



Committee: CABINET

Date: TUESDAY, 6 NOVEMBER 2012

Venue: LANCASTER TOWN HALL

Time: 10.00 A.M.

A G E N D A

1. **Apologies**

2. **Minutes**

To receive as a correct record the minutes of Cabinet held on Tuesday, 9 October 2012 (previously circulated).

3. **Items of Urgent Business Authorised by the Leader**

To consider any such items authorised by the Leader and to consider where in the agenda the item(s) are to be considered.

4. **Declarations of Interest**

To receive declarations by Members of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 10 and in the interests of clarity and transparency, Members should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Members are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

5. **Public Speaking**

To consider any such requests received in accordance with the approved procedure.

Reports from Overview and Scrutiny

None

Reports

6. **Commissioning arrangements for Arts and Voluntary, Community and Faith sector** (Pages 1 - 55)

(Cabinet Member with Special Responsibility Councillor Barry)

Report of the Head of Community Engagement

7. **Take Pride Community Fund** (Pages 56 - 65)

(Cabinet Member with Special Responsibility Councillor Blamire)

Report of the Head of Community Engagement

8. **Storey Creative Industries Centre: Progress Update** (Pages 66 - 71)

(Cabinet Member with Special Responsibility Councillor Hanson)

Report of the Head of Resources

9. **Budget and Policy Framework Update Mid Year Review - Medium Term Financial Strategy** (Pages 72 - 84)

(Cabinet Member with Special Responsibility Councillor Bryning)

Report of the Head of Resources

10. **Customer Comments, Compliments and Complaints Policy and Guidance** (Pages 85 - 137)

(Cabinet Member with Special Responsibility Councillor Blamire)

Report of the Head of Environmental Services

11. **Exclusion of the Press and Public**

This is to give further notice in accordance with Part 2, paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following item in private. No representations have been submitted on this intention.

Cabinet is recommended to pass the following recommendation in relation to the following item(s):-

“That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 12 of Schedule 12A of that Act.”

Members are reminded that, whilst the following item(s) have been marked as exempt, it is for Cabinet itself to decide whether or not to consider each of them in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In

considering their discretion Members should also be mindful of the advice of Council Officers.

12. **Parksafe Management Agreement** (Pages 138 - 170)

(Cabinet Member with Special Responsibility)

Report of the Head of Environmental Services

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Eileen Blamire (Chairman), Janice Hanson (Vice-Chairman), Jon Barry, Abbott Bryning, Tim Hamilton-Cox, Karen Leytham, Ron Sands and David Smith

(ii) Queries regarding this Agenda

Please contact Liz Bateson, Democratic Services - telephone (01524) 582047, or email ebateson@lancaster.gov.uk.

(iii) Apologies

Please contact Members' Secretary, telephone 582170, or alternatively email memberservices@lancaster.gov.uk.

MARK CULLINAN,
CHIEF EXECUTIVE,
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DALTON SQUARE,
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Published on Friday, 26 October, 2012.

CABINET

**Commissioning Arrangements for Arts and Voluntary,
Community and Faith Sector Services
6 November 2012**

Report of Head of Community Engagement

PURPOSE OF REPORT			
To propose commissioning arrangements to support the voluntary, community and faith sector in delivering services to meet current and emerging local needs and to recommend a timetable for Arts commissioning following the publication of the Arts Strategy for the district.			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date Included in Forthcoming Key Decision Notice		8 October 2012	
This report is public			

RECOMMENDATIONS OF HEAD OF COMMUNITY ENGAGEMENT

It is recommended that:

- (1) The Commissioning Framework for Arts and Voluntary, Community and Faith sector services is approved
- (2) Commissioning of Arts sector services is undertaken following the publication of the Arts Strategy in early 2013 and that existing Arts Service Level Agreements remain in place for the next twelve months
- (3) Investment in VCFS services for the three year period from 2013 – 2016 is focused on:
 - support for VCFS organisations
 - volunteering coordination
 - advice and information services and
 - small development grants
- (4) Indicative sums are agreed for each of these services, subject to final confirmation as part of the budget process
- (5) Subject to the introduction of a small development grants scheme, the council’s Welfare Grants Scheme is now removed.
- (6) Final decisions on service delivery are determined as part of the procurement process and in line with the council’s Contract Procedure Rules
- (7) That the General Fund Revenue Budgets are updated accordingly as part of the 2013/14 Budget Process.

1.0 Background

- 1.1 In January 2012, Cabinet considered a report recommending an approach to take forward commissioning arrangements for Arts and Voluntary, Community and Faith sector (VCFS) services (*Minute 76 refers*). Cabinet made a number of resolutions and in particular:

“That the Council continues to develop joint approaches with other funding partners, where possible, including Lancashire County Council, to achieve efficiencies and maximise impact of funding.”

“That the Council continues to develop partnership working arrangements with the Arts and the Voluntary, Community, Faith sectors, to support service delivery in the district and to achieve efficiencies.”

and also

“That the Council works with Arts and Voluntary, Community, Faith sector partners to develop commissioning frameworks to secure important services for the district and to provide robust arrangements for management of the related funding provided by the council.”

- 1.2 Arts and VCFS commissioned services potentially assist in the delivery of all four of the council’s Corporate Plan Priorities and a range of Outcomes but in particular “*VCFS have capacity to deliver services for the district*” and “*The district’s cultural, retail and tourism offer is maximised*”.

- 1.3 This report provides detailed proposals to take VCFS commissioning forward with the development of detailed service specifications and procurement of services to allow contractual arrangements to be in place from April 2013. These arrangements will replace the current SLA’s (Service Level Agreements) that have been in place for some years with a small number of VCFS organisations and which will now end in March 2013. Some excellent work has been undertaken but local needs are changing over time. Bearing this in mind, it is right to review what services are most needed and which will have the greatest impact and to commission services fairly and transparently to meet those needs.

- 1.4 Early work in relation to Arts sector commissioning is underway but the prioritisation of services will depend upon the focus and priorities within the district wide Arts Strategy, which is due to be published in early 2013. In light of this, proposals are made in this report regarding appropriate timescales for commissioning for arts, sports and leisure activities over the next twelve months. This would mean that assessment and engagement work would take place from April to October 2013 and proposals would be prepared for Cabinet’s consideration in autumn 2013 to align with the budget process. Following this, an Arts Commissioning Plan can be implemented and commissioned services commence by April 2014.

Locality based commissioning

- 1.5 The commissioning approach that has been developed is essentially Locality Based Commissioning, meaning that it is focused on services within the district with the council’s own investment. Over time, it is likely that more strategic commissioning, where joint investment with other funders occurs, will become more and more feasible. At this stage, alignments between services have been identified as well as specific opportunities to add value and achieve efficiencies, particularly relating to Lancashire County Council funding.

Needs, Opportunities and Market factors

- 1.6 Commissioning is different to procurement in that it relies on a strong understanding of needs, opportunities and the provider market, which is gained by ongoing communications and engagement with those that benefit from and deliver services. This helps to steer investment towards those services that can add value and achieve the maximum impact.
- 1.7 A number of pieces of work have been undertaken to gather together facts and information and also to understand the perceptions of those working on a day to day basis with individuals and communities and with the service providers themselves.
- 1.8 A Local Assessment has been prepared, which draws together available information on the district's demography, economy, trends and opportunities. The Local Assessment is attached at **Appendix A**.
- 1.9 Engagement and communication in variety of ways are ongoing features at all stages of commissioning and assist in gaining the understanding that is required to focus investment on the most important services that will have the most impact. This approach also helps to capture learning from experience and can inform future investment proposals.
- 1.10 To inform the proposals in this report, engagement work has also been undertaken in the form of two well attended listening events where questions were asked of 44 service providers and members of the community about:
 - Current and emerging needs of local people
 - Gaps in provision
 - Successes and what works really well
 - Opportunities to work together
 - What a future thriving voluntary, community and faith sector looks like
 - What is needed to help this to happen
- 1.11 Outcomes from the listening events are available as **Appendix B** to this report. In summary, the key findings, from both this and the Local Assessment are as follows:
 - Important influencing factors are complex but include changing demographics particularly a rapidly increasing number of over 65's in the district and economic factors affecting employment and income. Further public sector budget cuts along with Welfare Reforms are expected, the effects of which are not yet fully understood.
 - Demand across a very wide range of services is high and indications are that demand will increase exponentially in future years. Increased demand is apparent in respect of basic needs such as food, warmth, shelter and mobility. The need for debt advice remains high and demand for impartial advice and information services has increased with further significant increases expected, particularly in respect of benefits and employment. There is general recognition that early intervention and prevention can be effective in reducing future needs. Some service providers believe that building on success by doing more of what works well is likely to become increasingly important as funding contracts.
 - The VCFS sees a widening gap between increasing levels of need and reducing statutory provision, creating a potential call on VCFS services that is higher than ever whilst the sector's funding is reduced.

- VCFS partners tell us that to meet current and future challenges, they would like to see more coordination and joint working, better sharing of information and communication across the sector and with public sector partners, help to develop skills and capacity including tendering and contracting for services and to identify other revenue income. VCFS partners also tell us they wish to retain their independence, to provide challenge to policy makers and to inform policy and service development. Current very limited infrastructure support is under threat limiting opportunities to support the development of the VCFS in this way.
- Volunteering coordination was identified as a vital element of capacity in the sector with many, if not most, organisations dependent on volunteer time to run their services. However, there are no central arrangements to provide coordination, recruitment, training and vacancy management that could help to provide more trained volunteers in a way that is efficient and effective. Lancashire County Council has identified volunteer coordination as important for the capacity of the VCFS as well as creating opportunities for individuals and will invest on a limited basis to help provide volunteer coordination in each of the districts.

2.0 Proposal Details

- 2.1 The proposed Commissioning Framework document covers the key elements of the recommended commissioning arrangements for VCFS and Arts services. This includes details of the stages in the commissioning process, **Understand, Plan, Do** and **Review**, and how they are undertaken. Commissioning arrangements have been developed around some guiding principles to ensure that the investment is **Citizen focused, Value focused, Engaged**, encourages **Working Together** and is **Transparent**.
- 2.2 It is recommended as part of this report that the draft Commissioning Framework is approved as the guiding document for the council's commissioning arrangements for the Arts and VCFS services. The Commissioning Framework is attached at **Appendix C**.
- 2.3 Regarding VCFS commissioning, significant work has now taken place and this report provides proposals for new arrangements to be in place by April 2013 for a three year period.
- 2.4 There are various ways in which the council can invest but funding is very limited. There is an estimated 600 plus VCFS organisations in the district delivering some very valuable services for local people across a wide range of issues. Clearly, it is not feasible to directly fund services at this level across the sector. Equally, budgets are not available to provide increased levels of services to meet current increasing demand, so it is necessary to achieve a greater impact by working smarter, more collaboratively, focusing on priorities and investing to achieve the greatest impact. To ensure this, it is suggested that the following applies:
 - Services supported should help to deliver the council's Priorities as detailed in the Corporate Plan
 - Services supported should add value, complement or meet a gap in provision but not duplicate existing statutory or mainstream services
 - Focus should be on outcomes to be achieved rather than on specific services or organisations
 - Investment should occur at a level that achieves the maximum impact for the widest possible group of beneficiaries
 - Where possible, a focus on early intervention and preventative services in order to reduce future demand

2.5 Based on these themes and the findings of the Local Assessment and the engagement workshops, the services proposed as those for investment for the three year period from 2013-2016 are included below in **Table 1** but briefly comprise:

- **Infrastructure support** for the VCFS to help secure the future capacity of the sector to deliver services in the district. This is an area where a relatively small investment can support the needs of a large number of VCFS organisations and achieve a significant impact on service delivery, standards and sustainability.
- **Volunteering coordination** as a means of providing an efficient way to increase volunteering and community involvement, assisting a wide range of organisations that require this support to deliver their services. Lancashire County Council funding via One Lancashire are prepared to invest a very limited amount of funding for volunteering coordination in each of the districts and it is proposed that any contribution from the council is invested alongside this to secure a basic level of service for this district.
- A range of **specialist advice and information services** to help reduce levels of debt, poverty, personal distress and isolation, to increase access to existing services and to help reduce need for other crisis services. This is an area of critical need that is expected to increase over the next few years. A reduction in advice and information services that provide early support and access to preventative routes, seems likely to lead to increased demand for crisis interventions from both statutory and VCFS services.
- **Small development grants** to help to support VCFS organisations to protect or develop critical services. Existing funding for this type of support will cease during early 2013 but can be an excellent way to increase the long term sustainability of VCFS organisations. A small fund is recommended to support cases where exceptional benefits in line with current demands can be achieved. Taking account of this, it is proposed that the council's very small Welfare Grants Scheme is now removed but that Lancashire County Council is requested to continue its contribution via the proposed new scheme.

2.6 These proposals provide a means of supporting many individuals or families and VCFS organisations either directly or indirectly but focus investment at a more strategic level to try to ensure that the impact is widespread.

2.7 The proposals will mean that not all organisations currently receiving support from the council via SLA's, as identified in Appendix D, will continue to do so. However, there is significant opportunity for collaboration and it is expected that some organisations providing high priority services will be engaged in these arrangements where their expertise is required, although there may be a lead partner taking a coordinating role. Council officers will engage with partners to try to facilitate collaborative arrangements where required.

Levels of investment

2.8 Current investment in both Arts and VCFS Service Level Agreements is **£481,900**. Budgets for the current year for the Arts/ Sports/ Leisure SLA's total **£213,900** in respect of grants with a further **£25,500** for rent contributions. In current year budgets, VCFS SLA's are supported by **£228,300** with a further **£14,200** being transferred internally as rent contributions for council premises. A further contribution of **£2,000** is made for Welfare Grants matched by £2,000 from Lancashire County Council.

- 2.9 It is proposed that the existing SLA's with Arts/ Sports and Leisure organisations are maintained for the next financial year in order to allow commissioning arrangements to fall into place following the publication of the Arts Strategy in early 2013.
- 2.10 In respect of VCFS support for the period 2013 – 2016, proposed services are identified in **Table 1** but options for the way investment is allocated are covered in more detail in the Options Analysis.
- 2.11 In terms of the level of investment, Cabinet will wish to consider whether the overall budget for VCFS can be maintained at current levels and also whether to include an inflationary increase on existing budgets or whether to set budgets at a fixed level for the full three year period, achieving a total saving of £12,700. Projections provided show potential allocations across the four proposed areas for support based on current 2012 -13 budget figures without an inflationary increase.
- 2.12 Not all organisations that currently receive support will continue to do so and they have been advised of this and that arrangements for 2013 onward have yet to be determined. The proposals for investment in services aim to include specialist providers in collaborative agreements where this is relevant. An important objective is to create benefits and possible savings for a wider range of organisations by providing them with access to support and some coordinated services that can be managed more centrally.

Commissioning Plan and process

- 2.13 The Commissioning Plan for agreed VCFS services will be developed following Cabinet's resolutions and will comprise details of services to be supported, level of investment, timescales and performance management arrangements. The indicative timescales are as follows:

Milestone	Dates
Cabinet decision	6 November 2012
Detailed service design in consultation with specialist partners	6 November – 30 November 2012
Publication of Commissioning Plan and service specifications	14 December 2012
Deadline for submission of bids proposals for service delivery	25 January 2013
Assessment of proposals (member involvement)	w/c 4 February 2013
Contractual arrangements in place	1 April 2013
Contract monitoring / performance management	Ongoing

Procurement of services will be undertaken in line with the council's Contract Procedure rules.

TABLE 1

Proposals for commissioned services 2013 – 2016

Lancaster City Council Corporate Outcomes

◆The voluntary, community and faith sector has capacity to deliver services for the district◆Local communities are actively working with partners to improve where they live in ways that matter to them◆Efficiency savings and service improvements achieved through joint working and shared services◆Impact of welfare reforms managed well to avoid any unnecessary impact on local communities

Services	Objectives	£'s pa	Services	Additional requirements/ comments
VCFS Infrastructure services	<ul style="list-style-type: none"> To provide a central point for VCFS advice, information and support To assist VCFS organisations to develop strong and efficient business models for the future 	£25,000	<ul style="list-style-type: none"> Training Business advice and development Development of shared services/joint resourcing Developing tendering and contracting capacity Sector quality standards Research and data provision Communications across the sector Grants and trusts Liaison with public sector partners Monitoring changes and sector development 	<ul style="list-style-type: none"> Collaborative approach between a small number of infrastructure agencies with a lead agency providing coordination. Requires that infrastructure bodies operate at a level that means they can support but are not in competition with the organisations they assist. Requires a focus on support for high demand / critical services which may change over time
Volunteering coordination	<ul style="list-style-type: none"> To increase levels of volunteering in the district To provide efficient, effective coordination of volunteers at a central point 	£15,500	<ul style="list-style-type: none"> Volunteer information and publicity Recruitment Training and support for volunteers and volunteer managers Relevant checks Vacancy management IT and all information requirements Development of quality standards Monitoring the value and impact of volunteering 	<ul style="list-style-type: none"> To be provided as match funding for Lancashire County Council contribution via One Lancashire to support volunteering coordination in Lancaster district Collaborative approach between infrastructure agencies and partners with a lead agency providing coordination Support for VCFS organisations and community groups to recruit and manage volunteers
Advice and information	<ul style="list-style-type: none"> To provide accessible advice and information services To reduce levels of debt, poverty, personal distress and isolation To reduce demand for crisis interventions 	£190,000	<ul style="list-style-type: none"> Specialist advice and information, such as Debt advice, basic needs and crisis advice, including food, housing, personal care, Disability and mental health Access to services information Liaison with public sector and VCFS Training Ensuring quality service standards Monitoring changing levels and types of demand 	<ul style="list-style-type: none"> Requires a collaborative approach between specialist agencies with a lead partner taking the coordination role Needs to take account of predicted huge increase in demand Focus on early intervention and prevention Requires extensive volunteering support
Small grants	<ul style="list-style-type: none"> To support development of VCFS organisations To protect or develop critical services 	£12,500	<ul style="list-style-type: none"> Grants to support sustainability of VCFS organisations, skills and development of new capacity Grants to support design, testing and development of new services to meet identified needs 	<ul style="list-style-type: none"> To provide limited support to meet gap created as similar schemes end in 2013 Management agency to be selected via relevant processes

3.0 Details of Consultation

- 3.1 Consultation with VCFS partners has been ongoing over the last two years with members and council officers engaging in discussions on a range of sector issues, including the development of the council's commissioning arrangements. A broad understanding of current issues has been gained and this has been added to by two specific workshops that were undertaken in September, the results of which have informed the proposals in this report.
- 3.2 All organisations with existing SLA's with the council have been engaged in discussions regarding potential commissioning arrangements.
- 3.3 In addition, dialogue and engagement with Lancashire County council has taken place and areas for joint working and investment are emerging. The proposals for joint investment in volunteering coordination have arisen as a direct result of this.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Council investment for VCFS is focused on sector support, volunteering coordination, advice and information services and a small grant scheme	Option 2: Modifications are made to the proposals, linked to community and sector needs	Option 3: Do Nothing
Advantages	<ul style="list-style-type: none"> • Of the options available, these meet needs and opportunities identified as part of the engagement and Local Assessment work • These offer most potential to achieve high impact for the level of investment possible. • These help to provide early intervention and preventative actions to reduce the need for other VCF and public sector services. • Support will be available to a wide range of sector organisations rather than limited to a few. • Supports better forward planning for service delivery. 	<ul style="list-style-type: none"> • Dependent on modifications made. 	<ul style="list-style-type: none"> • Some officer time saved in 2012 – 2013 as procurement processes would no be required.

	Option 1: Council investment for VCFS is focused on sector support, volunteering coordination, advice and information services and a small grant scheme	Option 2: Modifications are made to the proposals, linked to community and sector needs	Option 3: Do Nothing
Disadvantages	<ul style="list-style-type: none"> Some support may be necessary to help organisations move to more collaborative models of service delivery. 	<ul style="list-style-type: none"> Dependent on modifications made. 	<ul style="list-style-type: none"> Process for allocations of grant is less transparent as current SLA's have been in place for some years. Current SLA's are not designed around current needs and opportunities although do make a useful contribution. Value for Money and overall impact reduced. Opportunity to underpin wide support structures for VCFS will be limited. Opportunities for more collaboration likely to be limited.
Risks	<ul style="list-style-type: none"> Services recommended will require other funding support, which may be at risk in the future as funding contracts. Mitigation includes service efficiencies, joint working and revenue income generation. 	<ul style="list-style-type: none"> Dependent on modifications made 	<ul style="list-style-type: none"> Less clarity around current investment arrangements, the council's objectives and procurement processes.

5.0 Officer Preferred Option (and comments)

5.1 The officer preferred option is Option 1 as this reflects the findings of the Local Assessment, the engagement workshops and also provides the most efficient and effective way of maximising impact by providing benefits across the VCFS and supporting a very wide range of services indirectly.

6.0 Conclusion

6.1 The council has taken steps towards introducing the commissioning arrangements proposed in this report over the last two years. A detailed review of current SLA's, an assessment of local needs and opportunities and communications and engagement work with the VCFS have been undertaken, leading to these proposals. The recommendations provide a means of steering the council's investment in VCFS services to achieve the maximum impact linked to current needs and opportunities in the district. In addition, they will provide clear, transparent arrangements that focus on Value for Money and Impact and support the principle already agreed by Cabinet at earlier meetings.

6.2 Specific steps have been taken to work with Lancashire County Council with the potential to invest jointly providing a more strategic investment in some services.

6.3 This report recommends that Arts commissioning take place following the publication of the Arts Strategy in early 2013.

RELATIONSHIP TO POLICY FRAMEWORK

Proposed commissioning arrangements fit with Corporate Plan priorities and Outcomes as follows:

- The voluntary, community and faith sector has capacity to deliver services for the district
- Local communities are actively working with partners to improve where they live in ways that matter to them
- Efficiency savings and service improvements achieved through joint working and shared services
- Impact of welfare reforms managed well to avoid any unnecessary impact on local communities

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The proposals potentially impact on a wide range of people and organisations. The work undertaken to understand local needs and the VCFS issue and opportunities has helped to inform the proposals, which seek to have a positive impact within the limits of the funding available.

