

<b>Subject:</b>	Annual Council Feedback Review and Local Government Ombudsman (LGO) Enquiries	<b>Status:</b>	For Publication
<b>Report to:</b>	Overview and Scrutiny Committee	<b>Date:</b>	9 <sup>th</sup> September 2024
<b>Report of:</b>	Head of People and Policy	<b>Portfolio Holder:</b>	Environment and Corporate Services
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	<b>General Exception</b>	<input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required: Yes/No	<b>Attached:</b>	Yes/No
<b>Biodiversity Impact Assessment:</b>	Required: Yes/No	<b>Attached:</b>	Yes/No
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## 1. RECOMMENDATION(S)

- 1.1 That Overview and Scrutiny Committee note the different types of feedback received by the Council, in addition to the Local Government Ombudsman (LGO) enquiries and complaints for the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024.
- 1.2 Overview and Scrutiny Committee is invited to comment on the report and provide feedback to Council's Corporate Management Team.

## 2. EXECUTIVE SUMMARY

- The report updates committee members on the following types of feedback for the period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024:
  - Compliments
  - Formal complaints
  - LGO enquiries and complaints
- There were 87 compliments with the highest number of compliments being about a staff member or a team.
- There were 114 formal complaints with the highest number being about bins or bin collections.
- There were 6 LGO enquiries and 2 LGO decisions.

## 3. BACKGROUND

The terms of reference of the Overview and Scrutiny committee require the committee to monitor complaint handling, monitor LGO complaints as well the Council's performance.

## 4. DETAILS

- 4.1 Feedback made to the Council in the form of compliments and formal complaints (as well as LGO enquiries) is a quarterly agenda item at Corporate Management Team meetings. Reports are provided to ensure managers are aware of any outstanding complaints that require action within their service area. Weekly reminders on all live complaints are also sent to the relevant officers and managers for action.

The Overview and Scrutiny Committee also receive regular updates through the Quarterly Performance Management Monitoring Reports throughout the year.

Each year the LGO details the number of enquiries and complaints received and the decisions made. The LGO complaints and enquiries during 2023/24 are detailed at sections 4.9 - 4.14 with further details in Appendix 1.

All the information included in this report should be considered in the context of the amount of contact the Council receives each year from its customers (via the Customer Services Hub, telephone and website).

## 4.2 Compliments

4.3 In the 2023/24 period the Council received 87 compliments and a breakdown of the last 3 years' figures can be found below:

	2021/22	2022/23	2023/24
4.4	123	89	87

An analysis of the compliments for 2023/24 can be found below:

Compliment about:	
Action/response/communication	2
Other	3
Bins/bin collection	7
Litter/debris/fly tipping	1
Property/land	1
Grass cutting	1
Quality of service	2
Staff member/team	70
<b>Total</b>	<b>87</b>

Staff member/team was the highest compliment category. The compliments received within this category are for the following:

### Staff member/team:

Capita – 2  
 Corporate Support – 9  
 Economic Development – 5  
 Environmental Health - 1  
 Housing - 2  
 Legal and Democratic Services (includes Elections and Land Charges) - 3  
 Operations - 38  
 People and Policy (includes Facilities) – 1  
 Planning – 2  
 Public Protection Unit (PPU) – 5  
 Property Services – 2

#### 4.5 Formal Complaints

The Council deals with a significant amount of contact on a daily basis and each department has their own system for dealing with customer contact. The majority of this contact is in relation to service requests, rather than formal complaints. Formal complaints are classed as a serious expression of dissatisfaction and usually occur when a customer has reported something, but they are not happy with the response, the outcome or action.

Formal complaints received by the Council are recorded and responded to by the relevant department. Officers and managers are asked to deal with customer complaints within the customer service standard of 10 working days: this is classed as a stage 1 response. Where it is not possible to send a full response within 10 working days, a holding response is sent.

Once a complaint has been responded to, the customer has the opportunity to request a review if they are not satisfied with the response: this is classed as stage 2 of the complaints process. The stage 2 review will be undertaken by a Head of Service or Director. Once a stage 2 response has been sent, if the customer still does not feel they are satisfied with the response, they can take their complaint to the LGO for consideration.

