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MINUTES OF A MEETING OF THE ADJUDICATION AND REVIEW COMMITTEE Town Hall 17 April 2014 (7.30 - 8.15 pm)

Present:

COUNCILLORS

Conservative Group Frederick Thompson (Vice-Chair) and Barry Oddy

Residents' Group Barbara Matthews (Vice-Chair) and John Mylod

In the absence of the Chairman, a motion for Councillor Frederick Thompson to take the Chair was unanimously accepted.

Apologies were received for the absence of Councillors Rebecca Bennett, Pam Light and Denis O'Flynn.

All decisions were taken with no votes against.

There were no declarations of pecuniary interest

The Chairman reminded Members of the action to be taken in an emergency.

36 MINUTES

The Minutes of the Meeting held on 30 January 2014 were agreed and signed by the Chairman.

37 QUARTER 4 OVERVIEW - CORPORATE COMPLAINTS AND MEMBER/MP ENQUIRIES - PRESENTATION

Corporate Complaints:

Members received a presentation from the Corporate Policy and Community Manager providing them with an update on Corporate Complaints, Member and MP Enquiries for the three months from 1 January – 31 March 2014. The Committee was informed that not only had the number of complaints increased over the same period in 2013 (325 against 228), but the number of cases completed within 10 working days had also increased (228 as opposed to 143) and which represented an 70% success rate in 2014 to only 62.7% at the end of 2013.

The services with the highest proportion of complaints remained the outward facing ones: StreetCare (131) and Homes and Housing (101). Regulatory Services (which now included Trading Standards, Licensing and Environmental Health) had 19 cases.

Performance Indicators – which set the target for responding to complainants within 10 working days at 90% - had shown a steady improvement for the past four quarters and at the end of 2013/14 had reached 94%.

Member & MP Enquiries:

In the same period, MP and Member enquiries had numbered 1,217 compared with 878 in the same period in 2013 – a rise which was (in part) attributable to the very wet conditions of the winter and the impending local elections. Of these 1,059 had been responded to within ten working days compared with 680 the previous year – a rise to 87% from 77%.

By far the largest number of enquiries concerned StreetCare (883 – 785 of which were responded to within 10 working days). Homes and Housing related enquiries was the second highest area of concern with 186 – of which only 144 had a response within ten working days. This was a matter of concern and could be explained (again, in part) by the re-absorption of the old Homes in Havering activities and the impact of this on work processes and staff. Members were assured that management had taken steps to rationalise complaints handling across the service and – in an extension to this – was putting in place structures to ensure that complaints were properly dealt with across the directorate. Work in this area was on-going, but progress was being made.

The Performance Indicator of 90% of enquiries responded to within 10 working days was (again) almost attained in the fourth quarter of 2013/14 (87% up from only 77% for the same period the previous year).

The Committee **noted** the oral update and thanked the Corporate Policy and Community Manager for her presentation.

38 MINUTES OF A MEETING OF THE ADJUDICATION & REVIEW - (STANDARDS - HEARINGS SUB-COMMITTEE)

The Committee received a copy of the Minutes of a recent Standards hearing which it **noted**.

A Member raised the matter of whether the Standards process had time-scales and whether any procedures were in place. On being informed by the Clerk that neither currently existed as there had been nothing brought over when the Standards Committee was abolished, the Committee requested that a report be prepared and submitted to the next meeting covering draft proposals for:

- Time-scales for the various stages in the process from the time a complaint was received until final notification of the outcomes of investigations or hearings were delivered,
- A protocol for the attendance at reviews or hearings of the complainant(s) and whether there should be a distinction drawn between Members and members of the public,

- A formal procedure to ensure the efficient and effective handling of complaints against Members, but which allowed for a degree of flexibility and
- Clear lines of responsibility to be shown.

39 **CHANGES TO THE DECISION REASONS USED BY THE LOCAL GOVERNMENT OMBUDSMAN**

The Committee was informed of the recent changes made to the formal reasons given by the LGO to her decisions. Whilst this, in itself, was not unusual and had happened twice over the past three or four years, on this occasion there were two disquieting elements which were likely to impact on the way the public perceived Ombudsman involvement in local administration in future.

The first issue arose because the Ombudsman had made a partial change in February, but had not informed anyone that she had done so. Previously, any changes had been announced ahead of their implementation and that implementation usually coincided with the commencement of the new civic year – 1 April.

