

Subject: Local Government Ombudsman – Annual Letter for the year ended 31st March 2008 and Annual Complaints Review
Status: For Publication

Report to: Performance Scrutiny Committee Standards Committee Full Council Development Control	Date: 4 th September 2008 22 nd September 2008 24 th September 2008 6 th October 2008
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Report of: Executive Director - Business and the Head of Customer Services and E-Government

Portfolio

Holder: Finance and Resources / Customer Services

Key Decision: No

1. PURPOSE OF REPORT

- 1.1 To inform Members of the improvements contained within with Local Government Ombudsman’s Annual Letter for the year ended 31st March 2008.
- 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 period 1st April 2007 to 31st March 2008. A copy of this letter is attached as Appendix A, however the letter is briefly summarised as follows:
- 4.2 The Local Government Ombudsman received 23 complaints against the Council. This is an identical figure to 2006/07.
- 4.3 The greatest number of complaints continues to be in relation to planning matters which account for 70% of the total, however the numbers concerned are low. A full report on planning complaints is attached in Appendix F.
- 4.4 The Local Government Ombudsman requires responses within 28 calendar days. The starting date of this response time is taken from the date of the Ombudsman's correspondence, and not the date that the letter is received by the Council.
- 4.5 In the period 1st April 2007 to 31st March 2008 the Council's initial response times to first enquiries were:

Time Period	Average No. of days to respond
01/04/2007 – 31/03/2008	22.8
2006/2007	41.1

- 4.6 As the statistical information shows, the average response time has fallen from 41.1 days in 2006/07 to 22.8 in 2007/08. These times are very good and well within the requested 28 days. The average would have been 17.7 days but for a particular planning complaint. The Ombudsman thanks the Council for its continued cooperation in this as it helps her staff to reduce the time it takes to respond to complaints, ensuring a better service for complainants.
- 4.7 When dealing with Ombudsman enquiries correspondence is done mainly through email which speeds up the response process. The weekly monitoring system highlights any outstanding enquiries and liaison officers are able to work with departments to ensure the Ombudsman receives a timely response. This liaison process has increased co-operation with the various departments of the Council. The Ombudsman has reported good working relationships with the Council's liaison officers, who provide timely responses to initial enquiries, and also report that they find the liaison officers helpful and approachable, demonstrating a real commitment to service improvement and complaint handling.
- 4.8 The breakdown of complaints is examined in more detail at Appendix B.

- 4.9 The current number of open Ombudsman complaints as at the date of production of this report (27/08/2008) is as follows:

Service Area	Number of complaints
Planning	6
Leisure and Culture	1

This figure includes premature complaints that were sent to the Ombudsman rather than to the Council to be investigated through our own complaints procedure. Out of these complaints 43% have been generated by one complainant.

Customer Complaints and Feedback

- 4.10 As part of the ongoing development of the overall customer feedback process, data is now collated relating to both complaints and compliments. A weekly report is sent to the Senior Management Team and Portfolio Holders showing progress with the resolution of complaints by service area and the cumulative number of compliments received by service area during each quarter.

Complaints

- 4.11 An analysis of complaint data by service area, showing average days to deal with complaints in both 2006/07 and 2007/08, is attached at [Appendix C](#).
- 4.12 It is encouraging to note a small reduction year on year in overall complaints received, down from 203 in 2006/07 to 189 in 2007/08 (-6.9%). Of particular note is the reduction in the overall average days to deal with complaints, down from 11.0 days in 2006/07 to 6.6 days in 2007/08. The target for complaint response is 10 days.
- 4.13 The methods used by customers to register formal complaints about the Council are as follows:

Complaint Method	April 2006 – March 2007		April 2007 – March 2008	
	No. of complaints	% of total	No. of complaints	% of total
Feedback form	54	26.6	41	21.7
E-mail	53	26.2	71	37.6
Letter	75	36.9	58	30.7
Telephone	10	4.9	16	8.5
Fax	1	0.5	-	-
Ombudsman referral	10	4.9	2	1.0
via Area Forum	-	-	1	0.5
Total	203		189	

The two years' data above shows a trend away from the conventional methods of complaining – feedback form or letter – and a corresponding increase in the use of e-mail as the customers' preferred complaint channel.

- 4.14 Analysis of the root cause of complaints was implemented for 2007/08, with complaints being categorised into 7 main types. The table at [Appendix D](#)

shows the breakdown of complaint types by service area. In overall terms for the year 2007/08, the breakdown of complaints was as follows:

Complaint type	No. of complaints	% of total
Technical/legal/regulatory	36	19.0
Poor communication	19	10.1
Delayed response/lack of response	46	24.3
Complaint against named officer	9	4.8
Complaint received via MP	2	1.1
Complaint received via Councillor	3	1.6
Complaint re RBC policy or procedure	74	39.1
Total	189	

Compliments

- 4.15 During 2007/08, a total of 58 compliments were received and an analysis of those compliments by service area is attached at Appendix E. This represents an increase 241.7% compared with the total of 24 compliments received in 2006/07.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 The are no financial implications arising from this report.
- 5.2 The Council does however face the risk of financial penalty should the Ombudsman find against the council in any existing or future complaints.

