

## Commission for Local Administration in England

# Senior Investigator Pilot

## Purpose of paper

1. To inform the Commission of the outcome of the Senior Investigator Pilot and to make recommendations about the future of Senior Investigators.

## Background

2. In September 2005 the Commission issued a consultation paper on a proposal to pilot a new post of Senior Investigator. This followed a review of the role of Assistant Ombudsmen which recognised that, in order to fulfill the role now expected of them, there needed to be “a change in emphasis and the allocation of time by Assistant Ombudsmen”. It was also recognised that such a post would “provide a career development opportunity for Investigators”.
3. The Commission agreed to run a pilot in each office to assess the advantages and disadvantages of such a post. The issues to be evaluated in the course of the pilot were:
  - Does it make a significant difference to the amount of time available to AOs?
  - What is the impact on Investigators and Support Staff, in terms of helping them to deliver services? How does it impact on their relationship with the AO and other colleagues?
  - What is the effect on the Senior Investigator in terms of case-load, job development, and ability to fulfill the roles envisaged?
  - What is the most effective organisational model?
4. The Commission considered a report on the first year of the pilot in March 2007. At that time the Commission agreed to extend the pilot for another year in order to collect more information about the impact of senior investigators and to learn more about the possible impact that the new Access and Advice service may have on roles within our business process.
5. In addition to the one Senior Investigator initially appointed in each office there have been some extra SI appointments during year two of the pilot. Two additional Senior Investigators were appointed in Coventry to provide transitional support during changes in the Coventry Management Team. A further Senior Investigator was appointed to coordinate the training and development of new staff in the LGO Advice Centre.

6. To evaluate the second year of the pilot, meetings have been held with all Assistant Ombudsmen and Senior Investigators involved in the scheme and additional evidence has been provided. This report also draws upon evidence collected in Year One. This is therefore a consolidated report on the outcome of the pilot as a whole.

## **Evidence and Conclusions**

7. A review of the evidence collected is attached as Appendix A.
8. It is extremely difficult to isolate the impact of the Senior Investigator from the many other factors that have influenced behaviours and performance over the period of the pilot. There is little objective evidence of changes that can be attributed solely to the pilot. Caution must therefore be exercised in drawing conclusions.
9. However there is a body of hard and soft evidence accumulated over the two years of the pilot that, when taken together, is sufficiently compelling to form a view of the outcome of the pilot.
10. In summary this has shown that the Senior Investigator post:
  - Made a significant difference to the amount of time available to AOs to develop their role within the public value agenda.
  - Provided a highly flexible source of help for investigators and support staff to deliver services effectively.
  - Allowed for the development of positive working relationships with AOs and other colleagues.
  - Provided flexible additional organisational capacity to support management changes and the Commission's change projects.
  - Created career development opportunities for investigators in an otherwise flat structure.
11. However, the benefits flowing from the creation of the new posts must be set against the costs, which include:
  - The financial cost of upgrading an investigator post to the higher grade of Senior Investigator. This is approximately £7,100 per post.
  - The loss of casework productivity. This is equivalent to at least a 50% reduction in productivity, or 70 non-26(5) decisions per investigator.
  - There is also a potential dis-benefit if the creation of a Senior Investigator post distances the Assistant Ombudsmen from their team and from maintaining first hand knowledge of the investigative process.

## **Organisational Model**

12. One of the objectives of the pilot was to determine what is the most effective organisational model in which to use Senior Investigators.
13. In the light of the current budget position it would be wholly inappropriate to recommend a new organisational model for senior Investigators in isolation from the wider debate about the future shape and structure of the organisation.
14. This report therefore recommends that the future number, role and position of Senior Investigators should be discussed in the wider budgetary context. In order to make this possible the contracts of the existing Senior Investigators have been extended until October 2008.

## **Recommendation**

15. The Commission is asked to:
  - Note the outcome of the Senior Investigator Pilot
  - Consider this report during the current budgetary review process, so that the future number, roles and position of Senior Investigators can be agreed in the wider context of organisational change and development.

