

Report of Corporate Director

Recycling of Waste Glass

1 Purpose of Report

1.1 The purpose of this report is to update Members on the current position with regard to household glass recycling in the borough, following a discussion at the last meeting of this Committee.

1.2 This subject (waste and recycling) relate to the Councils "PRIDE" objectives of :

D Delivering efficient and responsive services and;

E Enhancing the Environment.

2 Executive Summary

The report outlines the current situation with regard to glass recycling from households in the Borough and the way forward to increase the amount collected and diverted from landfill.

3 Appendices

None

4. Proposed Action:

4.1 The Committee is invited to Note this report.

5 Background

5.1 The current recycling scheme operated in the Borough uses a co-mingled collection scheme which includes paper, cardboard, plastic bottles & cans. Container glass is currently deposited by householders in one of 27 "Bring Banks" located throughout the Borough, which in 2009/2010 generated 961 tonnes.

5.2 Three Members Briefing Notes were issued between October 2008 and January 2009 on the subject of recycling and how the recession affected markets for recyclable material which led to the offer to expand the material range to be withdrawn by the current processor.

5.3 The Council has agreed to the Northamptonshire Joint Municipal Waste Management Strategy which sets out County wide targets for recycling until 2020 as follows

- 40% of household waste by 2009/10;
- 43% of household waste by 2012/13;
- 48% of household waste by 2015/16; and
- 53% of household waste by 2019/20

They are collective targets and the pledge is phrased to be a collective commitment.

These targets are also reaffirmed in the Service Level Agreement between the Council and Northamptonshire County Council (NCC), which supports "Project Reduce", the joint PFI project between the NCC and Milton Keynes Council.

- 5.4 Based on a recent analysis of residual "black bin" waste, carried out in September 2009 and January 2010 for Project Reduce, approximately 6% of waste that goes to landfill is container glass, which would equate to 1,000 tonnes per year. However, based on what happens in other districts, only 50% of this would be captured for recycling, it would have an impact of increasing recycling rate by up to 2% (from 34.5% to 36.5 %).

6 Discussion

- 6.1 Officers have continued in dialogue with the processing contractor to find the best way forward to increase the range of materials that can be included in the recycling scheme. In September 2009, officers looked again at the option but because of the reduced market value of recycling material, the contractor could only offer the service if there was a significant increase in the amount the Council paid as "gate fee", and this was considered un-sustainable.
- 6.2 Since September last year the market for recyclate has significantly improved, but with the existing processing contract due to end on the 31st March 2011, and uncertainty over the contractor's ability to provide an enhanced service, they were unwilling to include additional materials in the present contract. However, on 24th June 2010 it was announced that Reconomy (Alibone Recycling Ltd) had been acquired by Viridor, who are one of the UK's leading recycling, renewable energy and waste management companies. Following discussions, agreement has been reached that for the remaining part of the contract, container glass can be added to the materials that we collect for recycling in the green bin. Although this can affect the overall quality of the material, the contractor is able to offer this at no additional cost to the Council.
- 6.3 It has been agreed that this offer is accepted and an advertising campaign prepared to implement the changes during September, This could be funded from likely increases in recycling credits received from NCC but this is still under discussion with the finance department.
- 6.4 For the new contract starting from April 2011 officers propose to include glass, with other material types that we currently do not collect I.E.:
- Container Glass
 - Mixed Plastics (including Yoghurt Pots, food trays etc...)
 - Aluminum Foil
 - Aerosol cans
 - "TetraPaK" containers, and
 - Plastic Bags

Note: Because of links to Project Reduce, a commitment has been given to NCC

that all the changes above will be implemented.

(Removing materials from the residual bin will affect the tonnage of waste and its composition to be treated by the PFI project.)

- 6.5 It is likely that the use of the existing glass banks sited around the Borough would significantly reduce and it is probable that most, if not all, of the banks will be withdrawn by the operator.
- 6.6 Tenders will be issued this summer and will be returned in time for Members to make a decision on awarding the tender during the budget setting process. This will need to include resources to properly promote the extended scheme.

7 Legal Powers

- 7.1 Legal powers relating to the collection of Household Waste are covered by the Environmental Protection Act 1990. The Waste Minimisation Act 1998 gives local authorities further powers to take steps to minimise the generation of household waste.

