

**WIRRAL COUNCIL**  
**STANDARDS COMMITTEE**  
**29 SEPTEMBER 2011**

<b>SUBJECT:</b>	<b>LOCAL GOVERNMENT OMBUDSMAN – ANNUAL LETTER AND CURRENT PERFORMANCE</b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL</i></b>
<b>REPORT OF:</b>	<b><i>DIRECTOR OF FINANCE</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR JEAN STAPLETON</b>
<b>KEY DECISION?</b>	<b>NO</b>

## **1.0 EXECUTIVE SUMMARY**

- 1.1 The Local Government Ombudsman (LGO) produces an annual letter on the performance of each local authority. It sets out the number of complaints made to the LGO about the Authority, the outcomes, how they have been dealt with and response times. This report sets out the contents of the 2010 -11 letter and the current performance in this financial year on response times.

## **2.0 RECOMMENDATION**

- 2.1. That Committee notes the report.

## **3.0 REASON FOR RECOMMENDATION**

- 3.1 To ensure performance continues to be monitored.

## **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 The LGO annual letter for Wirral was published in June 2011 and a copy is attached in Appendix 1 of this report. It is also available for public scrutiny on the Council website.
- 4.2 The statistics provided by the LGO include the number of enquiries and complaints received by the LGO Advice Team who operate a *triage* service to initially assess contacts as suitable for consideration (primarily to confirm the Council has had the opportunity to fully consider the complaint) before issuing advice or referring onto the Investigative Team. These contacts are broken down into *LGO defined* service areas, which do not align with the Council departmental structure.
- 4.3 The letter also confirms any decisions made by the Investigative Team in the reporting period, which may affect complaints originally received outside of the current reporting period and so the number of complaints received/decisions made may not correspond exactly.
-

- 4.4 Further analysis displays the average time taken to respond to written enquiries and offers comparison with average responses by other types of authority within the LGO's remit. Average days are measured in *calendar* days as opposed to working days.
- 4.5 To provide local context, the statistics recorded through the Customer Relationship Management (CRM) system are also offered for the same reporting period in this report, with some additional analysis evaluating performance between departments.
- 4.6 Comparative data is also provided in this report summarising Wirral performance against other Merseyside local authorities i.e. Halton, Knowsley, Liverpool, St Helens and Sefton.
- 4.7 In previous years the LGO letter contained summaries of specific complaint outcomes and highlighted any particular investigations which raised concerns in quality of service provision or the handling of complaints. This reporting element does not feature in the letter format this year.

## **COUNCIL PERFORMANCE**

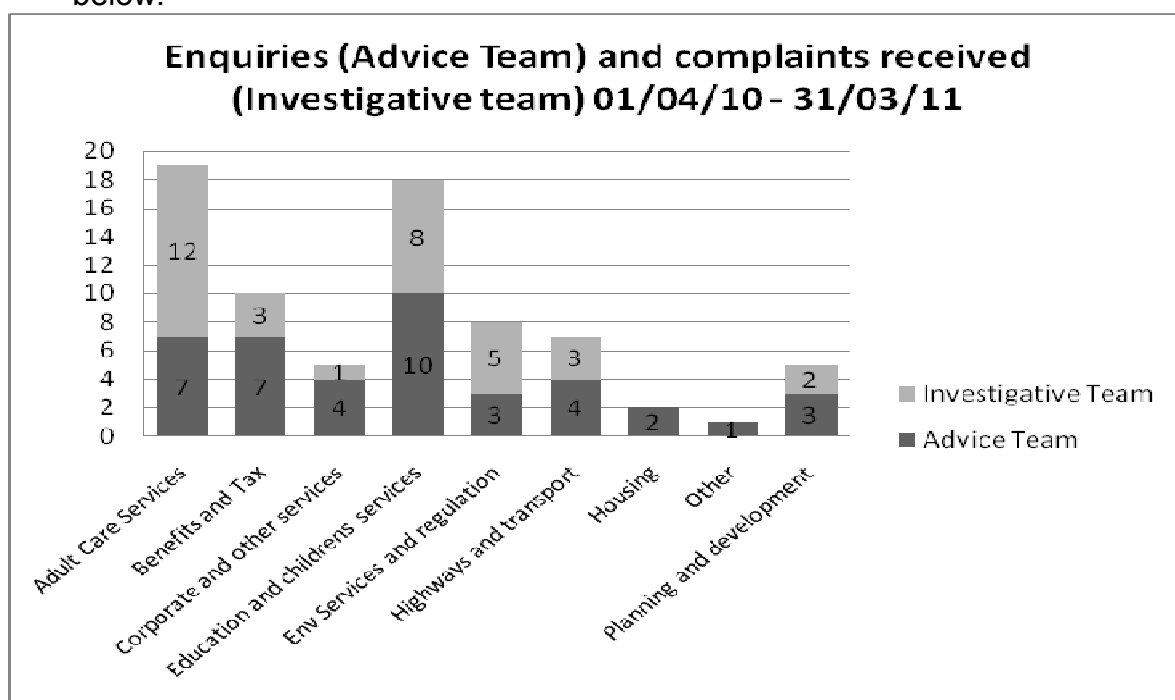
### **Response times to first enquiries**

