

<b>Subject:</b>	Local Government Ombudsman's Annual Letter for the Year Ended 31st March 2011 and Annual Complaints Review	<b>Status:</b>	For Publication
<b>Report to:</b>	Standards Performance O&S Council	<b>Date:</b>	20 <sup>th</sup> September 2011 26 <sup>th</sup> September 2011 28 <sup>th</sup> September 2011
<b>Report of:</b>	Committee and Member Services Manger/Head of Customer Services and ICT	<b>Portfolio Holder:</b>	Finance and Resources/ Customer Services
<b>Key Decision:</b>	No	Forward Plan	No
		General Exception	No
		Special Urgency	No
<b>Community Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That the Performance Overview and Scrutiny Committee note the report and its appendices.

## 2. PURPOSE OF REPORT

2.1 To update Members on the following:-

- The Local Government Ombudsman's Annual Letter for the period 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011.
- The annual report regarding complaints and compliments received by the Council for the period 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011.

## 3. CORPORATE PRIORITIES

3.1 The matters discussed in this report impact directly all the Council's corporate priorities:

- **A clean and green Rossendale** – creating a better environment for all.
- **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
- **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

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

## 5. BACKGROUND AND OPTIONS

### Ombudsman Complaints

5.1 The Local Government Ombudsman provides an Annual Summary of complaints they have received against the Council in the period 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011. A copy of this letter is attached at Appendix A.

5.2 The Local Government Ombudsman made decisions on 14 enquiries and complaints received against the Council as follows:-

Forwarded to Council as a premature complaint:	7
Advice given:	3
Forwarded in investigative team (resubmitted):	1
Forwarded to investigative team (new):	3

5.3 8 complaints were forwarded to the investigative team. This figure includes any complaints carried forward from the previous year which were concluded in 2010/11. These were concluded as follows:-

Maladministration (injustice):	0
Local settlements:	4
Maladministration (no injustice):	0
Report with no maladministration:	0
No maladministration, (no report):	1
Ombudsman's Discretion (no report):	3
Outside jurisdiction:	0

5.4 The Local Government Ombudsman requires responses to their investigation enquiries within 28 calendar days from the date of the Ombudsman's letter. The average response time for 2010/11 is 18.0 days for 3 'first enquiries' which is an improvement on the 2009/10 figure of 22.3 days and the 2008/9 figure of 44.0 days.

5.5 There are some preliminary enquiries and premature complaints in existence. These are those complaints received by the Ombudsman, which the Council has not had sight of. In most instances, the Ombudsman will give the Council 12 weeks to put the complaint through the formal complaints system, after which they will make a decision on whether to close or proceed with a formal investigation. Premature complaints are recorded within the Service Assurance Team's complaints figures so as to avoid duplication.

5.6 The Liaison Officer provides the Head of Legal and Democratic Services and the Service Assurance Team with a weekly update on open investigations. There is currently one open investigation. When investigations are opened, regular update meetings take place between the Liaison Officer and the Head of Legal and Democratic Services to discuss deadlines and any issues which may arise. These meetings assist in compliance with the Ombudsman's response deadlines.

### **Customer Complaints and Feedback**

5.7 A weekly summary report continues to be produced for the Senior Management Team, copied to all Councillors, showing progress with the resolution of complaints by service area against the customer service target of providing a response within 10 working days of acknowledging receipt. The cumulative number of compliments received by service area during each quarter is also reported.

## Complaints

- 5.8 An analysis of complaint data by service area, comparing average days to deal with complaints over the past three years, is attached at [Appendix B](#).
- 5.9 It is encouraging to note a further reduction in overall complaints received, down from 110 in 2008/09 to 85 in 2010/11 (-22.7%).
- 5.10 The overall average time to deal with complaints across all service areas decreased slightly, from 6.6 days in 2009/10 to 6.5 days in 2010/11.
- 5.11 The methods used by customers to register formal complaints about the Council were as follows:

