

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

**Wirral 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 Wirral 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**

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.

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

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.

## **Decisions on complaints**

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

We will often discontinue enquires 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 - where councils have not had a proper chance to deal with them - and those outside our jurisdiction). If an investigation is completed I issue a public report.

I issued one report against the Council during the year. This complaint was essentially a complaint about the support given to a foster parent but it also encompassed a concern about the way in which the Council dealt with the initial complaint through its statutory social services complaints procedure. The Council agreed to pay the complainant and his daughter £10,500 in recognition of the payments it should have made to support the fostering and, although I regret that it was necessary to issue a report critical of the Council, I commend the Council for the willingness, ultimately, to offer a remedy.

### ***Other findings***

I determined 87 complaints during the year, a figure which differs from the number of complaints sent to me because of work in hand at the beginning of the year. Twenty two complaints were sent to me prematurely and I sent each of these to the Council so that it might have the opportunity of addressing the matter. Seven complaints were outside of my jurisdiction while in 20 cases I exercised the general discretion available to me not to pursue the matter. In 23 cases I found there to be no evidence of maladministration while in 14 cases the Council agreed to act, accepting that something had gone wrong and that it would be appropriate to offer some form of remedy. 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.

## **Your Council's complaints procedure and handling of complaints**

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.

## **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  
Beverley House  
17 Shipton Road  
YORK  
YO30 5FZ**

**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>	8	7	7	9	1	22	21	1	5	<b>81</b>
<b>2006 / 2007</b>	8	2	8	10	5	10	17	3	14	<b>77</b>
<b>2005 / 2006</b>	12	54	9	15	6	10	13	1	8	<b>128</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>	1	14	0	0	23	20	7	22	65	<b>87</b>
<b>2006 / 2007</b>	0	8	0	0	22	41	7	17	78	<b>95</b>
<b>2005 / 2006</b>	0	11	0	0	24	19	5	41	59	<b>100</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>	32	26.8
<b>2006 / 2007</b>	52	111.9
<b>2005 / 2006</b>	47	36.6

**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