6. MONITORING OFFICER

- 6.1 The Council treats all complaints very seriously and we learn from any situations where we get things wrong. The Ombudsman had commented that some planning complaints are missing our complaint procedure during the period we are processing applications. It is important to consider how many complaints have been upheld and not just to focus on numbers. The Council is continually improving in Planning and the way we deal with our customers.

7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)

- 7.1 There are no Human Resources implications.

8. CONCLUSION

- 8.1 The Local Government Ombudsman's Annual Letter contains significant improvements on the 2006/07 letter. Although the number of complaints remains the same, the Council's response times have improved significantly.
- 8.2 The Council recognises that the majority of complaints (both Ombudsman and Formal) are in respect of the Planning Department. Much of this can be

attributed to the fact that planning is, and always will be, an emotive and contentious issue.

- 8.3.1 The recent improvements to the customer services pages, which now include information on how to complain to the Ombudsman have proved successful. The Ombudsman has reported that whilst the number of complaints they have investigated is small, the feedback from the complaints investigated suggests that the new procedures are having a positive effect.

9. RECOMMENDATION(S)

- 9.1 That Members note the content of the Local Government Ombudsman's Annual Letter for the period 1st April 2007 to 31st March 2008 and place on record their thanks to the Local Government Ombudsman's Office for their support and guidance over the past year.

10. CONSULTATION CARRIED OUT

- 10.1 None.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

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Appendices	
Appendix A	Local Government Ombudsman Annual Letter 2007/08
Appendix B	Breakdown of Complaint Data
Appendix C	Complaints to RBC by Service Area & Average Response Times
Appendix D	Root Cause of Complaints by Service Area
Appendix E	Compliments Received by Service Area 2007/08
Appendix F	Annual Review of Planning Complaints 2007/08

Local Government
OMBUDSMAN

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

As the attached statistical information shows, I received 23 complaints about your Council in 2007/08. This number is broadly comparable with the previous year.

Character

By far the greatest number of complaints continues to be in relation to planning matters which account for 70% of the total. I draw no conclusions from this as the numbers concerned are so low.

Liaison with the Local Government Ombudsman

My office continues to enjoy a good relationship with your Council's liaison officers who provide timely responses to our initial enquiries. My staff find your liaison officers helpful and approachable, demonstrating a real commitment to service improvement and complaint handling.

As the statistical information shows, the average response time has fallen from 41.1 days in 2006/07 to 22.8 in 2007/08. These times are very good and well within the requested 28 days. The average would have been 17.7 days but for a planning complaint that took 69 days on which to respond. I thank your Council for its continued cooperation in this as it helps my staff reduce the time it takes to respond to complaints, ensuring a better service for our complainants.

In addition to liaison about specific complaints, I was very pleased to attend a Council meeting to respond to questions about my report of 2006/07. One of my Assistant Ombudsmen also attended a Scrutiny Committee meeting for the same purpose. We found these meetings to be constructive and provided the opportunities for wider dialogue about complaint handling and service improvement. It was especially helpful because it was shortly after major changes to your own complaints procedures. It also demonstrated a determination and commitment by your Council (members and officers) to continue to improve services and complaint handling.

Decisions on complaints

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 - 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 did not issue any reports about your Council. Three complaints were determined by local settlement. These covered three different service areas. While I did not find evidence of major systemic failure,

two common themes emerged; poor initial complaint handling and poor communication. It is important that these are considered in the appropriate context. Two of the complaints were received in the previous year and so had not been through the Councils revised complaints procedures and since those complaints were received your Council has made significant changes such as revised procedures in your Planning Department. The third complaint determined by local settlement was more recent and raised no general issues to suggest it was anything more than an isolated case.

Other findings

In total, I made 18 decisions on complaints about your Council. This number differs slightly from the number of complaints received as it includes complaints currently still under investigation. As you can see from the statistical information, four of these were premature, one was outside my jurisdiction and of the 13 other decisions, six resulted in a finding of no maladministration.

Your Council's complaints procedure and handling of complaints

The number of complaints I investigate about your Council is small and does not provide sufficient data for meaningful conclusions to be drawn. However, the feedback from the complaints I have investigated suggests that the new procedures are having a positive effect. This is something your Council may wish to consider in the context of its own complaint handling data.

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. 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)

LOCAL AUTHORITY REPORT - Rossendale BC

For the period ending 31/03/2008

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Transport and highways	Total
01/04/2007 - 31/03/2008	0	0	2	16	3	2	23
2006 / 2007	0	4	2	15	0	2	23
2005 / 2006	1	3	5	23	2	1	35

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	Ml reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2007 - 31/03/2008	0	3	0	0	6	4	1	4	14	18
2006 / 2007	2	8	0	0	10	5	1	10	26	36
2005 / 2006	6	4	0	0	4	4	5	4	23	27

See attached notes for an explanation of the headings in this table.

Average local authority response times 01/04/2007 to 31/03/2008

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2007 - 31/03/2008	10	22.8
2006 / 2007	11	41.1
2005 / 2006	13	52.0

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
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

Notes to assist interpretation of the LGO's local authority statistics 2007/08

1. Complaints received

This information shows the number of complaints received by the LGO, broken down by service area and in total within the periods given. These figures include complaints that are made prematurely to the LGO (see below for more explanation) and that we send to the council to consider first. The figures may include some complaints that we have received but where we have not yet contacted the council.

