

Report for Resolution

Report to Executive
29 September 2010
Report of Director of Transformation
Subject Quarterly Performance Report – Q1 2010 / 11

5

Purpose

The purpose of this report is twofold:

1. To report, as usual, performance against delivery of the Corporate Plan objectives, and
2. Introduce a revised reporting format and seek members' views on future report development and agreement on the key actions and indicators designed to deliver the Plan's objectives

Recommendations

1. Agree ways to develop future reporting methods –joint work with Scrutiny is the Portfolio Holder's recommendation
2. To note progress against the Corporate Plan priorities
3. Suggest future actions and / or reports to address areas of concern

Financial Consequences

The financial consequences of this report are none. However Executive should note that some priorities may be subject to potential reduction or loss of resources as part of the budget reduction process.

Risk Assessment

None

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Aiming for excellence – ensuring the Council is efficient in its use of resources, is effective in delivering its plans, is a good employer and communicates effectively with its customers, staff and partners"

Executive Member: Councillor Waters - Corporate Resources and Governance

Ward: All Wards

Contact Officers

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Background Documents

Revised set of reports on performance

Annual Ombudsman report

Report

Introduction

1. Over recent years the quarterly performance report has evolved to more closely mirror the priorities of the council. Reports have been constructed around the key objectives and progress commented upon by lead officers.
2. Supported by funding from the Regional Improvement and Efficiency Partnership (RIEP) new web based software has recently been purchased and deployed which now much better enables us to utilise information across a variety of reports, avoid duplication of effort and, for the first time, show performance in an improved graphic format. As a result of this, we are now able to present a much changed report which shows performance much more readily utilising colours and charts. It is hoped that this will make it much easier to see at a glance where performance is good, poor or somewhere in between
3. This new format is simply the first stage in developing the quality of our performance reporting and monitoring. Longer term it is anticipated to enable members to self serve some of these reports so that information is more transparent and you get more opportunity to examine areas of concern as well as good progress. Eventually it should be possible to present reports on screen and “live” with the ability to examine further detail if required

Report design

4. This new report has been based around the principles of high level summary underpinned by examination of performance in more detail. Whilst there are much greater levels of detail available it attempts to strike a balance so that strategic decision makers see primarily strategic information. More detailed data can be made available to, for example, portfolio holders or as part of a programmed scrutiny process.
5. Performance is based around a traffic light concept where green is on target, red is at a point where intervention may be necessary and amber a point in between these two. Furthermore reports can also highlight general trends so that even areas of green where performance is getting worse can be seen at a glance.
6. There are still some design areas to be finalised and the links between pages and to more detailed information agreed. Further work is required around externally delivered services and you may also wish to see, for example, corporate risk on a regular (if not quarterly) basis. It is suggested that risk could feature in either quarters two and four or at year end. Over time it is anticipated that key financial and resource data will be integrated into reports.

Priority actions

7. The Corporate Plan 2010 / 12 established four objectives to be delivered by “27 promises”. Officers have worked up a number of actions and indicators designed to both deliver these and measure performance. It is these which form the basis of the reports and progress. It is also these which could form the

basis of a useful discussion with members to agree the key areas for future reporting (see paragraph 10 below). Where performance measures have been identified these have been chosen to reflect those where data are readily available each quarter and in some cases may be only part of the overall picture. Other measures may be reported annually to show general outcomes for residents

8. Members may also be aware that the national set of indicators has been revised by government and may be dropped or at least significantly amended. This gives us an opportunity to rethink what matters most to track our performance whilst building on existing data sources.
9. Performance status is then reported against progress against actions and / or measures for each promise. This is then combined for each objective to show at a glance high level performance. This should enable members to see where actions and measures are failing or improving. Not all promises have, or are readily capable of having, regular performance measures.

Options

10. Executive is asked to consider how to progress agreement of a shared set of actions and indicators and associated targets and deadline dates. Options include:
 - Individual sign off between Portfolio Holder and Heads / Director
 - Sign off collectively at this or another Executive
 - Joint meeting with Scrutiny (or between Chairs) – this is the recommended option of the Portfolio Holder to enable agreement of priorities and focus of future reports
11. It is suggested that notwithstanding this decision suggestions for the monitoring of externally delivered services be brought forward to another meeting following more detailed discussions with individual lead portfolios and services
12. Consider inclusion of the high level corporate risk register on a six monthly or annual basis as part of the performance reporting process

21 June 2010

Mr D Johnson
Head of Legal Services
Norwich City Council
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Norwich

Our ref: JM/SP/MH/ssr

(Please quote our reference when contacting us and, if using email,
please put the reference number in the email subject header)

Dear Mr Johnson

Annual Review 2009/10

I am pleased to enclose a copy of this year's annual review, summarising the complaints about your authority that my office has dealt with over 2009/10. I hope you find it a useful addition to other information you have on how local people experience your services.