LEGAL IMPLICATIONS

Contractual arrangements with VCFS partners will need to reflect the council's requirements in line with normal requirements.

FINANCIAL IMPLICATIONS

The current approved budget in 2012/13 for VCFS Service Level agreements totals £242,500 including two rent contributions and these figures have been used in the report for illustration purposes to demonstrate how the total amount would be split across the different areas of the VCFS Sector.

An inflationary element of 2.0% was included in budgets for future years as part of the 2012/13 budget process and Cabinet may wish to consider whether inflation should be

applied to future years or grant levels kept at the same level as 2012/13. If the decision were taken to keep grants at the 2012/13 level there would be a total saving of £12.7k against current approved budgets.

Ongoing review and monitoring of the Commissioning Framework by the Partnerships Team will continue with ongoing support from Financial Services and Legal Services, where appropriate, throughout the process.

OTHER RESOURCE IMPLICATIONS

Human Resources:

Staff capacity is required for the procurement of services and ongoing engagement and performance monitoring of service contracts

Information Services:

No direct implications from this report

Property:

Currently two allocations are made to VCFS organisations in respect of rent of council premises, although this is inconsistent in that this support is not available to other organisations in the same way. Current council policy is to achieve market values for its properties and the council would be required to charge tenants in line with this.

Open Spaces:

No direct implications from this report

SECTION 151 OFFICER'S COMMENTS

The Section 151 officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments

BACKGROUND PAPERS

None

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Lancaster District

Local Assessment 2012

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The Purpose of this report

This assessment has been produced by the Community Engagement Service to help inform the commissioning process for Lancaster City Council's funding of the local Voluntary, Community and Faith (VCF) and Arts Sectors, for 2013-14 and beyond. It is focused on providing a snapshot of factual information about the local area, national issues that affect the district, and other matters relevant to those sectors.

As an assessment it is designed to give an overview rather than be a comprehensive study of what is a very wide area of research. It does not seek to replicate needs assessments and sources of data published by other City Council services, by Lancashire County Council and by other organisations – wherever possible these are referenced in the text or under Section 6. Some data have been provided internally and are therefore not referenced, but more information can be provided as appropriate via the Partnerships Team.

1. The Demographic Picture

A general introduction to the district that includes geographical and economic information is produced by Lancashire County Council's Corporate Research and Intelligence Team: [click here to view](#) or see link (1) in the references.

Population

The 2011 Census ⁽ⁱ⁾ estimates Lancaster District's population as 138,400, representing an average growth rate of 3.4% over the last decade and giving it the second largest population in Lancashire after Preston. 18% of residents (24,500 people) are aged between 18 and 24, well above the national average of 13% and reflecting the number of students at the two local universities. Another 18% are over 65, which is again a little higher than the national average. There are high concentrations of retired people in Morecambe and Silverdale.

Spread

Lancaster district covers 576 square kilometres, making it the second largest district in Lancashire. Its population density is the second lowest in Lancashire after Ribble Valley ⁽ⁱⁱ⁾. Centres of population are shown in Diagram 1 below. Around 40,000 people live outside urban areas.

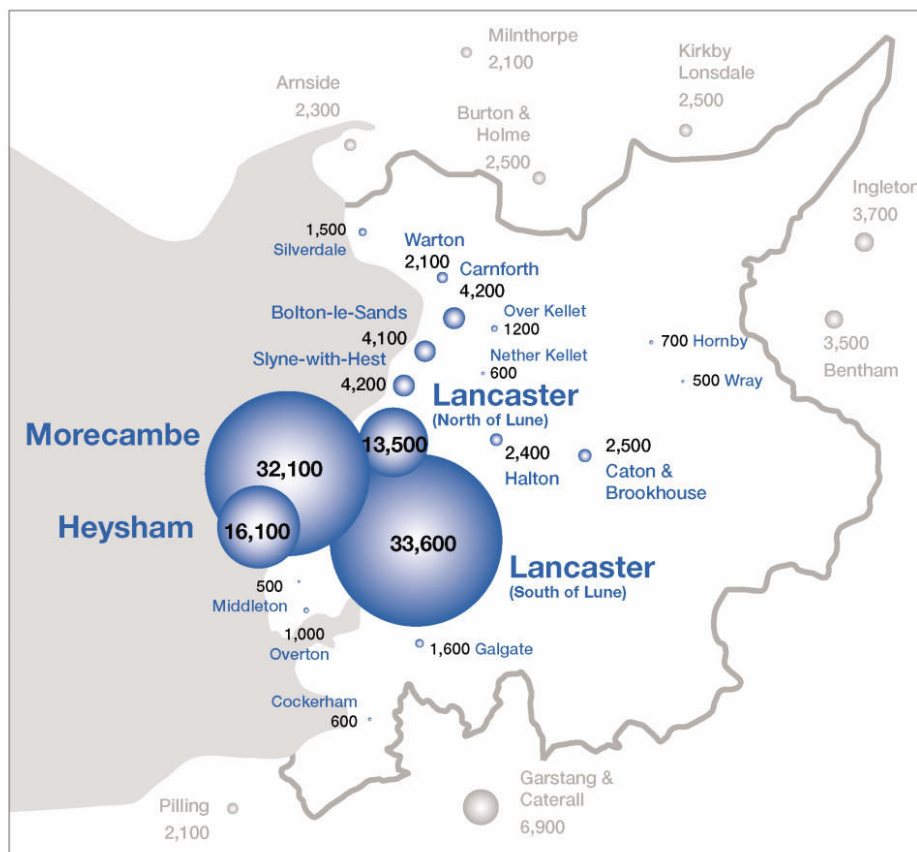


Diagram 1: District Population centres in 2001 (source: Lancaster District Core Strategy (adopted 2008)(iii))

Age

The district's population is projected ^(iv) to increase by 15.8% over the next 25 years (pre-census figures), above the Lancashire figure of 12.8% but below the UK-wide estimate of 18.9%. Around four fifths of that increase will be in people over the age of 65. With Lancaster's above-average population of older people this will equate to an extra 15,000 people over the age of 65 by 2035.

Sexuality

Based on national research the estimated Lesbian, Gay and Bisexual (LGB) population of Lancaster District is between 5-7% of the population, which roughly equates to around 7,000 to 9,500 people^(v) The estimated Transgender/Transsexual population of the district, again based on national research, is around 1% or 1,400 people^(vi)

Religion

As of the 2001 UK census^{vii},^(vii) 76.3% of Lancaster's population reported themselves as Christian (UK average 71.7%), 0.6% Muslim (UK average 3.1%), 0.3% Buddhist, 0.1% Hindu, 0.1% Jewish, and 0.1% Sikh. 13.6% had no religion. The city is covered by the Roman Catholic [Diocese of Lancaster](#) and the Church of England [Diocese of Blackburn](#).

Households

The number of households in England is projected to grow to 27.5 million in 2033, an increase of 18% over the 2008 estimate. Over the same period, growth rates in this district are projected to be 26.7%, the highest in Lancashire^{viii}.^(viii) To meet this need, it is estimated that over 900 new market and affordable homes are required annually over the next 10 years.

In terms of [social housing](#), Lancaster City Council manages 3800 properties, as of October 2012 there are 1878 people on the housing register – down from 2565 in October 2011.

Children, Young People and Education

The following information comes from a general overview of Children and Young People's issues is produced for each district by Lancashire Children's Trust. [Click here to view](#) or see link (2) in the references.

There are around 32,700 children and young people aged 0-19 in the district. Approximately 1,500 children born in the district every year, and around 4,400 children and young people live in poverty (19.4% of the total, versus 21.9% nationally).

As of June 2012, 116 children are looked after, and 59 are in foster care.

The district has high levels of educational qualification with 66.2% of pupils obtaining five GCSE at grades A-C (58.4% nationally). Of the 63 schools in the district, as of August 2011 19 were rated as 'Outstanding' by Ofsted, none were in special measures and only one required special improvements.

There are also high numbers of people with degrees in Silverdale and Central Lancaster. Conversely Morecambe, Heysham and North Lancaster perform more poorly.

In 2011 there were 13,352 school children educated by Lancashire County Council (9.33% of the total) whose first language wasn't English.

Safety

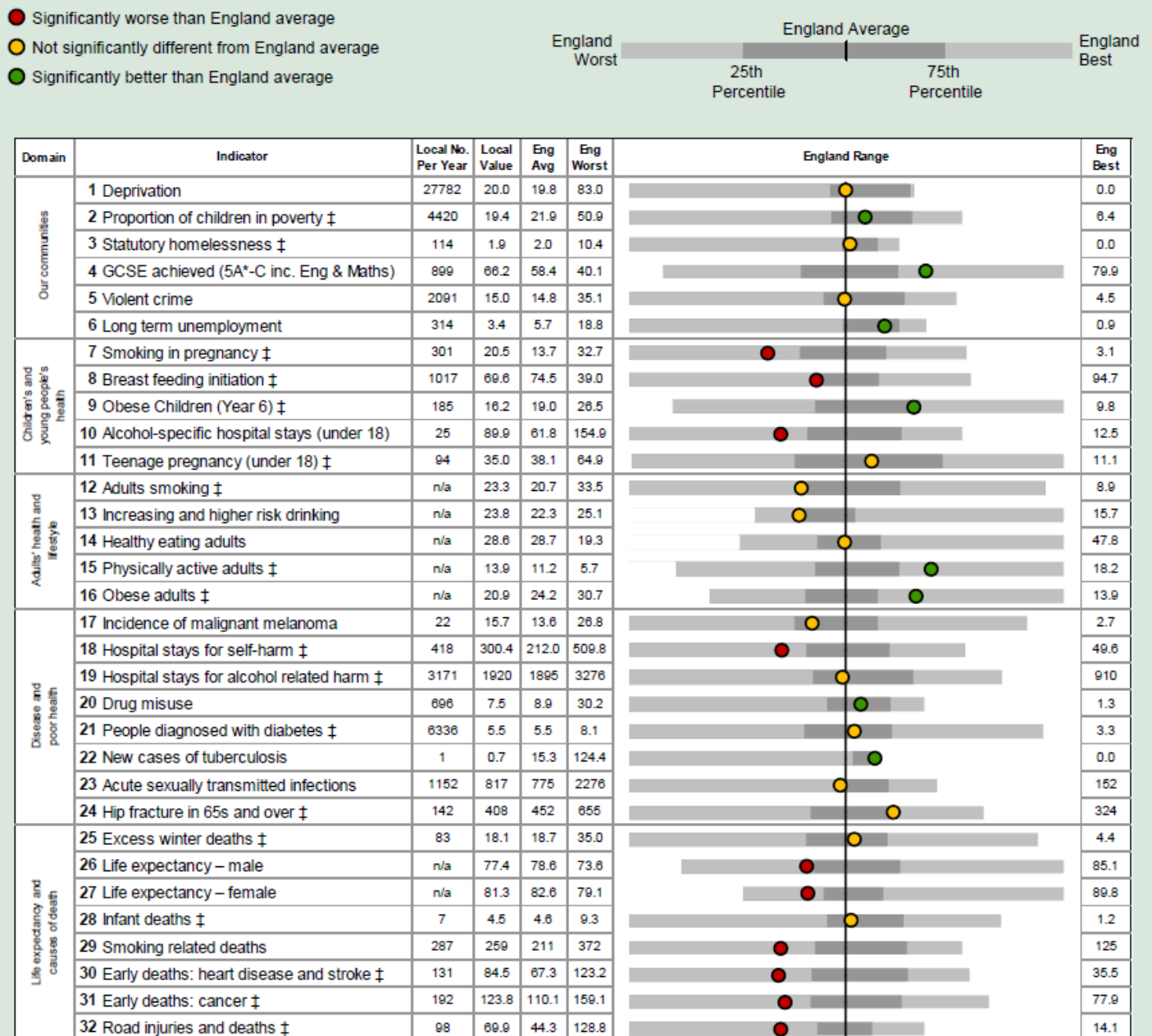
Lancaster has slightly below average crime compared to the rest of Lancashire. Between October 2010 and September 2011, the district had a rate of 64 crimes per thousand population, a reduction from 70 in the previous twelve month period.^(ix)^(ix)

Health

A health profile for Lancaster District is produced by the North West Public Health Observatory. [Click here](#) to view or see link (3) in the references Diagram 2 below is reproduced from that profile.

The health of local people is mixed. Although life expectancy is improving it is lower on average than the rest of England – for local men it’s 77 and for women it’s 81, compared to the national average of 78 and 82. The difference is more pronounced between rich and poor areas in the district, with a difference of 6 years for women and 11 years for men.

This is in part caused by the relatively high levels of smoking, with 287 smoking-related deaths per year compared to the UK average of 211. On the positive side, physical activity and levels of obesity for both adults and children are better than the rest of Britain. The table below, reproduced from the Health Profile 2012 for Lancaster District, gives further comparison between Lancaster District and other areas of England.



‡ Substantially similar to indicator proposed in the Public Health Outcomes Framework published January 2012

Diagram 2: Health Profile for Lancaster District (Source: NHS Observatory Health Profile)

If reading in black and white, the green dots are 2, 4, 6, 9, 15, 16, 20 and 22.

The red dots are 7, 8, 10, 18, 26, 27, 29, 30, 31 and 32

The district has high levels of disability or limiting long-term illness, particularly in Morecambe and Heysham. It is estimated that 23.6% of households in the area contain somebody with a disability, slightly higher than the UK average of 20%.^{x(x)}

Ethnicity and Country of origin

Over 90% of the population are estimated to be White British, with around 8500 people from a black and minority ethnic background (6.1%) and 4500 (3.2%) from an 'other white' background (including Irish and Eastern European).^{xi(xi)} Around 3000 long-term residents (here for longer than a year) are estimated to be non-UK nationals. These minority populations are concentrated, with locally significant numbers of people of Indian and Pakistani origin in Central Lancaster, and from a Chinese and Eastern Europe background in Morecambe.

In 2010 National Insurance Numbers were issued to Lancaster-resident non-UK nationals from 23 countries including Poland, India, Bulgaria, China (and Pakistan, and foreign students from over 100 different countries attending the two Universities.^{xii(xii)}

Around 3,310 short-term migrants (staying for less than 12 months) arrived in Lancaster in 2007, of which 360 were workers. There were estimated to be 2,650 overseas students studying in Lancaster in 2009/10 from over 100 different countries, of which 1,365 were undergraduates, and 1,285 were postgraduates.^{xiii(xiii)}

Gypsies and travellers have a long-established presence in Lancaster District, and many families live on privately owned sites in Heaton-with-Oxcliffe and South Heysham. The Council also manages a social site at Mellishaw Lane on behalf of Lancashire County Council.

Migration

Lancaster has experienced low net migration in recent years but figures are rising. The current estimated net inflow of long-term (i.e. staying longer than one year) international migrants of 648, which is due to around increase to around 800 in 2015/16, and remain stable after that (see Diagram 3 below).^(xii)

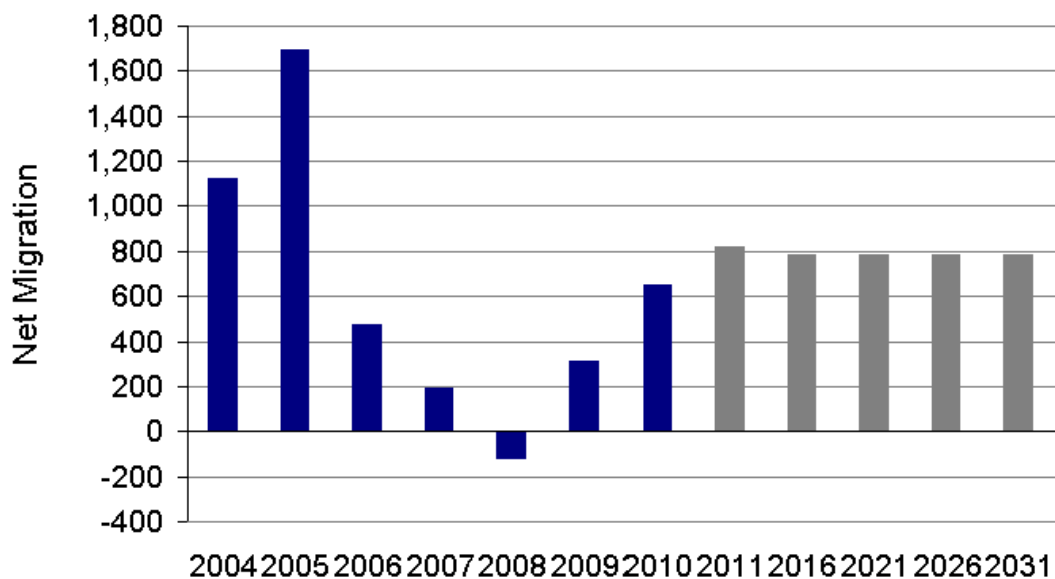


Diagram 3: Net long-term migration in Lancaster District

2. The Economic Picture

Recession

The UK is currently in recession, with GDP shrinking by 0.7% in the second quarter of 2012, the third successive quarter with negative growth^{xiv} (xiv) (see Diagram 4 below courtesy of www.economicshelp.org). The construction sector was hardest hit, with a 5.2% drop from quarter one. Manufacturing fell by 1.3% and service sector output by 0.1%. The Office for Budget Responsibility predicts that overall growth for 2012/13 will be 0.9%, but other economic forecasts are not so positive. For example, the IMF recently downgraded expected UK growth for 2012 to 0.2%.^{xv} (xv)

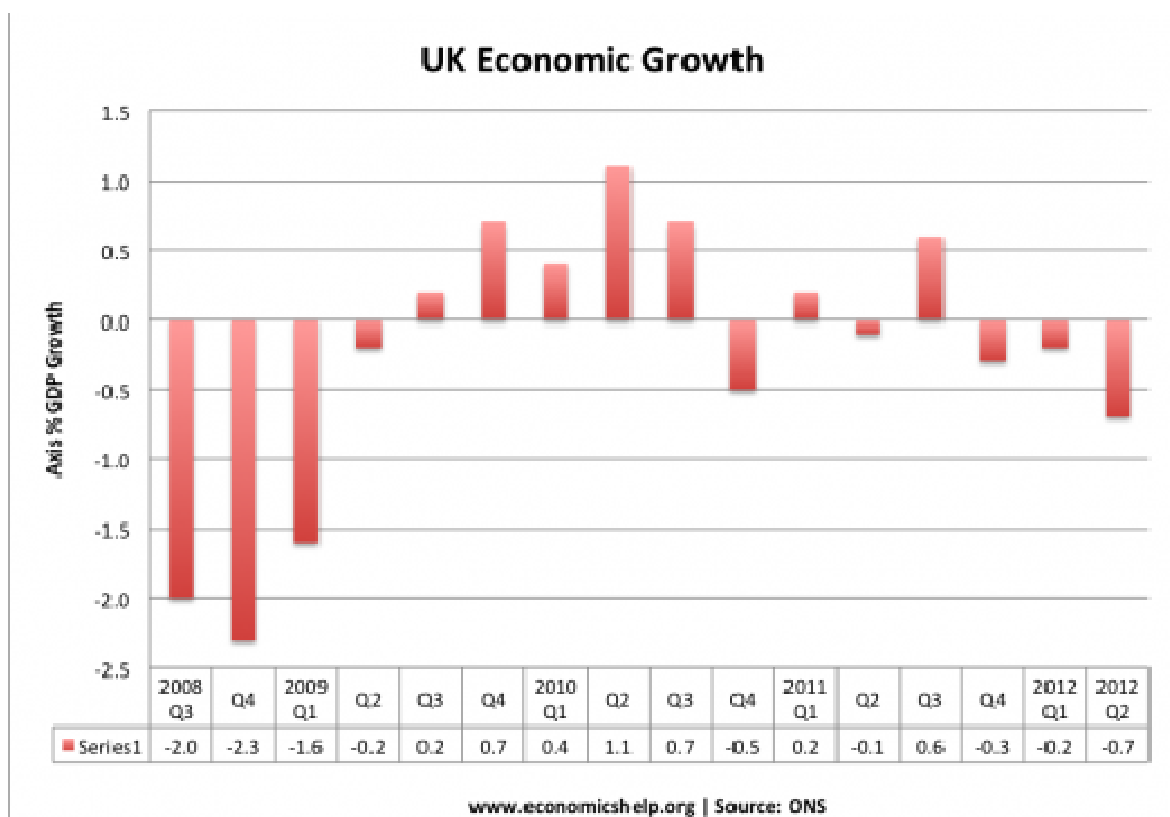


Diagram 4: UK quarterly GDP growth, 2008 to present.

Household Spending

Even if UK households have retained their employment they are still squeezed financially, with their 'real' spending power at its lowest since 2005 due to inflation rising faster than wages. (xiv)

House Prices

House prices are a key indicator of economic activity. Based on sales and valuations over the last three months the average house price in the District is £159,500, compared to a regional average of £169,800.

Sales in the District have decreased by 35.2% between 2007 and 2010.^{xvi} (xvi)

Employment

The most common socio-economic classification in the district is 'lower managerial and professional occupations', and those in this bracket represent around 16% of households. Gross weekly pay in stands at £512 per week, up from £422 in 2004, according to the latest data from the Annual Survey of Hours and Earnings. This compares to a regional average of £473 per week. **(xvii)** ^{xvii}

The District's key economic assets are Lancaster University, Port of Heysham and Heysham Nuclear Power Station. There is also an aspiration to deliver the Lancaster University Science Park, which will generate significant growth in knowledge based jobs in the District.

Jobs are clustered at Lancaster University, in Central Lancaster, at the White Lund industrial estate and Heysham's port and power stations. The district is relatively self-contained with 16% of working age residents commuting out whilst around 13% of employees commute in. **(iii)**

Further development has been granted planning approval which will generate further job growth - for instance Carnforth Business Park at Junction 35 of the M6; and the delivery of the Heysham - M6 link road will significantly improve accessibility to the Heysham Peninsula and Morecambe, which will increase the attractiveness of employment sites to both local and inward investment.

