

CHESHIRE EAST COUNCIL

Report to Audit & Governance Committee

Date of Meeting: 28 November 2013
Report of: Senior Compliance & Customer Relations Officer
Title: Summary of Corporate customer feedback, received via the Complaints, Compliments and Suggestions process, and Complaints Received from the Local Government Ombudsman 2012 – 2013.
Portfolio Holder: Peter Raynes

1.0 Report Summary

- 1.1 This report provides a summary of the formal feedback received from customers between April and September this year, compared with the feedback received during 2012/2013 and 2011/2012.
- 1.2 Also attached is a summary of cases dealt with by the Local Government Ombudsman (LGO) about Cheshire East Council for the same periods.

2.0 Recommendation

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 Wards Affected All.

4.0 Local Ward Members All.

5.0 Policy Implications including

Adherence to the Corporate Compliments, Suggestions and Complaints Policy.

6.0 Financial Implications

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.

7.0 Legal Implications (Authorised by the Borough Solicitor)

The Committee's responsibilities 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

8.0 Risk Management

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.

9.0 Feedback received

9.1 Feedback from customers about Adults and Children's Social Care is currently handled separately from other feedback (which is termed 'Corporate Feedback') as this is handled under the statutory process rather than the Corporate Complaints policy. However, the total complaints, compliments and suggestions received and recorded for all services are included on the attached spreadsheets to provide the complete picture.

9.2 **Appendix 1** provides a summary of all compliments, complaints and suggestions received by the Council since April 2011. Between April and September 2013, the Council recorded 1,406 instances of customer feedback, of which just over half (56%) were complaints. There were 588 compliments (including 361 for Adult Services (primarily for Care4CE)) and 35 suggestions.

Complaints to Highways have been increasing, whilst complaints to Waste and Recycling reduced. Complaints to Council Tax and Business Rates reduced in 2012/2013 but have been increasing again in 2013/2014.

The most frequent complaints into the Council are as follows:

Highways	Potholes Lack of contact/action following a report Lack of signage following a diversion
Waste	Inconsistent collections Attitude of waste operatives Compliance with 5 working day re-collection SLE
Council Tax	Phone line opening hours Summons/reminder received Delays in responding to correspondence
Adults	Care planning Care practice (external and Care4ce) Charging

Development Management Lack of contact by Case Officer
Delays in processing applications
Disagreement with decision

Childrens Care planning
Care practice
Communication

10.0 Local Government Ombudsman Referrals

10.1 Customers are offered the opportunity to appeal to the Local Government Ombudsman (LGO) if they are unhappy with the way in which the Council has handled their complaint.

10.2 The table below outlines the number of referrals received this year to date from the LGO, along with the current decision status:

Service	Number of Referrals April – September 2013	Decision
Planning	11	6 Not Investigated 1 Local Settlement 1 Discontinued 1 Premature Complaint 2 Ongoing
School Transport	1	Not investigated
Adult Social Care	6	3 Not Investigated 1 Public Report 1 Discontinued 1 No Fault Found
Highways	3	3 Not investigated
Children's Social Care	5	1 Discontinued 1 Formally Investigating 1 Not Investigated 2 No Fault Found
Council Tax	2	1 Not Investigated 1 No Fault Found
School Admissions	4	2 Not Investigated 2 No Fault Found
Trading Standards	1	Not Investigated
Parking Enforcement	1	Ongoing
Housing Benefits	1	Not Investigated
Assets	1	Not Investigated
TOTAL	36	20 Not Investigated 1 Local Settlement 3 Discontinued 1 Premature Complaint 3 Ongoing 1 Public Report 6 No Fault Found 1 Formally Investigating

10.3 LGO Referrals – 2012/2013

The Ombudsman produces an annual report in July each year.

The table below details the complaints to the LGO for 2012/13, compared with those referred in 2011/12, per service area. A total of 68 complaints were considered by the LGO, which compares favourably with 116 in the previous year.

(Note: There is a slight discrepancy between the figures quoted in their 2012-2013 report (they state 57 complaints received) and the Council's (68), which is currently being investigated. However, it is likely to be a timing difference (i.e. relating to the decisions made within the year on the complaints received). They now triage complaints before making enquiries with the relevant authority. This was not done in previous years, which may account for some of the reduction in 12/13.)

The LGO found that, in 87% of the complaints or enquiries submitted there was no evidence of maladministration or injustice to the complainant. In 9 cases (13%), Local Settlements¹ were reached. Two of the Local Settlements related to the same planning issue; they were highlighted as a cause for concern and were the subject of a Public Report. A review of this is still ongoing within the Planning Service.

Total LGO Complaints by Service	Not Investigated 12/13	Investigated 12/13	Total Enquiries 11/12	Investigated 11/12
Adult Services	4	13 4 Local Settlements	19	14
Housing Benefits & Council Tax	5	2 2 Local Settlements	12	6
Corporate & Other Services	2	0	4	3
Education & Children's Services	5	8 1 Local Settlement	21	13
Environmental Services/ Public Protection & Regulation	1	0	9	4
Highways & Transport	5	3	7	3
Markets	1	0	0	0
Parking Enforcement	1	0	0	0
Planning	5	13 2 Local Settlements	41	18
Housing	0	0	3	2
Total	29	39	116	63

(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 a change in procedures, reconsideration of the original decision, an apology and/or compensation payment).

11.0 Comparison with other Unitary Authorities

Appendix 2 details all complaints against Unitary Authorities investigated by the LGO in 2011/12 (the most recent figures). The highest figure is 130, for Cornwall CC, the lowest is 3 for Rutland, and the average is 39 complaints per authority. In the same period, the LGO investigated 63 complaints against Cheshire East Council.

12.0 Access to Information

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

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