

OMBUDSMAN AND COMPLAINTS AND COMPLIMENTS MONITORING 2005/06

PORTFOLIO RESPONSIBILITY: RESOURCES

CABINET

28TH SEPTEMBER, 2006

Wards Affected

County-wide

Purpose

To inform Cabinet of the Ombudsman Annual Letter 2005/06 and the figures for complaints and compliments recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March, 2006.

Key Decision

This is not a Key Decision.

Recommendation

THAT the report be noted.

Reasons

Cabinet ought to be aware that the Council's Complaints and Ombudsman's process is working well and that there have been no maladministration reports issued by the Ombudsman and to highlight areas of improvement.

Considerations

1. The Local Government Ombudsman has recently decided to issue Annual Letters for all councils reflecting on the complaints they receive against individual authorities and any recommended action. The Herefordshire Council Annual Letter for 2005/06 is appended to this report as Appendix A
2. The Ombudsman comments favourably on several aspects of our complaints handling arrangements.
 - During this period 61 complaints were determined. Of these 13 complaints were referred back to the Council because they were premature, 4 were outside his jurisdiction, 21 showed no or insufficient evidence of maladministration and he decided not to investigate a further 19 under his general discretion, mainly because complainants had not suffered significant injustice from the fault claimed.
 - No reports issued against the Council.
 - 13 out of 61 complaints were received back by the Council because they were premature. This represents 21% of the complaints that were received

against the Council and is lower than the average of this group of complaints for all councils for the period (27%).

- Favourable comments that the Council's complaints procedure is well publicised in comparison with other councils.
 - Commended that the Council's website includes helpful information for complainants on how to complain to him if they are unhappy with how we have dealt with their complaints
 - Grateful to the Council for taking steps to improve its performance with regard to reducing the time taken to respond to enquiries from his office from 47.9 days to 31.8 days, a significant improvement.
 - His staff consider they have a very good working relationship with Council officers and following a visit to the Council on 15th September 2005 was pleased to see the Council's very positive attitude to complaints handling.
3. The Ombudsman commented that during the period 73 complaints were received against the Council which is an increase of 103% compared with the previous year and that the increase was largely due to a group of ten complaints about Education transport matters and a significant increase in planning complaints, up from 15 in 2004/5 to 35 in 2005/6. Although planning complaints rose slightly countrywide over this period, he suggested that the Council may wish to consider whether special factors have caused the Council's increase.

Performance 2005/06

4. The table below shows the total number of complaints received by the Ombudsman for Herefordshire in 2005/06 and the two previous years.

	2003/04	2004/05	2005/06
Total number of complaints determined by the Ombudsman	37	36	73
Total number of complaints to the Ombudsman settled locally.	3	1	4

5. The table below sets out the number of complaints received by the Ombudsman by subject area, as classified by the Ombudsman, for 2005/06.

Complaints received by subject area	Education	Highways	Housing (not incl HB)	Housing Benefit	Local Taxation	Other	Planning	Social Services	Total
2005/06	12	8	5	3	0	7	35	3	73
2004/05	3	7	0	3	3	3	15	2	36
2003/04	3	9	2	0	1	6	12	4	37

Response Times

6. The table below shows the average time the council takes to respond to the Ombudsman's first enquiries on a complaint. It is measured in calendar days from the date they send their letter/fax/email to the date that they receive a substantive response from the Council.

	First Enquiries	
	No. of First Enquiries	Avg no. of days to respond
2005/06	34	31.8
2004/05	15	47.9
2003/04	16	36.7

7. The Ombudsman has also commented that on 3 of the 37 cases handled in his office, staff had concerns that the Council's initial responses were not as thorough as they might have been.

Herefordshire's Comments and Complaints Procedure

8. Recording of the Level I, II and III comments, complaints and compliments received within each Directorate / Department, are currently maintained by the relevant Complaints Administrator using a combination of the Customer Relationship Management (CRM) and ComTrac, the Council's computerised recording system. Reports can be produced for each respective Directorate Management Team from COMTRAC.
9. Leaflets are available at receptions, libraries and Info Shops or Points to enable the public to register their comments, complaints and compliments. This leaflet now incorporates a cut-off section to enable the Council to monitor the ethnicity of complainants and report accordingly.
10. The public can also register their feedback on line by accessing the Herefordshire Council website to complete the electronic complaints form.
11. BVPI 174 and 175 states that all complaints concerning diversity should be recorded, investigated and reported thoroughly. As COMTRAC is unable to capture this information, development work within Northgate CRM was undertaken during 2005/06 to record all Level I complaints, comments and compliments this work also incorporated Diversity. This went live on 4th October 2005. Complaints are investigated by the Diversity Team and fed back to the relevant Directorate with recommendations for action, which are subsequently monitored by the Diversity Team.
12. A breakdown of the informal and formal complaints received, by Directorate/Department, is shown in Appendix B.
13. A project is already underway to consolidate the Corporate Complaints process into a single client database. A programme of staff training will precede its planned introduction in early 2007.

Herefordshire's Compliments Procedure

14. All Compliments are now recorded on Northgate CRM as of 4th October 2005. Appendix C shows the number of compliments received during 2003/04, 2004/05 and 2005/06.

Ethnicity Monitoring

15. Diversity monitoring is included in all totals for 2005/06.

Complaints Panel

16. The Complaints Panel (Level III) met to hear unresolved complaints from members of the public following review at Level 1 (by the local manager) and Level II (by Director). The Panel comprises the Chief Executive and two Group Leaders advised by the County Secretary and Solicitor. During 2005/06 it heard 15 complaints. 1 was partially upheld.

Directorate/ Department	No. of Complaints / Section	Outcome
Environment	9 – Planning 2 – Highways and Transportation	8 Not upheld / 1 Partially upheld 2 Not upheld
County Treasurer	1 – Revenues and Benefits	1 Not upheld
County Treasurer/	1 – Revenues & Benefits/Engineering & Transportation	Not upheld
County Secretary & Solicitor	1 – Public Services	Not upheld
Corporate and Customer Services	1 – Member Services	Not upheld

Alternative Options

There are no alternative options

Risk Management

To avoid findings of maladministration by the Local Government Ombudsman against the Authority.

Consultees

None

Background Papers

Letter from Local Government Ombudsman.