In the period 2023/24, 114 formal complaints were received by the Council. An analysis of the complaints over the last 3 years is detailed within Appendix 2.

The areas of most complaint during 2023/24 were in relation to bins/bin collection and council tax charges/decision.

In relation to the 20 bins/bin collection complaints, these were all dealt with by Operations as follows:

- 8 issues with missed bin collections
- 1 issue with collection point next to property
- 1 issues with wagon reversing down street
- 2 missed assisted collections
- 1 relating to non-delivery of a new bin
- 1 issue with a bulky collection
- 1 Damage to property
- 1 Brown bin issues
- 1 Cannot afford to pay for green general waste bin
- 1 Assistance with moving bins from previous occupier
- 1 Wheelie bins being left on pavements and damage to grass verge
- 1 Noise when emptying bins before 8am

#### 4.6 Learning and improvements

In relation to lessons learned and further improvements being made as a result of customer feedback, the Council is constantly reviewing how to improve service, including the following during the 2023/24 period:

- To improve partnership working with Lancashire County Council to improve public information to support a reduction in the number of complaints to the Council and customers know who to contact for help and support if needed.
- Undertaken comprehensive consultation to manage residents' expectations.
- The Operations Team delivers services that impact the residents of Rossendale on a daily basis and occasionally things do not go to plan, these are rectified in a timely manner and the team review all complaints each month to ensure that they learn from them and continually modify systems and procedures to ensure maximise productivity. The Operations Team received 39 Complaints and 51 Compliments during the year, the largest proportion of Complaints (12) related to missed bin

collections, overall the Waste Services Team collected 99.8% of bins on time which is in excess of their target of 98%. In the last 12 months we have started work in implementing a new back office system to monitor service performance and provide live data to both the Public and our colleagues in Corporate Support, we hope that this system will not only improve our day to day performance (reducing the number of missed bins) but also improving our communications with residents. Our second highest area of complaints related to the maintenance of open spaces (Weed control and Grass cutting), we received 7 complaints in this area. 96% of our amenity grass was cut as per schedule which is in excess of our target of 95% but we strive to increase this figure - unfortunately Grass cutting is very much effected by the weather conditions. Our new back office system will cover this area of work and we expect it to go live in Q4 2024/25, again the system will give us much more accurate real time monitoring data and will assist us in the rescheduling of mowing rounds whilst providing better feedback to residents.

- On a positive note, it is encouraging to see the compliments received to the Operations Team, the trend throughout these is of a caring staff team who go above and beyond their daily duties to support the residents of Rossendale in the best way that they can, this is reflected across our Waste, Town Centre Caretakers and Green Spaces Teams and is a credit to all involved.
- We responded to the complainant immediately to explain that the bulletin contains information sent to the team by local groups. We have no control over which group sends us information about their event. However since the complaint we have asked our community partnership members in Whitworth and Bacup to remember to send through information about any event in their town that they would like publicised.

4.7 During 2023/24 the average number of working days taken to deal with complaints was 10 days, which is within the expected customer service standard of 10 working days.

4.8 97 complaints of the 114 complaints received in 2023/24 were resolved at stage 1. There were 17 complaints progressed to stage 2 reviews, 13 were resolved and 3 were referred on to the LGO by the complainant.

#### 4.9 LGO Enquiries and Complaints

The LGO provides an Annual Summary of complaints they have received against the Council each year. Members must note that the LGO does not normally notify the Council of all contact (such as when advice is given, or if it is something at the pre-enquiry stage). In the majority of cases the Council finds out about a case once a decision has been made or if the LGO requests additional information as part of the investigation.

The LGO categorises complaints and enquiries as detailed below:

- **Invalid or incomplete** - not given enough information to consider the issue.
- **Advice given** - provided early advice or explained where to go for the right help.
- **Referred back for local resolution** - found the complaint was brought too early because the organisation involved was not given the chance to consider it first.
- **Closed after initial enquiries** - assessed the complaint but decided against completing a full investigation. This might be because the law says LGO are not allowed to investigate it, or because it would not be an effective use of public funds if investigated.
- **Upheld** - completed a detailed investigation and found evidence of fault, or found the organisation accepted fault early on.
- **Not upheld** - completed a detailed investigation but did not find evidence of fault.