8 Financial and Value For Money Implications

- 8.1 In the current financial year, the changes are likely to generate more income from Recycling Credits (paid by NCC) and there would be less expenditure for emptying “bring banks” as the majority would be removed. However this would need to be balanced against the increased tonnages being processed and the need for funding to promote the changes. Overall this is expected to show a small saving of £2,500.
- 8.2 However following negotiations (separate to the glass issue) the contractor has returned the “gate fee” (the amount paid to the contractor for processing the material) back to the original tendered value. This should generate savings of £41,000 in the current year provided the tonnages of material collected are similar to last year.
- 8.3 Longer term cost implications are uncertain due to the need to re tender the processing contract. There is a risk present that from April 2011, the cost for the same service, could increase. Members need to be aware that if this was the case, and we were forced to revert to our existing arrangement, then the council would not realise the savings from bottle banks and additional recycling income as well as possible loss in public confidence due to confusion over what should be included in household recycling.
- 8.4 At this stage the medium term financial plan assumes no increase in costs and officers therefore, will work towards delivering this in the forthcoming tender.

9 Risk Analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
The Council delivers a service not supported by the residents of the Borough	Residents not fully participating in recycling scheme	Medium	Ensure Members aware of progress towards delivering updated service.

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
The new contract from April 2011 are significantly higher than existing and above the 2010 original budget provision	Additional funding may be required	Medium	Members make a decision on the new contract with accurate resource implications and budget availability.

10 Implications for Resources

10.1 None directly from this report. However in introducing glass in the scheme from September 2010, it is not clear how this would affect future contract gate fees from April 2011.

11 Implications for Stronger and Safer Communities

11.1 None directly from this report.

12 Implications for Equalities

12.1 None directly from this report

13 Author and Contact Officer

K Smith – Service Development and Performance Manager

14 Consultees

J Wilson – Corporate Director

J Casserly – Head of Environmental Services

T White – Service Accountant - Finance

15 Background Papers

“Project Reduce” kerbside waste analysis.

Report of Head of Accountancy

Financial governance

1 Purpose of Report

- 1.1 The report provides Members with an overview of the Council's current financial governance arrangements, including weaknesses and areas for improvement.

2 Executive Summary

- 2.1 Following the 2008/09 external audit a number of weaknesses were identified in the Council's financial controls. Addressing these weaknesses forms a key strand of the 2010/11 Finance Service Plan. An initial assessment of the existing controls has now been completed. The key areas for improvement are:

- Redraft the Financial Regulations, including Contract Procedure Rules, that clarify responsibility, allowing for an effective control and decision environment without unnecessary bureaucracy.
- Introduce more effective and timely revenue and capital budget monitoring.
- Carry out regular reconciliations of accounts that are certified and corrective action taken promptly.
- Improve specific controls over technical areas of financial management to ensure that the Council complies with its own strategies and policies.

- 2.2 An outline plan is attached at Appendix A.

3 Appendices

Appendix A – Implementation Plan to Improve Financial Governance.

4 Proposed Action:

- 4.1 **Members of are invited to receive this report, note the failings identified within the report and the Action Plan to address these weaknesses.**

5 Background

- 5.1 In 2008/09 the Council's external auditors identified significant failings in the Council's controls. As a result, the Corporate Director (Resources) engaged an independent assessment of the Finance function. Flowing from this an interim Head of Accountancy was tasked with improving the overall financial control environment to strive towards a 3 for Use of Resources. This report updates Members on the progress in that direction.

6 Discussion

- **Financial Regulations**

- 6.1 The effective financial management of any Council requires 'fit for purpose' Financial Regulations that balance our fiduciary duty, provide robust management information with the need to make prompt decisions. The Council's Financial Regulations, including Contract Procedure Rules, have not been updated in the last three years. As a result the rules:

- No longer meet the Council's needs for quick decision making, for example authorisation levels often require Committee reports for relatively small amounts, such as virements or write offs.
- Are often inflexible or not supported by procedures, for example whilst the Council's Constitution allows for carry forward of balances it does not have a procedure to apply that rule.
- In some cases are being avoided or staff are unclear of the procedure to follow, such as seeking tenders.

- 6.2 The Regulations will be redrafted with reference to the Council's needs and best practice.

- **Budget Monitoring**

- 6.3 During 2009/10 improvements were made in the last 6 months to increase the frequency of revenue budget monitoring reporting to Senior Officers and Members. However, the level of detail and variances month on month continued to be of concern with a change of £600k between the period 8 forecast and outturn. In addition, the monitoring has not covered key areas such as partnerships or income collection.

- 6.4 Capital monitoring only occurred once in 2009/10 and the level of slippage, nearly 50% reflects poor controls and management of this overall budget.

- 6.5 New formats will be drawn up and introduced early in 2010/11 with a timetable for the whole year.

- **Reconciliations**

- 6.6 The Council uses Agresso as its Financial Ledger, Banking, Payments and Sundry Debtor system. However, other systems feed into Agresso and it is important that reconciliations between these and Agresso are carried out on a frequent basis and any balancing items are promptly investigated and cleared. The Head of Accountancy should review these monthly to ensure this is being completed. In 2009/10 this did not happen in all cases and at year end balances remained on the reconciliations that required longer time to clear.
- 6.7 A full list of all reconciliations to be performed is being completed and this will be signed off each month and reported as part of budget monitoring.