78% of the District's population is classed as economically active, and 74% are employed. Of around 54,000 employee jobs, 85% are in service industries and only 7% in manufacturing.

The low vacancy rates in the District's existing employment areas (White Lund, Caton Road, White Cross) signals that the local economy remains strong. Over the last 3 years 8% of in-migration was for employment purposes.

Unemployment

A key consequence of recession is unemployment. Although Lancaster District's unemployment rate of 8.1% is identical to the national average and below the Lancashire average of 9.5%, the number of people claiming jobseeker's allowance has risen by 200 (7.9%) over the last year and now stands at 2768. Whilst far below the count in the early 90s, when over 11% of the population were claiming unemployment benefit, this figure is likely to rise as the effect of public sector job cuts is felt.

With a larger number of skilled applicants seeking available jobs, the difficulties for those who are long-term unemployed are increased. The city council's worklessness pilot project, which targeted this group to help them back into work is no longer running. However, schemes such as the [Work Programme](#) and the [Youth Contract](#) aim to address these needs.

3% of the population are claiming jobseekers allowance, again close to the national average of 3.1% and below the Lancashire average of 3.6%. However, parts of both Morecambe and Lancaster suffer particularly high levels, including the wards of Harbour (6.6%), Heysham North (6.6%) and Poulton (6.4%). ^{xviii} **(xviii)**

Cuts to the Public Sector and Welfare State

Public Spending and government cuts

Public sector net debt was £1,038 billion at the end of June 2012, equivalent to 66.1% of GDP. This is relatively low in comparison to historical levels. However, public sector net borrowing (PSNB – annual deficit) was £126 billion for 2011/12, or around 11% of GDP, which is very high. The equivalent Office of Budget Responsibility forecast for 2012/13 is £92 billion.(xvii)

In 2010 the government initiated a five-year programme of cuts to public services in order to reduce this deficit. This has recently been extended to 7 years, and both the Prime Minister and the Chancellor has suggested it may be extended again to 2018 or beyond, due to a slower than expected financial recovery.

Benefits

36.1% of households were in receipt of some form of financial support during 2011/12, the highest being Council Tax Benefit with around 18% of households in the district benefitting from it. (xvi)

The Welfare Reform Act (2012) will make a significant change to the welfare and benefits system, replacing a raft of current support (including housing benefit, income support and tax credits) with a single 'Universal Credit' payment to each household. The system is scheduled to be rolled out from October 2013 with expected completion by 2017. There will also be a move towards managing more and more claims online.

There will be a cap on benefits set at the average net earnings for a working household, currently projected to be £500 per week (£26,000 per annum) for lone parents and couples with or without children, and £350 per week for single people without children.

The Act also puts in place more stringent conditions for receipt of the benefit (including around the search for work and staying in jobs) and more sanctions should the 'claimant commitment' be broken.

Other changes include replacing central government support for council tax benefit with a localised support mechanism in 2013 – this will include a 10% cut in the current council tax benefit bill.

A number of organisations have highlighted the expected consequences of these changes:

- Citizens Advice have noted an increase in requests for advice on benefits and tax credits, making it the issue most frequently asked about and accounting for one third of all requests made^{xix}. Issues around debt are very close behind (31%), with employment (8%), housing (7%) and relationships (5%) the next main concerns.
- The Red Cross have produced a report on the adverse effect of cuts to home-based care for elderly people: <http://www.redcross.org.uk/About-us/News/2012/June/Dangerous-cuts-are-putting-vulnerable-people-at-risk>
- Local authorities and other organisations have expressed concerns that the change in council tax benefit will result in a severe cut in council tax benefit for some vulnerable people. Whilst a 10% cut in the overall budget is expected, some groups such as pensioners will have their benefits protected, meaning that the cut for other vulnerable but non-protected groups will be much higher.

Poverty

Recession, unemployment and cuts all have an impact on poverty and there is a question as to whether in these difficult times people's basic needs are being met.

In simple terms a household in poverty is defined by the UK government as in receipt of less than 60% of the median (average) UK household income after tax and housing costs. This equates to around £124 a week for a single person, or £300 for a couple with two children under 14. This is a relative indicator as opposed to a 'fixed' assessment, but over time the cost of living and what is accepted as a minimum standard of living has also changed, making a fixed line difficult.

The latest review of poverty and social exclusion in the UK by the Joseph Rowntree Foundation and the New Policy Institute^{xx} (xx) shows that nationally 22% of the population were in poverty, a figure unchanged for four years. 29% of children live in poverty, and around 16% of pensioners. One in five households were in arrears for at least one bill.

Indices of Deprivation

In the government's indices of deprivation (2010) Lancaster district is placed 8th worst out of the 14 areas in Lancashire (12 districts plus 2 unitaries) in terms of the average of the seven deprivation categories. Nationally it is ranked 133rd out of 326 areas. This is virtually unchanged from the 2007 survey. The average score masks both areas of low deprivation and high deprivation – a handful of wards in Morecambe and Lancaster, particularly Skerton, Poulton and Heysham North, have areas amongst the most deprived in the country.^{xxi} (xxi)

Homelessness

Lancaster City Council accepted 114 households as homeless with priority need in 2010/11, by far the largest number across Lancashire districts and ranking the district 106 out of 329 across the country where 1 has the highest level of homelessness. This figure is only priority households and so the true figure, which would include non-priority cases, will be much higher. The figure of 114 is, however, a decrease of 66% of 2004/05 levels (the year a strong downward trend in homelessness began).^{xxii}

Food

Feedback from local groups suggests that some local families are unable to feed themselves and are now reliant on charity food provision. The Trussell Trust, which runs a UK's network of food banks, fed almost 129,000 people in 2011. There is one local bank run by a religious group, and efforts are being made by other groups to encourage local food growing and better food sufficiency within the local area.

Other Effects of Recession

A report by the Young Foundation^{xxiii} (xxiii) argues that the greatest unmet needs during this recession are psychological - for self-esteem, autonomy, significant relationships and competence – which have a pivotal role to play in wellbeing. Current systems in place to meet need are better at identifying and satisfying material needs (e.g. housing, transport), whereas psychological needs are harder to identify and satisfy.

3. The Community Picture

What local people have said to us

The last large scale survey on perceived need across the district was the 2008 Place Survey (Link 4 in the references). Every local authority in the country asked their citizens a series of questions about their perceptions of their area and of local public services. Around 80% of Lancaster District respondents were satisfied with their area as a place to live, close to the national average, although this varied between 88% in rural areas and 70% in Morecambe.

Respondents noted the most important issues in making somewhere a good place to live were the level of crime, clean streets and health services. However, in terms of what they felt needed addressing locally they chose:

- road maintenance (50% chose it as one of their top 3 priorities)
- traffic congestion (47%)
- activities for teenagers (46%)

More recently the 'Living in Lancashire' survey run by the county council has sought to understand residents' views. This is sent to a panel of several thousand residents across the county, several hundred of whom are in Lancaster District.

In December 2011 the panel was asked similar questions to the place survey on local priorities. Again, levels of crime, clean streets and health services were voted the most important things in making somewhere a good place to live. ^{xxiv} Road repairs and activities for teenagers were still part of the top three issues to be addressed, but 'job prospects' replaced traffic congestion with 41% rating it a priority (xxiv)

As part of the ongoing work by the council to prepare for a new Commissioning Framework, a number of engagement events have been held with voluntary sector organisations to get their feedback on their priorities and what they see the key issues facing the district are.

Support for those with a disability – both physical and mental

In the recent Housing Needs Survey (x) 53% of respondents indicated a need for care or support, with 18% reporting outstanding support needs – extrapolated across the district that is around 1,550 households.

Those with an outstanding care or support need were asked what types of support they felt they needed – the top requests were for personal care (23%), help claiming welfare benefit / managing finances (20%) and looking after the home (14%).

Those who currently receive sufficient care and support services were asked who (formal or informal) provided their support. In around 73% of cases support was provided informally by family / neighbour / friend, and in 27% of cases support was provided formally by social services / a voluntary body. 10% of households received both formal & informal support.

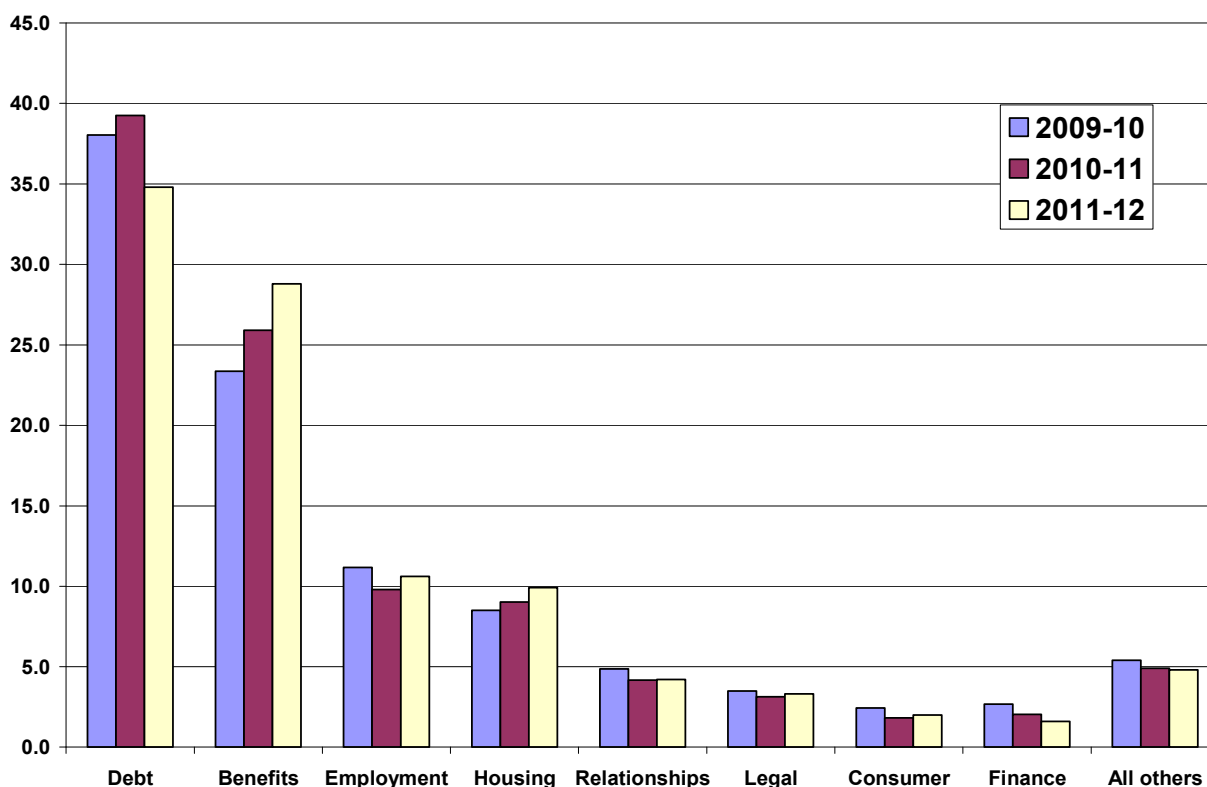
What local people have said to the Voluntary, Community and Faith sector

Lancaster and Morecambe Citizens Advice provides free advice to local people and keeps records of every enquiry received (20,243 in 2011-12) and these are categorised in Chart 1 below. The key issues are debt and then welfare/benefit issues – this is a reversal from the normal trend across the country where benefits come first and then debt, and CAB believe this reflects the relatively low wages in the area coupled with the proliferation of high interest lenders.

There has also been an increase in queries related to welfare and benefits for specific groups, such as disabled people (One Voice and Disability Online) and elderly people (Age UK), who are also very concerned about the changes being made to the welfare system, even if it is not currently affecting them.

As Personal Independence Payments (PIP) are piloted and rolled in through 2013 and Universal Credit is rolled out from October 2013 the demand for advice on social welfare benefits and services is likely to increase, so local people will need access to appropriate advice and information in order to minimise the negative impact on their lives.

Chart 1: Enquires to North Lancashire Citizens Advice by category, 2009-2012^{xxv}
(Vertical axis is average daily enquiries)



4. Trends and Opportunities

This section attempts to cover some of the trends in the district that are particularly relevant to Lancaster City Council and the opportunities to be aware of. This information can then be used to inform decisions on the commissioning of services from the VCF and Arts Sectors.

There are obviously a number of other public sector agencies concerned with improving the life of local people, and collectively their budget dwarfs the funding available to the City Council.

In particular, the ongoing trends of need of local people across Lancashire are continually assessed by the Joint Strategic Needs Assessment (JSNA), which is undertaken by the top-tier local authorities and NHS partners. Amongst other things the JSNA includes district-level information on:

- Needs and outcomes for children and young people
- Community Safety Priorities
- Public Health and Social Care information
- Needs and outcomes for older people

[Click here](#) to view the dedicated JSNA website or see link **(5)** in the references.

a. Support for the Voluntary, Community and Faith Sector (VCFS)

The voluntary, community and faith sector provides a wide variety of services to local people and helps to meet the need arising from the changing demographics of the district's population and the current economic downturn.

Over 220 VCFS organisations are registered with Lancaster District CVS, although the total number operating within the district is thought to be much higher – especially in terms of small community groups. Around a third of those organisations employ paid staff - between them they have the equivalent of nearly 400 full-time paid posts^{xxvi} **(xxvii)**. The number of voluntary staff is much higher (see below).

Supporting those organisations are a small number of local and regional 'infrastructure' organisations that offer advice, training, assistance with funding bids, improving professional standards, and so on. This support is of increasing importance as funding for the sector has reduced thanks to public sector budget cuts and a reduction in charitable giving.^{xxvii} **(xviii)**

Some of the income for infrastructure support comes from subscriptions or the sale of services but the nature of the sector being supported means that VCFS infrastructure organisations must rely at least partially on grant funding and commissioned contracts from the public sector and funding bodies. At the current time a national infrastructure-building initiative is underway, which has provided around £650,000 funding to this county to ensure sustainable and effective infrastructure support. Known as [One Lancashire](#), the project is being coordinated by [SELNET](#), but tight timescales and a limited amount of funding mean that achieving all the aims of the project will be difficult.

b. Volunteering and Community Involvement

Earlier in the year, Lancaster District CVS and Help Direct undertook a review of the state of volunteering in the district. It noted that around a quarter of adults in the district participate formally in some form of volunteering activity at least once a month. It's estimated there are over 867,000 person hours formally volunteered per year, which if valued at the national minimum wage equals over £5.2 million. The level of informal volunteering, such as caring for a friend or relative, is impossible to measure but is likely to be substantially higher.^{xxviii} (xxviii).

Government both nationally and locally recognises the contribution that volunteers make to their communities and in various ways have promoted local people and communities taking more responsibility in service design and delivery. In Lancaster District this is embodied in the [Take Pride](#) initiative currently being promoted by public services.

Unfortunately funding for a district volunteer bureau ran out in spring 2012, leaving no single route for someone interested in volunteering to find out about opportunities. Between 2008 and 2012 the bureau place over 1300 volunteers with placements, many of them unemployed or from 'hard to reach' groups, over 85% of which were with the VCFS. Likewise, local organisations have not single straightforward way of advertising volunteer placements to everyone within the district.

c. IT and Technology

Advances in technology, especially broadband access to the internet, make many activities easier and cheaper for local people – for example, better value shopping and less unnecessary travel. They are also making it easier and cheaper for public services and voluntary groups to provide some of their services.

The increase in social media and internet-enabled mobile phones in particular is staggering. Worldwide there are now 340 million 'tweets' per day on Twitter and by 2015 it is expected that 1.5 billion smartphones will be sold worldwide, up from 300 million in 2010 and only 10 million in 2005.

There are a number of Lancashire projects dedicated to ensuring hard to reach groups are able to access these benefits – such as rural broadband through the [B4RN Project](#) and prototype technologies to allow homeless people better access to health services through the [Patchworks project](#) (part of the [CATALYST Programme](#) run by Lancaster University).

The One Lancashire project (see above) is also intending to introduce better online access and support for information on VCFS organisations and events.

5. Conclusions

Demographically Lancaster District mirrors the UK in many respects with the overall picture masking particular pockets and trends. Of particular note are the larger than average, and growing, number of both students and older people. Ethnicity is less varied than across the county or the country, but the number of international migrants and students is expected to increase over the coming years.

An increasingly elderly and disabled population also means more people are isolated and unable to function effectively in local society without support. In the majority of cases this is provided informally by friends, family and neighbours, or by statutory care services, but more formal befriending, timebank and caring schemes are also available to older people.

The recession and public sector cuts are having an impact on almost every household and organisation in the district but a small minority are suffering extreme levels of disruption and poverty. Historically Lancaster has had the highest level of priority homeless need in Lancashire, and voluntary organisations are also reporting increasing need for basic needs such as food.

Changes in legislation and a rise in financial hardship have meant an increase in the demand for impartial advice services. These changes are also having an impact on people's mental wellbeing – this is often a 'hidden' increased stress and pressure can lead to depression and relationship breakdown.

Not all the trends are negative. Technology continues to improve, offering individuals and communities more opportunities to communicate, organise and make decisions without the need to meet face to face. This particularly helps those with transport issues, including those in rural areas, and people who have issues with mobility. Public services and voluntary organisations are also taking advantage of these opportunities to develop new ways for people to access services and information more cheaply and at a time that suits them.

Volunteering and community involvement also seem to be remaining at pre-recession levels, although without a volunteering brokerage service in the district there is no holistic way of increasing the quality or numbers of volunteers or volunteer opportunities for local people.

The voluntary, community and faith sector as a whole continues to provide an enormous variety of services and support for local people. Whilst many local needs are the statutory responsibility of local and national public bodies, many others fall to the VCFS to provide. Whilst local government involvement in supporting the sector is discretionary, it has been vital so far in ensuring the continuation of infrastructure support to these local groups.

An important issue for dealing with these needs and trends will be the level of current and future resource available to address them. Whilst some needs may be greater than others, these may already have a large amount of public funding allocated to deal with them – therefore, what are perceived as lesser needs may actually be the ones where a district local authority can add most value. There is also an issue about perception – as evidenced by the place survey and subsequent Living in Lancashire surveys, what people feel is most important in their area may not be the ones they think most need improving. And what the majority need they may not take into account the urgent but more specialised need that a minority of people may have.

The information available in making an assessment of our district is overwhelming, although not all of it is easily accessible or straightforward to interpret. Other public sector agencies, such as Lancashire County Council and the NHS, have devoted a high level of resource in undertaking needs assessments, but they will inevitably focus on areas that are relevant to the services they wish to provide, and it is hoped that this assessment offers something more focused to Lancaster District and to the issues related to the Voluntary, Community and Faith Sectors.