A second phase of change did indeed commence on 1 April and now the categories – whilst rationalised – had risen to nine, six of which referred to “maladministration” with or without “injustice” and whether or not there was a formal Report. Members could see that whereas the previous decisions had referred to “fault”, “local settlement” and the “Ombudsman’s discretion”, the terminology was now whether or not the local authority was guilty of “maladministration” or not – a term which had, hitherto, been reserved for formal Reports alone.

Members were concerned that the LGO had failed to notify authorities about the February changes and considered that a letter expressing that concern should be sent on their behalf.

The Committee **noted** the report and **authorised** the Clerk to write to the Local Government Ombudsman on their behalf to register that concern – as well as draw to her attention the potentially negative effect the new reasons might have in the mind of the general public as they would be part of the Annual Letter and be published on the LGO’s website.

40 **UPDATE ON LGO ACTIVITY FOR THE YEAR 1 APRIL 2013 - 31 MARCH 2014**

The Committee was presented with a series of tables showing in various formats how Ombudsman activity had impacted the Council’s services over the previous 12 months.

The report summarised the effects which the changes to the funding of the Ombudsman had had to the way in which she was able to deploy and use

her resources. The most significant change was the fall-off in the number of referrals (Premature complaints) down from 49 in 2012/13 to 10 in the year just ended. Another area of significant change was in the fall in the number of complaints actually investigated and the rise in formal Enquiries which were followed by Decisions with no further reference to the Council. This latter, it was argued, was in part responsible for escalation in the number of requests for Stage Three Member Reviews.

Members noted that the Council had only been obliged to pay a total of £205.00 in compensation (over two cases) which had been the lowest amount of penalty awarded against it for several years.

The Committee **noted** the report and the accompanying statistics.

Chairman

Quarter 4 Overview - Corporate Complaints and Members/MP Enquiries

Claire Thompson
Corporate Policy & Community Manager
March 2014

Corporate Complaints January – March 2014

How many Complaints have we received?

From 1st January to 31st March 2014:

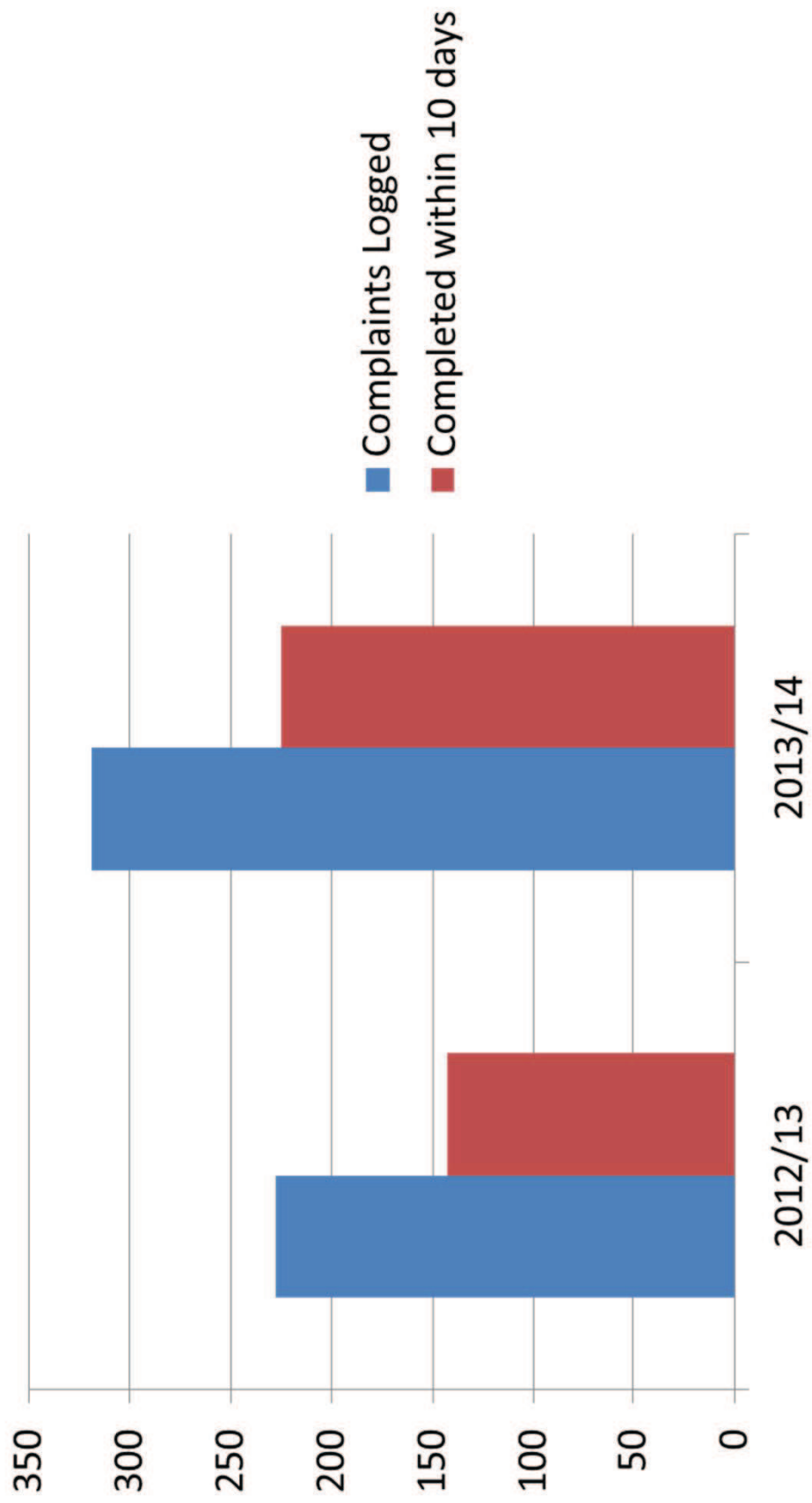
325 complaints were logged

228 were completed in 10 working days

From 1st January to 31st March 2013:

228 complaints were logged

143 were completed in 10 working days



Service Breakdown – January to March 2014

Service Area	Number of Complaints logged	Completed within 10 days	Not Completed within 10 days	Still Outstanding when reports ran	% completed in 10 days
Adults & Health	3	2	1		67%
Asset Management	3	2		1	67%
Children's Services	4	2		2	50%
Communications					
Culture & Leisure	7	7			100%
Customer Services & Policy	13	12		1	92%
Exchequer Services	36	34	1	1	97%
Finance / Internal Audit					
Homes & Housing	101	36	21	44	34%
Learning & Achievement	5	5			100%
Legal & Democratic	1			1	0%
Policy & Community	1	1			0%
Regulatory Services	19	18	1		94%
StreetCare	131	109	15	7	86%
ISS	1			1	100%
Totals	325	228	39	58	
	100%	70%	12%	18%	100%

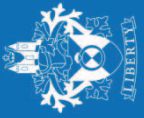
Complaints escalated to Stage 2 between January and March 2014

6% of complaints were escalated to Stage 2. The Corporate Performance target is not to exceed **10%**.

	Total complaints logged	Total Stage 1 complaints logged	Total Stage 2 complaints logged
Jan - 14	119	115	4
Feb - 14	93	83	10
Mar - 14	113	107	6
Totals	325	305	20
% moved to Stage 2		94%	6%

What does this information tell us?

- Most corporate complaints logged were from:
 - Streetcare (**121**)
 - Homes & Housing (**97**)
- Most complaints (**93%**) are resolved at Stage 1; only **7%** escalating to Stage 2.
- Total number of complaints logged on CRM have increased from **244** in 2012, **228** in 2013 to **325** 2014 (January – March)
- Performance in complaint handling has improved compared to same time last year.



