

21 June 2005



**The Commission for
Local Administration in England**

Mr S Maddox
Chief Executive
Wirral Metropolitan Borough Council
DX 708630
SEACOMBE

Patricia Thomas
Local Government Ombudsman

Michael King
Deputy Ombudsman

Our Ref: PAT4/NH/DH/AL
(Please quote our reference when contacting us)

If telephoning contact: Mr Stay's Personal Assistant on 01904 380242
If e-mailing: st4york@lgo.org.uk

Dear Mr Maddox

Annual Letter 2004/2005

I wrote to you in January 2005 to explain our proposals for annual letters for 2005 and to invite your comments on the format of statistics and plans to make the letters more widely available in the future. We are grateful to all those councils who replied.

As a result of the comments received, we have decided not to include the proposed simplified heading of 'complaints upheld in full or part' above the figures for reports finding maladministration and local settlements. We agree with those who say this would misrepresent those cases where a local settlement is offered by a council before I, or one of my colleagues, has decided whether to uphold a complaint; and that it could undermine this practice, which would not be to the benefit of complainants.

There was widespread support for our proposals to put annual letters on our web site and to share the letters with the Audit Commission. We will go ahead with this from 2006 and will wait for four weeks after sending you the letter before making it more widely available. In this way you will have an opportunity to consider and review the letter first. If a letter is found to contain any factual inaccuracy we will reissue it.

I am writing now to give you my reflections on the complaints received against your authority and dealt with by my office over the last year. I hope that in reviewing your

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own performance you will find this letter a useful addition to other information you hold highlighting how people experience or perceive your services. In addition to this narrative there are two attachments which 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

You will see from the enclosed attachment that in the 12 months up to 31 March 2005 I received 81 complaints against the Council. This compares with 83 received in the last year, 88 the year before that and 83 in the year before that. This is a remarkably consistent figure. The nature of the complaints I received revealed no cause for concern. The largest number of complaints concerned planning but at 19 this should cause no alarm. This number constitutes 23.4% of the total number of complaints I received against the Council and if I tell you that nationally such complaints amount to 21% of the complaints received by the Commission this may help you put the performance of the Council in its proper context.

Decisions on complaints

I made 84 decisions in the last year a figure which includes those complaints in hand at the beginning of the year. Of these complaints 25 were premature and I sent these back to you with the request that they be considered by the Council through the Council's internal complaints procedure while a further 9 were outside of my jurisdiction. In 18 cases I exercised the discretion available to me not to pursue the matters while in 22 cases I found no evidence of maladministration. The Council agreed to settle 9 complaints and provide a remedy where appropriate and when advised by my office that something had gone wrong. The 9 complaints settled by the Council revealed no patterns or trends to alarm me but I refer to one in detail because this concerned a failure by the Council to deal correctly with the complainant's housing need even after having concluded that he was unintentionally homeless. This failure was compounded by delay in responding to a formal complaint lodged by the solicitor acting for the complainant the upshot of which was that the complainant was needlessly homeless for some 9 months. To the credit of the Council it accepted that it had given this complainant a poor service and agreed to apologise and pay £1,200 in compensation. I am grateful to the Council for its willingness to respond so positively in these situations. I issued one report against the Council this year.

Liaison with Local Government Ombudsman

As you know I ask the Council to respond to my initial enquiries within 21 days. Last year against a target then of 15 working days the Council took 34 days to reply and I told the Council that I would be monitoring the situation. This year I have to advise the Council that on average it took 41 days to reply to my initial enquiries a figure which,

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notwithstanding the complexity of some complaints, is not acceptable and which reflects poorly on the Council. I referred above to the willingness of the council to settle complaints and I commended the Council for action which suggests that a degree of seriousness and some priority attaches to complaints. The time taken by the Council to reply to my enquiries suggests quite the opposite.

I know that you will appreciate that delays of this magnitude simply compound the sense of grievance already felt by complainants and I have to look to the Council to take action to improve the time taken to respond to my enquiries. If you feel that there is anything my office could do to assist you in this process do please let me know. For my part, having taken representations from a number of authorities and recognising that some complaints, because of their complexity, demand more time, I am from 1 July amending the target time to 28 days although the 14 day target for education admission appeal complaints will remain unchanged. I hope this will assist the Council but I look to the Council to make every effort to meet this new target.

Training

Last year, we told you about the training we were developing for local authorities on complaints handling as part of our role in promoting good administrative practice and asked for your views. Our pilot programme has been extremely successful with very positive feedback from the local authorities involved, so we are now increasing the amount of training that we can provide.

A key element of the training is our Effective Complaint Handling course, specifically developed for council staff who deal with complaints as a significant part of their job. This one-day course is aimed at those who handle complaints in the higher stages of the authority's complaints procedure, up to the point of deciding the complaint. A further course has been developed on Complaint Handling for Front-line Staff and other specialist areas are also being considered to meet the needs of local authorities and further promote good practice.

All courses are presented by an experienced LGO investigator, so participants benefit from their knowledge and expertise of complaint handling. Courses can be delivered to a single local authority or to staff from a group of authorities at a regional centre. We do have to charge for the training, just to cover our costs, but the feedback has shown that councils consider it good value for money.

I have enclosed some further information about our complaints handling training courses including contact details.

Conclusions/general observations

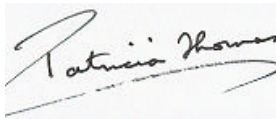
I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services. I would again very much welcome any comments you may have on the form and content of the letter.

Last year a number of councils asked if I could visit the council to present the letter in person and to discuss it with councillors or staff. I, and my senior colleagues, would be happy to consider any similar requests this year and we will do our best to meet them within the limits of the resources available to us.

I am also arranging for a copy of this letter and its attachments to be sent to you electronically so that you can distribute it easily within the Council and post it on your website should you decide to do this.

This will be the last annual letter you will receive from me as I am retiring in September. I am sure that my successor will be in touch with you as soon as possible thereafter.

Yours sincerely

A handwritten signature in black ink, reading "Patricia Thomas". The signature is written in a cursive style and is positioned above a horizontal line.

Mrs P A Thomas

Encs: Statistics
Notes to assist interpretation
Training from LGO