4.10 The LGO Liaison Officer provides regular updates to the Council's manager on open investigations. When investigations are opened, regular updates are provided to the Council's Monitoring Officer to discuss deadlines and any issues which may arise.

4.11 A quarterly report is also provided to Corporate Management Team meetings for the Chief Executive, Directors and Heads of Service to monitor. LGO complaints are also recorded on the Council's quarterly performance management monitoring reports, which are scrutinised by the Overview and Scrutiny Committee.

4.12 During 2023/24 the Ombudsman received 6 enquiries/complaints about this Council of which:

- 2 were referred back to the Council (to go through the Council complaints process). The Council is not aware of any referrals coming back through the complaints system, because the Ombudsman does not notify the Council of referrals. It is also up to the complainant to decide whether they wish to continue to pursue their complaint following receiving advice from the LGO enquiry service.
- 1 was closed after initial enquiries because there was no injustice/service failure.
- 1 incomplete – invalid.
- 2 were investigated and has since been closed as detailed in section 4.12.

The LGO made the Council aware of 3 of the 6 complaints they received in 2023/24 (50%)

4.13 The LGO made decisions on 6 complaints during 2023/24 as detailed below:

- 2 were referred back to the authority (to go through the Council complaints process).
- 1 was closed after initial enquiries because there was no injustice/service failure
- 1 incomplete – invalid.
- 2 complaints were investigated and were upheld as the Council was at fault.

The LGO made the Council aware of 3 of the 6 decisions made in 2023/24 (50%).

4.14 There were 2 investigations on which decisions were made in 2023/2024, relating to Benefits & Tax and Housing.

The LGO upholds complaints where fault is found in an organisations actions. They also uphold complaints where the organisation accepts fault before their involvement. There are 2 cases for 2023/2024.

4.15 Comparisons with 2023/24 LGO complaints and enquiries are as follows:

<b>Ombudsman Complaints and Enquiries:</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Received	13	5	6
Decisions made	13	6	6

<b>Complaint received category:</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Benefits and Tax	5	2	2
Corporate and other services	2	0	0
Environmental Services & Public Protection & Regulation	2	1	1
Highways and Transport	1	0	0
Other	1	0	
Planning & Development	2	2	2
Housing	0	0	1
<b>Total</b>	<b>13</b>	<b>5</b>	<b>6</b>

<b>Decisions made:</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Referred back for local resolution	5	1	2
Closed after initial enquiries	4	4	1
Incomplete/invalid	0	0	1
Advice given	1	0	0
Investigated: Upheld	3	0	2
Investigated: Non Upheld	0	1	0
<b>Total</b>	<b>13</b>	<b>6</b>	<b>6</b>

The LGO has provided the information at Appendix 1 which shows the breakdown of complaints received and the decisions made. This additional information provides details concerning the number of cases and reference numbers, and assists the Council in matching up the cases that the LGO has informed the Council of. The Council is appreciative of this information which enables the data to be analysed.

The number of enquires received and decisions issued by the Ombudsman remains low.

No public interest reports were issued during this period and there are no upheld complaints, especially bearing in mind the amount of contact the Council has with its customers on an annual basis.

4.16 The Council welcomes customer feedback in order to make continuous improvements to its services. Services are also improved through reviewing formal complaints and identifying learning outcomes. Corporate Management Team regularly reviews this information in order to further develop and shape Council services.