- **Specific controls**

- 6.8 The Council has a number of strategies and policies to comply with national financial standards, such as Treasury Management and ICT Security. A review of compliance has found two occasions when these have been breached:
- The Council's Treasury Management Policy sets out that the Authority will not place more than £5m in any one institution at any one point in time. On two occasions this has not been the case with decisions taken to place £1m more than the limit. Whilst this investment was for 24 hours only it identifies a weakness in controls that needs to be addressed immediately.
 - ICT Security Policy requires the Council to dispose of confidential information with great care, in particular if this includes personal financial information. Recently the Council breached this policy by not properly disposing of credit card for 73 people. This has been reported to the individuals, but this needs to be addressed immediately to strengthen controls.
- 6.9 Action is being taken immediately to correct these failings.

7 Legal Powers

- 7.1 Local Government Act 1992

8 Financial and Value For Money Implications

- 8.1 This report highlights the significant issues to be addressed to improve the effectiveness and efficiency of the Council's financial arrangements.

9 Risk Analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Inadequate capacity and capability	Failure to improve the control environment and lower use of resources assessment.	Low due to additional capacity during improvement, with a focus on skills transfer.	Project management Reference to best practice Competency and system reviews

10 Implications for Resources

10.1 No specific implications.

11 Implications for Stronger and Safer Communities

11.1 No specific implications.

12 Implications for Equalities

12.1 No specific implications

13 Author and Contact Officer

Michael Hudson, Interim Head of Accountancy

14 Consultees

Richard Micklewright, Corporate Director Resources

15 Background Papers

External Audit 2008/09 Annual Letter.

Implementation Plan to Improve Financial Governance

Action	Responsibility	Deadline
Financial Regulations		
1. To redraft the Financial Regulations, including consultation with Senior Officers and Members; and reference to best practice.	Head of Accountancy	31 st August 2010
2. To submit amended Financial Regulations to Council for approval.	Head of Accountancy	Mid September 2010
3. To provide a financial handbook and training for responsible officers, such as budget holders, on the changes.	Head of Accountancy and Finance Team	31 st August 2010
4. Monitor compliance and report failures as part of the budget monitoring.	Head of Accountancy	Ongoing from September 2010
Budget Monitoring		
5. To consult with users, including Members, on the format and needs of budget reports, and implement new format with improved clarity and coverage of areas such as partnerships and income collection.	Head of Accountancy	September 2010 September 2010
6. Improve the profiling of spend / income and forecasting methods.	Head of Accountancy	August 2010
7. To provide a financial handbook and training for responsible officers, such as budget holders, on the changes.	Head of Accountancy and Finance Team	31 st August 2010
8. Monitor compliance and report failures as part of the budget monitoring.	Head of Accountancy	Ongoing from September 2010
Reconciliations		
9. Produce a list of all necessary reconciliations and monitor monthly with compliance reports as part of the budget monitoring	Head of Accountancy	30 th July 2010 July 2010

Action	Responsibility	Deadline
Specific Controls		
10. Treasury Management – introduce controls to identify the level of funds held at point of proposed investment and certification that the level of investment complies with the Treasury Policy.	Head of Accountancy	15 th June 2010
11. Introduce new Data Security Policies with training to key staff.	ICT Manager	June 2010

Report of the Head of Consortium Audit

Internal Audit Recommendation Tracking (as at 16 July 2010) Report

1 Purpose of Report

1.1 This report has been prepared to provide Members with an update of the implementation, by managers, of the recommendations made as a result of audits carried out as part of the 2009/10, and earlier, audit plans by Consortium Audit. This is in accordance with the Council’s objective in relation to the effective use of resources.

2 Executive Summary

2.1 The Internal Audit recommendation tracking reviews are completed in accordance with the annual Internal Audit Plan, previously agreed by the Audit and Performance Committee. As at 16 July 2010, there are twelve outstanding high-level recommendations, which are the responsibility of three managers that are required to be brought to the attention of this Committee.

2.2 Managers have been listed by job title together with their outstanding high-level recommendations as detailed in appendix one.

A summary is shown below.

Position	Number of outstanding high level recommendations
Facilities Manager	Three
IT Manager	Two
Head of Partnership Policy and Property	Seven

3 Appendices

3.1 Appendix one detailing the table above is shown at the end of this report.

4 Proposed Action:

4.1 **The Committee is invited to resolve that the Internal Audit Recommendation Tracking (as at 16 July 2010) Report be received.**

5 Background

5.1 Internal Audit is responsible for reviewing the Council's systems of internal controls with a view to reporting any weaknesses identified and making practical recommendations to management to assist with the following:

- (a) Providing assurance that the internal control systems in place are adequate to meet the achievement of the Council's objectives;
- (b) Safeguarding the assets against the risks of material fraud and error;
- (c) Achieving, where possible, value for money

The management of the area audited agrees these recommendations, and an implementation date is given.