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9 July 2008

## Appendix A:

### Evidence from Senior Investigator Pilot – 2006-08

#### Part One: Roles carried out by Senior Investigators

The original consultation paper made clear that the Senior Investigator would not be another tier of management but would have some “specific supervisory responsibilities in relationship to case-work management and individuals needing particular support”.

**Time recording** - In Year One of the pilot, (during the period up to 31 December 2006), the Senior investigators maintained a record to give an indication of how their time was used. This showed:

	L.	C.	Y.
1. Screening and allocating	21%	8%	7%
2. Premature complaints	4%	9%	3%
3. Mentoring	0%	2%	0%
4. Supervising /training new invs.	3%	2%	2%
5. Coaching/advising invs.	8%	4%	20%
6. Comebacks	16%	0%	14%
7. Other team	16%	21%	15%
8. Personal caseload	30%	51%	39%

However these averages mask considerable variations in roles and do not reflect the complete range and balance of activities that the Senior Investigators have undertaken as their roles have diversified and changed over the two years of the pilot.

In practice the roles of the Senior Investigators have varied considerably, reflecting considerable flexibility in the way that that the post has evolved to fit different working styles and circumstances.

Other specific activities undertaken by SIs include:

- Participation in local management teams
- Providing advice and guidance to support staff
- Writing practice notes
- Taking on the more difficult casework
- Acting up and covering for management absences
- Presentations to councils and outreach work
- Supervising the production of reports
- Training and writing fact sheets for the LGO advice Team
- Coordinating the Learning and Development plan for the new LGO Advice team

Experience gained in the second year of the pilot demonstrated that the Senior Investigator role could provide a **highly adaptable and flexible additional resource** in roles that were not envisaged when the pilot began.

Senior investigators were critical in stabilising and sustaining productivity in the Coventry office during a period of change at Assistant Ombudsman level. Senior investigators also provided additional capacity to support the Commission's Access and Advice Project; both by freeing up management time to work on the project and in direct delivery of key elements of the scheme.

## **Part Two: Costs**

**Financial:** Costs will clearly vary according to the number of SIs, their salary and whether they are new or replacement posts.

However, based on an assumption that a senior investigator is on scale grade 51, and is upgraded from an investigator on scale grade 45 – the costs for one upgrade for a London office and non-London office SI are as follows:

1 London based SI upgrade = **£7,130** (Difference: Salary £5,269, ER NI £675, ER Superannuation £1,186)

1 Non-London based SI upgrade = **£7,057** (Difference: Salary £5,269, ER NI £602, ER Superannuation £1,186)

Any changes to the scale grade of the SI or investigator used in this process will have an effect on the cost incurred on the upgrade. As a crude estimate, each change in grade that is different than the ones used above will generate a variance of approximately £1,000. E.g. SI grade = 51, Inv grade = 44 will produce an approximate cost = £8,130.

(Note that the salary for SIs is yet to be formally evaluated by Hay, and is also subject to change as a result of the pending pay award.)

**Non-Financial:** In addition to the financial impacts it is also necessary to consider the loss of productive capacity resulting from the change in role. Assuming SIs will have, at most, half the productive capacity of an investigator, there is also a further cost, equivalent to half an investigator = £29,933

**The total cost of each (non-London) Senior Investigator post is therefore equivalent to:**

- **£7057, for the upgrade of an investigator post, plus**
- **The loss of decisions = 50% of the full cost of an investigator = £29,933.**
- **TOTAL COST = £36 990**

In addition to the direct costs there is also the possibility that the creation of a Senior Investigator role may adversely impact on existing roles and relationships. Some Assistant Ombudsmen were not universally positive about the impact of the pilot on their role:

- Some reported that they had less contact with their team and were more removed from the investigative process

- Some questioned the value and sustainability of some of the additional work that had been undertaken.

### **Part Three: Benefits**

**Performance** - Making a causal connection between the appointment of the SIs and any change to the quantity and quality of investigators' output is extremely difficult. It is impossible to isolate the impact of this one variable among the many. There have also been numerous changes to team members and Assistant Ombudsmen that make direct comparisons invalid. All data must therefore be treated with great caution.