The review is in two sections. The first section concerns complaints about your authority and the second provides a general update on LGO developments. This is the first annual review since I took up post in January so I would particularly welcome any comments you have on the format as well as the content.

The annual reviews are public documents and will be published on our website (www.lgo.org.uk) together with our press release and a summary of statistics for all local authorities. We will not publish until three weeks after the date of this letter to give you an opportunity to consider the review first and alert us to any changes you feel should be made. If any material factual inaccuracy is found we will reissue it.

The review will be of interest to council members and officers and I would be happy to consider requests for me or a senior colleague to visit the authority to present and discuss it further.

For some years now we have held an annual seminar for local authority complaints officers. This year's seminar will be held on 11 and 12 November and will be of particular interest to newly appointed ombudsman link officers, local authority complaints officers and investigators. The seminar will give officers a good appreciation of how LGO staff deal with complaints on a day-to-day basis so that they are better able to deal with Ombudsman complaints. Places are limited so please contact Louise McCaig at L.mccaig@lgo.org.uk for further details as soon as possible.

A copy of this letter and the review will also be sent to you electronically.

Yours sincerely



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**The Local Government Ombudsman's
Annual Review
Norwich City Council
for the year ended
31 March 2010**

Local Government Ombudsmen (LGOs) provide a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, we aim to get it put right by recommending a suitable remedy. We also use the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual reviews.

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Section 1: Complaints about Norwich City Council 2009/10

Introduction

This annual review provides a summary of the complaints we have dealt with about Norwich City Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your service improvement.

I hope that the review will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two appendices form an integral part of this review: statistical data for 2009/10 and a note to help the interpretation of the statistics.

Enquiries and complaints received

In 2009/10 we received 49 enquiries and contacts relating to your council, compared with 60 complaints and enquiries in 2008/09. A total of 25 of these were about housing, eight were about transport & highways, there were four in each of the planning and benefits categories and two regarding local taxation. One enquiry was made about education and there were five matters in the "other" category.

A total of 26 complaints were passed to the investigative team (23 new complaints and three resubmitted premature complaint). This compares to 25 in 2008/09. We treated 16 complaints as premature and either referred them to the council or advised the complainants to make a complaint direct. In a further seven cases we gave the complainant advice.

Complaint outcomes

We decided 20 complaints during the year. In 11 cases we found no evidence of maladministration and four cases were outside jurisdiction. In two cases we exercised discretion not to investigate because the complainant had not suffered a significant injustice.

Local settlements

A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. In 2009/10, 26.9% of all complaints the Ombudsmen decided and which were within our jurisdiction were local settlements. Of the complaints we decided against your authority three were local settlements.

Of the three local settlements, one related to local taxation and two related to housing. In the first case the council failed to follow its procedures properly and issued a summons for unpaid council tax without having issued a revised bill and final reminder. It agreed to pay £150 compensation when my predecessor became involved.

In the first of the housing complaints the council failed to offer appropriate housing to the complainant and her two sons. The council made an appropriate offer of housing to remedy the matter. In the other case the council failed to deal with a complaint about a loss of water to a complainant's home adequately. It agreed to pay £50 to reflect the complainant's time and trouble.

Liaison with the Local Government Ombudsman

We made enquiries on 14 complaints this year and the council's average response time was 19.1 days. This is well within the 28 days requested and a real improvement on last year's response time of 31.2 days. I am grateful for the efforts the council has made to improve this performance.

Training in complaint handling

I would like to take this opportunity to remind the council that part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. All courses are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. We can also provide customised courses to help authorities to deal with particular issues and occasional open courses for individuals from different authorities. I have enclosed some information on the full range of courses available together with contact details for enquiries and bookings.

Conclusions

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your authority's services.

**Dr Jane Martin
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June 2010

Section 2: LGO developments

Introduction

This annual review also provides an opportunity to bring councils up to date on developments in the LGO and to seek feedback.

New schools complaints service launched

In April 2010 we launched the first pilot phase of a complaints service extending our jurisdiction to consider parent and pupil complaints about state schools in four local authority areas. This power was introduced by the Apprenticeships, Skills, Children and Learning Act 2009.

The first phase involves schools in Barking and Dagenham, Cambridgeshire, Medway and Sefton. The Secretary of State no longer considers complaints about schools in these areas. In September the schools in a further 10 local authority areas are set to join the pilot phase.

