

**Subject:** Local Government Ombudsman – Annual Letter for the year ended 31<sup>st</sup> March 2007 and Annual Complaints Review  
**Status:** For Publication

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**Report to:** Cabinet  
Performance Scrutiny Committee  
Standards Committee  
**Date:** 19<sup>th</sup> September 2007  
2<sup>nd</sup> October 2007  
9<sup>th</sup> October 2007

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**Joint Report of:** Executive Director of Regulatory Services and Head of Customer Services & E-Government

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**Portfolio**

**Holder:** Leader of the Council

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**Key Decision:** No

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**1. PURPOSE OF REPORT**

- 1.1 To inform Members of the improvements contained within the Local Government Ombudsman's Annual Letter for the year ended 31<sup>st</sup> March 2007.
- 1.2 To provide Members with an annual update on activities within the Complaints and Feedback Process.

**2. CORPORATE PRIORITIES**

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.
- Delivering Quality Services to Customers (Customers, Improvement)
  - Well Managed Council (Improvement, Community Network)

**3. RISK ASSESSMENT IMPLICATIONS**

- 3.1 There are no specific risk issues for members to consider arising from this report.

**4. BACKGROUND AND OPTIONS**

**Ombudsman Complaints**

- 4.1 The Local Government Ombudsman provides an annual summary of complaints they have received against the Council in the period from 1<sup>st</sup> April to

31<sup>st</sup> March. The Annual Letter for 1<sup>st</sup> April 2006 to 31<sup>st</sup> March 2007 is attached at Appendix 1 and the letter is briefly summarised as follows:

- 4.2 The Local Government Ombudsman received 23 complaints against the Council. This was 12 less than the previous year, being a 38% reduction since the year ending March 2005.
- 4.3 It was noted that for the first time no complaints had been received against Council Tax Benefits and Public Finance for the period.
- 4.4 The Local Government Ombudsman had received 15 complaints in respect of Planning, totaling 65% of the complaints received. However it was noted that only 1 complaint had been received for the period January-March 2007.
- 4.5 When the Local Government Ombudsman completes an investigation, a "Report" is issued. If the complaint is settled locally or the Ombudsman uses her discretion to close the file, a report is not issued. In the period, two Reports have been issued and eight complaints have been settled locally.
- 4.6 In addition the Local Government Ombudsman made 26 decision (36 in total, which includes work in hand) which break down as follows:
- |   |    |
|---|----|
| Outside Jurisdiction                        | 1  |
| Discretion used not to investigate          | 5  |
| No evidence of maladministration            | 10 |
| Premature (to go through complaints system) | 10 |
- 4.7 The Local Government Ombudsman requires comprehensive responses within 28 days. The Council's average response time for the period was 41 days. However it was noted that this was a fall of nine days on the previous year. It should be noted that a monitoring system and spreadsheet has been implemented by the Liaison Officer, and the Interim Legal and Democratic Services Manager is alerted at an early stage if it is anticipated that a Service Area may not meet the deadline. The monitoring system will also allow the Council to check and respond to the Ombudsman's Annual Letter with more accurate information.
- 4.8 The Local Government Ombudsman highlighted the Council's commitment to customer service and complaint handling. In February 2007 Managers and other staff attended a Complaint Handling Course which was facilitated by the Local Government Ombudsman's trainers.
- 4.9 In addition the Council participated in a pilot arrangement which involved an Investigator spending 1 ½ days at the Council's Offices investigating several Planning complaints and interviewing Officers. This arrangement was successful, with the Investigator being able to conclude investigations much quicker than the conventional method.
- 4.10 The Local Government Ombudsman has made positive comments in respect of the liaison staff and arrangements in place and has noted the proactive approach which has been taken by Officers across the Council and at all levels

since publication of the 2005/06 Annual Letter. Liaison staff actively monitor response deadlines and seek assistance where necessary.