Complaint Method	2008/09		2009/10		2010/11	
	No. of complaints	% of total	No. of complaints	% of total	No. of complaints	% of total
Feedback form	16	14.5	24	24.2	14	16.5
E-mail	30	27.3	37	37.4	31	36.5
On-line form	6	5.4	3	3.0	2	2.4
Letter	40	36.4	21	21.2	32	37.6
Telephone	10	9.1	10	10.1	3	3.5
Ombudsman referral	6	5.5	4	4.1	1	1.2
Via Area Forum	-	-	-	-	-	-
Face to face at One Stop Shop	2	1.8	-	-	2	2.3
<b>Total</b>	110		99		85	

In recent years e-mail has proved to be an increasingly popular medium for registering complaints, with over  $\frac{1}{3}$  of customers choosing to contact the Council this way. However, 2010/11 saw a resurgence of complaints by letter, with 37.6% of customers using this method to raise their concerns with us.

- 5.12 Analysis of the root cause of complaints was implemented for 2007/08, with complaints being categorised into 7 main types. The table at [Appendix C](#) shows the breakdown of complaint types by service area over the past three years, whilst the analysis in overall terms for the same period is as follows:

Complaint type	2008/09		2009/10		2010/11	
	No. of complaints	% of total	No. of complaints	% of total	No. of complaints	% of total
Technical/legal/regulatory	21	19.1	33	33.3	18	21.1
Poor communication	6	5.5	13	13.2	5	5.9
Delayed response/lack of response	19	17.3	13	13.2	10	11.8
Complaint against named officer	15	13.6	6	6.1	8	9.4
Complaint received via MP	1	0.9	1	1.1	-	-
Complaint received via Councillor	-	-	3	3.1	1	1.2
Complaint re RBC policy or procedure	48	43.6	30	30.3	43	50.6
<b>Total</b>	<b>110</b>		<b>99</b>		<b>85</b>	

- 5.13 As an adjunct to the complaint investigation and response process, officers are required to assess whether or not the complaint was justified, based on the outcome of the investigation.

Out of the total of 85 complaints received, 17 (20.0%) were seen to be justified, 56 (65.9%) were seen to be unjustified and a further 12 (14.1%) were seen as partially justified. Appendix D shows the breakdown of these cases by service area.

## **Compliments**

- 5.14 2010/11 saw a very significant increase of 148 in compliments received - from 89 the previous year up to 237. There were two main reasons for this large increase:
- i) the inclusion of satisfaction data from customer surveys e.g. STAN the Van 40 and Building Control 37 (both zero in 2009/10);
  - ii) the inclusion of internal customer compliments e.g. Legal Services 26 (compared with 3 in 2009/10).
- 5.15 Taken together, these three service areas account for a net increase of 100 in the overall level of compliments, tending to deflect attention from the marked increase in positive feedback received by the Refuse & Cleansing team, up by 31 over 2009/10 and the Development Control team, up by 12 over 2009/10. The analysis of compliments by service area is attached at Appendix E.

## **COMMENTS FROM STATUTORY OFFICERS:**

### **6. SECTION 151 OFFICER**

- 6.1 There are no financial implications arising from this report, however the Council does face the risk of financial penalty should the Ombudsman find maladministration against the council in any existing or future complaints. For the avoidance of doubt, during the period 2010/2011 the Ombudsman has not awarded any penalties against the Council.

### **7. MONITORING OFFICER**

- 7.1 The legal implications have been included within the report. In addition to Ombudsman 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. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 8.1 There are no human resources implications.

### **9. CONSULTATION CARRIED OUT**

- 9.1 Committee and Member Services Manager, Liaison Officer and Services Assurance Team.

### **10. CONCLUSION**

- 10.1 There has been a significant improvement in the response times to initial enquiries for the 2010/11 year.
- 10.2 Complaints continue to show a year on year reduction and the average time to respond, at 6.5 days, is well within the customer service standard of 10 days.

Appendices/Background Papers	
Document	Place of Inspection
Local Government Ombudsman's Letter 2010/11	Appendix A or available at <a href="http://www.lgo.org.uk/documents/annualreview/2011/rossendale.pdf">http://www.lgo.org.uk/documents/annualreview/2011/rossendale.pdf</a>
Complaints to RBC by Service Area & Average Response Times	Appendix B
Summary of Complaint Type by Service Area	Appendix C
Justified/Unjustified Complaints by Service Area	Appendix D
Customer Compliments by Service Area	Appendix E