

Local Government  
**OMBUDSMAN**

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

**Wigan 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 Wigan 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 86 complaints were received against the Council - more than the previous year, when 69 complaints had been received but similar to the year before that (87).

### ***Character***

Complaints about housing formed the largest single identifiable category of complaint rising marginally from 17 such complaints in the previous year to 20. The second largest category of complaint was transport and highways which rose from six to 15 complaints. Complaints about planning and building control fell slightly from 18 during the previous year to 14 last year. Complaints in other categories were all in single figures last year as they had been in the previous year.

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

The Council has generally responded with commendable speed to the enquiries made by investigators upon complaints. Despite an increase of nearly 50% in enquiries made last year the average time taken to respond fell by more than five calendar days to an average of 24.5 calendar days. I congratulate the Council on this improvement which brings response times well within the 28 days that we request.

## **Decisions on complaints**

Last year decisions were made on 89 complaints. Nearly a third of these were premature i.e. the Council had not yet had a proper chance to consider and respond to the complaints. Seventeen complaints were outside my jurisdiction. In 24 cases I discontinued enquiries because there was insufficient evidence of maladministration. In a further nine complaints a decision was taken not to pursue further enquiries for other reasons.

### ***Reports and local settlements***

We will often discontinue enquiries 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 and those outside our jurisdiction).

Last year 13 complaints were locally settled with payments totalling £5613 made to a number of complainants. The largest such payment was for £2663 related to the Council's failure to provide adequate and appropriate community care and respite provision for the complainant's late son despite a previous formal complaint having been upheld. Once the failing was recognised the Council remedied the complaint swiftly.

A payment of £2600 arose when the Council failed, over a long period, to consider properly evidence

of antisocial behaviour by the complainant's neighbour and gave the complainants the impression that it would take legal action against the neighbour when it did not. I am pleased to note that a personal apology was made at a senior level and that action was taken to move the complainants neighbour.

If an investigation is completed I issue a public report. I did not issue any reports about the Council last year.

### **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>	2	3	6	4	20	20	14	2	15	<b>86</b>
<b>2006 / 2007</b>	2	2	8	1	17	13	18	2	6	<b>69</b>
<b>2005 / 2006</b>	6	2	7	3	17	21	16	4	11	<b>87</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>	0	13	0	0	24	9	17	26	63	<b>89</b>
<b>2006 / 2007</b>	0	9	0	0	12	5	7	33	33	<b>66</b>
<b>2005 / 2006</b>	0	16	0	0	29	16	6	28	67	<b>95</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>	31	24.5
<b>2006 / 2007</b>	22	29.7
<b>2005 / 2006</b>	33	23.7

**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