4.11 Efforts are also made by service areas to proactively resolve complaints at all stages to the satisfaction of the customer, with the aim of reducing the number of complaints made to the Local Government Ombudsman

4.12 The current number of Ombudsman Complaints as at the date of publication of this report is as follows:

Open	2	(Planning)
Premature	1	(Council Tax)

4.13 Of the above complaints, one planning complaint is a long standing complaint and the other has been responded to before the deadline given by the Ombudsman. The premature complaint has been responded to preliminarily, however further information has been requested, with a deadline of the end of October. However, it is the intention of the Liaison Officer to ensure a response is sent well before this deadline.

### **Customer Complaints and Feedback Procedure**

4.14 Customer Services and E-Government are responsible for monitoring and management of complaints and feedback services. A complete review of the complaints management process was undertaken in June 2006. This included benchmarking best practices with regard to complaint management in other authorities. An Equalities Impact Assessment was also undertaken for the new complaint management processes.

4.15 Efforts are made by Service Areas and the Customer Services Team proactively to resolve complaints to the satisfaction of the customer, in order not only to resolve, but to learn from the issues raised.

4.16 Consultation was carried out to aid the development of the new processes and on the associated marketing leaflets, which is detailed at paragraph 10.1. Following the review and consultation, a revised Customer Complaints and Feedback Form was launched, incorporating updated monitoring information (detachable from the complaint to ensure anonymity).

4.17 A standard approach to complaint handling has been developed to ensure a consistent style of response to all customers, which was achieved through the implementation of a standard checklist which covers all possible issues to be covered when preparing replies to customer complaints. Standard letter templates have been developed for both Stage 1 and Stage 2 complaints. This information has been published on the Intranet, to ensure staff are aware of the new processes and templates.

4.18 The internal guidance on the complaints and feedback procedure has been re-written to reflect changes made to forms and processes. Two appendices have been added to include an "Unreasonably Persistent Complaints Procedure" and

an “Unreasonable Complainant Behaviour Procedure.” (These follow guidance provided by the Local Government Ombudsman).

4.19 To enhance further and raise the profile of complaints management within the Council, checklists for completed complaints have been developed, which are circulated to the respective Head of Services for review. This also includes a statement of learning points arising from the complaint and an assessment of whether the complaint was justified.

4.20 During the period April 2006 to March 2007, a total of 209 complaints were registered. A complete breakdown of the complaints received is attached at Appendix 2 with a brief analysis below:

Development Control	34.9%
StreetScene & Liveability	22.0%
Council Tax	9.1%
Facilities	6.2%
Benefits	5.7%

4.21 During the period April to July 2007, a total of 73 complaints were received. A complete breakdown of the complaints received is attached at Appendix 2 with a brief analysis below:

Development Control	30.6%
StreetScene & Liveability	19.4%
Council Tax	11.1%
Benefits	8.3%
Customer Services & E-Gov	5.6%

4.22 The methods used by customers to register formal complaints with the Council are as follows:

Complaint Method	April 2006 – March 2007		April 2007 – July 2007	
	No of complaints	% of total	No of complaints	% of total
Feedback Form	56	26.8	19	26.0
E-mail	55	26.3	27	37.0
Letter	76	36.3	25	34.2
Telephone	10	4.8	2	2.8
Fax	1	0.5		
Ombudsman Referral Premature Complaints	11	5.3		
<b>Total</b>	<b>209</b>		<b>73</b>	

### **Analysis of Root Causes of Complaints**

4.23 In May 2007 analysis of the root causes of complaints was implemented, with complaints being categorised into 7 main types. An analysis of 56 complaints logged in the period May to July 2007 gave the following results:

<b>Category/Issue</b>	<b>Number of complaints</b>	<b>%</b>
Complaint about RBC policy or procedures	19	33.9
Delayed or lack of response	14	25.0
Technical/legal/regulatory	12	21.4
Poor communication	5	8.9
Complaint against named officer	4	7.2

### **Average Working Days to Respond**

4.24 The Council's customer service standard is to respond fully to a complaint within 10 working days of receipt, or if a full reply cannot be given in that time then a holding reply is sent to the customer. Against that target, the overall average days to respond to customers in the period April 2006 to March 2007 was 11 working days with an average of 10.4 working days for the period April to July 2007. A further breakdown by service area is contained within Appendix 2.