6. A Summary in Numbers

Our Demographics

138,400 – our latest population estimate (Census 2011)

1500 – The number of children born every year in this district

8500 - people are from a black and minority ethnic background

8,500 to 11,000 – are Lesbian, Gay, Bisexual or Transgender (LGBT)

77 & 81 – the life expectancy for local men & women (English average is 78 and 82)

13,283 – the estimated number of households where at least one occupant has a disability

64 – the number of crimes per thousand population (down from 70 last year)

Population Increase and Ageing

15.8% - expected increase in the district's population over the next 25 years – nearly 22,000 people

15,000 – the increase in the number of over 65s in the district by 2035

648 – the net inflow of long-term international migrants per year; likely to rise to **800** by 2015

Recession, Unemployment and Poverty

36.1% of existing households were in receipt of some form of financial support

8.1% - the unemployment rate, identical to the national average

4,400 – the estimated number of children living in poverty

8 – the district's rank in Lancashire in the 2010 indices of deprivation (out of 14)

Cuts to the public sector and welfare state

£1.038 trillion – net public sector debt – it rose **£126 billion** in 2011/12

£34 Billion – estimated reduction in yearly welfare budget from 2016

28% - the average cut in local authority budgets over the lifetime of this parliament

Volunteering and Involvement

One in four - the number of adults volunteering formally at least once a month

867, 301 – the number of volunteer hours given in the district during 2011/12

£5.2 million – the estimated value of those hours at the national minimum wage

7. References and Resources

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- v) **Estimate of LGBT population (Report 37, 2009)** – Equality & Human Rights Commission
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- x) **Lancaster District Housing Needs Survey** – David Couttie Associates
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- xi) **2009 Population: Ethnicity Estimates** – ONS
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- xiii) **International Student Information:** Lancaster University
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- xiv) **UK Economic Activity** – Office for National Statistics
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- xv) **UK Quarter 2 growth estimates** – Economics Help
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- xvi) **Property Analytics** - Hometrack
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- xvii) **Public Sector Finances - June 2012** – Office for National Statistics
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- xviii) **Lancashire Unemployment statistics** – Lancashire County Council
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- xix) **To be confirmed**
- xx) **Monitoring Poverty and Social Exclusion 2011** – Joseph Rowntree Foundation/New Policy Institute
<http://www.jrf.org.uk/publications/monitoring-poverty-2011>
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- xxii) Lancashire Homeless statistics by LA Area** – Lancashire County Council
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- xxiii) The Receding Tide** – The Young Foundation
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- xxvii) The Sector Counts** – Lancaster District CVS
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- xxviii) Economic Crisis, need & voluntary organisations in Lancaster** - Lancaster University
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- xxix) The State of Volunteering in Lancaster District** – Alan Chapman Consulting
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Further Useful Information

- 1) **Lancaster District Profile** produced by Lancashire County Council:
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- 2) **Lancaster CYP Key Facts** – produced by Lancashire Children’s Trust
<http://www.lancashirechildrenstrust.org.uk/web/viewdoc.asp?id=91144>
- 3) **Lancaster Health Profile** produced by the North West Public Health Observatory
http://www.apho.org.uk/default.aspx?QN=HP_METADATA&AreaID=50498
- 4) **Place Survey 2008**. The last nationwide survey of local people’s attitudes to public services and the place they live. Results at <http://www.lancaster.gov.uk/news/2009/oct/place-survey-results/>
- 5) **Joint Strategic Needs Assessment**. Produced by top-tier local authority and health service following 2007 legislation. Provides a comprehensive picture of the health of the population including unmet needs and inequalities. www.lancashire.gov.uk/jsna

Community Safety Strategic Assessment produced by Lancaster District CSP
<http://www.lancaster.gov.uk/community-safety/>

NEF interim research into vulnerable communities
http://www.neweconomics.org/sites/neweconomics.org/files/New_Austerity_and_Big_Society_Media_Report_-_WEB.pdf

VCFS Commissioning Workshop at MIG, Wednesday 19 September 2012 at Furniture Matters	
<p>Numbers agreeing</p> <p>7</p>	<p>Role and purpose of VCFS – what does it need to be doing – will it be doing anything different or differently to what it is doing now?</p> <p>Centralise database for volunteers in the district – volunteer bureau</p> <p>Lots of co-ordinating and talking Constant updates + communication Be honest about what we can share! Have a “skills bank” of those with expertise in certain areas so we can actually help each other Simple, assemble leaflet of basic info about the support and networking structures available for small organisations that may not even realise there is a “sector” they belong to! Each organisation to compile a list of voluntary opportunities within their organisation with job description (roles) and disseminate to other agencies or to one database for all to access</p>
<p>8</p>	<p>Information sharing between services. Lessen the divide between Lancaster and Morecambe Map of the current voluntary sector – what they do – what they have – what they share Communicate – more effective communication Communication with other agencies – find out what funding/information is out there</p>

		More forums – relevant and focussed!
2	Reduce costs for services to rent rooms etc	Empty offices buildings identified and negotiate reduced rents – better than being empty Council could make a list of suitable properties that are empty (possibly at reduced rent to VCFS)
0	VCFS do a brilliant job – they are inspiring – they fill gaps	
0	They need to co-ordinate more	
0	Monitor and promote	Disseminate info about local services/service changes to other agencies (Help Direct)
13	To fill/replace the gaps left by other services closures	Research and identify needs ID needs Talk to other services and work together Clear direction – not too many leads etc... Better partnership working to identify service gaps and/or needs – tell Help Direct Feed back service gaps to Lancashire County Council service commissioners whether they want them or not! Work together as a community to keep services provided in the voluntary sector funded FEAR – don't expect VCFS to pick up all the work of the

		frontline services without £ (The obvious) Funding Support and develop good work already being done
0	Pick up the pieces	
4	Smaller/specialised support rather than wide ranging – due to lack of funding	
1	Chase ever diverse/changing funding streams	
1	Need to be more cost effective and possibly streamlined	Do yourself out of a job
0	Info sharing	
2	Encourage involvement and independence/personal responsibility	
10	To get more people in the community involved, with less funding more help is needed	Raising more awareness about where people can help – promote these areas
0	Supporting those who are falling through the “net” (safety net and welfare state)	
1	Provide opportunities for all	

2	Maintain communication between those who feel increasingly disempowered → hope	Invest time in meetings like MIG so that we build relationships which can become a basis for networking, cross referral, joint enterprise etc
2	Young people	Give more opportunities to young people – use their thoughts, ideas – future service users
5	Leading role in innovating and initiating social solutions eg local currency, food banks	Links with Lanc Uni initiatives eg Catalyst project, Chris May work
1	More professional	Define more professional
3	Will be attempting to fill an increasingly wide gap between need and provision as centralised services decrease	
0	Still exists	Capacity support VCFS to do some income generation to then provide services rather than always relying on grants Politicise
1	Possibly diversified to include social enterprise! etc in structure	
3	Organise! Agitate! Campaign!	
1	Will it/can it maintain it's independence? Still needs to challenge/campaign	Organise
0	Less direct work, more paperwork?	Be transparent with each other Joint bids/tendering
0	Compete! (limited funds, many agencies...)	Don't work in isolation

		Avoid localism (1 spot) Level playing field
1	To help people from reaching crisis point	
6	Campaigning/awareness raising	Communication – listen to people’s needs and what they want Ensure VCFS is independent enough to challenge policies/statutory bodies

Organisations represented (numbers of people if more than one)

- Morecambe Interagency Group:
- Barnardo’s Lancashire Young Carers (x2)
- Catalyst, Lancaster University
- Community Fire Safety Practitioner
- CVS (x2)
- Furniture Matters
- Galloway Society
- Health Trainers
- Help Direct (x2)
- Home Start
- i2i, Lancaster
- Lancashire Link
- Lancaster District Homeless Action
- Lulus Dance
- Morecambe Bay Food Bank
- Morecambe Churches Forum
- North Lancs CAB
- Olive Branch (x2)

Peer Support (x2)
Phoenix and Butterfly Projects
Red Rose Recovery, CVS
Youngaddaction North Lancs.

Over the next three years, what do you think the needs of the people of the district will be?

Good Health
 Good nutrition/food
 Meaningful relationships
 Statutory changes have produced gaps in provision, and pressure on voluntary services e.g. mental health needs rising.
 Housing – quality as well as type/quantity
 Employment – paid and unpaid
 Volunteers – more to do more
 Meaningful livelihoods – use of peoples time gives meaning/offers a good service to the community/caring e.g. childcare
 Isolation & dementia particularly within ageing population/impact on families
 Transport – getting to places – young and old
 Access to services
 Information and advice, consistency of message e.g. benefits, jobseekers
 Joined up services – avoiding unnecessary duplication, talking to each other, proper links – not in Boxes
 Social Support – voluntary sector – frontline e.g. around housing
 Changing priorities of statutory sector – voluntary sector having to pick up
 Icing on cake → fire-fighting
 Welfare Reform Act – changes that could half peoples income i.e. much greater impact than changes before hitting the same people more than once
 Crisis support as rules change – Crisis international 25-60% up
 Regulations change but need remains, who picks this up?
 Geography – funding between Kendal/Preston Lancaster/Morecambe consortiums?
 – coming together locally likely to increase Family Relationship Support
 Domestic Abuse – different set up for U18s Always been a gap
 Knock on effects (cycle) e.g. unemployment trigger/early intervention
 Fact portfolio to assist with funding bids e.g. save time/effort/duplication
 Information – even about what exists now – awareness of changes – though same higher expectation of service

Are there any gaps in provision?

Housing- affordable housing for young people and older people, points system is difficult, relies on IT – what about people non-IT-literate?

Statutory changes/closures puts pressure on voluntary services

More resources and finding to allow change and support, with more flexibility

Benefits/jobseekers restructure has impacts in different areas especially disability and families

Funders too project orientated – not long term. Funders need to look at sustainability of work. Sometimes projects take longer because staff are part time and/or voluntary

Access to IT – lots of jobs only available online – not everyone is comfortable with IT

Mental health support – need for service user lead peer support, these people are lost, not seen, seem to have no voice – drug users not getting correct support – severe and enduring mental health needs gaps due to recent decisions

Access to IT – library not suitable for everyone

Basic literacy, basic skills

Welfare Reform Act – changes that could half peoples income i.e. much greater impact than changes before hitting the same people more than once

Future Gap - Legal Services Act – less provision in whole of W Lancs – debt – housing – legal aid awareness/support

Domestic Abuse – different set up for U18s Always been a gap

Employment – so much unemployment, employers are not employing people with muddled backgrounds because so many 'easier' applicants. Especially young men under 30 – risk of dropping out of society – subculture – need appropriate support to avoid this

Older pool of volunteers – increasing age of retirement – a need for voluntary organisations to find ways of linking in to retirement schemes, leaving work for retirement eg hospitals, university – also childcare responsibilities

Need to cover organisations which no longer around e.g. adult mental health, CHIPS; or may exist in much diminished form

what does it still provide?

Funding structure where everyone fits e.g. if not quite health, not quite education round peg/square holes

Age profile of volunteers (students) – volunteer bureau

Information – even about what exists now – awareness of changes – though same higher expectation of service

Appendix B 3



Does this provide any opportunities to work together in a different way?

Developing communications so more people know about what resources are out there
 Volunteering – personalised service esp for higher skills e.g. pathways for skilled volunteers
 Expansion of some current VCFS services – doing more of what works
 Better use of public buildings e.g. schools during evenings, weekends and holidays, land for allotments, orchards, etc, St Leonards House
 Moving from a centralised, hierarchical structure to a networked, web, evolving, equal, organisations working together and listening to and trusting each other
 Sharing resources
 Local currency + time banking to break cycles of unemployment
 Need to trust statutory organisations – need more understanding that what is promised will be delivered. E.g. it would be good for statutory officer to spend a day with VCFS worker
 Large organisations cannot force this change
 Move away from protectionism, parochial attitudes (this often comes from the passion people have about their area of work/concern
 Increase revenue funding available
 How many partners can we get together in a bid (i.e. value for money) added value of joint bids – more scope – broader client base, broader benefits
 Collective working relationship – recognising expertise
 Partnership approach
 Work experience – County as corporate parent.
 Progression route e.g. Strawberry Fields/Stewards
 Volunteering – appropriate roles, volunteer support
 Training for group on how to work collaboratively – skills, legal implications
 Strong agencies – currently not talking together – duplication of errors/ideas – some sense of co-ordination – by ‘theme’ rather than just a v high level one?

Share a story about a recent time when your organisation did some of its best work and made a real difference. **What have you learnt about the best ways for the voluntary sector to work?**

Providing a safe place – haven
 Having paid volunteer co-ordinators
 Volunteers willing to give time and resources
 Access to professional services
 Because we're volunteering, people appreciate that we're doing this because we care
 Being able to give flexible responses according to individual needs – service-led
 Being welcoming/approachable/non-threatening/accessible/independent
 Up-skilling workers and volunteers
 Giving volunteers high quality training
 Minimal bureaucracy
 Having the time to befriend and really understand people
 Identifying real needs – by being embedded in the community we serve
 Individual help on a one to one basis to assist people struggling with health problems etc when crisis support didn't work
 Getting together – like-minded groups to play card etc and look after themselves
 People who live in squalor can be a problem to help – volunteers could be in danger from cleanliness issues
 People who are in total isolation allowing volunteers to take them out of their living space and giving change of outlook and new connections
 Making connections for groups bringing different contact together made a "big difference"
 Barton Road CC no support fort community work so member volunteered to set up a sewing group – inspirational – bringing older and younger people together
 Take people out of isolation on outings and talks – relaxation and comfortable company

When asked to choose the top three most important things:

Personal contacts + trust

Networking links with appropriate agencies

Communication vital

Further comments:
 Volunteering can change people lives. Volunteers need time to be 'nurtured'.
 Relationships can develop in an environment perceived as safer.
 Passion is fine but do those with passions need opportunity to enthuse others and share the passion
 The sector changes lives for people as 'clients' and for people as 'volunteers'.
 More shared resources. Time/time bank – practical resources.
 Volunteers + training
 Access to volunteers
 Success rate into employment from volunteering
 Short term benefits e.g. addiction rehab often ruined by financial shortfall – need for longer term commitment
 e.g. CLN had to 'chase funding' – led organisation away from 'ethos' and lose support
 People some time need 'time' opportunity to look at their issues in a 'safe' environment to see the 'bigger' picture – still
 'reluctance' to access benefits

Imagine three years into the future – voluntary sector is thriving, even within limited budgets. What does it look like?

By working together, what can we do to achieve this vision?

Networking
 Trust
 Communications
 Funding led rather than project led – be aware!
 Passions and opportunity to share
 Service user led- experience
 Cascade of services from one contact
 Act as a link between services and public
 Communications between statutory services and VCFS
 Accessible, approachable, non-threatening
 Independent!
 Recognising expertise
 Funding needs long term being met
 Longer funding streams

<p>Don't want – external agencies delivering local services Do want local agencies – local solutions, local problems Continued over page...</p>	
<p>Imagine three years into the future – voluntary sector is thriving, even within limited budgets. What does it look like? By working together, what can we do to achieve this vision? (Continued from previous page)</p>	<p>Success rate voluntary into employment Time and capacity to replace and train volunteers Voluntary sector – not third sector People know where to go for the help they need Information sharing including statistics, local base Access to good pool of volunteers Access to good pool of volunteers More core funding. Realistic timescales. Diversification of income streams. Training, skilling up – how to work collaboratively. More volunteers taking Flexible funding Encourage more volunteers Better networked and more collaborative Supporting workers More support to enable volunteers to take on responsibilities Statutory services fulfilling their responsibilities not taking the easy option and just sending (dumping) people to the third sector Community hubs – voluntary sector groups working in the same building. The Cornerstone. More user led organisations, expand hours, Morecambe as well as Lancaster, better funding Real communication between statutory and voluntary sector services not tokenistic. Need action. Appropriate access to information e.g. supplying hard copies as well as web based. ? Clearer definition between voluntary groups working on needs and those working on hobbies. Thriving and well supported local organisations sharing expertise and aims to deliver local services. Co-ordinated services – enable regular forums (like this) to discuss and solve issues.</p>

Everyone can spend a day per week on a choice of volunteer opportunity (so max 4 day working week) and obtain reward in timebank/local currency payments – need core funding for voluntary organisations to do this.
 Funder listening to voluntary sector about need and fund longer
 Training and support for harder to reach 'potential' volunteers to build confidence and skills
 Inform young people of career opportunities within voluntary sector who have good education – empower sector with clever people!

Organisations represented (numbers of people if more than one)

Lancaster Voluntary Sector Forum:

Barton Road Community Centre (x2)
 Birchall Trust
 Children's Society
 CVS (x4)
 North Lancs CAGB
 Olive Branch
 One Voice
 Peer Support (x2)
 Red Rose Recovery
 Relate Lancashire
 St Thomas's Church
 Strawberry Fields Training
 Transition Lancaster

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THE COMMISSIONING CYCLE

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- . **Plan**
- . **Do**
- . **Review**

THE COMMISSIONING PLAN

GLOSSARY

INTRODUCTION

For some years the council has invested in important services delivered by the voluntary, community and faith sector and the arts sector, to improve the quality of life, the local economy and the health and well being of local people.

The council's current investment supports a wide range of activities and there are many examples of success. Overall, the council's monitoring of this investment has indicated that some very helpful, value for money services have been delivered that have made a crucial difference to the lives of local people and have helped to attract visitors to the district.

Building on this, the council wishes to re-invest via a commissioning framework in the voluntary, community and faith sector and the arts sector to help them to deliver services for the district. This will provide an opportunity to refresh priorities for investment in line with current council priorities, as expressed in the council's Corporate Plan 2012 – 2015. In the context of many changes affecting people's lives and the support they need, a commissioning framework will also allow for a re-assessment of current and anticipated needs, existing service provision and potential gaps in services. New providers or new services can be recognised and an improved understanding gained about what really works and makes a difference to people's lives. The council would like to see its commissioning arrangements providing a platform for collaboration, enabling organisations to work together to deliver services.

A significant element of commissioning relates to engagement with partners. Where procurement or grant giving identify what services are desired and provide investment, commissioning is developed by working with people and providers to gain an understanding of needs, existing services and gaps. The council would like to reinforce good communications and partnership links by working closely with partners as part of the commissioning process to ensure that investment can be used to add the most value and to make a difference in ways that matter.

The council has stated that:

“Support for voluntary, community and faith (and arts and culture) groups has continued in 2011/ 2012 and the council wants to continue to work with these sectors in the future to consider how together we can ensure important services for the district are delivered”
Lancaster City Council Corporate Plan 2012- 2015

PURPOSE AND COMMITMENTS

Core purpose

The core purpose of our commissioning arrangements is to ensure that the council's investment in VCFS and Arts services has the maximum positive impact on the lives of people in the district and the local economy.

Commissioned services will be expected to align with the council's Priorities as identified in the Corporate Plan. For 2012 – 2015 these are;

Economic Growth
Health and Well Being
Clean, Green and Safe Places
Community Leadership

The intention to protect the most vulnerable in our society is a thread that runs through all of the council's Priorities and provides an important emphasis for development of commissioned services.

The cross cutting themes of **Working Together in Partnership**, **Managing the Council's Resources** and **Environmental Sustainability** indicate clear principles for the way in which the council will undertake commissioning and are reflected in the commissioning principles and core criteria for assessment of service options.

Lancaster City Council's Corporate Plan can be viewed at:

<http://www.lancaster.gov.uk/council-and-democracy/council-priorities-and-key-documents/corporate-plan-2012-15/>

What is Commissioning?

At this stage, the council has developed a locality based commissioning model for its own investment in specific services at the local level. This is likely to lead to opportunities for more strategic commissioning in the future where, in some cases, the council's investment is considered as part of the overall investment in the district.

There are many definitions of commissioning but for the purposes of the council's approach to commissioning services from the VCF and arts sectors, Commissioning is:

The process of specifying, securing and monitoring services to meet people's needs at a strategic level and in an efficient, effective, equitable and sustainable way.

COMMISSIONING PRINCIPLES

CITIZEN FOCUSED

The organisations that deliver services within the district are vital because of the services they deliver and the difference they make but also because of their ideas, knowledge, experience and commitment. However, investment will be clearly focused on achieving positive outcomes for individuals, families and communities

WORKING TOGETHER

Given current pressures and challenges, the council is committed to Working Together in Partnership and believes that, now and in the future, joint approaches will help to provide efficient and effective ways of delivering many different kinds of services across the district. In line with this, the council is keen to encourage and support more collaboration, cooperation, joint working and sharing of resources between organisations to help to protect important services and ensure their viability in the future.

The council's role will be proactive in this. The core criteria for commissioning includes collaboration but, in addition, the council will consider how services can work together, if there are opportunities to combine service delivery arrangements to make the most of specific expertise and also how to ensure administrative and other support functions are as efficient as possible so that most investment can be focused on service delivery.

TRANSPARENCY

Commissioning decisions will be transparent, fair and lawful. The council will provide clear information on its commissioning arrangements, which will be widely and publicly available.

VALUE FOCUSED

To achieve the maximum impact from its investment, the council will focus on Value, taking account of Social Return on Investment, that is, social, economic and environmental value, not just transactional value. In general, and as far as possible, administrative burdens will be reasonable and proportionate and investment will be focused on delivery of quality services that lead to positive outcomes.

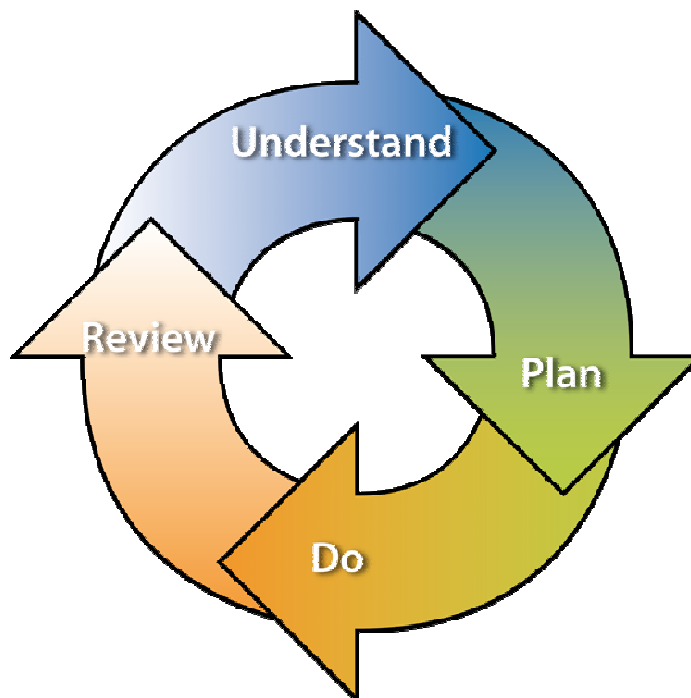
To gain maximum impact from investment, prioritisation will be around:

- Prevention and early intervention as a means of reducing demand for services in the long term.
- Investment that provides a high value return by securing benefits to many service delivery organisations and underpinning viability of a range of services
- Relevant services where joint investment, match funding or contribution of resources provide good or exceptional value
- Development of long term and sustainable services

ENGAGEMENT

Understanding needs and opportunities, as well as issues affecting service providers, is crucial if the right services are to be delivered for the right people, at the right time and in the right place. Service providers are closely engaged with individuals and communities and have a detailed understanding of their needs, opportunities and the changes affecting their lives. Our dialogue with providers is an invaluable part of the commissioning process and a range of activities will ensure active engagement is an integrated part of commissioning process at all stages.

THE COMMISSIONING CYCLE



Commissioning is not just procurement but is a much broader recurring cycle. The key stages in the council's commissioning cycle are:

UNDERSTANDING

• Engagement

The council wishes to take many opportunities to engage with partners, service providers and individuals or their representatives, in order to ensure that there is ongoing dialogue and a genuine understanding of needs, opportunities and emerging changes. This will occur at various times through planned engagement exercises and informally via opportunities that arise day to day. As part of the commissioning cycle there will be engagement with service providers at all stages via planning delivering and monitoring arrangements.

• Local Assessment

The Needs Assessment underpinning the commissioning process has a number of elements. Desktop research is fairly high level and provides information from a range of sources to provide contextual background on the demography and economy of the district as well information as on social and environmental factors. Qualitative information is used where this is available and may include local research and information relating to user feedback on needs and existing services. The council's engagement work provides context, feedback, ideas and commentary from individuals, communities and service providers and this is seen as vital in terms of developing service specifications for the future.

• Existing Service Provision

Mapping existing services in the district is challenging for many reasons. Both demand and services change and adapt and currently some services are being lost due to financial and other pressures. However, understanding the nature of current provision, including its quality and impact, is important if the impact of any investment is to be understood. The council will seek to understand existing service provision by monitoring relevant policy and funding, via its engagement work and from its ongoing communications with service providers.

• Gap Analysis

Understanding need and existing service provision are pre-requisites in terms of understanding the gap and the opportunities to add value to what currently exists. In terms of VCFS and Arts, there are existing statutory, mainstream and funded services and the council's investment needs to add value to these. Data available from the Local Assessment and engagement work provides more narrative and a qualitative view of what is changing, is still needed most and also where there are opportunities to achieve significant impact.