5.2 ConsortiumAudit has a watching brief over these recommendations and, where implementation has not happened by the agreed date, a manager is asked to appear in front of this Committee to explain the reasons for non-implementation.

5.3 As part of the above process three managers were asked to appear in front of this Committee to explain the non-implementation of audit recommendations, by the agreed date, as detailed in appendix 1.

6 Discussion

6.1 The recommendations arising from audit reports, which have been discussed and agreed with management, are shown in appendix one. Appendix one shows, per selected manager, the number of outstanding agreed recommendations that are overdue for implementation. The implementation of these recommendations is monitored by the Head of Performance as part of on-going performance and risk management arrangements.

6.2 ConsortiumAudit undertakes follow up reviews by seeking responses from staff and performing audit testing to confirm that agreed actions have been undertaken three calendar months after the original audit.

7 Legal Powers

7.1 Internal Audit is a statutory function as detailed in the following:

- i. Audit and Accounts Regulations 2003 (England) amended 2006.
- ii. Section 151 of the Local Government Act 1972.

8 Financial and Value For Money Implications

8.1 There are no direct financial implications as a result of this report. Value for money is a consideration integral to the audit requirement, and as such is reviewed in every audit and follow-up audit undertaken by ConsortiumAudit.

9 Risk Analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Risk dependant on activity subject to audit in audit plan.	There could be fraud, financial or reputational loss to the Council.	Varies depending upon nature of risk.	Sound internal control and management processes including regular monitoring and review of audit reporting.

10 Implications for Resources

10.1 There are no implications on resources as a result of this report.

11 Implications for Stronger and Safer Communities

11.1 There are no implications for stronger and safer communities as a result of this report.

12 Implications for Equalities

12.1 There are no implications regarding equalities as a result of this report.

13 Author and Contact Officer

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14 Consultees

None

15 Background Papers

Agreed Internal Audit Plan

Internal Audit Reports

Internal Audit Follow Up Reports

Recommendation Tracking Sheet

Appendix one

Audit	Priority	Recommendation	Manager Responsible	Expected Completion Date	Manager Update as at 16 July 2010
Security & Caretaking	High	Need to ensure that each key holder list for the buildings is up to date and these should then be fed into a central register. This should be updated regularly in line with the leavers list	Facilities Manager	31 August 2009	This has been carried forward to 31 July 2010
Security & Caretaking	High	The emergency arrangements document should be updated immediately to ensure that all details i.e. premises, contacts and telephone numbers are current. This document should be displayed on all notice boards along with the Health and Safety and Fire information as well as on the intranet.	Facilities Manager	30 June 2010	To update at Committee meeting
Security & Caretaking	High	Priority should now be given to producing and updating security procedures and polices for employees guidance. All of these including the Lone Workers Policy should be available on the Intranet and information on the Intranet should be easy to access and only a single (most up to date) version should be available. All policies, procedures and advice notes should be dated and given a unique version number.	Facilities Manager	30 June 2010	To update at Committee meeting

Audit	Priority	Recommendation	Manager Responsible	Expected Completion Date	Manager Update as at 16 July 2010
Information Technology Reviews	High	Development and implementation of Policies - IT Strategy, Corporate Disaster Recovery, Change Control	IT Manager	31 March 2010	<p>IT strategy is agreed and in place.</p> <p>Corporate Disaster Recovery is. awaiting BC Wellingborough direction</p> <p>Change control is in draft and we are currently working on version two</p>
Information Technology Reviews	High	A software register should be compiled and in place by April 2010.	IT Manager	30 April 2010	<p>BCW now have an asset management solution (Zenworks) in place and this will be fully implemented in October 2010</p>