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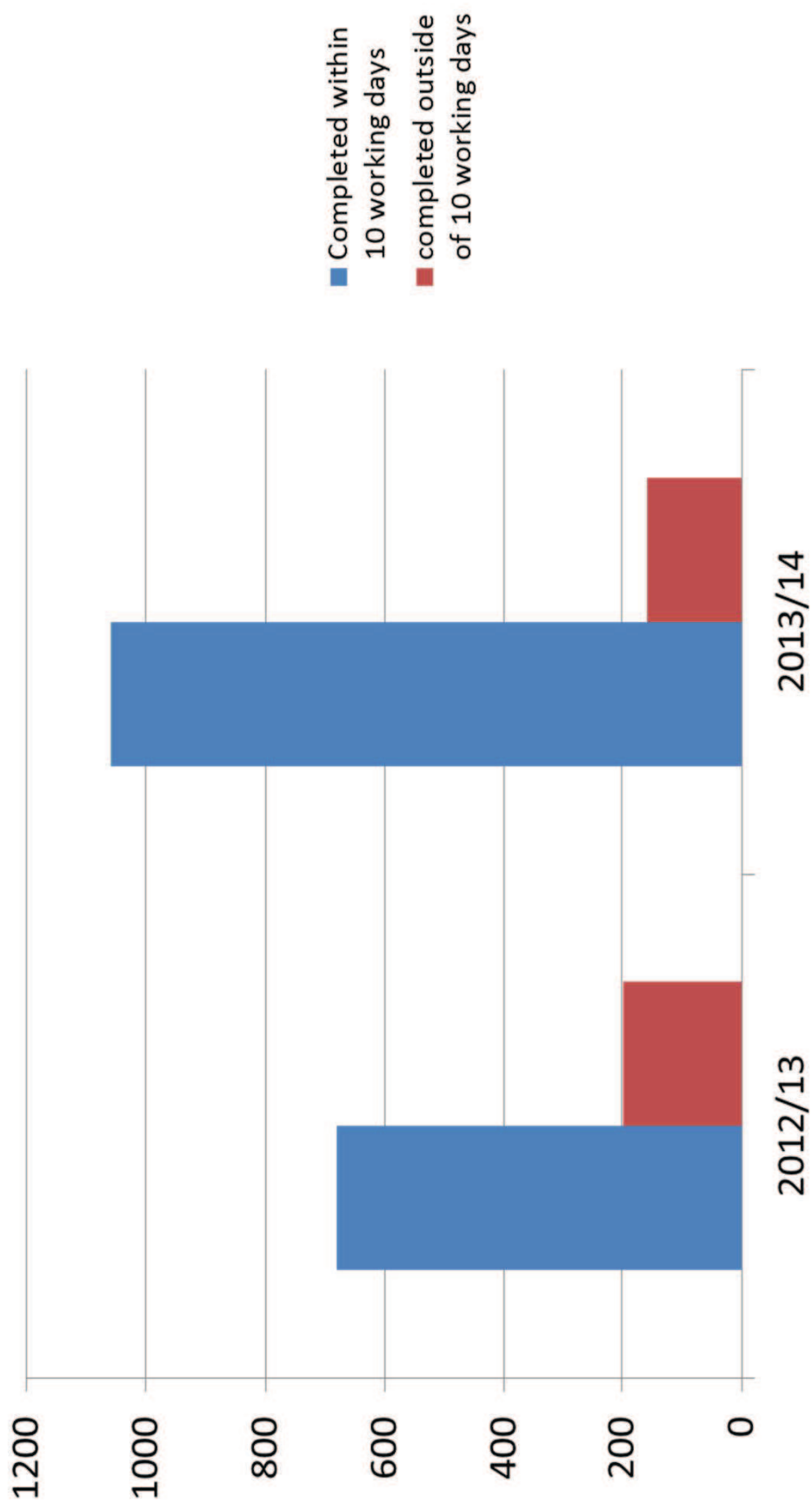
Members / MP Enquiries

January - March 2014

How many enquiries have we received?

From 1st January to 31st March 2014:
1217 Member / MP Enquiries were received,
Of these, **1059** enquiries were completed within 10
working days.

From 1st January to 31st March 2013:
878 Members / MP Enquiries were logged,
Of these, **680** were completed within 10 working
days.