PLAN**• Options Appraisal**

Once needs and opportunities are identified, it is possible to identify what options are feasible to deliver the outcomes required and the levels of investment needed to achieve the desired impact. Engagement work is key to this stage of commissioning. In most circumstances, funds will be limited and it is vital that due consideration is given to achieving the best possible and most relevant outcomes for the investment that is available. Core criteria, for the council's commissioning arrangements including Value for Money, Added Value and Sustainability support this.

• Service Design

Service design needs to involve and include sector partners on a broad basis to ensure relevant expertise and knowledge is brought into the process and planned services are feasible, realistic and deliverable as well as achieving the outcomes and impact desired. The council wishes to focus on Value, that is, a return on investment that includes Social Value, not just transactional value, and Added Value, where investment complements and enhances existing provision.

Do**• Procurement**

Procurement of services will be required in line with the council's normal procurement guidance and regulations and processes will be clear and transparent. Appropriate procurement underpins service standards and value for money. Whilst cost will always be a consideration, the council has established core criteria for commissioned services that include a range of quality factors that will form the basis of any assessment and appraisal process.

To ensure that the procurement process is fair, transparent and inclusive the council will publish all relevant information and will publicise tendering or bidding opportunities as widely as possible. Impartial advice and guidance will be provided and workshops will be arranged and available to all applicants to provide opportunities to gain further details on procurement arrangements, quality standards and timescales.

Core criteria for commissioned services	
Links to corporate priorities and other approved strategies	Services will assist the council in delivering its priorities and desired outcomes and support delivery of other relevant, approved strategies
Deliverability	No major barriers exist that could negatively affect delivery of services
Quality Assurance	Services can be delivered within budget, timescale and to the required quality standards
Value for Money	Services are economic, efficient and effective and the return on investment can be clearly identified. Leverage and match funding from other sources has been achieved wherever possible
Added value/ additionality	Opportunities to add value to other initiatives in the district have been sought and acted upon wherever possible and that duplication is avoided
Sustainability	Services can become more self sustaining in the future with a reducing reliance on public sector funding. Efficiencies have been achieved where possible
Collaboration	Opportunities for collaborative working and shared delivery of services have been sought and proposals/ joint submissions developed where appropriate
Service specific criteria	Quality standards or particular requirements relevant to specific services

• Service Delivery

Service delivery arrangements will be based on clear contractual arrangements that express what investment is for, the outcomes expected, communications arrangements and the information that will be needed to inform progress and achievements. The council will seek to create an honest and open dialogue, which is supportive of service deliverers but that provides scope and flexibility to adapt and develop services to meet changing needs, whilst maintaining quality.

REVIEW

• Performance monitoring

Performance monitoring will be based on working closely and constructively with delivery partners. The council wishes to maintain strong ongoing communications to help to ensure that services achieve the best possible outcomes but also so that there is a constructive approach to managing important changes, risks and to capturing good practice.

Whilst appropriate quality standards for delivery and for financial management remain, the emphasis of performance monitoring arrangements will be on Outcomes and Value.

• Evaluation

Ongoing monitoring and evaluation of progress and outcomes will be used not only to assess the impact of current investment but also to inform development of future service delivery. It will capture the overall impact, the current position of delivery partners, current and emerging needs in the sector or district and also what has been learned.

The council will be working with partners to capture and review lessons from previous delivery to drive continuous improvement. The intelligence gathered through such evaluation will be invaluable in terms of designing future, high impact, services that are efficient, effective and economic that also add value to other existing provision.

THE COMMISSIONING PLAN

The Commissioning Plan is an associated document that provides much more detailed information on the council's planned investment in services. This includes outline specifications for the services the council wishes to commission, the levels of investment to be provided, expected outcomes and information relating to the procurement, contractual and performance management arrangements.

Separate Commissioning Plans will be published in relation to the services delivered by the voluntary, community and faith sector and the arts sector and, when finalised, these will be available on the council's website.

GLOSSARY

Commissioning

The process for deciding how to use the resource available for improving individual, community and economic outcomes, in the most efficient, effective, equitable and sustainable way

Commissioning Cycle

Often shown as a diagram, this is the ongoing nature of commissioning, beyond a standard procurement exercise. In the context of Lancaster City Council this means the stages of Understand, Plan, Do and Review, which run in a recurring fashion.

Commissioning Framework

The key background document outlining the approach that is being taken for a particular commissioning area, which includes the purpose for such commissioning, the principles being followed for such a process, core criteria for commissioned services and the commissioning cycle.

Commissioning Plan

A document, associated with the Commissioning Framework, that provides much more detailed details of which services the council wishes to commission, the levels of investment to be provided, outcomes to be achieved and procurement, contractual and performance management arrangements

Engagement

Commissioning is an arrangement that requires close communication with service deliverers and an understanding of needs. Engagement can be undertaken in various ways but primarily the council seeks to meet face to face in workshop style settings. These events are helpful but are part of a wider approach that includes ongoing communications with a range of sector groups and individuals on a regular basis.

Outcomes

Outcomes are end results. They can describe states of well being or they can refer to results achieved by a service or intervention over time. For example, “a cleaner, greener environment” is an outcome achieved over time as a result of a range of activities such as street cleaning, environmental improvements, maintenance of parks and open spaces.

Procurement

The process of acquiring goods, works and services from suppliers

Success Measure

Success measures are often referred to as outputs or targets and can often be reported as performance indicators. They are specific and quantifiable measurements that quantify achievement of, or progress towards, delivery of the outcomes. They could include, for example, 2 hectares of public open land improved, 25 premises refurbished or 40 training sessions provided.

VCFS

Acronym used for the ‘Voluntary, Community and Faith Sector’

Service Level Agreements 2012/13 - Appendix D

VCFS	Grant	Rent	Total
Age UK	7,700	0	7,700
CVS	16,100	0	16,100
North Lancs CAB	170,100	7,200	177,300
One Voice	6,200	0	6,200
Rainbow Centre Morecambe	5,100	0	5,100
Relate	0	7,000	7,000
Samaritans	1,500	0	1,500
Shopmobility (via One Voice)	12,300	0	12,300
Thumbprint	4,200	0	4,200
Victim Support	5,100	0	5,100
Subtotals	228,300	14,200	242,500
	VCFS Total		242,500

Notes

Welfare Grants not included in above table. Figure for this is £4,000 of which £2,000 is received from County.

Storey Gallery SLA not in place for 2012/13.

Income from county council which supports grant payments:

VCFS	Grant	Rent	Total
Age UK	3,700	0	3,700
Rainbow Centre	2,500	0	2,500

Arts/ Sports /Leisure	Grant	Rent	Total
Dukes Theatre	131,400	12,500	143,900
Lifest	9,400	0	9,400
Lulus Dance	9,200	13,000	21,200
Marsh Community Centre	13,300	0	0
More Music	10,500	0	10,500
Ridge Community Centre	29,400	0	0
Storey Gallery (see note below)	10,700		
Subtotals	213,900	25,500	

Arts Total 239,400

Arts/Sports/ Leisure	Grant	Rent	Total
Marsh and Ridge Community Centres	25,100	0	25,100

CABINET

Take Pride Community Fund 06 November 2012

Report of Head of Community Engagement

PURPOSE OF REPORT			
This report is to make recommendations on the allocation of the Take Pride Community Fund (previously referred to as Second Homes Funding for 2012/13)			
Key Decision	X	Non-Key Decision	Referral from Cabinet Member
Date Included in Forthcoming Key Decision Notice		8 October 2012	
This report is public			

RECOMMENDATIONS OF THE LEADER OF THE COUNCIL

It is recommended that:

- (1) Cabinet notes the process undertaken to seek bids to manage the bidding round for Take Pride Community Funding and the involvement and support of Lancashire County Council
- (2) Recommendations of the Member Panel for the allocation of Take Pride Community Funding to the full amount of £283,725 are approved
- (3) Authority is delegated to the Leader of the Council for any future changes to funding allocations, to ensure that all funding is appropriately utilised in line with the criteria for the scheme
- (4) The General Fund Revenue budget and Capital Programme are updated to reflect the recommendations in this report

1.0 Introduction

- 1.1 At its meeting on the 24th July 2012 Cabinet approved the proposed arrangements for the use of Second Homes Funding for 2012/13 as the 'Take Pride Community Fund', and agreed that applications should be "*invited for investment grants leading to development of the Voluntary, Community and Faith sector and the Arts sector*" (Minute 36 refers)
- 1.2 It was also agreed that an advisory panel be established to consider applications to the fund, recommend allocations of funding to projects and provide considered advice to Cabinet to help them determine final funding allocations. The City Council nominees were the Leader and the portfolio holder for the Voluntary, Community and Faith Sector (VCFS). Lancashire County Council also nominated their VCFS portfolio holder.

2.0 The Process so Far

- 2.1 The Take Pride Community Fund was officially launched on the 6 August with a general invitation going out to VCFS and Arts and Leisure contacts inviting Expressions of Interest. Key infrastructure partners ensured that the invitation was sent to all of their members, and a press release was issued that subsequently appeared as an article in the Lancaster Guardian.
- 2.2 Expressions of interest needed to demonstrate that projects met at least one of the four key priorities previously agreed by Cabinet for the use of the funding:
- Provide support to front-line organisations in these sectors (i.e. infrastructure support).
 - Renovate and improve premises and accommodation
 - Support the co-ordination and expansion of volunteering
 - Develop new opportunities, more efficient ways of working and their future long-term sustainability
- 2.3 Two categories of funding were created – with amounts up to £10,000 being available for projects that benefit individual organisations, and amounts up to £50,000 being available for larger, collaborative bids that would benefit a number of organisations.
- 2.4 The deadline for expressions of interest was the 17th September and 97 were received by the deadline, with a total value of £2,072,640.
- 2.5 Each submission was assessed against seven criteria agreed by Cabinet:
- Eligibility – fit with the four identified priorities
 - Deliverability (within the timescales)
 - Quality Assurance
 - Value for Money
 - Additionality and benefit to other projects and initiatives
 - Long-term sustainability of the project or a clear exit strategy
 - Collaboration with other organisations

Initial feedback was provided to the Member Panel that met for the first time on the 25th September to review the applications. The panel considered the Expressions of Interest and also identified potential linkages between applications.

- 2.6 Following this meeting each organisation received feedback in terms of eligibility and how well their proposal met the criteria for the fund. However, the decision as to whether or not to submit a full application was left with applicants.
- 2.7 In the area of support for volunteering coordination, linkages were seen between a number of Expressions of Interest. Lancaster District CVS was asked to act in a coordinating role to see if collaboration between the potential applicants could strengthen proposals, achieve more general benefits for several organisations and also add value to the Lancashire County Council proposals to provide some limited capacity in the district via 'One Lancashire'. Ten other potential applicants were invited to contact CVS to see how their organisation could benefit from that bid and how they might collaborate with CVS to contribute to the proposals.

- 2.8 It will be important that the Take Pride Community Fund applications are considered alongside the proposals for VCFS commissioning that are also to be considered by Cabinet on the 6th November. The two are distinct as the Take Pride Community Fund is a one off investment to help deliver lasting benefits whereas the commissioned arrangements support ongoing revenue services. There is potential for these to add value to one another to increase impact whilst avoiding duplication.
- 2.8 The deadline for full bids was the 11th October and 54 were received with a total value of £893,722. Bids from VCFS organisations totalled £619,513 (69% of the total) and Sports and Leisure-focused bids totalled £274,208 (31% of the total).
- 2.9 The assessment process for full bids included a number of elements. These included:
- Eligibility check – does the proposal fit with the scheme criteria?
 - Deliverability – is the proposal deliverable within the required timescales?
 - Scoring against core assessment criteria as described in Paragraph 2.5, also taking account of Need.

3.0 Projects recommended for funding

- 3.1 The Member panel met for the second and final time on the 18th October to review the full bids and to agree the recommendations to be made to Cabinet. Members looked separately at bids from organisations in the VCFS and Arts and Leisure sectors, and also at bids in both the larger (over £10k) and smaller (£10k and under) categories. Within that framework members focused on the deliverability and the quality of the applications. Ultimately 26 bids were supported totalling the full available amount of £283,725. In 7 cases members decided that less funding should be offered than the amount requested in order to focus on the aspects of the scheme that are most aligned with the Take Pride criteria, and also to ensure as many worthwhile bids as possible can be supported.
- 3.2 Applications recommended by the member panel for support are listed at **Appendix 1**. These are split according to sector and size of bid, and presented in alphabetical order. In some cases, conditions will be added to offers of funding to ensure that value for money is achieved.
- 3.3 Every bid received had merit but the Take Pride Community Fund has been very oversubscribed and so it has only been possible to support some proposals. Although some applications have not been successful this is simply a reflection of a high demand for the limited funding available.
- 3.4 In respect of two proposals, Heysham Mossgate Community and Sports Facilities and Carnforth Local Information Centre, sponsors were previously advised by Cabinet that there would be an opportunity to apply for Take Pride Community funding and both submitted an application. The Heysham Mossgate bid, was one of three supported in the Arts/ Leisure category for grants of up to £50,000 and broadly met the quality criteria for the scheme. The member panel recommended that this proposal is offered £20,000 towards those elements of expenditure that will contribute towards the viability of the Heysham Mossgate facilities, without obligation for the council to consider further funding requests. Proposals for Carnforth Local Information Centre were considered in the VCFS category for grants up to £10,000 but were not successful as alternative proposals in the same category scored more highly against the quality criteria and were allocated the available funds.

3.5 As funding offers are made and projects progress over the coming months it is possible that there may be some underspend. In order to utilise any available funding within the required timescales, it is proposed that the Leader of the Council is delegated authority to approve any reallocation of funding, in line with the criteria and process already used.

3.6 Once approved by Cabinet successful bids will receive offer letters that ensure the allocation of funds and the projects themselves can proceed swiftly and effectively. Projects will be requested to ensure that reference is made to Lancashire County Council and Lancaster City Council in any publicity, and to take part in publicity and partnership initiatives as appropriate.

4.0 Consultation

4.1 Lancashire County Council has been involved in the process with the portfolio holder for the voluntary sector and the arts acting as a member of the panel. In addition, issues and opportunities in relation to the VCF and Arts sectors are being monitored via the current Service Level Agreements and more informally as part of a range of current partnership working arrangements.

5.0 Options and Options Analysis (including risk assessment)

	Advantages	Disadvantages	Risks
<p>Option 1 Agree the recommendations as proposed</p>	<p>Early start for supported projects to ensure expenditure is achieved in line with the required timescales.</p> <p>Early achievement of community benefits.</p> <p>Projects selected via a fair and transparent process and collaboration maximised.</p>	<p>None</p>	<p>Some projects may fail to spend their funding in good time. Proactive monitoring needed to mitigate this.</p>
<p>Option 2 Allocate the funding to different projects</p>	<p>Gives Cabinet the opportunity to address other pressing issues</p>	<p>Potential loss of funding as expenditure may not occur within required timescales.</p> <p>County Council and Community expectations that the funding will be allocated in line with publicised arrangements would not be met.</p> <p>Work by organisations to bring forward proposals in this report would be wasted.</p>	<p>Reputational risk as County Council community expectations are that funding will be allocated in line with publicised arrangements.</p> <p>Funding allocated for later projects might have difficulty meeting financial deadlines.</p>

<p>Option 3 Allocate none or only some of the funding</p>	<p>Keeps some funding available for potential future projects</p>	<p>Potential loss of funds to the district if expenditure deadlines cannot be met</p> <p>Work by organisations to bring forward proposals in this report would be wasted.</p> <p>Loss of benefits to be delivered by the funds.</p>	<p>Reputational risk if funding is held back without a clear rationale. Funding allocated for later projects might have difficulty meeting financial deadlines.</p>
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6.0 Officer Preferred Option (and comments)

6.1 The preferred option is **Option 1**. It confirms the fair, transparent and Member-led process that has resulted in the recommended allocations.

7.0 Conclusion

7.1 The massive amount of interest in the Take Pride Community Fund has shown the effectiveness of the advertising process, the evident passion organisations have to continue their good work, and also the extent of the need for support for the VCF and Arts/ Leisure sectors in these difficult times.

7.2 The Member Panel has had to make difficult choices in agreeing these recommendations but ultimately the proposed projects will deliver the greatest lasting benefit to local people and the organisations concerned.

RELATIONSHIP TO POLICY FRAMEWORK

Requirements for the use of the available Second Homes funding are entirely consistent with the Priorities, Outcomes, Success Measures and Actions identified in the council's Corporate Plan 2012 - 15

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Sustainability is identified as one of the core criteria for funding but other impacts will be specifically identified and considered as individual projects or schemes come forward.

LEGAL IMPLICATIONS

The council is required to enter into an agreement with Lancashire County Council in relation to Second Homes Funding. No specific legal implications are identified at this stage.

FINANCIAL IMPLICATIONS

As accountable body, the council will be required to manage Second Homes funding in line with existing arrangements. At the present time Lancashire County Council have confirmed that up to 25% of the total funding can be carried forward into 2013/14 without their specific approval, and bids have been requested to profile their spending based on that limit. Permission to carry forward more than 25% is not guaranteed but based on previous years is likely to be granted as long as it is allocated to appropriate projects. Specific financial implications may arise in relation to individual projects and schemes and these will be considered as part of contractual and monitoring arrangements to ensure there is no financial risk to the council.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

No specific implications identified at this stage

Information Services:

None

Property:

No specific implications identified at this stage

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Take Pride Community Fund Ranked Bids summary

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Recommended Take Pride Community Fund Bids

Appendix 1

VCFS Projects over £10,000			
Project Name	Organisation	Bid amount	Amount Offered
Lancaster Refuge	East Lancs Women's Refuge Assoc.	£49,800.00	£25,200.00
Take Pride Volunteering Project	Lancaster District CVS	£31,534.00	£22,000.00
Renovation of the Cornerstone	Lancaster Methodist Church	£50,000.00	£40,000.00
Plotting onwards (allotment support)	LESS	£20,807.00	£15,000.00
Total VCFS project over £10,000		£152,141.00	£102,200.00

VCFS Projects £10,000 and under			
Project Name	Organisation	Bid amount	Amount Offered
Derelict Pig Sties to Green Storage Space	Fairfield Association	£9,960.00	£9,960.00
Ryelands Park Regeneration Scheme	Friends of Ryelands Park (FoRP)	£9,976.65	£9,976.65
Aldcliffe Rd Triangle - Workshop Building	Friends of the Triangle	£9,975.00	£9,975.00
Development of Kitchen/Luncheon Club	Halton Community Association	£9,950.00	£9,950.00
Finance for financially excluded people	Lancashire Community Finance	£6,081.00	£6,081.00
Marsh Community Café	Marsh Community Centre	£8,023.27	£8,023.27
Gateway to Community Pride	RSPB (Leighton Moss)	£10,000.00	£10,000.00
Development of a Charity Shop Hub	St John's Hospice	£6,662.00	£6,662.00
Community Car Parking	Tatham Fells PCC	£5,148.00	£5,148.00
Larks Youth Events Committee Team	Young Addaction	£8,670.98	£8,670.98
Build the Gap	The Birchall Trust	£6,302.00	£6,302.00
Community based cafe	West End Impact	£9,500.00	£9,500.00
Total VCFS project £10,000 and under		£100,248.90	£100,248.90

Arts and Leisure Projects over £10,000			
Project Name	Organisation	Bid amount	Amount Offered
Highfield Regeneration Project	Gregson Community Association	£14,250.00	£14,250.00
Heysham Mossgate Community & Sports	Heysham Mossgate Company Ltd	£49,664.00	£20,000.00
Underpinning the growth of LAP and LAC	Lancaster Arts Partnership	£32,750.00	£21,824.10
Total Arts and Leisure Bids Over 10k		£96,664.00	£56,074.10

Arts and Leisure Projects £10,000 and under			
Project Name	Organisation	Bid amount	Amount Offered
Improvements to plumbing and electrics	33rd Lancaster Scout Group	£1,763.00	£1,763.00
Coaches for Athletics	L&M Athletics Club	£2,700.00	£2,700.00
Coaching Courses	Gymnastics and Trampoline Club	£1,480.00	£1,480.00
Renovation of Lancaster Boys & Girls Club	Lancaster Boys and Girls Club	£9,859.00	£9,859.00
Equipment and Relaunch	St Martin's Junior Karate Club	£1,000.00	£1,000.00
Disabled access and WC facility	Vale of Lune Rugby Club	£9,955.00	£5,000.00
Art & Crafts Festival on Morecambe Prom	Venus and Cupid Arts Trust	£3,400.00	£3,400.00
Total Arts and Leisure Bids 10k & under		£30,157.00	£25,202.00
Grand Totals		£379,210.90	£283,725.00

Appendix 1: Take Pride Community Fund Ranked Bids

VCFS Bids Over 10k						
Ref	Project Name	Organisation	Full Bid amount	Main priority	Deliverability	Indicative Score
d5	Renovation of the Cornerstone	Lancaster Methodist Church	£50,000	Building	Green	95
d18	Take Pride Volunteering Project	Lancaster District CVS	£31,534	Volunteering	Green	89
d4	Lancaster Refuge	East Lancs Womens Refuge Association	£49,800	Building	Amber	83
d11	Plotting onwards	LESS	£20,807	Infrastructure	Green	80
d6	Welfare and Toilet Block	Piccadilly Gardens Ltd	£48,434	Building	Amber	78
d10	Neuro Drop In Development & Evolution	Neuro Drop-In Centre	£19,455	Building	Amber	75
d16	Centre Building Repair and Renovation	Gregson Community Association Ltd (GCA)	£31,500	Building	Green	75
d8	Refurbishing and Upgrading the Church	Torrisholme Methodist Church	£11,936	Building	Green	72
d13	Changing Lives	One Voice	£25,500	Infrastructure/	Amber	72
d12	Capacity Matters	Furniture Matters	£39,040	Building	Green	71
d1	Parish Hall Redevelopment Phase 2	St Paul's Church, Scotforth	£30,343	Building	Amber	69
d15	Friends of Broadband for the North West	Friends of B4RN	£49,993	Own organisation	Amber	65
Total Deliverable VCFS bids over 10k			£408,342			