2. Decisions

This information records the number of decisions made by the LGO, broken down by outcome, within the periods given. **This number will not be the same as the number of complaints received**, because some complaints are made in one year and decided in the next. Below we set out a key explaining the outcome categories for 2007/08 complaints.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because the authority has agreed to take some action which is considered by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Premature complaints: decisions that the complaint is premature. The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it to the council as a 'premature complaint' to see if the council can itself resolve the matter.

Total excl premature: all decisions excluding those where we referred the complaint back to the council as 'premature'.

3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date

that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

4. Average local authority response times 2007/08

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.

Complaints to RBC by Service Area & Average Response Times

Service Area	2006/07			2007/08		
	Total complaints	% of total	Average days to deal	Total complaints	% of total	Average days to deal
Development Control	73	35.9	16.1	57	30.2	10.8
Street Scene & Neighbourhoods	46	22.6	6.2	45	23.8	3.4
Capita - Benefits	12	5.9	4.5	12	6.3	2.8
Capita - Call Centre	2	1.0	4.5	3	1.6	9.3
Capita - Council Tax	19	9.3	5.7	23	12.2	5.2
Capita - Council Tax Recovery	2	1.0	4.5	10	5.3	3.8
Capita - One Stop Shop	0	0.0	0.0	1	0.5	8.0
Corporate	5	2.5	14.4	4	2.1	9.3
Customer Services & e-Government	2	1.0	6.5	5	2.6	7.6
Environmental Health	4	2.0	37.8	3	1.6	3.3
Licensing	0	0.0	0.0	5	2.6	3.0
Property Services	0	0.0	0.0	4	2.1	8.0
Facilities Management	13	6.4	11.3	2	1.1	16.5
Forward Planning	1	0.5	8.0	1	0.5	2.0
Legal	0	0.0	0.0	2	1.1	10.5
Communications	0	0.0	0.0	2	1.1	5.0
Finance	2	1.0	1.0	3	1.6	0.7
Parking	4	2.0	9.5	2	1.1	6.5
Human Resources	0	0.0	0.0	1	0.5	13.0
Private Sector Renewal	5	2.5	7.6	1	0.5	4.0
Committee Services	11	5.4	11.0	3	1.6	8.3
Building Control	2	1.0	7.0	0	0.0	0.0
Total	203	100.0	11.0	189	100.0	6.6
Complaints received not for RBC:						
Greenvale Homes	0			1		
Lancashire Highways	4			4		
Rosendale Leisure Trust	1			1		
Rosendale Transport	1			0		
Overall total	209			195		

Key

 exceeds 10 day target

Root Cause of Complaints by Service Area

Service Area	Root Causes of Complaint							Total complaints
	Technical/legal/regulatory	Poor communication	Delayed response/lack of response	Complaint against a named officer	Complaint received via MP	Complaint received via Councillor	Complaint re RBC policy or procedure	
Development Control	15	6	27	1	0	2	6	57
Street Scene & Neighbourhoods	3	1	10	2	0	1	28	45
Capita - Benefits	4	3	3	0	0	0	2	12
Capita - Call Centre	0	1	0	1	0	0	1	3
Capita - Council Tax	3	4	4	1	0	0	11	23
Capita - Council Tax Recovery	2	3	0	0	0	0	5	10
Capita - One Stop Shop	0	0	0	0	0	0	1	1
Corporate	0	0	0	0	1	0	3	4
Customer Services & e-Government	1	0	0	1	1	0	2	5
Environmental Health	1	0	1	0	0	0	1	3
Licensing	3	0	0	2	0	0	0	5
Property Services	3	0	0	0	0	0	1	4
Facilities Management	0	0	0	0	0	0	2	2
Forward Planning	0	0	1	0	0	0	0	1
Legal	1	1	0	0	0	0	0	2
Communications	0	0	0	0	0	0	2	2
Finance	0	0	0	0	0	0	3	3
Parking	0	0	0	0	0	0	2	2
Human Resources	0	0	0	0	0	0	1	1
Private Sector Renewal	0	0	0	0	0	0	1	1
Committee Services	0	0	0	1	0	0	2	3
Total	36	19	46	9	2	3	74	189
% complaint type of total	19.0	10.1	24.3	4.8	1.1	1.6	39.1	
Complaints received not for RBC								
Greenvale Homes								1
Lancashire Highways								4
Rosendale Leisure Trust								1
Overall total								195

Compliments Received by Service Area 2007/08

Directorate	Head of Service	Service Area	Compliments received during:			
			April - June 2007	July - September 2007	October - December 2007	January - March 2008
Chief Executive	Corporate			2	2	
	People & Organisational Development					
Deputy Chief Executive	Street Scene & Neighbourhood Services	Operations	1	1	2	3
		NEAT	4		1	4
		Environmental Health		1		3
		Community Safety				
	Customer Services & ICT	Capita - Council Tax Recovery				
		Capita - Council Tax				
		Capita - Call Centre				
		Capita - Benefits	1			
		Capita - OSS	3			1
		Land Charges				
		Communications			3	
		Customer Services				
		Community & Partnership				
Economic Regeneration & Strategic Housing	Private Sector Renewal	2				
	Parking					
Regulatory Services		Legal				1
		Licensing			1	2
		Development Control	4	3	1	1
		Building Control				
		Forward Planning				
Resources	Policy & Performance					
	Finance	Financial Services				
		Property Services		1	1	1
		Elections	1	2	3	
		Committee & Member Services	1			1
Total			17	10	14	17