Audit	Priority	Recommendation	Manager Responsible	Expected Completion Date	Manager Update as at 16 July 2010
Follow up - Business Continuity	High	The Head of Partnership Policy and Property (Formerly Corporate Manager Business Support) should review the December 2006 Business Continuity Plan to incorporate the lessons learned from the exercise of February 2008 and actual situation of February 2009 before putting this reviewed plan to the Resources Committee meeting of 28th April 2009	Head of Partnership Policy and Property	30 April 2009	The Plan is being updated. The update reflects not only the matters highlighted here but also the lessons learned from the Pandemic Flu incident in the Summer of 2009 and the severe weather in the early part of 2010. The Council's arrangements proved to be robust during these incidents but it is recognised that improvement needs to be made.
Follow up - Business Continuity	High	In accordance with recommendation 1, it is ensured that a detailed Business Process Identification and Impact Analysis is undertaken.	Head of Partnership Policy and Property	30 April 2009	This has been and continues to be carried out as part of the service planning process. The quality control process has revealed the work to be of variable quality, which is hindering completion of the update of the main BCP. The templates have been simplified in the light of these difficulties.
Follow up - Business Continuity	High	In accordance with recommendation 1, it is ensured that as part of the process of adopting the Business Continuity Plan, there should be a discussion by senior management or Members	Head of Partnership Policy and Property	30 April 2009	As part of the process of drafting the Pandemic Flu response plan OMT and CMT agreed a service

Audit	Priority	Recommendation	Manager Responsible	Expected Completion Date	Manager Update as at 16 July 2010
		as to what resources will be available in the event of an incident			recovery prioritisation which is of general applicability
Follow up - Risk Management	High	Head of Policy Partnerships and Property to undertake a review of the Risk Strategy and Register	Head of Partnership Policy and Property	05 November 2009	The Council has been presented with and adopted formally a revised Risk Management Policy and Strategy. The Corporate Risk list has been updated and is being further updated to account for current circumstances To update at Committee meeting
Follow up - Risk Management	High	Agenda items to monitor the effectiveness of the risk management process to be considered as part of the current review of the Risk Strategy and Register	Head of Partnership Policy and Property	05 November 2009	
Follow up - Risk Management	High	Completion of Risk Management Training following on from the above.	Head of Partnership Policy and Property	31 March 2010	General introductory training carried out for service managers. Programme of more detailed training for service managers underway as part of service planning process
Fixed Assets	High	A register should be put in place to record when deeds are removed. This should record the date removed, by whom (including a signature), the reason and the date returned. The register should be checked periodically	Head of Partnership Policy and Property	30 April 2010	Responsibility transferred to Head of Policy, Partnerships and Property this month. A deed list has been obtained and a spot-check will be

Audit	Priority	Recommendation	Manager Responsible	Expected Completion Date	Manager Update as at 16 July 2010
		(i.e. every quarter) and the whereabouts of any deeds confirmed. If deeds are to be sent off premises, a receipt should be obtained for them			<p>carried out in August.</p> <p>Discussions are underway with Connect Law as to most effective way of recording deed packet movements</p>

Report of Corporate Director

Complaints and Freedom of Information Performance

1 Purpose of Report

- 1.1 To inform the Committee of the Council's performance during the first quarter of the year in responding to customer complaints and requests for information under the Freedom of Information Act 2000 and Environmental Information Regulations 2004. This report also includes the Local Government Ombudsman's annual summary review of the complaints and enquiries that they have dealt with in relation to Wellingborough during 2009/10.
- 1.2 This report relates to the following Council priorities:
 - (a) delivering an efficient and responsive service.

2 Executive Summary

- 2.1 The Council aims to fully respond to complaints within 12 working days. The current performance for the first quarter of the year against this target is 76%.

3 Appendix

- 3.1 Appendix 1 - Local Government Ombudsman's Annual Review to 31 March 2010.

4 Proposed Action

- 4.1 **The Committee be invited to RESOLVE that the report be noted.**

5 Background

- 5.1 Complaints are valued as a means to continuously review and improve the services offered by the Council. This includes services delivered directly by Council employees or through agency workers and contractors appointed by the Council. The current target to respond to complaints is within 12 working days.
- 5.2 When a customer is dissatisfied with the Council's response to their complaint they have a right of appeal to the Local Government Ombudsman. Each year the Ombudsman provides the Council with a summary of the complaints referred to them by customers of the local authority. The Ombudsman's report also offers recommendations for how the Council might improve its performance in respect of complaint handling.

5.3 Since its introduction in 2005, the Freedom of Information Act has instigated a culture change for authorities to represent a balance between greater openness and transparency of decision making and the need to protect information where disclosure would cause harm or otherwise be contrary to the public interest.