VCFS Bids 10k and Under						
Ref	Project Name	Organisation	Full Bid amount	Main priority	Deliverability	Indicative Score
c31	Marsh Community Café	Marsh Community Centre	£8,023	Own organisation	Green	87
c23	Community Car Parking	Tatham Fells (PCC)	£5,148	Building	Green	85
c4	Development of the centre's kitchen	Halton Community Association	£9,950	Building	Green	83
c17	Gateway to Community Pride	RSPB Leighton Moss	£10,000	Building	Green	83
c36	Build the Gap	The Birchall Trust	£6,302	Building	Green	82
c19	Development of a Charity Shop Hub	St John's Hospice	£6,662	Building	Green	79
c7	Community based volunteer run cafe	West End Impact	£9,500	Own organisation	Amber	77
c32	Derelict Pig Sties to Green Storage Space	Fairfield Association	£9,960	Building	Amber	77
c35	Larks Youth Events Committee Team	The Aspire Project - Young Addaction	£8,671	Own organisation	Green	75

Ref	Project Name	Organisation	Full Bid amount	Main priority	Deliverability	Indicative Score
C8	Finance for financially excluded people	Lancashire Community Finance	£6,081	Own organisation	Green	74
c26	Aldcliffe Rd Triangle - Workshop Building	Friends of the Triangle	£9,975	Own organisation	Green	74
c13	Friends of Ryelands Park Regen Scheme	Friends of Ryelands Park (FoRP)	£9,977	Own organisation	Green	66
c12	Reordering of Transept Gallery and Vestry Area	Overton St Helens Church PCC	£10,000	Building	Amber	66
c1	Step up grant	LGBT Out in the Bay	£9,000	Own organisation	Amber	62
c3	New Type of Allotment Site	Greenfingers Community Project	£10,000	Own organisation	Green	61
c2	Disabled People Working for Disabled People	Disability Online	£2,618	Own organisation	Amber	56
c27	Mobile ICT Training Suite	Hatua CIC	£7,887	Infrastructure	Green	53
c22	West End Information Service	Signposts	£6,500	Own organisation	Green	51
c28	Accessible ICT	Hatua CIC	£8,516	Own organisation	Amber	48
c29	The Carnforth Visitor Experience	Bay Tourism Association	£9,999	Own organisation	Amber	45
c21	Transaction	Transition City Lancaster	£9,680	Own organisation	Green	44
Total Deliverable VCFS bids over 10k			£174,449			

VCFS Red for Deliverability

Ref	Project Name	Organisation	Full Bid amount	Main Priority	Deliverability	Indicative Score
d3	Community Centre Extension	Skerton Community Association	£26,758	Building	Red	75
c15	Melling's Sustainable Future	Melling Institute	£9,964	Building	Red	68
Total VCFS rated Red for deliverability			£36,722			
Total VCFS Bids			£619,513			

Arts and Leisure Bids Over 10k						
Ref	Project Name	Organisation	Full Bid amount	Main Priority	Deliverability	Indicative Score
d9	Highfield Regeneration Project	Gregson Community Association	£14,250	Building	Amber	88
d7	Underpinning the growth of LAP and LAC	Lancaster Arts Partnership	£32,750	Infrastructure	Amber	77
d2	Heysham Mossgate Community & Sports	Heysham Mossgate Company Ltd	£49,664	Building	Green	55
d17	The Storey	Litfest	£35,585	Building	Amber	43
Total Deliverable Arts and Leisure bids over 10k			£132,249			

Arts and Leisure 10k and Under						
Ref	Project Name	Organisation	Full Bid amount	Main Priority	Deliverability	Indicative Score
c20	Renovation of Lancaster Boys & Girls Club	Lancaster Boys and Girls Club	£9,859	Building	Green	90
c24	Coaches for Athletics	L&M Athletics Club	£2,700	Own organisation	Amber	81
c25	Equipment and Relaunch	St Martin's Junior Karate Club	£1,000	Own organisation	Green	79
c30	Easter Art & Crafts Festival on the Prom	Venus and Cupid Arts Trust	£3,400	Own organisation	Amber	77
c14	Disabled access and WC facility	Vale of Lune Rugby Club	£9,955	Building	Amber	75
c18	Coaching Courses	Gymnastics and Trampoline Club	£1,480	Own organisation	Amber	71
c5	Improvements to building plumbing and electrics	33rd Lancaster Scout Group	£1,763	Own organisation	Green	69
c6	New Machine Shed Roof	Torrisholme Cricket Club	£9,050	Building	Green	68
c11	Diminishing Our Carbon Footprint	The Dukes	£9,896	Building	Amber	68
c34	Green Close Studios	Green Close Studios	£8,671	Own organisation	Amber	65
c33	Building Capacity	Ludus Dance	£9,987	Own organisation	Amber	63
c16	Stanley's Development Sessions	CEEP	£9,993	Own organisation	Amber	58
c10	Step Change to Financial Sustainability	The Dukes	£4,650	Own organisation	Green	57
Total Deliverable Sports and Leisure bids over 10k			£82,404			

Arts and Leisure Red for Deliverability						
Ref	Project Name	Organisation	Full Bid amount	Main Priority	Deliverability	Indicative Score
c9	Tennis courts replacement	Lancaster Tennis Club	£10,000	Building	Red	71
d14	Essential Roof Repairs	Lancaster Musician's Cooperative	£49,556	Building	Red	61
Total sports and Leisure rated Red for deliverability			£59,556			
Total Arts and Leisure Bids			£274,209			
Grand Total of all bids			£893,722			

CABINET

**Storey Creative Industries Centre: Progress Update
06 November 2012**

Report of the Head of Resources

PURPOSE OF REPORT			
To provide Cabinet with an update on the position regarding the Storey Creative Industries Centre (CIC).			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
		Referral from Officer	X
This report is public.			

RECOMMENDATION OF THE HEAD OF RESOURCES:

- (1) **That Cabinet notes the report and makes any further recommendations as it considers appropriate.**

1 INTRODUCTION

- 1.1 At its meeting in October Cabinet requested a regular update on the position regarding the Storey. This report covers progress and matters arising up to Monday 22 October; any later events will be reported at the meeting.
- 1.2 A visit to the Storey and a meeting with the tenants is currently being arranged for Cabinet Members; details will follow in due course. This report provides some outline issues for consultation and discussion with tenants at that meeting.

2 GENERAL PROGRESS

- 2.1 Further to the Council forfeiting the lease and taking possession of the building on 08 October, work has centred on:
- ensuring that essential services to the building continue under contracts in the Council's name and that statutory responsibilities are addressed;
 - gaining sign up from tenants on interim 3 month licences for occupation, or confirmation of their alternative plans;
 - sorting out the many other practicalities associated with the building. This includes room bookings, licensing arrangements, internet connections, key contact information, reception services, interim marketing requirements, amongst other things.

- 2.2 Of the 10 prospective tenants, 7 have signed 3 month licences and Officers are in discussion with the three parties who have not yet signed up. One of the major occupiers has vacated but this was planned before the Council took possession. We have also had contact from two other parties expressing an interest in renting accommodation at the Storey.
- 2.3 With regard to the Storey Gallery company, it has been provided with clarification on the funding decisions taken at the October Cabinet meeting and confirmation of the company's tenancy intentions is now being sought.
- 2.4 In relation to SCIC Ltd, there has been no further communication from the Liquidator.
- 2.5 Work is underway on understanding and appraising the Proud project.
- 2.6 The Visitor Information Centre re-opened in the Storey Institute on 08 October and is trading fully. The VICs are providing the reception services for all visitors to the building and working with Property Services on a range of public signage and information issues.
- 2.7 In terms of financial impact and budgeting, clearly it is very early days and at the time of writing this report, no assumptions had been made regarding future occupancy levels, other income streams, future management arrangements or the outcome of the conditions survey. Sorting out the provision of facilities and services to the building will also have impact. Nonetheless, a draft financial summary of the position to date is attached at **Appendix A**. This is for information only and it will change as the facilities management arrangements develop.
- 2.8 It is highlighted that establishing management arrangements for the Storey has taken a significant amount of time and effort from a number of Officers and it is inevitable that other tasks have been delayed. This situation will continue and although over time the nature of the work will become more proactive than reactive, at some point in the future there will need to be a reassessment of the staff resources needed to manage or oversee the building, depending on what the future arrangements actually are.
- 2.9 Any operational decisions are being made using either existing Officer delegations or on the assumption that ultimately, charges for services should be recovered in full from tenants, whilst still seeking to keep those charges to a minimum. Practically it is considered that there is no other way of managing the current position. It is hoped that occupancy and room hire will improve to enable the operation to at least break-even in marginal terms (and in the short-term) but at present there is no guarantee of achieving this. If the net budget for the Storey does need to be updated, this will be reported through to Cabinet for referral on to Council, in the normal way.
- 2.10 At present though, no referral is requested – it is simply too early to be clear about the future and more direction will be needed from Members.

3 FUTURE ARRANGEMENTS

- 3.1 Whilst most work has focused on immediate needs and concerns, some

consideration has also been given to future arrangements. In due course Member decisions will be required but for now, the key issues are outlined below for information only and to help inform future dialogue with tenants and other stakeholders.

3.2 Future Direction

3.2.1 The Council resolution states that "... Council's preferred direction for the Storey Institute is to seek to continue operating as a Creative Industries Centre, *without excluding other options*, in order to make the building sustainable and that the Council works productively with the tenants and other stakeholders, to achieve these ends."

3.2.2 Furthermore, the resolution goes on to say that "... any decision regarding the status of the building be brought to full Council, for example, if it were offered for sale."

3.2.3 Clarification will be needed on what may or may not be acceptable with regard to "other options". To help with this, some examples are outlined below. These are not exhaustive, or mutually exclusive.

(a) There has been some approach and suggestion that whilst the main building could be kept as a CIC, part could be redeveloped. This could have the benefits of rationalising space and reducing running costs, whilst generating some capital income and helping to address / reduce future capital investment needs. It would reduce available space, however.

(b) Depending on the covenant, a different interpretation (or better understanding) of CIC could be developed with the aim of improving occupancy. This could be considered separately or alongside rationalising the property portfolio – e.g. other Council owned commercial properties are not fully occupied and the Council could consider disposing of other property, to promote other regeneration whilst improving the remaining portfolio and seeking to save money.

(c) It is unclear whether, alongside developing the Storey as a CIC, Members wish to consider other different options, as a contingency if the CIC proves unsustainable.

(d) Cabinet may have other ideas, for example linked to ancillary services and ways of promoting council priorities, particularly economic growth.

3.2.4 These points are raised to aid discussion and debate within Cabinet and with tenants and other stakeholders. No decisions are required at this time.

3.2.5 To support future decision-making, a full valuation of the Storey building is planned. This will provide useful comparators in both capital and rental terms and alongside the conditions survey, which should be available soon, it will provide a useful framework within which to consider the building's future.

3.3 Future Management Arrangements

3.3.1 In due course Cabinet will be requested to decide on future management arrangements for the building. Members are already aware that there have

been two expressions of interest from tenants to work with the Council. Meetings have been held with these tenants and details of their proposals are being confirmed and appraised.

3.3.2 In summary, there are three basic options for consideration:

- (1) Undertake all management in-house.
- (2) Work with one or more of the tenants on aspects of management.
- (3) Appoint an external management company.

3.3.3 Options 2 and 3 would be subject to procurement rules being met and all options would be subject to value for money considerations – economy, efficiency and effectiveness.

3.3.4 Whilst it is important that decisions are taken in a timely way, it is more important that the right decision is taken and that Members are aware of the associated opportunities and risks. Furthermore, to the Council's in-house interim set up needs to 'find its feet' and fully understand the operation and the building.

3.4 **Democratic Responsibility and Accountability**

3.4.1 Alongside future management arrangements, the democratic arrangements will need to be determined. These will depend on how responsibilities are to be allocated and how tenant and other stakeholder liaison and consultation is to be managed. Some outline options are set out below.

Cabinet Portfolio Holder

The Storey will need to be allocated by the Leader to a Portfolio. Decision-making, consultation, performance monitoring and reporting could be undertaken just through the normal channels. Any other arrangements would be supplementary to this, and they would depend on the proposed purpose.

Cabinet Liaison Group (CLG)

To provide support to the Portfolio Holder and ensure appropriate consultation with outside representatives, a CLG could be set up. Clearly this would have no decision-making powers. The composition of the CLG would be at the discretion of the Portfolio Holder but its terms of reference would need to be agreed by Cabinet.

Cabinet Committee

Alternatively, similarly with the Markets Committee that operated a few years ago, Cabinet could delegate some decisions to a specific Committee under clear terms of reference. Meetings would be held in public and decisions taken would be subject to call-in and to the new Local Authorities meetings regulations relating to executive arrangements.

4 **CONCLUSION**

4.1 This report is presented primarily for information and therefore no options are presented. In terms of consultation, this report will be shared with Storey tenants, so that they too understand the current position and future decisions

needed.

- 4.2 As with bringing the Williamson Park operation back in house, these initiatives take time to implement and develop and this must be appreciated.

<p>RELATIONSHIP TO POLICY FRAMEWORK</p> <p>The Storey operation will need to support Council's priorities and be sustainable, to fit with the Council's theme of managing the Council's resources to deliver value for money.</p>	
<p>CONCLUSION OF IMPACT ASSESSMENT</p> <p>Not applicable at this stage – this report is for information only.</p>	
<p>LEGAL IMPLICATIONS</p> <p>None arising directly as a result of this report.</p>	
<p>FINANCIAL IMPLICATIONS</p> <p>Development of the Storey's budget is underway and Appendix A sets out the estimated position so far, based only on current occupancy as reported above, and compared with the relevant budget provision that already exists in respect of the Storey.</p> <p>It can be seen that at present, the operation does not break even but it is very early days and there should be sufficient scope through increasing occupancy and room hire to improve the position. That said, repair, maintenance and refurbishment needs are not yet known.</p> <p>The draft operating budget will continue to be updated and reported through to Members.</p>	
<p>OTHER RESOURCE IMPLICATIONS</p> <p>Human Resources / Information Services / Property / Open Spaces:</p> <p>As reflected in the report. One of the biggest concerns to appreciate is the amount of Officer time being spent on the Storey and that this has an adverse impact on other workloads.</p>	
<p>SECTION 151 OFFICER'S COMMENTS</p> <p>The s151 Officer has produced this report, in her capacity as Head of Resources.</p>	
<p>MONITORING OFFICER'S COMMENTS</p> <p>The Monitoring Officer has been consulted and has no further comments to add.</p>	
<p>BACKGROUND PAPERS</p> <p>None.</p>	<p>Contact Officer: Nadine Muschamp Telephone: 01524 (58)2140 E-mail: nmuschamp@lancaster.gov.uk Ref: NM/ES/Cttees/Cabinet/09.10.12</p>

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Storey CIC Budget Analysis
 Cabinet 6th November 2012

APPENDIX A

Original City Council Budgets (Pre Company Liquidation)

		2012/13 Original £	2013/14 Original £	2014/15 Original £
Expenditure				
Storey Gallery	Rent / Service Charge Grant	27,100	27,600	28,100
Lancaster VIC	Rent	11,300	11,500	11,700
Lancaster VIC	Service Charges	26,100	26,600	27,100
Storey Institute	R & M Buildings	200	0	0
Storey Institute	Premises Related Insurance	7,400	8,100	8,200
Income				
Storey Institute	Service Charges Recovered	-6,900	-6,900	-6,900
Total Current Approved Budgets:		65,200	66,900	68,200
*Less Inflation (Future Years):		0	-1,900	-3,200
Total:		65,200	65,000	65,000

***Note: Inflation has been removed from future years in order to compare with draft budgets below that haven't yet had inflation applied**

2013/14 Working Budget Position

		2012/13 Revised £	2013/14 Revised £	2014/15 Revised £
Expenditure				
Storey Gallery	Rent	5,800	0	0
Lancaster VIC	Rent	11,000	11,000	11,000
Lancaster VIC	Service Charges	25,400	10,000	10,000
Storey Institute	Salaries - Basic	4,100	8,100	8,100
Storey Institute	Salaries - National Insurance	0	0	0
Storey Institute	Salaries - Superannuation	900	1,700	1,700
Storey Institute	Employee Related Insurances	0	100	100
Storey Institute	R & M - Buildings	30,000	50,000	50,000
Storey Institute	Grounds Maintenance	1,500	2,400	2,400
Storey Institute	Electricity	} 25,000	50,000	50,000
Storey Institute	Gas			
Storey Institute	Rates	8,500	17,000	17,000
Storey Institute	Water Services	4,200	8,500	8,500
Storey Institute	Cleaning Materials	500	1,000	1,000
Storey Institute	Window Cleaning	500	1,000	1,000
Storey Institute	Building Cleaning Recharge	10,000	20,000	20,000
Storey Institute	Premises Related Insurance	9,200	9,200	9,200
Storey Institute	Office Equipment	300	500	500
Storey Institute	Printing & Stationery	300	500	500
Storey Institute	Telephones	700	1,500	1,500
Storey Institute	Services - General	300	500	500
Storey Institute	Services - Trade Refuse	900	1,800	1,800
Storey Institute	Contingency	6,300	6,300	6,300
Income				
Storey Institute	Rents - General	-23,900	-47,700	-47,700
Storey Institute	Service Charges Recovered	-29,200	-58,400	-58,400
Storey Institute	Meeting Room Hire	-4,000	-12,000	-12,000
Total:		88,300	83,000	83,000

Adverse Variance (to date) against Original Budgets: 23,100 18,000 18,000

CABINET

**Medium Term Financial Strategy Update
06 November 2012**

Report of the Head of Resources

PURPOSE OF REPORT				
To update Cabinet on the Council's financial prospects for future years, to help inform development of its budget strategy.				
Key Decision	X	Non-Key Decision		Referral
This report is public.				

RECOMMENDATIONS OF COUNCILLOR BRYNING:

1. That the current position regarding current spending and forecasts for future years be noted, together with associated risks and uncertainties.
2. That the Government's proposed council tax threshold of 2% for 2013/14 be noted, and that Cabinet considers whether it wishes to recommend any formal changes to council tax targets at this stage, or reconsider the matter in December when more information should be available.
3. That Cabinet notes the work underway in developing the budget and indicates any further specific actions to be taken, particularly with regard to savings options.
4. That the key issues arising from this review be reported to Council for information.

1 BACKGROUND

- 1.1 In planning for the future, the Council needs to be clear about what finances and other resources it will have, to both shape and deliver its corporate priorities.
- 1.2 To help with such planning, the Council's existing Medium Term Financial Strategy (MTFS) provides a financial basis on which Members can consider what changes may be needed to Council's priorities, the associated levels and scope of services provided, and also to council tax levels. Inevitably a flexible approach is needed, to respond to national policy changes and more local issues.
- 1.3 Each year, Cabinet has responsibility for reviewing the MTFS and recommending any updates to Council. This is normally done twice a year:

- the first review is generally done in the autumn, to see what has changed financially and to assess whether existing council tax targets are still appropriate; and
- the second update concludes the budget setting exercise, drawing on decisions taken in fixing the budget, to set the financial direction for future years.

1.4 Similar to last year, this first review does not attempt to give an in-depth update on the Council's finances. The aims at this stage are to:

- ensure an appreciation of the financial outlook and likely challenges facing the Council, in order that Members can formulate how best to tackle those challenges;
- allow initial consideration of whether any changes to future council tax targets should be recommended to Council;
- gain direction on any specific areas in which Cabinet requires savings proposals to be developed, to help with planning and management.

2 GENERAL FUND REVENUE UPDATE: CURRENT PROSPECTS

2.1 The starting point for reviewing General Fund financial prospects stems from Budget Council in February 2012. Prospects back then can be summarised as follows:

	2012/13 Budget £000	2013/14 Projection £000	2014/15 Projection £000
Net Revenue Budget	20,190	20,655	21,000
Less: Government Support	11,818	11,582	11,582
Less: Collection Fund Surplus	9	0	0
Required Council tax funding	8,363	9,073	9,418
Tax Base	43,500	43,550	43,600
Resulting Band D Council Tax	£192.25	£208.34	£216.01
Resulting % Increase Year on Year	0%	8.4%	3.7%
Target Band D Council Tax	£192.25	£198.97	£205.93
Target % Increase	0%	3.5%	3.5%
Budget Savings Required to meet Target	0	408	440

2.2 Inevitably circumstances have changed and budget prospects have altered over the last few months. Taking account of information available to date, anticipated changes for current and future years can be summarised as follows, with more details included at **Appendix A**:

	2012/13 Budget £000	2013/14 Projection £000	2014/15 Projection £000
Original MTFS Net Savings Requirement A	n/a	408	440
Approved or expected Base Budget Savings	-638	-765	-639
Approved or expected Budget Increases	+129	+770	+452
Total Net Changes (- reduction / + increase) B	-509	+5	-187
Additional savings to reduce council tax increase to 2% C	0	+125	+258
Updated Net Savings Requirement (simply assumes a 2% council tax increase, but with no growth included) A+B+C	n/a	538	511
Resulting Projected Council Tax Increase	0%	8.4%	1.6%
Band D Basic City Council Tax	£192.25	£208.45	£211.72
Potential Savings Options identified to date		-300	-301
Potential Extra Impact of Council Tax Freeze for 2013/14 (see section 6.1)		+84	+92

- 2.3 Importantly, Council approved target city council tax increases of up to 3.5% per year, subject to future local referendum thresholds. The indicative net savings requirements shown now allow for an annual target of 2%, following the recent Government announcement on thresholds for 2013/14. There has also been another offer of council tax freeze compensation and the impact of this too is shown at the bottom of the table. More information on the recent developments regarding council tax is covered in section 5 of this report.
- 2.4 With regard to Government funding prospects, although there is commitment to tackling the national deficit and introducing funding distribution changes as part of the Local Government Finance Bill, there is no clear consistent message about the scale of expected funding reductions in the coming years, or how the Bill may affect individual authority's prospects. Some scenarios are outlined later but for now, the above projections simply retain the previous projections that next year's funding would reduce by 2% in cash terms (around 4.2% in real terms). For 2014/15 no change is assumed, in cash terms.
- 2.5 With regard to specific budgets, the key changes relate to approvals in respect of staffing changes, cost sharing arrangements for waste collection/recycling, and the Highways partnership with Lancashire County Council. In addition, projected savings resulting from a lower than anticipated interest rate on the HRA self-financing loan have been built in.
- 2.6 On the downside, an annual budget increase for a new Information and Communications Technology (ICT) exchange licence is now expected, which will be

required in order to maintain various services. Full details will be provided in future budget reports and in updating the ICT strategy, scheduled for January.