Subject: Annual Review of Complaints
made against the Planning Unit: 1st
April 2007 – 31st March 2008

Status: For Publication

Report to: Performance Scrutiny Committee
Standards Committee
Full Council
Development Control

Date: 4th September 2008
22nd September 2008
24th September 2008
6th October 2008

Report of: Executive Director - Business and the Head of Customer Services and ICT

Portfolio

Holder: Finance and Resources

Key Decision: No

1. PURPOSE OF REPORT

1.1 To inform Members of the Ombudsman complaints and formal complaints received against the Planning Unit for the period 1st April 2007 to 31st March 2008.

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)
- Delivering Regeneration across the Borough (Economy, Housing)
- 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 For the period 1st April 2007 to 31st March 2008 the Local Government Ombudsman recorded 16 complaints against the Planning Unit. These figures do contain some complaints which we are not aware of yet, as they will initially be investigated by the Ombudsman before they are sent to us therefore there is a small discrepancy between the Ombudsman's figures and our own. A breakdown of the complaints can be found in [Appendix 2](#).
- 4.2 The Local Government Ombudsman has recorded that they have closed 10 complaints against the Planning Unit for the period 1st April 2007 to 31st March 2008 as follows (a breakdown of these can be found in [Appendix 2](#)):

No or little evidence of maladministration	4
Ombudsman's Discretion	3
Outside Ombudsman's Jurisdiction	0
Local Settlement	1
Maladministration	0
Premature	2

- 4.3 Since the publication of the annual letter 9 complaints were closed as 'little or no evidence of maladministration'.
- 4.4 Out of the 16 planning complaints received by the Ombudsman 4 (25%) were generated by the same individual. This complainant is the same individual that generated 17.5% of complaints through the Formal Complaints process (see information in 4.6). Out of the complaints received by this individual 3 have now been closed as "Outside Jurisdiction" and 1 is currently awaiting a decision by the Ombudsman.

Formal Complaints

- 4.5 During the 2007/08 year, a total of 57 formal complaints were recorded against the Planning Unit compared with 73 in 2006/07, a reduction of 22% (see [Appendix 1](#)). On average these complaints were dealt with in 11.47 working days compared with an average of 16.1 working days in 2006/07. Whilst this performance is still below the target of 10 working days, it does represent a very significant improvement year on year.

In April 2007 a system of categorisation was introduced for all formal complaints received by RBC and the analysis of Planning Unit complaints over the year is as follows:

1. Technical/legal/regulatory	15 (26.3%)
2. Poor communication	6 (10.5%)
3. Delayed response/lack of response	27 (47.4%)

4. Complaint against a named officer	1 (1.8%)
5. Complaint received via MP	0 (0%)
6. Complaint received via Councillor	2 (3.5%)
7. Complaint re RBC policy or procedure	6 (10.5%)

4.6 It must be noted that from the 57 planning complaints received in 2007/08 17.5% were generated by one individual and 10.5% by another individual. The details of multiple planning complainants can be seen in [Appendix 1](#).

Improvements

4.7 The Council as a whole and the Planning Unit takes complaints very seriously. If the Local Government Ombudsman has raised concerns about procedures and systems within the Planning Unit, these concerns are taken on board and improvements are implemented.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 There are no financial implications arising from this report.

5.2 The Council does however face the risk of financial penalty should the Ombudsman find against the council in any existing or future complaints.

6. MONITORING OFFICER

6.1 The Council treats all complaints very seriously and we learn from any situations where we get things wrong. The Ombudsman had commented that some planning complaints are missing our complaint procedure during the period we are processing applications. It is important to consider how many complaints have been upheld and not just to focus on numbers. The Council is continually improving in Planning and the way we deal with our customers.

7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no Human Resources implications.

8. CONCLUSION

8.1 The Local Government Ombudsman's Annual Letter contains significant improvements on the 2006/07 letter. Although the number of complaints remains the same, the Council's response times have improved significantly. According to the Ombudsman, *'the statistical information shows, the average response time has fallen from 41.1 days in 2006/7 to 22.8 in 2007/8. These times are very good and well within the requested 28 days.'* The average response times specifically for the planning department is 26.9 which is also within the requested 28 days (data in [Appendix 2](#)).

8.2 The Council recognises that the majority of complaints (both Ombudsman and Formal) are in respect of the Planning Department. Much of this can be attributed to the fact that planning is, and always will be, an emotive and contentious issue and the subject of the most complaints.