6 Discussion

Complaints

6.1 During the first quarter of the year the Council received 25 complaints, of which 76% were responded to in full within 12 days. A summary of the complaints received for each service is detailed below:

Head of Service	Number of Complaints Received	Not yet Completed/ Closed	Average number of working days taken to respond
Built Environment	8	0	2
Environmental Services	11	2	11
Neighbourhood Development	2	1	4
Organisational Development	2	0	1
Performance	1	0	12
Policy, Partnerships & Property	1	0	15
Total	25	3	2

6.2 For the same period in 2009/10, a total of 13 complaints were received. Of these, 62% were responded to in full within 12 days. A summary of the complaints received for each service is detailed below:

Head of Service	Number of Complaints Received	Average number of working days taken to respond
Built Environment	4	25
Chief Executive	1	3
Environmental Services	6	28
Neighbourhood Development	0	-
Organisational Development	0	-
Performance	2	5
Policy, Partnerships & Property	0	-
Total	13	5

6.3 As a result of the complaints received for the first quarter of 2010, some were not upheld whereas others were lessons learnt and appropriate action taken. Comments from Heads of Service in relation to complaints received against their service area are below:

Service	Comments
Built Environment	<p>Complaint 1: concerns from a Parish Council about responses to planning/enforcement queries. Service response: in addition to writing to the Parish Council, the Head of Built Environment visited the Parish Council meeting to explain the processes being adopted.</p> <p>Complaint 2: complaining about how the Planning process was administered. Service response: the Chief Executive wrote to the applicant to explain how applications are handled.</p> <p>Complaint 3: ongoing neighbour dispute which is proving difficult to resolve. Service response: officers are in regular contact with the complainant to work towards a resolution.</p> <p>Complaint 4: proposal to put new road through The Walks, London Road. Service response: this complaint was dealt with as if it were an objection to the planning application for the construction of a new access at Wellingborough School.</p> <p>Complaints 5-8: refer to the works being carried out in Sheep Street Wellingborough and are from businesses in the area. Extensive consultation and promotion work has been carried out and will continue until the work is complete. The working relationship with the traders has improved. The Council continues to work with the effected businesses.</p>
Environmental Services	<p>Complaints 1-3: graffiti and vandalism in the local area. Service response: increased monitoring of environmental cleansing.</p> <p>Complaint 4: green bins left on pathway for several weeks. Service response: Head of Service investigated, bins removed, customer thanked for taking the time to report the issue and increased monitoring of the area is taking place.</p> <p>Complaints 5 and 6: ongoing complaint regarding fly tipping. Service response: ongoing liaison with customer, site visits increased/monitoring introduced, signage has also been erected on the site.</p> <p>Complaint 7: introduction of charges for bulky waste collection Service response: customer contacted by Head of Service and was advised of the reason for the introduction of the charges.</p>

	<p>Complaint 8: attitude of employee to customer regarding the use of refuse bin. Service response: Head of Service spoken with employee and customer provided with a suitable alternative bin.</p> <p>Complaints 9-11: litter, weeding and grass cutting in Kestrel Lane and vicinity Service response: increased monitoring of environmental cleansing. Customers advised.</p>
Neighbourhood Development	<p>Complaint 1: application for social housing. Service response: resolved following meeting with local caseworker. Complainant expressed wish that this complaint be dropped.</p> <p>Complaint 2: poor state of equipment at Redwell Leisure Centre. Service response: the Council and the leisure centre are liaising with the customer to resolve their complaint. BCW to write to the customer to confirm the action and progress.</p>
Organisational Development	<p>Complaint: use of schools for Polling Stations. Service response: customer advised that the Council has a policy of not using schools for polling stations if at all possible. A review of all polling stations will be carried out this year and suitable alternative premises in the area will be sought.</p>
Performance	<p>Complaint: delayed response to customer following them informing Council Tax of a change in circumstances. Service response: customer contacted to apologise for delay in service delivery and the request actioned accordingly. Changes in procedures have been made to improve response time and post handling process.</p>
Policy, Partnerships & Property	<p>Complaint: level of service charge for industrial unit. Service response: customer reminded of the terms of the recently renewed lease. Complaint not upheld.</p>

6.4 Considering the above it can be said that:

- (a) Built Environment and Environmental Services traditionally receive a higher number of complaints due to the nature of the services they provide.
- (b) The town centre works have generated a high level of complaints due to the disruption caused during the works.
- (c) There is a pattern of complaints in relation to litter and environmental cleansing and the service is responding accordingly.
- (d) The remaining complaints show no particular pattern.

6.5 Members may be also interested to know that the complaints procedure is currently being reviewed by the Customer Service Manager. The purpose of this review is to ensure that customers are encouraged and enabled to offer both positive and negative feedback and that our policy with how their feedback will be handled is clear and understandable for them. The review is expected to be completed by the end of August 2010.

Ombudsman's Annual Review

- 6.6 The Local Government Ombudsman's report shows they received 7 enquiries and complaints against Wellingborough during 2009/10.
- 6.7 Appendix 1 to the report offers the details of these and the outcome. The key points from the report are:
- a reduction in the number of complaints and enquiries made to the Ombudsman from 12 in 2008/09 to 7 in 2009/10;
 - an improvement in the Council's average response time (29 days) compared to the previous year (34.5 days);
 - no cases of maladministration by the Council were identified.