- 2.7 Further delays have been experienced on completing some land sales, which in turn affects the financing of the capital programme. It means that the Council's underlying need to borrow will be around £1.8M higher than originally projected, resulting in higher capital financing costs for next year.
- 2.8 Overall, it can be seen that whilst annually base budget savings of up to £765K have been identified, these are expected to be offset by additional cost pressures coming through. This means that the net savings requirements are still around £538K for next year and £511K for the year after, and these do not allow any scope for growth.
- 2.9 The 2015/16 outlook will be reported later in the budget once the detailed three-year forecasts have been produced, but it is not expected to give a better picture.
- 2.10 In terms of tackling the savings requirements, some outline savings options have been listed, as identified during last year. These may not prove fully achievable but there are other initiatives underway that will add to the list. If any growth proposals are to be taken forward by Cabinet, then this will increase the need for savings.
- 2.11 The levels of provisions, reserves and balances still need to be reassessed, particularly in view of any material changes to the key risks facing the Council. In terms of revenue balances, as a result of last year's outturn and the budget changes identified to date, these would be some £869K higher than previously expected; balances as at 31 March 2013 would stand at £2.147M. The use of any such surplus amounts has not been built into the forecasts.
- 2.12 It should be appreciated that the financial projections shown are only a snapshot and more changes will arise. An in-depth update to current and future years' base budgets is currently underway and this will be reported to Cabinet in due course. Overall though, the message is that savings will be needed.

3 IDENTIFICATION OF SAVINGS OPTIONS

- 3.1 In view of this position, once again Cabinet needs to focus its attention on identifying and prioritising areas for saving. Without such an approach, it runs the risk of:
 - not being able to formulate a set of balanced budget proposals for consideration by Council in February, or
 - resorting to drawing heavily on reserves and balances, and storing up pressures for the following year; and
 - not being able to take forward its draft priority list and any associated growth options.
- 3.2 As such, Cabinet may find it useful to recap on the themes for achieving savings, as set out in the MTFS. The detailed budget reviews scheduled for December will provide a very useful forum to review progress.

Efficiencies

All Management Team are currently working on identifying and/or progressing options either within their own service areas or more corporately, but Cabinet may have specific ideas or initiatives that they wish Officers to appraise or develop.

Income Generation

A corporate update on the Council's charging policies has been re-scheduled for December. This can be used to indicate any areas in which Cabinet may consider increasing fees and charges above the assumptions provided for within the base budget, although difficulties are already being experienced in meeting budgets in some areas.

Service Reductions

Cabinet will need to be in position to rank service areas considered most likely for reduction (or put another way, those "least unacceptable") and as such, Members are advised to consider their information needs in order to ensure an informed approach.

4 GENERAL FUND CAPITAL INVESTMENT UPDATE

4.1 Linked to the comments on capital financing mentioned earlier, at present the capital programme is currently on hold for schemes deemed non-essential.

4.2 In terms of new in-year spending that has or will be deemed essential, the key projects are as follows. Perhaps not surprisingly, these relate mainly to infrastructure needed to maintain service delivery:

- **Municipal Building Works**

The main element of work currently being undertaken relates to energy efficient heating renewal at Lancaster Town Hall. This work is estimated to cost £284K allowing for contingency, fees and removal of asbestos, replacement ceiling and lighting and general redecoration as well as air conditioning units. The current units use a type of refrigerant that will be prohibited by 2015 and they are either not working or are in poor condition and could not be repaired if they failed. Given that Lancaster Town Hall is to be retained as a key office base, refurbishing these offices up to a reasonable standard and tackling the various health and safety matters in a holistic way is the common sense approach. In due course, it should support rationalisation of other council property and allow savings to be made. In any event, the facilities will be much more energy efficient.

- **Lancaster Indoor Market**

The market hall is now empty and negotiations are progressing with Allied to complete the surrender option agreement.

- **ICT Renewal**

Users may have noticed that the Council's systems have been getting slower of late. Basically storage is getting full and procurement of a solution for this was needed urgently. To avoid the Council's network grinding to a halt the procurement of the required infrastructure has taken place and implementation commenced. The estimated cost of the solution is around £140K. Separately, upgrade of the Council's customer services system is needed, to ensure that it is fit for purpose and still supported by the supplier. This will cost an estimated £43K. Such ICT needs will be financed from existing ICT provisions,

supplemented if necessary by the Renewals Reserve under normal delegated arrangements.

– **Ashton Memorial Steps**

As reported during the budget last year, significant works to these are needed and extra monies were put aside in the Municipal Buildings Reserve as the budget of £120K was expected to be insufficient. On the basis that these works will need to be done at some point and they represent a health and safety hazard, at the time of writing this report arrangements were being put in place to award the contract, at an estimated cost of £183K.

4.3 Some concerns have been raised by Members regarding the process for approving capital schemes to progress, and whether it is appropriate for Officers to have delegated authority for the use of various Reserves, as an example. Such delegations are clearly set out in the policy as approved by Cabinet / Council or other aspects of the Constitution. It is expected also that the recent changes in regulations for access to information concerning decision-making may also help in providing greater transparency. Nonetheless, if it is an area of general concern, then Cabinet may wish to reconsider the approach as part of the budget process.

4.4 Other capital points to note include the following:

Municipal Building Works

The largest budget is allocated to backlog work on municipal buildings. The detailed condition survey on which the original budgets were based is out of date, however, and the results of the latest survey will be reported to Cabinet in January to inform future budgeting. The aim is to have a more robust capital investment programme and planned/responsive repair and maintenance budgets, but achieving this is expected to add more financial pressure, at least in the short to medium term and it is a big task. In due course options for rationalising the property portfolio will be developed also, and this should achieve financial and other savings.

Private Sector Housing

A grant of £1.9M has been secured from the Homes and Community Agency to finance further development of Chatsworth Gardens and other clusters of empty homes. The financing of this scheme allows for recycling of capital receipts, subject to Member approval, therefore there would be no call on City Council capital requirements, although the programme requires staff time to manage. A detailed report is currently being prepared.

Lancaster and Morecambe Bay Project

A bid of £1.2M has been submitted to the ERDF to support a £2.4M project aimed at rejuvenating the centres of Lancaster and Morecambe by investing in high quality public realm and strengthening their position as quality destinations and providing links and gateways to key commercial opportunity sites. The £1.2M matched funding would need to come from a combination of current City Council schemes for Lancaster Square Routes, A View for Eric, Poulton Pedestrian Route and the Morecambe Area Action Plan. If the bid is successful, which will be known shortly, then it would mean funding for these projects would need to be committed, as well as staff time, to ensure delivery of the project by the end of September 2014. The Head of Regeneration and Planning will submit a full report to Cabinet, timescales for which are being confirmed. In future, any such major bids will be appraised and reported prior to submission.

Other New Potential Investment Priorities or Needs

In terms of future investment priorities, Cabinet has already identified two potential new investment areas for consideration, these being Heysham Mossgate and Morecambe Market. No other changes to the capital financing principles (as set out in the MTFs) are considered appropriate at this stage. As with revenue, the big risk regarding capital investment is affordability.

4.5 In terms capital financing, there are now potentially three main receipts that may underpin it, these being:

– **Land at South Lancaster**

As mentioned above, this receipt has been further delayed and at the earliest, it may be receivable in 2013/14. A judicial review is scheduled for early December and the outcome of this will be fed into future budget reports, to inform budget assumptions.

– **Heysham Mossgate**

This disposal is still assumed to be completed in 2013/14.

– **Land off Quernmore Road / Willow Grove**

Subject to the outcome of joint marketing, it is assumed that this would be receivable in next financial year.

5 COUNCIL TAX AND GOVERNMENT SUPPORT CONSIDERATIONS

5.1 Council Tax Freeze Grant and Local Referendums

5.1.1 Under the Localism Act, should any local authority choose to set a council tax increase in excess of Government guidelines, it would need to hold a local referendum.

5.1.2 In a recent announcement the Government has proposed to lower the threshold for triggering a council tax referendum from 3.5% to 2%. If confirmed, this would mean that the Council would need to find additional savings of £125K next year and more in future years in order to avoid a local referendum, as the original MTFs projections were based on the previous limit of 3.5%. The Secretary of State will set out details in December.

5.1.3 In addition, the Government announced proposals for a continuation of the Council Tax Freeze Grant. The Council would receive the equivalent of 1% (£84K) for 2013/14 and 2014/15 should it choose to freeze or reduce council tax for 2013/14. However, in order to benefit from the grant the Council would also need to find additional savings equivalent to 1% (£84K), assuming the proposed referendum trigger of 2% had already been allowed for.

5.2 Government Support Prospects

5.2.1 As Members are aware, the Government consulted on proposals for changing how business rates income is distributed across councils from 2013/14 onwards, with the aim of providing incentives to local authorities to promote local business growth. Consultation closed on 24 September 2012 and details of the outcome are currently

awaited, therefore it is still too early to predict with any accuracy what the changes could mean for the City Council. Some tools are available to help with modelling and if possible, some scenario planning will be factored into future budget updates. There is no consistent or clear picture emerging at present, however.

- 5.2.2 At a strategic level, proposals have seemed to infer that Government wishes to see local government wholly funded by local taxation in future, ideally with no general financial support being provided centrally, but this is by no means clear.
- 5.2.3 In relation to 2013/14, as mentioned previously the Council's budget forecasts assume that Government support will reduce by 2% in cash terms (around 4.2% in real terms) when compared with 2012/13, and 0% (say around 2% in real terms) the following year. This projection was based on analysis of the 2010 Spending Review.
- 5.2.4 However, some authorities are now anticipating cuts of over 12% in 2013/14 and almost 9% in 2014/15. It is still not possible to say what the final outcome will be until the Government makes the provisional settlement announcement which is expected in mid December. All that can be provided at this stage is the impact of a range of funding reductions, as shown in the following table.

	2013/14 £000's	2014/15 £000's
Current Indicative Savings Targets (assumes council tax increase of 2% and Government funding reduction of 2% & 0% per annum in cash terms, for exemplification only)	538	511
Alternative Government Funding Cash Reduction Scenarios: 2013/14 & 2014/15	Annual Saving Required (Alternatives to the figures above, not additional)	
5% then 1.5%	893	1,033
7.5% then 4%	1,188	1,598
10% then 6.5%	1,484	2,147
12.5% then 9%	1,779	2,682
15% then 11.5%	2,075	3,202

- 5.2.5 For every 1% reduction in Government funding, the latest savings target increases by around £118K in 2013/14.
- 5.2.6 Member decisions regarding council tax freeze grant may also have further impact.
- 5.2.7 In addition to the business rates changes, the Government is also proposing a 10% reduction in council tax benefit /support grant from 2013/14 onwards. The impact for Lancaster and its major preceptors will be a reduction in funding of £1.112M, shared according to precepts.

5.3 Council Tax Support

5.3.1 In accordance with the requirements of the Local Government Finance Bill and as reported to Cabinet in September, the Council has very recently consulted on a new scheme, which proposes that people of working age would receive less support for paying their council tax bills from next year. As an indication, the reductions in support may be around 18% on average. Reductions in support would offset the related funding reductions expected by local authorities shown in 7.2.7 above.

5.3.2 At this stage the budget forecasts outlined earlier assume simply that any planned welfare reforms will be budget neutral, but this is considered a very high risk area. The Local Government Finance Bill which proposes these changes and those relating to the retention of business rates has now completed its second passage through the House of Lords and will now be passed back to the House of Commons. Both houses still need to agree the final wording before the bill receives royal assent and it becomes an Act of Parliament. Clearly the timescales of this may impact on the Council setting its 2013/14 budget and it is being closely watched.

5.3.3 Also in connection with welfare reforms, Government have very recently made an announcement of the availability of extra one-off funding for those councils whose council tax support schemes ensure that:

- claimants entitled to full benefit would have to pay no more than 8.5% of their council tax bill in future;
- other claimants would have to pay no more than 25% of their bill; and
- there is no sharp reduction in support for those entering work.

5.3.4 The practicalities of these requirements are currently being investigated. Nationally, the total funding available is £100M, which is not expected to cover the full costs involved. It is reiterated that this has bearing not just on the City Council's budget position, but also the County, Police and Fire Authorities. It is not yet known if parishes will be affected.

5.3.5 The criteria for applying for the grant will be considered along with the outcome of the consultation process, currently scheduled for reporting to Cabinet and Council in December. If this proves impossible, arrangements would need to be made for decision-making in January.

5.4 Other Council Tax Technical Changes (Discounts and Exemptions)

5.5 As with council tax support, no assumptions have been made regarding changing various discounts and exemptions for council tax - empty homes being the best example. These proposals also form part of the Finance Bill. As outlined to Cabinet in September, if enacted and adopted they would allow the Council to increase its council tax revenues. Reporting and decision-making timescales mirror those for council tax support.

6 HOUSING REVENUE ACCOUNT

6.1 This is the first year the Housing Revenue Account (HRA) is operating under the self-financing regime, whereby the Council has taken on £31M of debt to effectively buy itself out of the Government subsidy system. This has also given the Council

freedom to set its own level of housing rent increase as there is no longer the requirement to adhere to Government rent limits and convergence to social housing rent levels is not mandatory.

- 6.2 At its meeting on 04 September 2012 Cabinet approved a medium term rent setting policy whereby rent increases are capped at no more than 3% per annum. As the detailed HRA budget is still being finalised further proposals in line with this policy will be presented to Members in December.
- 6.3 These proposals will also take on board the additional capital commitments previously identified in the September report. However, it should be noted that a full stock condition survey is due to be undertaken and this will provide a more accurate picture for future stock improvements / investment.

7 DETAILS OF CONSULTATION

- 7.1 No specific consultation has been undertaken in connection with this report. Arrangements for community engagement and consultation on the budget have already been approved and feedback will be fed into the budget process as it develops.
- 7.2 In terms of welfare reforms, the closing date for the public consultation exercise is 26 October. Some form of public consultation was planned for other council tax changes but this will prove impossible given the time available. Nonetheless, the views of key stakeholders will be sought, as far as time allows.

8 OPTIONS AND OPTIONS ANALYSIS (INCLUDING RISK ASSESSMENT)

- 8.1 This report is primarily for information and for seeking direction from Cabinet and other than for council tax, no specific options are put forward at this time.
- 8.2 The options regarding council tax targets are basically to either:
- reduce the existing council tax target to no more than 2% for future years; or
 - recommend alternative council tax target increases for future years; or
 - delay making recommendations at this stage, until later in the budget process.

The level of any net savings requirement (and the associated risks) would depend on the tax level proposed. Clearly the compensation arrangements in support of a council tax freeze require specific consideration.

- 8.3 The main risks attached to any option follow on from the information in this report and the ability of the Council to take decisions on matching service levels with the money available to fund them. The impact on council tax payers is key; the reputation and public perception of the Council may well be affected. The key risks can be summarised as follows:
- Actual savings targets prove to be substantially different from those shown, due to changes in financial projections.
 - Required savings targets can't be met, without having an unacceptable impact on service delivery – either from the Council's own viewpoint or from public perception.

- Government / the public perceive council tax levels to be too high, resulting in capping action being taken against the Council and/or a negative impact on public relations and the Council's reputation.
- Council tax targets are too low, resulting in them being unsustainable in the longer term, without having adverse effects on future service delivery and/or the Council's financial standing and reputation.

8.4 To counter these risks, there will be further opportunities to review target increases later during the budget process.

9 CONCLUSION

9.1 Planning the Council's finances continues to be very challenging, especially given all the uncertainties. Nonetheless, is impossible to get away from the fact that lower government funding and lower council tax increases ultimately mean that more savings are needed – with more pressure therefore to reduce service provision. Redirection of resources will be needed to support any new growth needs.

RELATIONSHIP TO POLICY FRAMEWORK

The Medium Term Financial Strategy is the part of the current budget and policy framework.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability etc)

There is no direct, quantifiable impact arising at this stage, although the MTFs sets out the level of funding expected for the delivery of council services. As such, it will have a direct bearing on the level and impact of services provided in future.

FINANCIAL IMPLICATIONS

As referred to in the report; there are no other quantifiable implications at this stage.

SECTION 151 OFFICER'S COMMENTS

The s151 officer has produced this report.

LEGAL IMPLICATIONS

There are no direct legal implications arising, given the nature of this report.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Localising support for council tax – transitional grant scheme notification from DCLG, dated October 2012.

Lancaster and Morecambe Bay Project Bid
HCA Funding notification

Government Announcement 08 October 2012 – council tax freeze grant

All other background papers have previously been published or are exempt.

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Summary of Known & Anticipated Budget Changes to Date

Cabinet 06 November 2012

	2012/13 £'000	2013/14 £'000	2014/15 £'000
Original Revenue Budget Projections (Per Budget Council 29 February 2012)	20,190.0	20,655.0	21,000.0
TARGET REVENUE BUDGET (based on 3.5% Council Tax Increases annually from 2013/14)	20,190.0	20,247.0	20,560.0
ORIGINAL SAVINGS REQUIREMENT	0.0	408.0	440.0
Budget Approvals:			
Senior Management Review (Personnel Cttee - 28 February 2012)	-101.7	-101.7	-101.7
Less : Senior Planning Officer Post (Cabinet 03 July 2012) - funded from above	+15.4	+42.1	+43.3
Highways Agency (Cabinet 29 May 2012 / Council 13 June 2012)	-	+163.0	+160.5
Lancaster Indoor Market (Council 12 September 2012)	+114.0	-336.0	-217.0
Cost Sharing: Waste Collection (Cabinet 09 October 2012, subject to Council)	-	+103.0	+146.0
Other Expected Base Budget Changes:			
Quarter 1 Corporate Financial Monitoring	-80.0	-6.0	-6.0
2013/14 Pay Award (currently budgeted at 1%) & Other Inflationary Changes	-	?	?
ICT Exchange Licence (to ensure security standards compliance)	-	+100.0	+102.0
Buildings Conditions Surveys (Repair & M'tce Needs)	-	?	?
PWLB Borrowing - savings from reduced interest rate on HRA self financing loan	-364.0	-321.0	-314.0
Investment Interest - impact of continuing low rates	?	?	?
Storey Institute - net cost of operating the building	?	?	?
Capital Financing Costs	-92.4	+361.7	-0.3
Sub Total of Budget Changes (see analysis below)	-508.7	+5.1	-187.2
Assumed Reduction in Council Tax increase to 2% (in line with referendum threshold)		+125.4	+258.1
Assumed additional transfers to (+) / from (-) Balances	+508.7	0.0	0.0
LATEST INDICATIVE SAVINGS REQUIREMENTS	0.0	538.5	510.9

Summary of Above Movements:

Budget Reductions	-638.1	-764.7	-639.0
Budget Increases	+129.4	+769.8	+451.8
Net Impact on Budget Position	-508.7	+5.1	-187.2

POTENTIAL BUDGET OPTIONS (see following page)

Potential Savings Options	SERVICE	NOTES	-300.0	-301.0
EFFICIENCY SAVINGS				
Salt Ayre Sports Centre Review	Community Engagement		?	?
Museums Partnership Review - to be considered	Community Engagement	<i>Estimate</i>	-50.0	-51.0
HR/Payroll, "Procure to Pay" and other financial management arrangements	Resources / All Services	<i>Estimate</i>	-150.0	-150.0
Grey Fleet Review - Business Travel	All Services	<i>JCC 05 Dec 11</i>	-100.0	-100.0

Council Tax Options	SERVICE	NOTES	+84.0	+92.0
Council Tax Freeze Grant	Corporate	<i>New</i>	-84.0	-84.0
Additional saving required to benefit from above grant	Corporate	<i>New</i>	+168.0	+176.0
Welfare Reforms - Council Tax Support	Corporate	<i>New</i>	?	?
Technical Changes - Discounts and Exemptions	Corporate	<i>New</i>	?	?

CABINET

CUSTOMER COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY AND GUIDANCE
6th Nov 2012

Report of Head of Environmental Services

PURPOSE OF REPORT			
That Cabinet approve the recommendations of the Council's Overview and Scrutiny Committee with regard to the revised Customer Comments, Compliments and Complaints policy.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
Referral from Officer			X
This report is public			

RECOMMENDATIONS OF HEAD OF ENVIRONMENTAL SERVICES

- (1) **That Cabinet approves the revised Customer Comments, Compliments and Complaints Policy.**
- (2) **That Cabinet approves the recommendations of Overview and Scrutiny Committee with regard to direct Elected Member involvement.**

1.0 Introduction

- 1.1 At its meeting on the 10th October 2012 the Council's Overview and Scrutiny Committee were presented with a revised Customer Comments, Compliments and Complaints policy and a covering report. (SEE APPENDICES)
- 1.2 The covering report recognised that Elected Members have a role to play in acting as advocates and this is reflected in the revised Policy and Guidance. The report also set out options for more direct involvement in dealing with complaints.
- 1.3 These were -

OPTION 1- The first of these is direct involvement in the investigation/review process via a member panel at Stage 2. Should members wish to pursue this option considerable staff resource will be required to service the panel. This includes advice from the Service Head concerned to advise the panel, the Stage 1 investigating officer to answer any technical issues and Democratic Services to arrange meetings, call any witnesses and advise the complainant on the process and their rights to attend. If such a panel were to

be set up a Constitutional update may be required and the approval of Full Council needed. Clearly this option complicates the process and would likely add to the time spent handling complaints. This in turn increases the risk of failing to meet the LGO's expectation that the complaints process (all stages) will be completed within 12 weeks. As outlined it would also require considerable additional resource. At this stage no indication of additional cost is available.