- 4.8. The Council is recorded by the LGO as responding to written (or *first*) enquiries in an average of 20.2 days against a target of 28 days. This compares to an average of 26.8 days reported for the 2009/2010 reporting year.
- 4.9. The LGO reports that 64% of other metropolitan authorities were able to respond to first enquiries within 28 days or less, compared to 70% for 2009/2010.
- 4.10. It can be seen that Wirral has improved response rates by 6.6 days from the previous year while the general trend among other metropolitan authorities was one of falling performance.

### **Enquiries and complaints received by the Advice/Investigative Teams**

- 4.11. The LGO reported that the Advice Team received 24 *premature* complaints (i.e. that the Council had not had sufficient time to consider through the corporate/statutory complaint process) and 17 contacts that advice only was given. There were a total of 8 cases *resubmitted* to the Investigative Team (previous premature complaints that had since been through the Council complaint process) and 30 *new* cases forwarded directly.
-

4.12.A breakdown across the LGO defined service areas is offered in the table below:



4.13 Decisions made in the reporting period do not necessarily compare to complaints received by the Investigative Team.

4.14 The LGO reported that the following decisions (34 in total) were made in 2010/2011:

- two local settlements i.e. decisions by letter discontinuing the investigation because action had been agreed by the Council and accepted by the LGO as a satisfactory outcome for the complainant
- eight cases where no maladministration was found i.e. decisions by letter discontinuing an investigation because the LGO found no, or insufficient, evidence of maladministration
- 17 cases where the LGO used discretion i.e. decisions by letter discontinuing an investigation in which the LGO has exercised general discretion not to pursue the complaint, usually due to no or insufficient injustice to warrant pursuing the matter further
- seven cases where the LGO decided the matter was outside its jurisdiction

#### **LGO contacts recorded in CRM**

4.15 The LGO service split does not necessarily align directly with the Wirral departmental structure and so supplementary analysis is offered from the CRM system.

4.16 The Council has a designated coordinator within the Finance Department to receive any contacts received from the LGO, log in CRM, monitor progress in support of the departmental customer feedback coordinator and liaise with the LGO/department/Legal Services as necessary. Contacts received are entered in CRM as *requests for information* (i.e. first informal contact from the LGO asking for background information); *follow-up enquiries* (i.e. relating to a previous contact and requiring further clarification) and *new investigations* (i.e. LGO confirms formal investigation proceedings started).

4.17 Analysis taken from the CRM across *all* LGO contacts (not restricted to first enquiries as highlighted in the annual letter) is as follows:

- Across all departments:
    - 63 contacts received relating to 53 individual LGO cases
    - Average of 16 days across all departments to respond to contacts
    - Average of 14 days to respond to requests for information (51 in total)
    - Average of 26 days to respond to follow-up enquiries (10 in total)
    - Average of 23 days to respond to new investigations (2 in total)
  - By department:
    - Corporate Services took an average of 14 days to respond to their LGO contacts (5 in total) with one request for information concerning corporate policy taking 28 days to respond
    - CYPD contacts (14 in total) ranged over Anti-social behaviour team (3); Children's social care (4) and Schools (7) and included 5 follow-up enquiries
    - CYPD took an average of 9 days to respond to Schools related contacts (target of 14 days)
    - CYPD took an average of 26 days to respond to non-school related contacts though this included a single request for information which took 125 days to respond
    - DASS contacts all concerned Care services (22) apart from a single enquiry regarding Finance and Performance and included 5 follow-up enquiries
    - Care services took an average of 19 days to respond with the 4 contacts which took over 28 days to respond having an average of 50 days taken
    - The single DASS Finance and Performance contact took 95 days to respond
    - The Finance Department received 3 contacts relating to Revenues and a single contact for the Miscellaneous Income section with an average of 8 days taken to resolve these contacts
    - LHRAM had 2 contacts for Environmental Health and a single contact for Licensing, taking an average of 15 days to respond
    - One of the Environmental Health contacts was classified as a new (formal) investigation and took 28 days to respond
    - Technical Services had 14 contacts, taking an average of 7 days to respond with the Planning service being the most popular service area (5 contacts received)
-