Ombudsman Investigations

- 6.8 For the first quarter of the year, the Council has received 2 Ombudsman investigations. One was in relation to Building Control and the other was in relation to fly tipping and is linked to one of the complaints referred to within the Environmental Services précis. Both have been responded to and no further correspondence has been received from the Ombudsman.

Freedom of Information & Environmental Information Requests

- 6.9 During the first quarter of the year, the Council received 56 requests for information which were considered under the Freedom of Information Act. There were no requests for information under the Environmental Information Regulations.

Of the 56 requests received, 50 have been completed, 46 of which were within the statutory 20 working day deadline, 3 were completed within 25 days and 1 over 25 days.

Of the 6 outstanding requests, all are still within the 20 working day deadline at the time of writing the report, but were received during this quarter so have been included in this report.

7 Legal Powers

- 7.1 Freedom of Information Act 2000, Environmental Information Regulations 2004, Data Protection Act 1998.

8 Financial and value for money implications

- 8.1 Ombudsman investigations may recommend a local settlement by the Council or prove maladministration by the Council, which may lead to compensation being paid to the customer. In 2009/10, the Council paid a total of £300 in compensation in response to complaints investigated by the Ombudsman

- 8.2 There is the potential for the Council to charge for the provision of information supplied under the Freedom of Information Act, should it exceed 18 hours work at £25 per hour, i.e. £450. Since the introduction of the Act, the Council has not received any income as a result of a request for information.

9 Risk analysis and Implications

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Council proved negligent by the Ombudsman	Potential Compensation Claim and negative reflection of the Council	Low	Ensure all complaints /potential Ombudsman referrals are investigated or scrutinised by Head of Service.
Confidential Information provided in error in response to an FOI request	Contrary to the Data Protection Act	Low	Legal guidance to be sought on vexatious requests.
Not meeting statutory deadlines to respond to FOI requests	Potential referral to Information Commissioner, poor Performance Indicator results	Low	Stringent recording and monitoring arrangements in place
Council fails to take improvement opportunities identified by complaints	Rising levels of dissatisfaction by customers	Low	Routine review of complaint levels, causes and remedies managers

10 Implications for Resources

- 10.1 Officer time and materials in carrying out investigations or for providing information for requests.

11 Implications for Stronger and Safer Communities

- 11.1 There are no Implications for Stronger and Safer Communities as a result of this report.

12 Implications for Equalities

- 12.1 The act of monitoring of customer complaints provides an important source of assurance that Council services are fair, equitable and free from discrimination and harassment.

13 Author and Contact Officer

13.1 Customer Service Manager – Karen Denton.

14 Consultees

14.1 Terry Wright, Corporate Director.
All Heads of Service
Wendy Aldwinckle, Freedom of Information Administrator

15 Background Papers

15.1 Performance Information within Customer Relationship Management systems (CRM).

**The Local Government Ombudsman's
Annual Review
Wellingborough Borough
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 Wellingborough Borough Council 2009/10

Introduction

This annual review provides a summary of the complaints we have dealt with about Wellingborough Borough 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 seven complaints and enquiries about your council, compared with 12 in 2008/09. Two were about benefits, one about housing, one about planning and building control, one about public finance, one about transport and highways and one about environmental protection.

We treated two of these complaints as premature and referred them to the council and in a further four cases advice was given, usually to make a complaint to the council direct. The remaining complaint was forwarded to the investigative team.

Complaint outcomes

In 2009/10 we took decisions on six complaints. In one case we found no or insufficient evidence of maladministration. In two cases the council agreed to settle the complaint locally. We exercised discretion not to investigate a further three cases. Typically these are cases where, even though there may have been some fault by the council, there is no significant injustice to the complainant.

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 two were local settlements, and the council paid a total of £300 in compensation.

Both of the complaints settled by the council concerned housing benefit. One of the complaints was about the council's eight month delay in passing an appeal request to the Tribunal Service. The council agreed to pay £200 compensation to the complainant for their distress and time and trouble in bringing the complaint.

The second complaint concerned the council's delay in carrying out a review of a housing benefit decision. The council settled the complaint by agreeing to pay £100 compensation to the complainant for their distress and time and trouble in bringing the complaint and also took action to put the complainant back into the appeals process.

Liaison with the Local Government Ombudsman

We made formal enquiries on two complaints during the year. While still outside the 28 day target response time, the council's average response time of 29 days is a considerable improvement on last year (34.5 days). I would like to thank the council for its efforts in this regard and look forward to further improvements during the year to bring your average response time within the 28 day target.

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
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry
CV4 8JB**

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.