However there is some significant data to suggest that Senior Investigators have had a positive impact on productivity.

In year one the 'core' investigators in teams with Senior Investigators (i.e. those investigators who were relatively experienced and who remained within the team for the whole pilot) performed as follows:

- In London, output rose by 13% in the first nine months of the pilot compared to the same time in the previous year (four investigators).
- In Coventry, an existing high output was virtually unchanged (five investigators)
- In York, in the first six months of the pilot, output increased by 40% (five investigators), whilst productivity dropped in all three of the other teams by approximately 20%

In Year Two:

- The two London teams involved in the pilot showed 6.2% and 3.9% increases in productivity against a London average of 3%
- In the York team every investigator but one increased productivity

**Quality** - There are no objective, agreed statistics that we can use to measure the changes in quality of complaint outcomes over the pilot period. Opinions have always differed about the significance of "comeback" statistics in assessing the quality of decisions. No direct improvements in quality have been reported through casework monitoring either. However, anecdotally some Assistant Ombudsmen and Senior investigators felt that quality had been improved as a result of targeted screening advice provided by SIs who had a thorough grasp of the complaints process.

**Impacts on the Public Value Agenda** - AOs participating in the scheme reported that they had between 5 and 7 hours additional time per week as a result of the support provided by having a Senior Investigator in their team.

The time freed for Assistant Ombudsmen was primarily used to develop work within the Commission's Public Value agenda. AOs generally reported that this would not have been possible without the existence of the Senior Investigator.

Many felt that this work had been particularly important in the absence of a Head of Policy and Research during some of the pilot period.

Examples of the range of activities that the AOs additional capacity was used for include:

- ❖ Developing Joint Working arrangements with,
  - PHSO
  - Independent Police Complaints Commission
  - Schools Adjudicator
  - Standards Board
- ❖ External communications work
  - Visiting council liaison officers
  - Promoting the Commission's training packages - resulting in a significant increase in the requests for training in the target area
  - Visiting MPs or constituency workers
  - Giving more talks than usual for outside bodies
  - Presentations/training for foreign delegations
  - Articles for external publications
  - Targeted visits to councils where difficulties had arisen in the working relationship
- ❖ Policy development; preparation of draft responses to consultation papers; attendance at external working groups
  - National 101 number: jurisdiction and complaints handling
  - DTI: LA/business dispute resolution
  - Education admissions: meetings with Sutton Trust; Chair of Select Committee; DFES officials; Schools Adjudicator regarding admissions and appeals Codes.
  - Home Office: partnership working and complaint handling in Alcohol Disorder Zone
  - The cross domain regulation advisory panel
- ❖ Promoting Professional Practice
  - Devoting more time to addressing quality issues in the work of individual investigators in his team
  - Preparing written guidance on quality issues identified by the Ombudsman
  - Creation of a Best Practice Investigative Practice Group
  - Leading a project to achieve greater consistency between AOs
- ❖ Corporate responsibilities
  - Horizon scanning
  - Working on the Access and Advice project
  - Mori survey

- ❖ Special Reports
  - Parking enforcement : follow up to special report; response to Transport Select Committee report on decriminalised parking; meetings with Parking Commissioners
  - Special report on telecommunications masts.
- ❖ Developing Office business processes
  - Implementing a scanning/emailing project
  - Taking a lead on financial matters (budgeting,salaries,overtime)
  - Reviewing changes to support staff structure
  - Reviewing risk management register
  - Team restructuring

#### **Part Four: Further Operational Considerations**

If Senior Investigators are adopted as part of the Commission's future structure the following issues will need to be re-evaluated in the light of experience gained in the pilot:

- The job description – to adequately reflect the wider range of tasks undertaken during the pilot and any new roles that the Commission agreed for Senior Investigators
- Job evaluation – to determine the appropriate grade for the job
- Caseload expectations – to determine a sustainable caseload for the Senior Investigator. During the pilot many SIs found that they had to work under considerable pressure to maintain a 50% caseload, so a lower level of caseload may need to be considered.