

CHESHIRE EAST COUNCIL

Audit and Governance Committee

Date of Meeting: 29th September 2011
Report of: Director of Places and Organisational Capacity
Subject/Title: Annual Report of Corporate Complaints and Local Government Ombudsman's Annual Review for the year ended 31st March 2011

1.0 Report Summary

- 1.1 This report provides a summary of the complaints received by Cheshire East Council and also those dealt with by the Local Government Ombudsman (LGO) about Cheshire East Council for the period 1st April 2010 to 31st March 2011.

2.0 Recommendation

- 2.1 That having regard to the parameters of the Committee's terms of reference as outlined in this report, the Committee notes this report and makes any further response it considers appropriate.

3.0 Reasons for Recommendations

- 3.1 The LGO received 111 enquires and complaints during the year, 50 of which were forwarded onto the Investigative Team for formal investigation.
- 3.2 The Customer Relations Team received 1,484 corporate complaints during the same time period. Adult Services received 148 and Children's Services received 50. The Council also received 861 compliments and 247 suggestions.

4.0 Wards Affected

- 4.1 All.

5.0 Local Ward Members

- 5.1 All.

6.0 Policy Implications including

- 6.1 Adherence to the Corporate Compliments, Suggestions and Complaints Policy.

7.0 Financial Implications

- 7.1 If maladministration causing injustice is found, Cheshire East Council can be asked to pay compensation to a complainant. A compensation payment is also possible where a matter is settled prior to a formal finding by the Ombudsman.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 The Committee's terms of reference as set out in the Constitution include the following:
- Ensuring that the Council maintains appropriate links with the Commission for Local Administration in England (Ombudsman)
 - Referring issues, which impinge on staff conduct, performance, terms of employment, training and development to the appropriate and responsible Executive Member and/or Manager
 - Promoting high standards of responsiveness by the Council to its clients and contacts
- 8.2 The Committee's role in considering this report is to determine what, if any, action it should take to further the above aims.

9.0 Risk Management

- 9.1 In addition to other measures within the Council's management structure, the remit of this Committee contributes towards the management of risk in handling complaints, and the promotion of good practice.

10.0 Background and Options

- 10.1 The table below details enquiries submitted to the Local Government Ombudsman's Office over the past two years.

Service	Informally Investigated 2010/11	Formally Investigated 2010/11	Informally Investigated 2009/10	Formally Investigated 2009/10
Adult Services	16	11	9	7
Housing Benefits & Council Tax	11	1	8	2
Corporate & Other Services	8	2	-	-
Education & Children's Services	16	11	13	8
Environmental Services & Public Protection & Regulation	9	3	-	-
Highways & Transport	11	3	14	9
Housing	5	3	3	-
Planning & Development	31	15	17	9
Other	4	1	18	4
Total	111	50	82	39

- 10.2 Of the 50 enquiries which were formally investigated, the Local Government Ombudsman found that, in 95% of the cases, there was no evidence of maladministration or injustice to the complainant.
- 10.3 In 5% of the cases (6), Local Settlements were reached. None of these have been highlighted as a cause for concern.

A Local Settlement is when an authority takes or agrees to take action that the Local Government Ombudsman considers to be a satisfactory response. This can be either or all of the following: a change in procedures, an apology or compensation payment.

- 10.4 The outcome of the remaining formal investigations was as follows:

No Maladministration and no report produced	22
Ombudsman's Discretion (case discontinued)	17
Outside Jurisdiction of Ombudsman to investigate	5

- 10.5 The following table details the total Complaints received by the Council during 2010/11:

Service Area	Number of Complaints Received 10/11
Waste & Recycling North	308
Waste & Recycling South	179
Streetscape & Bereavement	83
Environmental Protection	17
Parking Enforcement	32
Spatial Planning, Building Control & Land Charges	15
Development Management North	83
Development Management South	75
Housing Strategy	20
Strategic Highways & Transportation	23
Regeneration	19
Library Services	44
Cultural Facilities & Events, Arts Heritage	14
Leisure Facilities (inc Development)	82
Green Spaces	40
Customer Services (inc Web Site)	83
Housing Benefit Service	109
Council Tax & Business Rates Service	165
Legal & Democratic Services	30
Other	39
Adults (non-statutory complaints)	9
Children's (non-statutory complaints)	15
Total Corporate Complaints 2010/11	1484
Complaints to Adults Services 2010/11	148
Complaints to Children's Services 10/11	50

There are no accurate comparable figures for the full year 2009/2010. However, comparisons between Quarter 1 2010/11 and Quarter 1 2011/12 show a reduction in complaints received. Adult Services and Children's Services are detailed separately, because they have their own statutory complaint processes and are reported separately to their Senior Management Teams.

Service	Total Stage 1 Complaints Q1 2011/12	Total Stage 1 Complaints Q1 2010/2011
Adult Services	42	27
Children's Services	28	7
All other services	257	468
TOTAL	327	502

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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