9. RECOMMENDATION(S)

9.1 That Members note the content of the report and the improvements carried out within the Planning Unit.

10. CONSULTATION CARRIED OUT

10.1 None.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Contact Officer	
Name	Caroyln Sharples
Position	Committee and Member Services Officer
Service / Team	Democratic Services
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Appendices	
Appendix 1	Formal Complaints Data - Planning 01/04/07 to 31/03/08
Appendix 2	Ombudsman Data - Planning 01/04/07 to 31/03/08

Appendix 1

Complaint number	Date received	Date closed	Days to respond	Method of complaining	Type of complaint	Justified / Unjustified	Comments
499	10/04/2007	13/04/2007	3	e-mail	3		
502	11/04/2007	11/05/2007	21	letter	3		
506	17/04/2007	14/05/2007	18	e-mail	3		
507	18/04/2007	26/04/2007	6	letter	7		
510	25/04/2007	22/05/2007	18	e-mail	3		
512	27/04/2007	21/05/2007	15	e-mail	3		
514	03/05/2007	11/05/2007	6	letter	1		interim sent
515	03/05/2007	17/05/2007	9	letter	2		interim sent
524	15/05/2007	07/06/2007	16	telephone	3	Unjustified	
526	17/05/2007	01/06/2007	10	letter	1		
533	25/05/2007	14/06/2007	13	e-mail	2	Justified	
536	04/06/2007	27/06/2007	17	e-mail	3		
539	05/06/2007	25/06/2007	14	e-mail	3		
547	21/06/2007	06/07/2007	11	letter	7	Justified	
548	22/06/2007	18/07/2007	18	letter	3	Justified	
556	09/07/2007	20/07/2007	9	e-mail	3		interim sent
558	09/07/2007	23/07/2007	10	feedback form	1	Unjustified	
559	11/07/2007	13/07/2007	2	e-mail	3	Justified	
560	16/07/2007	19/07/2007	3	e-mail	6		
562	16/07/2007	20/07/2007	4	letter	3	Justified	
563	19/07/2007	26/07/2007	5	telephone	3		
564	23/07/2007	24/07/2007	1	e-mail	3		
571	02/08/2007	16/08/2007	10	e-mail	3		
583	16/08/2007	26/09/2007	28	e-mail	7		
584	30/08/2007	05/09/2007	4	e-mail	2		interim sent
586	20/08/2007	29/08/2007	6	letter	1	Justified	
587	20/08/2007	29/08/2007	6	letter	1	Justified	
588	20/08/2007	29/08/2007	6	letter	1	Justified	
589	20/08/2007	29/08/2007	6	letter	1	Justified	
590	21/08/2007	29/08/2007	5	letter	1	Justified	
591	21/08/2007	29/08/2007	5	letter	1	Justified	
592	22/08/2007	29/08/2007	4	telephone	1		
598	29/08/2007	14/09/2007	12	feedback form	1		
604	10/09/2007	21/09/2007	9	e-mail	3		
605	10/09/2007	27/09/2007	13	e-mail	3		
610	13/09/2007	18/10/2008	25	e-mail	3		
637	20/11/2007	07/12/2007	13	letter	3	Unjustified	
639	29/11/2007	03/12/2007	2	letter	1		
646	07/12/2007	12/12/2007	21	e-mail	7	Justified	interim sent
650	14/12/2007	07/01/2008	13	e-mail	3	Justified	
651	14/12/2007	04/01/2008	12	e-mail	3	Justified	
652	18/12/2007	27/12/2007	5	e-mail	3	Unjustified	interim sent
656	08/01/2008	23/01/2008	11	e-mail	3		
658	11/01/2008	25/01/2008	10	e-mail	3		
659	11/01/2008	25/01/2008	10	feedback form	7	Justified	
661	15/01/2008	07/02/2008	17	e-mail	4		

667	22/01/2008	30/01/2008	6	via Area Forum	1	Unjustified	interim sent
670	24/01/2008	28/01/2008	2	e-mail	3		
674	05/02/2008	20/02/2008	11	telephone	2	Unjustified	
677	05/02/2008	21/02/2008	12	e-mail	7		
683	13/02/2008	21/02/2008	6	telephone	2	Justified	
685	21/02/2008	18/04/2008	39	letter	1		
686	21/02/2008	30/05/2007	61	e-mail	3		
689	25/02/2008	11/03/2008	11	e-mail	6		
692	07/03/2008	11/03/2008	2	feedback form	2		
695	18/03/2008	01/04/2008	8	letter	3		
696	31/03/2008	18/04/2008	14	letter	1		
Total days			654				

Average days to deal

11.47

Complaint type:

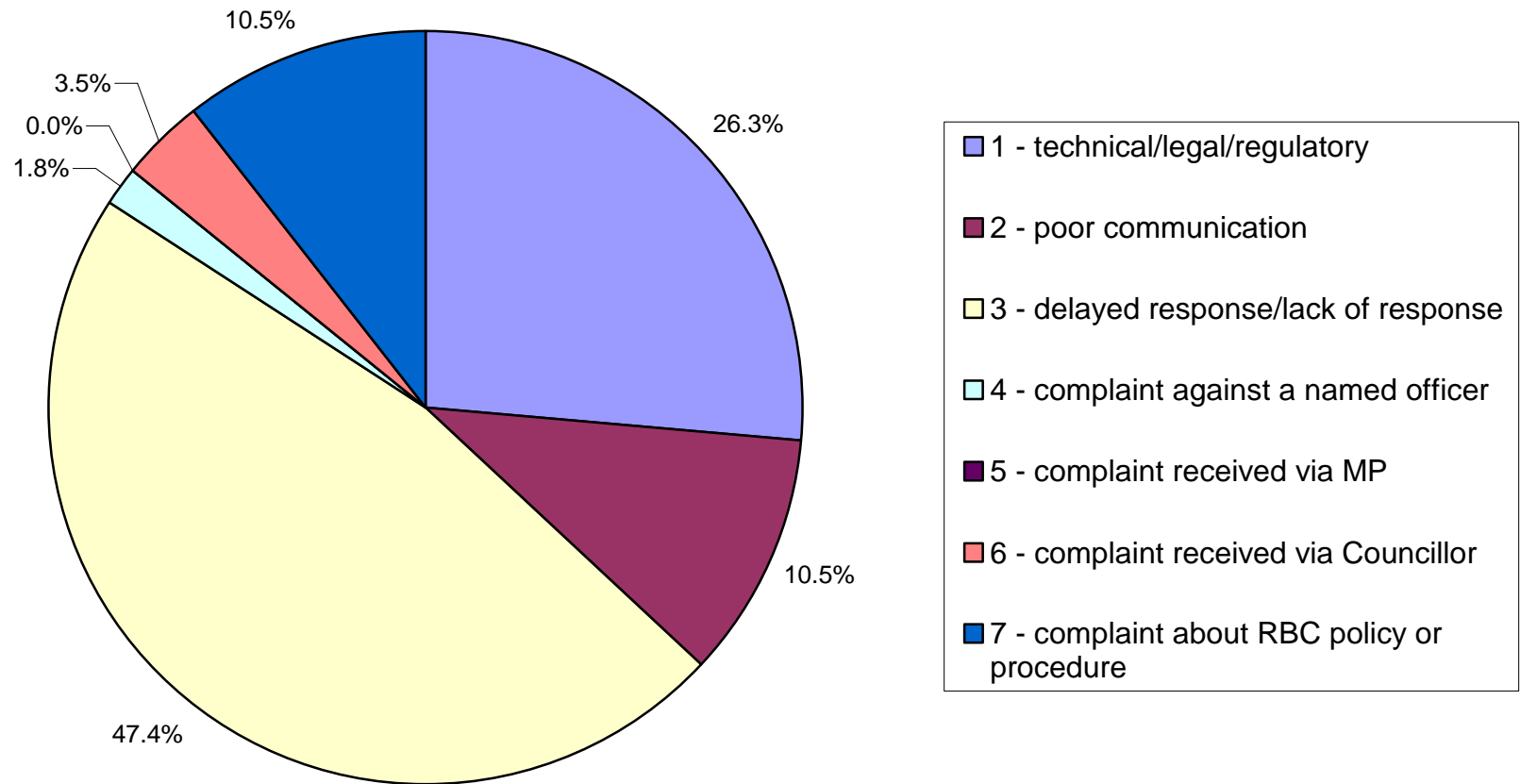
1 - technical/legal/regulatory	15	26.3%
2 - poor communication	6	10.5%
3 - delayed response/lack of response	27	47.4%
4 - complaint against a named officer	1	1.8%
5 - complaint received via MP	0	0.0%
6 - complaint received via Councillor	2	3.5%
7 - complaint about RBC policy or procedure	6	10.5%
Total	57	