Dr Jane Martin
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry
CV4 8JB

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	Housing	Benefits	Public Finance inc. Local Taxation	Planning and building control	Transport and highways	Other	Total
Formal/informal premature complaints	0	2	0	0	0	0	2
Advice given	1	0	1	0	1	1	4
Forwarded to investigative team (new)	0	0	0	1	0	0	1
Total	1	2	1	1	1	1	7

Investigative Team

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Total
2009 / 2010	0	2	0	0	1	3	0	6

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	2	29.0
2008 / 2009	6	34.5
2007 / 2008	10	37.3

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

Performance and Scrutiny

27th July 2010

Report of the Head of Performance

Year to Date Performance Report to Council

1 Purpose of Report

- 1.1 This report provides members with a summary of performance information for the year to date ending 30th May 2010 in accordance with the Council's objective for efficient use of resources.

2 Executive Summary

- 2.1 The attached appendices contain the key performance indicators for the year ending 31st March 2010. Of these indicators **28** are above target (green), 5 are within 5% of target (amber) and **12** are more than 5% below target (red). Compared to last year's scores **24** indicators are improved ↗, **6** within 5% → and **9** are more than 5% below ↘.
- 2.2 There are currently **4** indicators that have both a red R.A.G. status and a declining direction of travel of which 1 has a Performance Improvement Plan (PIP) in place. Two of the remaining three relate to Housing Renewal and are only slightly below target. Further work is being underway to address this. The remaining indicator is NI.155, Gross number of affordable houses delivered. This is due to there being no completions or money received this year to date, and the performance against target is expected to level out as the year progresses.
- 2.3 There are currently **9** PIPs in place of which **4** are still below target, **1** within 5% of target and **4** above target.

3 Appendices

- 3.1 Appendix A – Performance Results
3.2 Appendix B – Service Summary
3.3 Appendix C – Monthly Trend Chart
3.4 Appendix D – Annual trend data for PI's with PIPs (excluding NI 14)

4 Proposed Actions:

- 4.1 **The Committee is invited to NOTE the May 2010 Performance Indicators in the appended report.**

5 Background

- 5.1 Monthly Reports are presented to Committee which represent the Council's progress towards its priorities.
- 5.2 Performance Improvement Plans (PIPs) are the method by which performance improvement is instigated and monitored where performance is shown to have dropped below expected levels as revealed by the relevant performance indicators.

6 Discussion

6.1 Appendix C shows the trend through the current year for the total number of performance indicators in each of the Red, Amber, Green categories. The general improvement in the number of performance indicators in the Green seen through the first half of the year has been sustained. Last month the percentage of indicators in the green was 64%, with a very slight drop to 62% for this month. However, this is an improvement of the 57% recorded at the end of the March 2010.

6.2 The majority of PIs with PIPs are performing well and travelling in the right direction (see Appendix D for trend data). The PIs showing considerable improvements are NI.157a - % of planning applications determined within 13 weeks – and BV12a – working days lost to short term sickness absence.

6.3 Standard PIs which have moved from Green to Amber in March are:

Revenues:

BV 9 (Percentage of Council Tax collected)

Only 0.4% below target, but still a reasonably strong performance for the start of the year.

Property Services:

BV 237 (End of month total debt over rent roll, expressed as a percentage)

Only 0.24% above target. Debt is increasing due to tenant's trading difficulties.

7 Legal Powers

7.1 Section 111 of The Local Government Act 1972 gives the Council the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

7.2 Section 2 of The Local Government Act 2000 gives the Council the power (subject to certain exceptions which do not apply here) to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental well-being of the Borough.

8 Financial and Value For Money Implications

8.1 The efficient use of resources is a fundamental requirement for providing value for money. By closely monitoring the performance of the Council both in terms of the efficiency of its services and progress towards its corporate objectives (along with effective budgetary control) timely and reliable value for money information can be obtained.

9 Risk Analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Performance Targets not achieved	Services not delivered in time or to required quality	Medium	Regular scrutiny of performance data by senior officers and members
Performance	Either too little	Low	Regular scrutiny

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Targets not appropriate	or too many resources are allocated to a service		of performance data by senior officers and members

10 Implications for Resources

- 10.1 The delivery of performance to targeted levels should lead to efficiencies and increase the likelihood of attracting resources from stakeholders

11 Implications for Stronger and Safer Communities

- 10.1 The delivery of performance to targeted levels should increase the effectiveness of efforts aimed at forging safer and stronger communities.

12 Implications for Equalities

- 11.1 The delivery of performance to targeted levels should result in better outcomes for all people and communities served by the Council.

13 Author and Contact Officer

Helen Baines, Performance Analyst

14 Consultees

Graham Stoppani, Head of Performance
Chief Executive
Director of Resources

15 Background Papers

Service Plans
Performance Records
Performance Improvement Plans