- Of the 14 contacts received, a new investigation was instigated for the Sports and Recreation service and took 17 days to respond

### Comparison with other Merseyside Authorities

4.18. The LGO publicly releases figures for all local authorities and this provides the opportunity to compare performance with other Merseyside councils in 2010/11:

	Contacts received		First Enquiries		Decisions reached			
	Advice Team	Investigative Team	Number received	Average calendar days to respond	Local Settlement (no report)	No Maladmission (no report)	LGO's discretion (no report)	Outside jurisdiction
Halton	15	14	6	29.8	4	5	4	2
Knowsley	18	12	7	21.3	3	5	0	5
Liverpool	97	74	32	16.8	17	22	19	13
Sefton	30	24	8	27.9	7	11	3	3
St Helens	22	18	5	20.8	2	7	2	3
<b>Wirral</b>	<b>41</b>	<b>38</b>	<b>9</b>	<b>20.2</b>	<b>2</b>	<b>8</b>	<b>17</b>	<b>7</b>

4.19 As can be seen from the table, Wirral is second only to Liverpool Council when measured in the average days taken to respond to first enquiries. This compares to coming 'last' in the same comparator table for 2009/2010.

### Current performance measured through CRM

4.20 For the period 1 April 2011 – 11 September 2011 the following performance is reported through CRM:

- 35 contacts from the LGO with 31 of these contacts responded to in an average of 13 days\* and 4 currently open
- 30 requests for information and 5 follow-up enquiries
- Main service areas experiencing contact are (DASS) Care services (10); (CYPD) Schools (8) and (Finance) Revenues (4)
- Those services responding outside of the standard target of 28 days were:
  - (Corporate Services) Planning – single contact taking 31 day to respond
  - (Finance) Revenues – single contact taking 31 days to respond
  - (DASS) Care Services – single contact taking 39 days to respond

- (LHRAM) Legal and Member Services – single contact taking 43 days to respond

4.21 The CRM monitors *all* LGO contacts received to ensure consistent performance rather than isolating LGO defined first enquiries which are highlighted in the annual review letter

## **FOCUS FOR 2011/2012**

- 4.22 Clearly the emphasis will be to maintain the improving performance reported in 2010/2011, in relation to the statistics provided by the LGO, analysis from the CRM system and in comparison with other Merseyside authorities.
- 4.23 LGO contacts are handled as part of the wider corporate approach to customer feedback (i.e. complaints, councillor/MP enquiries, suggestions and compliments), recognising that such interactions provide an opportunity to 'put things right and learn from it'. Being able to evidence *learning outcomes* for the organisation from LGO contacts and wider feedback received will be a priority during 2011/2012.

## **5.0 RELEVANT RISKS**

- 5.1 The ability to maintain the level of improving performance reported through 2010/2011 into 2011/2012 with the reduced staffing resource (post-Early Voluntary Retirement / Voluntary Severance schemes) and wider budgetary restraint impacting on service provision/potential level of complaint.
- 5.2 Ensuring a corporate commitment to identifying organisational learning through the recognition that customer contacts should not be dealt with in isolation but instead should be used in the context of informing future levels of service performance.

## **6.0 OTHER OPTIONS CONSIDERED**

- 6.1 None arising directly from this report.

## **7.0 CONSULTATION**

- 7.1 None arising directly from this report.

## **8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 8.1 None arising directly from this report.

## **9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 9.1 None arising directly from this report.

## **10.0 LEGAL IMPLICATIONS**

- 10.1 None arising directly from this report.

## **11.0 EQUALITIES IMPLICATIONS**

- 11.1 Equality Impact Assessment (EIA) - Is an EIA required? No.
-

## **12.0 CARBON REDUCTION IMPLICATIONS**

12.1 None.

## **13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

13.1 None.

### **REPORT AUTHOR: Malcolm Flanagan**

*Head of Revenues, Benefits and Customer Services*

Telephone: 666 3260

Email: [Malcolmflanagan@wirral.gov.uk](mailto:Malcolmflanagan@wirral.gov.uk)

FNCE/220/11

## **APPENDICES**

LGO Annual Letter and Report 2010/2011.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Standards Committee (Minute 12)	29 September 2010
Standards Committee (Minute 13)	29 September 2009
Standards Committee (Minute 13)	30 September 2008