Multiple Planning Complainants

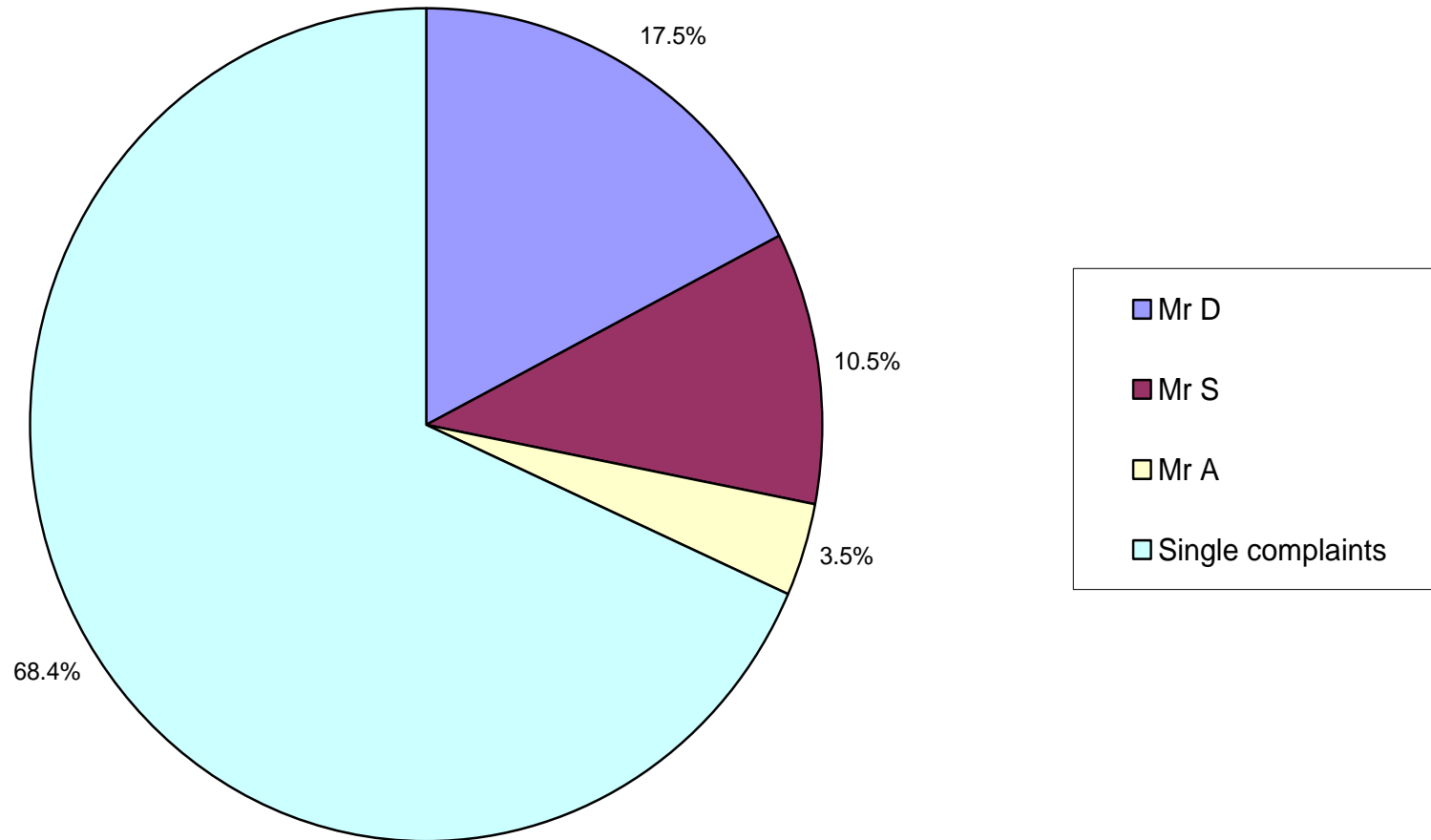
Mr D	10	17.5%
Mr S	6	10.5%
Mr A	2	3.5%
Single complaints	39	68.4%

Justified (upheld)	16	28.1%
Unjustified (rejected)	6	10.5%
Not categorised	35	61.4%

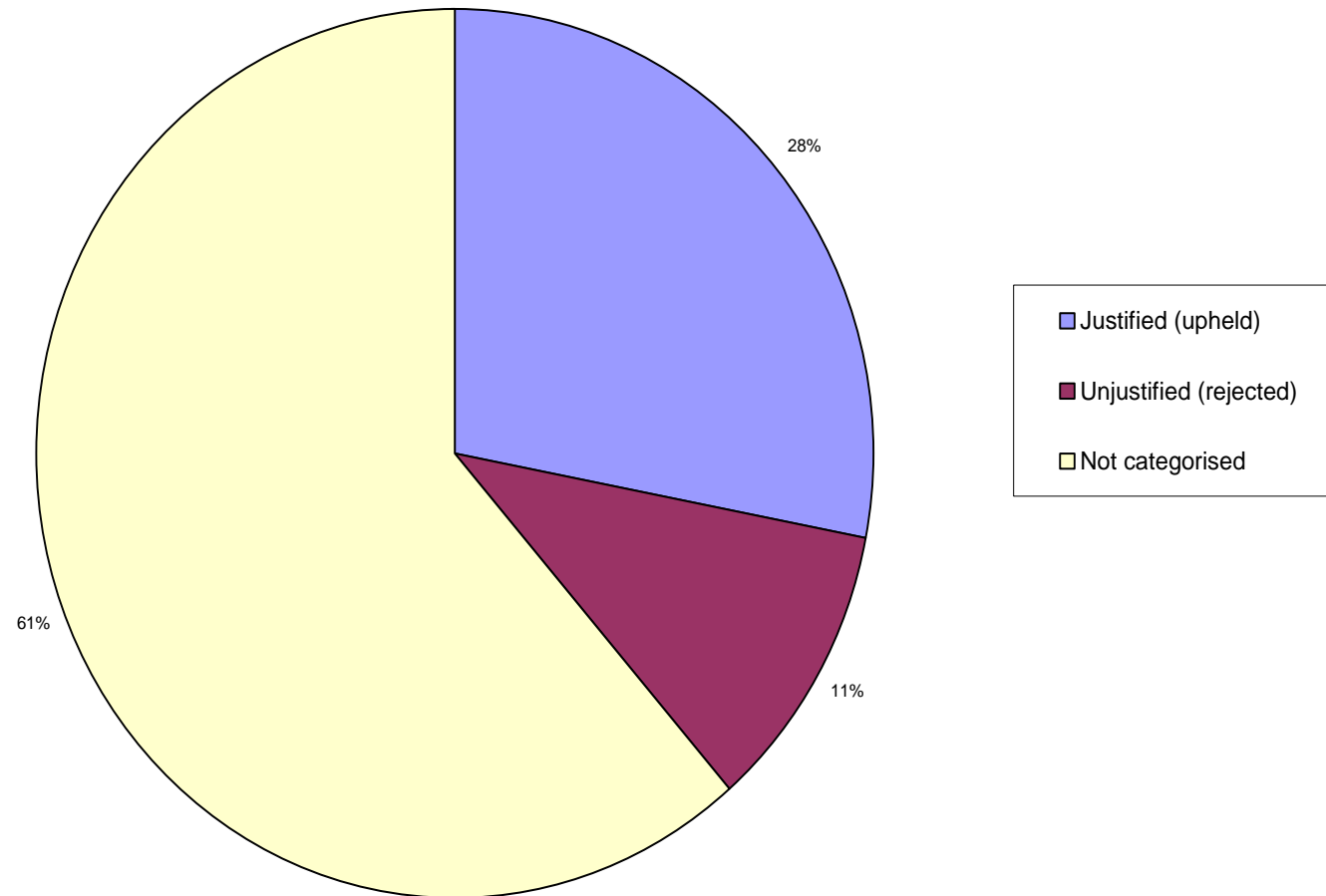
DC Complaints by Type April 2007 - March 2008



