. The Council had failed properly to consider the requirements of the appropriate act; failed properly to consult residents and users; provided misleading information about funding; took its decision in a secretive manner; failed properly to evaluate the service run by volunteers when deciding to close the library; and failed properly to deal with an initial complaint.

### **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. 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 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**  
**Local Government Ombudsman**  
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**YORK**  
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**June 2008**

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

<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>01/04/2007 - 31/03/2008</b>	6	2	2	4	19	10	13	1	10	<b>67</b>
<b>2006 / 2007</b>	7	4	2	2	24	14	6	1	8	<b>68</b>
<b>2005 / 2006</b>	2	3	5	2	15	17	11	3	7	<b>65</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>01/04/2007 - 31/03/2008</b>	1	7	0	0	18	5	8	30	39	<b>69</b>
<b>2006 / 2007</b>	2	11	0	0	21	2	6	21	42	<b>63</b>
<b>2005 / 2006</b>	0	4	1	0	21	4	9	25	39	<b>64</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>01/04/2007 - 31/03/2008</b>	23	42.0
<b>2006 / 2007</b>	30	32.5
<b>2005 / 2006</b>	24	28.5

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

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