4.17 It is important to consider these figures in the context of the number of contacts from customers and services delivered in any 12 month period. For example, over the last year:

- the Council has 32,795 Council Tax accounts, 2806 NNDR accounts and 5,074 benefit claimants.
- the Council received 69,896 telephone calls and 13,376 completed web forms in addition to other forms of contact.
- 858,950 domestic paper and cardboard collections, which allowed 1795 tons of material to be recycled.
- 858,950 domestic glass, tins, cans and plastic collections which allowed 3564 tons of material to be recycled.
- 898,339 domestic general waste collections and 15558 tons of waste was sent to landfill.
- 132,137 domestic garden waste collections, which allowed 1837 tons of garden waste to be recycled.
- The Council collects waste from 403 commercial organisations with 249 of these businesses having a separate recycling collection, the frequency of collection is to suit the customer and ranges from twice a week to fortnightly.
- The Council completed 3,107 bulky waste requests from customers including diverting 103 tons of POPs (Sofa, Chairs etc) from landfill.
- The Council delivered/removed 5,244 bins of which 3,655 were for recycling.
- The Council empties over 790 litter bins either twice a week or daily.
- The Council has attended 1178 reports of fly tipping.
- The council sweeps approx. 284 km of adopted road and 362 km of adopted footpaths and the main roads/footpaths are swept every two weeks and the other roads/footpaths every 9 weeks. Towards the end of the autumn period there are also dedicated routes to deal with the leaf fall. 1255 tons of street detritus and leaves diverted from Landfill.

- Investigated 207 fly tipping incidents where some evidence found of possible offenders
- Issued 31 Fixed Penalty Notices for fly tipping and related offences
- Prosecuted 3 offenders for fly-tipping offences resulting a fine and costs of £1600 for one matter; a suspended prison sentence of 18 months ordered to do 10 days rehabilitation and 150 hours unpaid work on top for the second matter and an 8 months prison sentence suspended for 18 months for the third matter.
- Dealt with 319 reports of abandoned vehicles

4.18 The number of LGO Investigations remain low during 2023/24

## 5. RISK

All the issues raised and the recommendations in this report involve risk considerations as set out below:

- There is a risk of damage to the Council's reputation if complaints are not responded to in a timely manner. Complainants and the LGO are kept up to date if there are extenuating circumstances, or if a complaint is so complex that it requires more time than usual to respond.
- Not monitoring complaints would create a risk of not learning from experiences. Complaints are regularly reviewed via Corporate Management Team and by service area managers.
- There is risk of financial penalty should the LGO find maladministration against the Council.

## 6. FINANCE

The Council faces the risk of financial penalty should the LGO find maladministration against the Council in any existing or future complaints. The Council made a payment of £950.00 in response to a complaint resolution.

## 7. LEGAL

The legal implications have been included within the report. In addition to LGO investigations, the Monitoring Officer has statutory responsibility to consider and, where necessary, investigate illegality, maladministration or statutory breaches which may, in turn, also be reported to the Council.

## 8. POLICY AND EQUALITIES IMPLICATIONS

There are no policy or equalities implications.

## 9. REASON FOR DECISION

To monitor formal complaints and LGO enquiries to enable the Council to make continuous improvements to its services.

### Background Papers

Document	Place of Inspection
2020/21 Report item D5:	<a href="https://www.rossendale.gov.uk/meetings/meeting/1275/overview_and_scrutiny_committee">https://www.rossendale.gov.uk/meetings/meeting/1275/overview_and_scrutiny_committee</a>
2021/22 Report item D4:	<a href="https://www.rossendale.gov.uk/meetings/meeting/1328/overview_and_scrutiny_committee">https://www.rossendale.gov.uk/meetings/meeting/1328/overview_and_scrutiny_committee</a>

## Received

Reference	Category	Received
23001627	Planning & Development	04/05/2023
23001651	Benefits & Tax	09/05/2023
23005508	Benefits & Tax	12/07/2023
23012367	Housing	10/11/2023
23015019	Environmental Services & Public Protection & Regulation	20/12/2023
23019153	Planning & Development	28/02/2024

## Decided

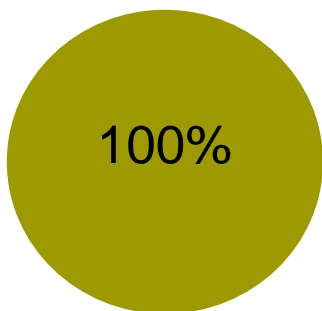
Reference	Category	Decided	Decision	Decision Reason	Remedy	Service improvement recommendations
23001627	Planning & Development	24/05/2023	Closed after initial enquiries	Not warranted by alleged injustice		
23001651	Benefits & Tax	20/09/2023	Upheld	fault no injustice		
23005508	Benefits & Tax	12/07/2023	Incomplete/Invalid	Insufficient information to proceed and PA advised		
23012367	Housing	15/03/2024	Upheld	fault & injustice	Financial redress: Avoidable distress/time and trouble	
23015019	Environmental Services & Public Protection & Regulation	20/12/2023	Referred back for local resolution	Premature Decision - advice given		
23019153	Planning & Development	28/02/2024	Referred back for local resolution	Premature Decision - advice given		