DC Complaints by Customer April 2007 - March 2008



DC Complaints justified/unjustified/not categorised



Ombudsman Data in Relation to Planning

**Planning Complaints Received by the Ombudsman
(including premature complaints) 01/04/07 to 31/03/08**

Reference	Date Received	Decision Made	Category	Outcome
07C16966	12/03/2008	20/03/2008	Enforcement	Premature Complaints
07C02721	30/05/2007	06/12/2007	Applications	No or insufficient evidence of maladministration
07C06751	11/07/2007	14/08/2007	Applications	Ombudsman's Discretion
07C09812	17/10/2007	31/03/2008	Applications	No or insufficient evidence of maladministration
07C11981	29/11/2007	06/12/2007	Applications	Premature Complaints
07C12095	03/12/2007	Open as at 31/03/08	Applications	Will be recorded as Ombudsman's Discretion in 08/09 report
07C12858	18/12/2007	Open as at 31/03/08	Applications	Will be recorded as Ombudsman's Discretion in 08/09 report
07C12905	17/12/2007	Open as at 31/03/08	Applications	Will be recorded as Ombudsman's Discretion in 08/09 report
07C13057	21/12/2007	Open as at 31/03/08	Applications	Will be recorded as Ombudsman's Discretion in 08/09 report
07C13058	21/12/2007	Open as at 31/03/08	Applications	Will be recorded as Ombudsman's Discretion in 08/09 report
07C15161	07/02/2008	Open as at 31/03/08	Applications	Will be recorded as Outside Jurisdiction in 08/09 report
07C15223	07/02/2008	Open as at 31/03/08	Applications	Will be recorded as Outside Jurisdiction in 08/09 report
07C15401	12/02/2008	Open as at 31/03/08	Applications	Will be recorded as Ombudsman's Discretion in 08/09 report
07C15719	15/02/2008	Open as at 31/03/08	Applications	Will be recorded as Outside Jurisdiction in 08/09 report
07C15773	19/02/2008	Open as at 31/03/08	Applications	
07C17483	17/03/2008	Open as at 31/03/08	Applications	

*Ombudsman complaints are already included in the Rossendale complaints figures as they will have been pursued through our complaints system as part of the Ombudsman investigation process.

Ombudsman Decisions Made 01/04/07 to 31/03/08

Reference	Date Received	Decision Made	Category	Outcome
06C00449	12/04/2006	15/06/2007	Applications	Local settlement
05C06562	27/07/2005	18/05/2007	Enforcement	No or insufficient evidence of maladministration
06C10679	23/10/2006	10/05/2007	Applications	No or insufficient evidence of maladministration
07C02721	30/05/2007	06/12/2007	Applications	No or insufficient evidence of maladministration
07C09812	17/10/2007	31/03/2008	Applications	No or insufficient evidence of maladministration
06C12130	16/11/2006	15/05/2007	Applications	Ombudsman's Discretion
06C10751	23/10/2006	22/06/2007	Applications	Ombudsman's Discretion
07C06751	11/07/2007	14/08/2007	Applications	Ombudsman's Discretion
07C16966	12/03/2008	20/03/2008	Enforcement	Premature Complaints
07C11981	29/11/2007	06/12/2007	Applications	Premature Complaints

Planning response times to first enquiry letters 01/04/07 to 31/03/08

Reference	Date Received by Ombudsman	Date Enquiry Sent to Council	Date Response Received	Time Taken/ Days	Category
06C12130	16/11/2006	14/03/2007	13/04/2007	30	Applications
07C02721	30/05/2007	11/07/2007	27/07/2007	16	Applications
07C09812	17/10/2007	16/11/2007	24/01/2008	69	Applications
07C12095	03/12/2007	06/02/2008	26/02/2008	20	Applications
07C12858	18/12/2007	06/02/2008	26/02/2008	20	Applications
07C12905	17/12/2007	06/02/2008	26/02/2008	20	Applications
07C13057	21/12/2007	06/02/2008	26/02/2008	20	Applications
07C13058	21/12/2007	06/02/2008	26/02/2008	20	Applications

First Enquiries Total:	8
Average number of days to respond:	26.9