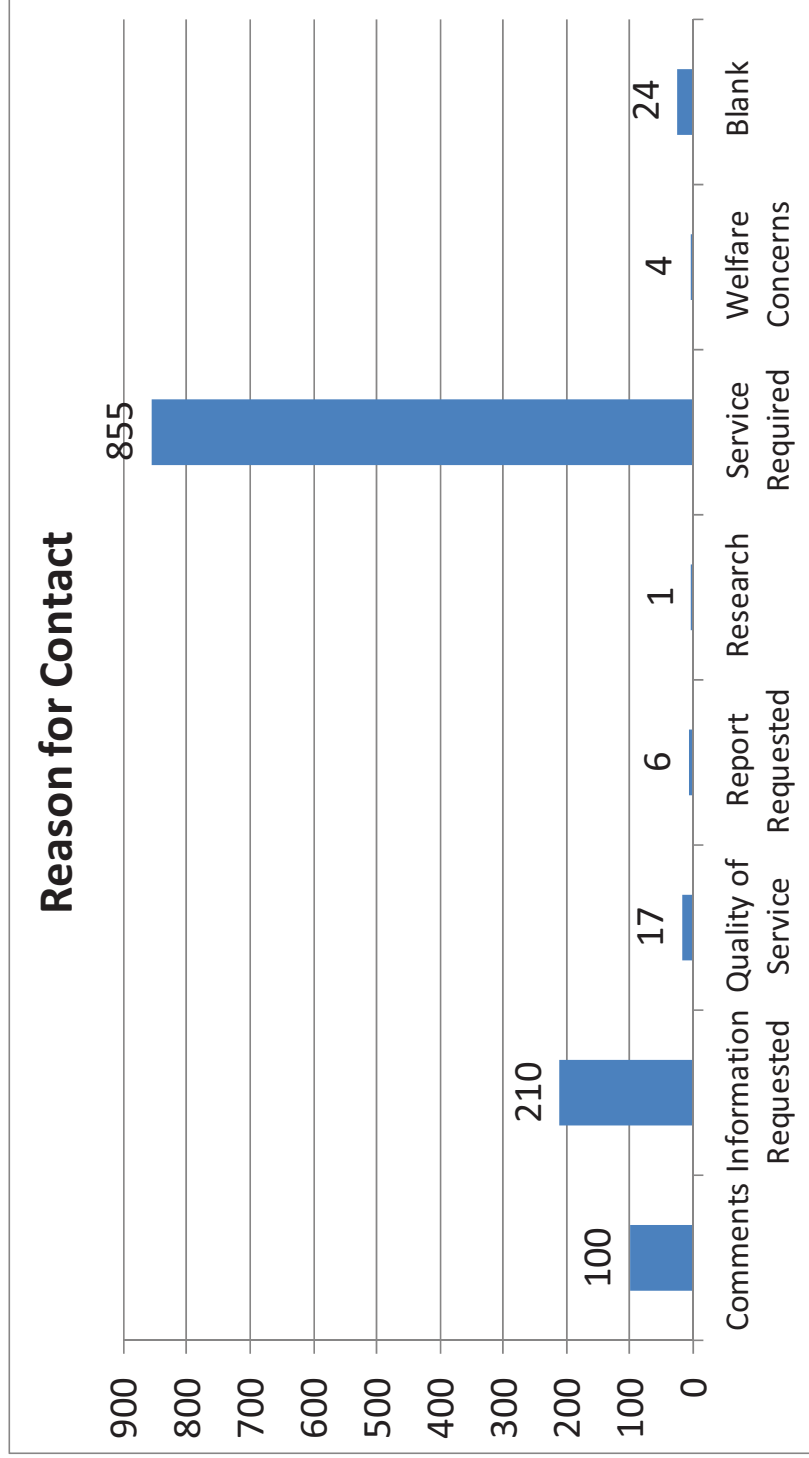


Number of Enquiries Logged per Service (January – March 2014)

Service Area	Number of Enquiries logged	Completed within 10 days	Not completed within 10 days	% completed within 10 days
Adults Services	30	20	10	67%
Children's Services	9	5	4	56%
Communications	2	2		100%
Culture & Leisure	35	35		100%
Exchequer Services	7	6	1	86%
Homes & Housing	186	144	42	77%
Learning & Achievement	7	6	1	86%
People & Change	1	1		100%
Policy & Community	2	2		100%
Regulatory Services	48	46	2	96%
Streetcare	883	785	98	89%
Legal	1	1		100%
Regeneration	1	1		100%
Customer Services	5	5		100%
Total	1217	1059		87%



Why do Members / MPs contact us?



Summary

- Streetcare receives majority of the Members / MP Enquiries (883)
- Key reason for enquiries from Members / MPs is a request for service or information
- Number of enquiries logged on CRM has increased from 878 in 2012/13 to 1217 in 2013/14 for the same period
- Performance has improved compared to same time last year. 87% of enquiries were completed within 10 days, compared to 77% last year.

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