

WIRRAL COUNCIL

STANDARDS COMMITTEE – 30 SEPTEMBER 2008

REPORT OF THE DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

LOCAL GOVERNMENT OMBUDSMAN – ANNUAL LETTER AND CURRENT PERFORMANCE

1. Executive Summary

The Local Government Ombudsman (LGO) produces annually a letter on each local authority. The letter sets out the number of complaints made to the LGO about the authority, the outcomes, how they have been dealt with and response times. The LGO's latest annual letter on Wirral was published in June 2008. A copy of the letter is attached as Appendix 1 to this report. This report sets out the contents of the letter and the current performance in this Financial Year on response times.

2. Background

Members will recall that this committee, at its meeting on 25 September 2007 considered the last Annual Letter of the Local Government Ombudsman. This highlighted an average response time of 112 days. This figure included multiple cases involving a complex housing benefit issue which was the subject of litigation. If these cases were not considered the average would have been 43 days. The target response time is 28 days for most complaints, 14 days for complaints relating to schools admission appeals.

3. Response Times

- 3.1 This committee approved an Action Plan on 26 November 2007 to address the issue of poor response times. In her annual letter the LGO notes a marked improvement in the Council's performance. She states:

I ask all authorities to respond to my initial enquiries within 28 calendar days. During the year I made detailed enquiries of the Council on 32 occasions and I am pleased to place on record the fact that, on average, the Council took 26.8 days to reply to my office. This is a significant improvement on recent years and I am grateful to the Council for the effort it has clearly made, following my annual letter last year and my meeting with the Council's Chief Executive earlier in the year. I congratulate the Council for its performance this year.

- 3.2 This improved performance has been the result of a clear action plan, regular monitoring of performance and sustained effort on the part of many staff across all departments.

4. Number of Complaints

- 4.1 In her letter the LGO states:

During the year I received 81 complaints against the Council, a slight increase in complaints when compared with the previous year when I received 77. There

is nothing of concern in a rise of such modest proportions. No trends or patterns emerged to give rise to alarm.

5. Other Findings

- 5.1 The LGO made positive comments about the way in which the Council deal with complaints. She states:

Subject only to what I say in the paragraph below I commend the Council for the positive way it is prepared to respond when something has gone wrong.

- 5.2 However, the LGO also states:

I raised with the Council last year some concerns about the way in which it deals with complaints through its internal complaints procedures. The indications from the complainants I have dealt with are that the Council's procedures are not, as yet, either as quick to deal with these complaints or as robust as they should be. I have had complaints this year about delays and inadequate investigation into complaints about children and family services issues. A constructive meeting was held during the year between an officer of the Council and one of my investigators and I hope there will be improvement during the coming year.

- 5.3 The Director of Children Services is aware of this issue and improvements are being made. The Department's performance in relation to complaints was the subject of a report to the Children's Services and Lifelong Learning Overview and Scrutiny Committee on 2 June 2008. A copy of that report is attached as Appendix 2 to this report.

6. Current Performance

To date in 2008/09 the Council has received 14 complaints. The response times and performance are set out below.

Period	No. of Complaints	Response Times in days
01.04.08-30.06.08	8	17.4
01.07.08-date	6	21
Overall Year to date	14	18.8

7. Proposed Changes to Process for Dealing with LGO Complaints

At present the processing of Ombudsman's Complaints is dealt with within the Legal and Member Services section. It has been agreed at Chief Officer's Management Team ("COMT") that the processing of ombudsman's complaints be transferred to the Head of Revenues and Benefits and Customer Services within the Finance Department. This is because the process sits more appropriately within the customer services responsibilities of the section. The proposed handover date is 1 November 2008. There will be regular liaison meetings during the handover period to ensure that the changes do not affect

the performance. Regular performance monitoring reports will continue to be brought to COMT and this committee.

8. **Corporate Objectives**

The manner in which the Council responds to the LGO contributes towards the Council's objective to be an excellent council. The improvement in response times is a significant step towards that objective. The LGO's statement that the council responds positively when things go wrong also contributes towards that objective.

9. **Financial and Staffing Implications**

There are none arising directly from this report.

10. **Local Member Support**

There are no implications for individual wards arising directly from this report.

11. **Equal Opportunity Implications**

There are none arising directly from this report.

12. **Human Right Implications**

There are none arising directly from this report.

13. **Local Agenda 21 Implications**

There are none arising directly from this report.

14. **Community Safety Implications**

There are none arising directly from this report.

15. **Planning Implications**

There are none arising directly from this report.

16. **Background Papers**

There are no background papers

17. **Recommendation**

That the Committee notes the contents of this report.

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