We are working closely with colleagues in the pilot areas and their schools, including providing training and information sessions, to shape the design and delivery of the new service. It is intended that by September 2011 our jurisdiction will cover all state schools in England.

A new team in each office now deals with all complaints about children's services and education on behalf of the Ombudsman. Arrangements for cooperation with Ofsted on related work areas have been agreed.

For further information see the new schools pages on our website at www.lgo.org.uk/schools/

Adult social care: new powers from October

The Health Act 2009 extended the Ombudsmen's powers to investigate complaints about privately arranged and funded adult social care. These powers come into effect from 1 October 2010 (or when the Care Quality Commission has re-registered all adult care providers undertaking regulated activity). Provision of care that is arranged by an individual and funded from direct payments comes within this new jurisdiction.

Each Ombudsman has set up a team to deal with all adult social care complaints on their behalf. We expect that many complaints from people who have arranged and funded their care will involve the actions of both the local authority and the care provider. We are developing information-sharing agreements with the Care Quality Commission and with councils in their roles as adult safeguarding leads and service commissioners.

Council first

We introduced our council first procedure in April last year. With some exceptions, we require complainants to go through all stages of a council's own complaints procedure before we will consider the complaint. It aims to build on the improved handling of complaints by councils.

We are going to research the views of people whose complaints have been referred to councils as premature. We are also still keen to hear from councils about how the procedure is working, particularly on the exception categories. Details of the categories of complaint that are normally treated as exceptions are on our website at www.lgo.org.uk/guide-for-advisers/council-response

Training in complaint handling

Demand for our training in complaint handling has remained high, with 118 courses delivered over the year to 53 different authorities. Our core Effective Complaint Handling course is still the most popular – we ran some of these as open courses for groups of staff from different authorities. These are designed to assist those authorities that wish to train small numbers of staff and give them an opportunity to share ideas and experience with other authorities.

The new Effective Complaint Handling in Adult Social Care course, driven by the introduction of the new statutory complaints arrangements in health and adult social care in April 2009, was also popular. It accounted for just over a third of bookings.

Over the next year we intend to carry out a thorough review of local authority training needs to ensure that the programme continues to deliver learning outcomes that improve complaint handling by councils.

Statements of reasons

Last year we consulted councils on our broad proposals for introducing statements of reasons on the individual decisions of an Ombudsman following the investigation of a complaint. We received very supportive and constructive feedback on the proposals, which aim to provide greater transparency and increase understanding of our work. Since then we have been carrying out more detailed work, including our new powers. We intend to introduce the new arrangements in the near future.

Delivering public value

We hope this information gives you an insight into the major changes happening within the LGO, many of which will have a direct impact on your authority. We will keep you up to date through LGO Link as each development progresses, but if there is anything you wish to discuss in the meantime please let me know.

Mindful of the current economic climate, financial stringencies and our public accountability, we are determined to continue to increase the efficiency, cost-effectiveness and public value of our work.

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June 2010

Appendix 1: Notes to assist interpretation of the statistics 2009/10

Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

Premature complaints: The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will either refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter, or give advice to the enquirer that their complaint is premature.

Advice given: These are enquiries where the LGO Advice Team has given advice on why the LGO would not be able to consider the complaint, other than the complaint is premature. For example, the complaint may clearly be outside the LGO's jurisdiction.

Forwarded to the investigative team (resubmitted premature and new): These are new cases forwarded to the Investigative Team for further consideration and cases where the complainant has resubmitted their complaint to the LGO after it has been put to the council.

Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2009/10 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2009/10 will still be in hand at the end of the year. Below we set out a key explaining the outcome categories.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the LGO as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the LGO's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the LGO's jurisdiction.

Table 3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

Table 4. Average local authority response times 2009/10

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.

LGO Advice Team

Enquiries and complaints received	Education	Housing	Benefits	Public Finance inc. Local Taxation	Planning and building control	Transport and highways	Other	Total
Formal/informal premature complaints	0	11	2	2	1	0	0	16
Advice given	1	1	2	0	0	0	3	7
Forwarded to investigative team (resubmitted prematures)	0	1	0	0	2	0	0	3
Forwarded to investigative team (new)	0	11	0	0	2	8	2	23
Total	1	24	4	2	5	8	5	49

Investigative Team

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Total
2009 / 2010	0	3	0	0	11	2	4	20

Average local authority resp times 01/04/2009 to 31/03/2010

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
1/04/2009 / 31/03/2010	14	19.1
2008 / 2009	15	31.3
2007 / 2008	9	27.4

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District Councils	61	22	17
Unitary Authorities	68	26	6
Metropolitan Authorities	70	22	8
County Councils	58	32	10
London Boroughs	52	36	12
National Parks Authorities	60	20	20