## Compliance

Reference	Category	Decided	Remedy	Remedy Target Date	Remedy Achieved Date	Satisfaction with Compliance
23012367	Housing	15/03/2024	Financial redress: Avoidable distress/time and trouble	12/04/2024	28/03/2024	Remedy complete and satisfied



### Complaints upheld



**100%** of complaints we investigated were upheld.

This compares to an average of **63%** in similar organisations.

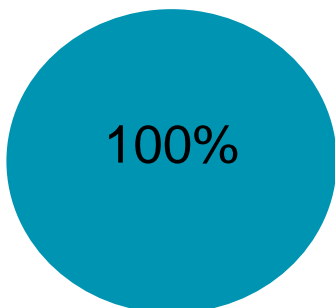
**2**  
upheld decisions

This is 2.8 upheld decisions per 100,000 residents.

The average for authorities of this type is 1.2 upheld decisions per 100,000 residents.

Statistics are based on a total of **2** investigations for the period between 1 April 2023 to 31 March 2024

### Compliance with Ombudsman recommendations



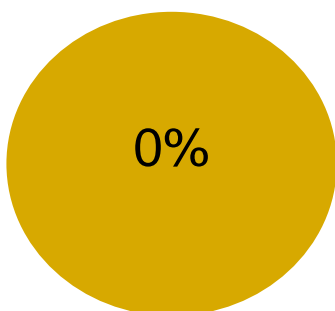
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **99%** in similar organisations.

Statistics are based on a total of **1** compliance outcome for the period between 1 April 2023 to 31 March 2024

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the organisation



In **0%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **21%** in similar organisations.

**0**  
satisfactory remedy decisions

Statistics are based on a total of **2** upheld decisions for the period between 1 April 2023 to 31 March 2024

## Complaints received from 2021-22 – 2023-24

Complaint about:	2021/22		2022/23		2023/24	
	No. of complaints	% of total	No. of complaints	% of total	No. of complaints	% of total
Action/response/communication	13	12.04	20	14.1	14	12.3
Advice/information given	1	0.93	0	0	0	0
Anti-social behaviour	0	0	2	1.41	2	1.75
Application processing	1	0.93	1	0.70	1	0.90
Bailiff charges/action	1	0.93	3	2.11	2	1.75
Benefits processing	3	2.77	6	4.23	3	2.65
Bins/bin collection	26	24.07	39	27.5	20	17.55
Council decision	5	4.63	3	2.11	5	4.39
Council policy/procedure	2	1.85	5	3.52	3	2.63
Council Tax charges/ decision	14	12.96	32	22.53	14	12.29
Customer service	0	0	1	0.70	1	0.88
Footpaths	1	0.93	0	0	5	4.39
Grant Funding	4	3.70	2	1.41	0	0
Grass cutting	1	0.93	1	0.70	3	2.63
Housing/landlord	0	0	1	0.70	2	1.75
Litter/ debris/ fly tipping	3	2.77	1	0.70	2	1.75
Noise nuisance	0	0	1	0.70	0	0
Other	6	5.56	0	0	4	3.51
Property/ land	4	3.70	5	3.52	9	7.90
Quality of service	7	6.48	5	3.52	4	3.51
Recovery/payment Council Tax	2	1.85	0	0	2	1.75
Staff member/ team	12	11.11	11	7.74	8	7.02
Time taken	1	0.93	1	0.70	4	3.51
Trees	1	0.93	0	0	3	2.63
Weeds	0	0	1	0.70	2	1.75
Flooding/Drainage	0	0	1	0.70	0	0
<b>Total</b>	<b>108</b>		<b>142</b>		<b>114</b>	