### **Learning Points: actions to date**

- 4.25 Examples of the learning points taken on board from both Ombudsman and Formal complaints include the following:
- The Development Control Department have introduced fundamental changes in consultation processes and file management, including the implementation of a "Validation Policy" for applications and the introduction of procedures to monitor planning applications over 8 weeks old. The Development Control Team have worked hard to deal with complaints and to introduce changes to service delivery.
  - The Liaison Officer and the Interim Head of Legal and Democratic Services, and the Senior Planning Officer arranged a series of "aftercare" meetings to ensure satisfactory conclusion of an Ombudsman Investigation.
  - Staff training has been identified.

### **Future Developments within the Customer Complaints and Feedback Procedure**

- 4.26 An area currently being developed is ensuring that learning points are captured from each complaint handled to demonstrate continuous improvement in processes and procedures. A means of capturing such learning points was implemented in April 2007 for both customer complaints and the Ombudsman complaints processes.
- 4.27 The Council is actively involved with the development of a Customer Relationship Management (CRM) system as part of a partnership led by Lancashire County Council. The intention is to progressively roll out this product via the front office functions, being the One Stop Shop and Call Centre and also via back office service functions. Work has commenced on developing a complaints module within the new Complaints Relationship

Management system. Development work is still ongoing on this product and a precise date for launch is not yet available.

## **5. COMMENTS OF THE HEAD OF FINANCIAL SERVICES**

- 5.1 The costs of administering the complaints procedures, both in terms of officer time and materials, have been subsumed within departmental budgets.

## **6. COMMENTS OF THE HEAD OF EXECUTIVE DIRECTOR OF REGULATORY SERVICES**

- 6.1 It is important to learn from previous complaints so that the Council achieves an improved performance across all its services.

## **7. COMMENTS OF THE HEAD OF HUMAN RESOURCES**

- 7.1 Training issues identified are being addressed.

## **8. CONCLUSION**

- 8.1 The Local Government Ombudsman's Annual Letter contains significant improvements on the 2005/06 letter. The number of complaints received has decreased.

- 8.2 The Council recognises that the majority of formal complaints are in respect of the Planning Department, and much of this can be attributed to the fact that planning is an emotive and contentious issue. It should be noted however the formal complaints for planning have reduced from 73 for the period April 2006 to March 2007 to 22 for the period April to July 2007. The Council acknowledges, however, that the basis of a number of complaints against planning have been in respect of lack of notification of planning applications and advises Members that procedures have been in place for some time to resolve this situation.

- 8.3 In addition the Council has noted the comments of the Local Government Ombudsman in respect of response times and has implemented stringent monitoring procedures which will be overseen by the Deputy Chief Executive.

## **9. RECOMMENDATION(S)**

- 9.1 That Members note the content of the Local Government Ombudsman's Annual Letter for the period ending 31<sup>st</sup> March 2007 and place on record their thanks to the Local Government Ombudsman's Office for their support and guidance over the past year.

- 9.2 That Members note the improvements carried out in respect of the Customer Complaints and Feedback Procedure.

## 10. CONSULTATION CARRIED OUT

10.1 Consultation has been carried out with:

- Liaison Officer
- Interim Head of Legal and Democratic Services
- Equalities Consultation Group
- Rossendale Borough Council Website

## 11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

Contact Officer/s	
Name	Linda Fisher
Position	Head of Planning, Legal and Democratic Services
Service / Team	Planning, Legal and Democratic Services
Telephone	01706 252447
Email address	<a href="mailto:lindafisher@rossendalebc.gov.uk">lindafisher@rossendalebc.gov.uk</a>
Name	Andrew Buckle
Position	Head of Customer Services and E-Government
Service / Team	Customer Services and E-Government
Telephone	01706 238606
Email address	<a href="mailto:andrewbuckle@rossendalebc.gov.uk">andrewbuckle@rossendalebc.gov.uk</a>

Appendices	
Document	Appendix Number
Local Government Ombudsman Annual Letter 2006/2007	Appendix 1
Breakdown of Customer Complaint Data	Appendix 2

Background Papers	
Document	Place of Inspection
Local Government Ombudsman Annual Letter 2006/2007	Futures Park, Bacup
Breakdown of Customer Complaint Data	One Stop Shop