OPTION 2- is for Elected Members to review complaints data on a regular basis, (eg through Performance Review Team meetings) which could give an indication of overall performance – i.e. complaints trends could indicate service areas in need of improvement. Reports could be provided to the relevant committee at agreed intervals. This would provide an overview of the types of issues that were being complained about and then allow for Elected Members the opportunity to explore these areas further if required.

1.4 The Council's Overview and Scrutiny committee recommended approval of the revised Policy and Guidance relating to Customer Comments, Compliment and Complaints.

1.5 With regard to the options for more Elected Member involvement Overview and Scrutiny recommended the following-

(1) That Cabinet be recommended to approve option 2 as set out in the report.

(2) That Budget and Performance Panel be requested to undertake performance monitoring of the complaints procedure.

(3) That sample complaints be reviewed on a regular basis.

2.0 Proposal Details

2.1 If the number and type of formal complaints received from each service area is added to the reporting that takes place through the Performance Review Team process the recommendation made can be managed within existing resources. This will provide Elected Members with much more information than is currently provided.

2.2 Based on these reports if members of Budget and Performance Panel or relevant Portfolio holders wanted further information based on trends or particular areas of concern then that could be requested.

2.3 Therefore, it is proposed that Cabinet –

- Approve the revised Customer Comments, Compliments and Complaints Guidance.
- Approve the recommendations of Overview and Scrutiny with regard to Elected Member involvement.

3.0 Details of Consultation

3.1 As set out in the report

RELATIONSHIP TO POLICY FRAMEWORK

There are no direct implications as a result of this report

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct implications as a result of this report

LEGAL IMPLICATIONS

There are no legal implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications as a result of this report. If, however, Cabinet did not agree with the recommendations of Overview and Scrutiny then further financial appraisal would need to take place.

OTHER RESOURCE IMPLICATIONS**Human Resources:**

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

As set out in appendices

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Ref:

OVERVIEW & SCRUTINY COMMITTEE**CUSTOMER COMMENTS, COMPLIMENTS AND
COMPLAINTS POLICY AND GUIDANCE
10 OCTOBER 2012****Report of Head of Environmental Services****PURPOSE OF REPORT**

To request that Overview and Scrutiny Committee consider the revised Customer Comments, Compliments and Complaints policy.

This report is public

RECOMMENDATIONS

- (1) That Overview and Scrutiny Committee consider the updated 'Comments, Compliments and Complaints Policy' and related 'Guidance on Handling Complaints'.
- (2) That Overview and Scrutiny Committee consider to what extent Elected Members should be involved in the corporate complaints process. Should Members consider that direct involvement in dealing with complaints at Stage 2 is required then this would need the resource requirements detailed and reported to Cabinet for consideration along with other budgetary proposals.

1.0 Introduction

- 1.1 Following an Internal Audit review of the council's management of corporate a number of questions have been asked by Elected Members on how they could be best involved in order to ensure a corporate approach to complaints.

2.0 Details

- 2.1 The revised policy is broadly similar to the previous policy in that the council's definition of 'complaint' remains relatively unchanged and the recommendation is to continue with a two stage process in line with guidance from the Local Government Ombudsman (LGO). The Guidance, along with proposals for training when the revised Policy is rolled out, will ensure the policy is consistently and appropriately applied.
- 2.2 It is recognised that Elected Members have a role to play in acting as advocates and this is reflected in the Policy and Guidance. Officer have also considered more direct Elected Member involvement in the complaints process. As a result two options have been identified.
- 2.3 OPTION 1- The first of these is direct involvement in the investigation/review process via a member panel at Stage 2. Should members wish to pursue this option considerable staff resource will be required to service the panel.

This includes advice from the Service Head concerned to advise the panel, the Stage 1 investigating officer to answer any technical issues and Democratic Services to arrange meetings, call any witnesses and advise the complainant on the process and their rights to attend. If such a panel were to be set up a Constitutional update may be required and the approval of Full Council needed. Clearly this option complicates the process and would likely add to the time spent handling complaints. This in turn increases the risk of failing to meet the LGO's expectation that the complaints process (all stages) will be completed within 12 weeks. As outlined it would also require considerable additional resource. At this stage no indication of additional cost is available.

- 2.4 OPTION 2- is for Elected Members to review complaints data on a regular basis, (eg through Performance Review Team meetings) which could give an indication of overall performance – i.e. complaints trends could indicate service areas in need of improvement. Reports could be provided to the relevant committee at agreed intervals. This would provide an overview of the types of issues that were being complained about and then allow for Elected Members the opportunity to explore these areas further if required.

3.0 Conclusion

- 3.1 The new Customer Comments, Compliments and Complaints Policy and Guidance have been developed based on best practice as defined by the LGO and as such will ensure that the policy operates effectively.
- 3.2 Regular reporting of complaints would enable efficient and effective member involvement in the process.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

There are no direct implications as a result of this report.

LEGAL IMPLICATIONS

There are no implications as a result of this report.

FINANCIAL IMPLICATIONS

There are no immediate financial implications however there are likely to be costs involved if Members favour Option 1 above. The need for additional funding will therefore be considered if required.

OTHER RESOURCE IMPLICATIONS

Human Resources:

There are no implications as a result of this report.

Information Services:

There are no implications as a result of this report.

Property:

There are no implications as a result of this report.

Open Spaces:

There are no implications as a result of this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

**Appendix A : Customer Comments,
Compliments and Complaints Policy
Appendix B : Customer Comments,
Compliments and Complaints Guidance**

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LANCASTER CITY COUNCIL
Promoting City, Coast & Countryside

CUSTOMER COMMENTS, COMPLIMENTS AND COMPLAINTS POLICY

September 2012

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General aims of the policy:

- 1 To acknowledge the importance and value of comments, compliments and complaints from our customers.
- 2 To ensure that feedback is handled in a manner that supports the council's approach to providing customer focused services and with any other relevant legal and policy requirements.
- 3 To provide a clear route by which customers can feedback about the service they have received from the council.
- 4 To ensure feedback is dealt with fairly, promptly and sensitively.
- 5 To learn from our successes and mistakes; to use feedback from customers to continuously improve our services.
- 6 To enhance the overall image of Lancaster City Council and its employees in the eyes of service users and the citizens of Lancaster district.

Introduction

Lancaster City Council welcomes all feedback from customers on how our services can be improved. Whilst much of this policy focuses on customer complaints, it is recognised that staff frequently receive compliments and letters of appreciation. These positive comments are highly valued by the council as evidence of its commitment to providing excellent customer service.

On some occasions however customers may not be satisfied with a decision made by the council, the provision of a service or an action taken on an individual case. This sets out the corporate complaints policy and should be read in conjunction with the separate document – Guidance on Dealing With Complaints which contains the more detailed process for dealing with complaints effectively.

The provisions of this policy will apply across the council and all relevant feedback will be dealt with in accordance with it.

This policy will be openly publicised through leaflets that will be available on the council's website at the council's reception points.

Lancaster City Council will deal with complaints fairly, thoroughly and sensitively and aim to address any problems raised by customers at the earliest stage possible. Staff will be empowered to try and solve any difficulties reported by a customer without recourse to the formal procedure.

COMPLAINTS POLICY

1 Definition of a complaint

“An expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response.”

Listed below are the categories of complaints which fall within the procedure and those which are excluded:

Categories of Complaint:

- Failure to follow agreed council procedure, policy, rules or standards of service.
- Failure to take account of relevant matters in coming to a decision.
- Neglect or unjustified delay.
- Inappropriate behaviour of a council employee or someone acting on the council's behalf.
- Malice, bias or discrimination.

Exclusions:

- Day to day service requests of reporting faults (for example a missed bin).
- Criticisms or disagreement with council policies.
- Complaints against individual employees which arise from dissatisfaction with a council policy or decision, and where no other basis for the complaint exists.
- Where an alternative appeals procedure exists, such as an appeal within the council or to an independent tribunal e.g. Refusals of planning permission, the making of new Tree Preservation Orders, the awarding of Housing or Council Tax Benefits or Homelessness matters.
- A matter which is, or could be reasonably be expected to be, the subject of Court or tribunal proceedings, or which is in hands of the council's insurers. Challenge of a Council or Committee decision would generally be by way of Judicial Review.
- Complaints which constitute a refusal to accept a rule of law which the council is applying.
- Complaints about the conduct of councillors. These should be submitted in writing to the Monitoring Officer.

Data Protection Related Complaints

Data Protection related complaints should be treated in the same way as other complaints. Where a breach has occurred this should also be reported to the council's Information Management Officer from whom guidance on data protection issues is available.

Complaints about discrimination

In the case of complaints about discrimination concerning the protected characteristics under the Equality Act 2010 (i.e. race, religion or belief, disability, sexual orientation and gender identity) the officer dealing with it should contact the Partnerships Team in the Community Engagement Service as the complaint may also need to be dealt with under the Hate Crime Reporting Procedure.

2 When can a complaint be made?

- 2.1 With complaints it is far easier to find out what happened and put things right if they are received at the time. As time passes it becomes more difficult to investigate events fairly and fully – people's memories fade, staff who were involved leave the council, or records may no longer be available. For these reasons, the council will normally only accept complaints made within **twelve months** of the incident or circumstances that led to the complaint.

3 Who can make a complaint?

- 3.1 Any individual or organisation that uses or receives a council service can make a complaint if they are dissatisfied with the service.
- 3.2 A complaint can be made on behalf of the customer by a councillor, advice worker, solicitor or other third party. In some cases (e.g. where the complaint comes from a private individual, whether a relative of the complainant or not) evidence will be needed that the complainant both knows of and consents to the complaint being made and is happy for information on this matter to be shared with the third party. A consent form (available online) should be sent out for the customer to sign and return to the council prior to commencing any investigation.
- 3.3 Elected members are encouraged to use the complaints procedure on behalf of their constituents, as the monitoring and feedback provided is valuable to Services.
- 3.4 Complaints received anonymously will be considered by the Service concerned, any investigation being proportionate to the potential outcome.

4 How can customers make a complaint?

- 4.1 Complaints can be made by any method of contact, ***a customer should not be told that the council will only accept a complaint if it is put in writing.*** However when an issue reaches Stage 1 of the complaints process the scope of the complaint will be formally agreed with the customer and customers will be encouraged to put their complaint in writing. Appropriate support will be given where needed to do this. The council's Talkback form sets out the information required and is available on line and as a paper form.
- 4.2 The council is committed to working within the Equality Framework for Local Government and will make facilities available to assist customers in making a complaint including translation facilities, home visits and information being made available in other formats as necessary.

5 Overview of the complaints procedure

Resolution of problems

- 5.1 All frontline staff should be empowered to resolve customer problems at the point of service delivery without recourse to the formal complaints procedure.
- 5.2 If a complaint cannot be resolved at the point of service delivery the Service concerned should deal with it as a formal complaint.
- 5.3 In exceptional circumstances (e.g. where it is felt a satisfactory resolution will not be reached) the Chief Executive may ask the Local Government Ombudsman to consider the complaint without it having been through the Council's procedure.

Stage 1 Formal Complaints

- 5.4 A senior officer within the Service which is the subject of the complaint should deal with the complaint and inform the customer of their decision.
- 5.5 The complainant should be advised of any further steps which they may take if they are not satisfied with the decision. The Council will normally only review complaints if the customer responds to the decision letter within 28 days stating why they disagree with the outcome.

- 5.6 Where a customer seeks a review of the outcome of their complaint, the Service involved may look at the case again and, where the Stage 1 process is considered complete arrange for the case to be independently reviewed as a Stage 2 complaint.

Stage 2 Formal Complaints

- 5.7 The review should be undertaken by a Head of Service (or their delegated senior officer) which is not the subject of the complaint.
- 5.8 The complainant should be advised of any further steps which they may take if they are not satisfied with the outcome of the review of their complaint, in that they may refer their complaint to an appropriate statutory or local body (usually the Local Government Ombudsman or Information Commissioner).

6 Standards for responding to customers

- 6.1 Normally, complaints should be acknowledged and replied to on the basis of the format of the original complaint (e.g. an email complaint should be responded to by email).

All complaints should be acknowledged within 5 working days of receipt.

- 6.2 **All complaints should be responded to within 10 working days of initial receipt. This can take the form of a full reply to the complaint or an interim response. *The important issue is that customer expectations are managed so that any perceived delay does not further exacerbate any complaint.***
- 6.3 Where an interim response has been provided it should indicate when a full reply could reasonably be expected.
- 6.4 If it takes more than 20 working days to respond to a complaint the customer should be kept informed of progress.
- 6.5 Responses to further correspondence from the customer should be provided in line with the council's standard for replying to all letters within 5 working days.

7 Complaints involving more than one Service

- 7.1 Where a complaint covers more than one service a single council reply should be provided and this should be co-ordinated by the Service which is the subject of the largest part of the complaint.

8 Complaints involving third parties

- 8.1 Where there is a complaint about a service which the council is responsible for but which is delivered by a third party, the council remains accountable to its customers and for any service failure.
- 8.2 An agreement should be made with a partner or contractor about how complaints are handled. This should incorporate adherence to this Code of Practice.
- 8.3 Subject to the arrangements in paragraph 9.2 above, a contractor may investigate a complaint.

9 Abusive, persistent or otherwise unreasonable complainants

- 9.1 The Council aims to treat all customers fairly and will, as far as possible, ensure that the substance of any complaint is addressed. However, the Council also has a duty to effectively manage public funds by ensuring resources expended on handling complaints are proportionate.
- 9.2 Where the Council considers a complainant potentially unreasonably persistent, the customer will be provided with an opportunity to change their behaviour before the unreasonably persistent designation and any communication restrictions are applied.
- 9.3 Complainants designated unreasonably persistent will be formally notified of the designation, the restrictions applied and their rights to appeal, including their rights to approach the Local Government Ombudsman.
- 9.4 Customers' unreasonably persistent status will be reviewed (normally after 12 months) and restrictions will be lifted unless there are good grounds for the extension (e.g. continued persistence). The complainant will be informed of the outcome of the review and where appropriate will be a further review date. The complainant again has the right to appeal.
- 9.5 The Council will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants and will take appropriate and proportionate action should such circumstances arise..

10 Replies to customers

- 10.1 Complaints should be seen as an opportunity to resolve the customer's problem and to learn from customer feedback and should be responded to in that way.

10.2 A reply to a complaint should contain:

- A summary of the complaint
- Steps taken to investigate the complaint
- The decision and reasons for it
- Reference to whether the council upholds, partly upholds or does not uphold the customer's complaint
- An apology where appropriate
- Information on any action that is going to be taken to resolve the problem
- Details of any service improvements as a result of the complaint
- Details of further stages of appeal if the customer remains dissatisfied

10.3 Where follow up action is promised the person responding to the complaint should ensure that this is carried through.

11 Keeping records

11.1 The Council aims to resolve issues immediately at the first point of contact thus negating the need to invoke the formal complaints process.

11.2 Records should be retained for all formal complaints.

11.3 Detailed information on individual complaints should be treated confidentially with access limited to those involved in resolving the matter.

11.4 Records on individual complaints should be stored for 3 years from the end of their administrative use.

11.5 Within each Service mechanisms should be put in place for ensuring that any suggestions for service improvements arising from complaint investigations are considered and followed through as appropriate.

11.6 The arrangements for reporting complaints data should assist the Council in managing its overall performance.



LANCASTER CITY COUNCIL
Promoting City, Coast & Countryside

Guidance on Handling Complaints

Version 0.7 August 2012

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1 Introduction

- 1.1 Complaints are a good source of management information which, if handled properly, provide an effective tool to help manage our business and improve the services we offer our customers.
- 1.2 The Council seeks to take a positive and open minded approach to complaints and the complaints system aims to provide:
 - a feedback mechanism which meets customer needs and identifies areas for improvement;
 - a simple way of communicating complaints information corporately and to share what we've learned; and;
 - a procedure which meets guidelines provided by the Local Government Ombudsman (LGO).
- 1.3 The Council is committed to providing good service but there are times when we get it wrong or we are perceived to have got it wrong. Whether we are wrong or not every customer has a right to their opinion - a trivial matter for one person may be catastrophic for another depending on the individual's circumstances (e.g. a regularly missed bin could have a different impact on an affluent single person than on a large household living in difficult circumstances with infants in nappies). The Council seeks to ensure all customers are treated fairly, by acknowledging their concerns and appeasing them, as appropriate, promptly and sensitively.
- 1.4 Every officer and Member needs to be aware of the complaints process to ensure all customer contacts are dealt with properly and effectively and to prevent issues escalating which creates additional burdens on resources and could potentially damage the Council's reputation. This guide supports the corporate Customer Comments, Compliments and Complaints Policy and hopefully provides useful information to help manage customers who express dissatisfaction.
- 1.5 The Customer Services and Visitor Information Centre Manager, Heather Armstrong (ext. 2399), has overall responsibility for the corporate Customer Comments, Compliments and Complaints Policy and can provide additional advice if needed. There are also officers in each Service (usually Section Heads) with responsibilities for dealing with complaints. Officers should be aware of those responsible in their Service and should direct any questions about the complaints process to them in the first instance.

2 What is a Complaint?

- 2.1 The Customer Comments, Compliments and Complaints Policy defines complaint as “an expression of dissatisfaction about a council service (whether that service is provided directly by the council or a contractor or partner) that requires a response”. It goes on to list the categories of complaints as follows:
- failure to follow agreed council procedure, policy, rules or standards of service;
 - failure to take account of relevant matters in coming to a decision;
 - neglect or unjustified delay;
 - inappropriate behaviour of a council employee or someone acting on the council's behalf; or
 - malice, bias or discrimination.
- 2.2 The Policy goes on to list the following exclusions:
- day to day service requests or reporting faults (e.g. a missed bin);
 - criticisms or disagreement with council policies;
 - complaints against individual employees which arise from dissatisfaction with a council policy or decision, and where no other basis of the complaint exists;
 - where an alternative appeals procedure exists, such as an appeal within the council or to an independent tribunal (e.g. Refusals of planning permission, the making of new Tree Preservation Orders, the awarding of Housing or Council Tax Benefits or Homelessness matters);
 - a matter which is, or could reasonably be expected to be, the subject of Court or tribunal proceedings, or which is in the hands of the Council's insurers;
 - complaints which constitute a refusal to accept a rule of law which the council is applying; or
 - complaints about the conduct of councillors (these should be submitted in writing to the Monitoring Officer).
- 2.3 It is important to understand that when a customer expresses dissatisfaction they are not necessarily making a complaint and whilst they might refer to their dissatisfaction as a complaint it is important to distinguish between a complaint and a request for service or an objection to a decision or a policy. For example, a customer may say they have a complaint when in fact they are objecting to a planning application that has not yet been determined or they may be commenting in response to a consultation exercise.
- 2.4 It is important that the Council takes a clear and consistent approach to distinguishing between requests for service and complaints. For example, the notification of a missed bin is a request for service but a repeated failure to collect the same bin may lead to a complaint.
- 2.5 Whatever the issue, as far as the customer is concerned they have a complaint and the customer will expect and should get a response. In some cases that response will need to include an explanation as to why the Council is not treating the issue as a complaint – e.g. *“Planning matters are often controversial as they often place the interests of one party over another. The City Council is an impartial arbitrator and makes its decisions in accordance with national law*

and policy. The complaints process cannot be used to try to influence planning decisions.”

- 2.6 Many issues, including complaints, can be dealt with quickly without the need to invoke the formal complaints process. For example, acknowledging the issue and saying ‘sorry’ may be enough to appease some customers.
- 2.7 All customer contacts should be dealt with as quickly as possible and the formal complaints process should only be instigated where further investigation is required. However, every contact, which has the potential to escalate to a complaint (e.g. a missed appointment), should be recorded to provide a full history should the formal process be invoked at a later date. The record should include the issue raised and the action taken.
- 2.8 A customer should feel that they personally have been or are due to be affected in some way for a complaint to be valid. (See section 3 for those making complaints on behalf of someone else).
- 2.9 As time passes it becomes more difficult to investigate complaints fairly and fully and to put things rights if they’ve gone wrong. Therefore, the Council will normally only accept complaints made within 12 months of the incident or circumstances that led to the complaint. Where a customer makes a complaint outside 12 months an appropriate officer in the Service concerned should make the decision as to whether or not to accept the complaint based on the individual circumstances including the nature and severity of the issue, the potential outcome and whether it warrants the use of public funds for investigating the matter.

3 Who can make a Complaint and the Use of Advocates

- 3.1 Any individual or organisation that uses or receives a council service and feels disadvantaged, or that they are about to be disadvantaged, through the actions of the Council may make a complaint.
- 3.2 Customers don’t have to make the complaint personally and they may ask someone to act on their behalf (an advocate) – e.g. a relative, elected member, advice worker, solicitor or other third party. Whenever an advocate is involved, irrespective of their relationship to the complainant, it is important to have written evidence that the complainant knows of and consents to the complaint being made and is happy for related information to be shared with the third party. A failure to do so may result in non-compliance with the Data Protection Act 1998. A consent form for this purpose is available on the Intranet.
- 3.3 To meet Data Protection requirements it is important to check that the consent has come from the customer concerned. This may be done in a number of ways – for example, checking the signature to a signature on file if this is available or telephoning the customer to acknowledge receipt of the form and checking that they have signed it.
- 3.4 If the third party is a solicitor, or other legal representative advice should be sought from Legal Services.

Elected Members acting as advocates

- 3.5 Elected members have an important role to play in ensuring their constituents are aware of what procedures exist to assist them in raising concerns. Members are encouraged to use the complaints procedure on behalf of their constituents, as the feedback provided to services is useful. However, when acting on behalf of a constituent it is important that Members do not give the impression that they are seeking special treatment for that constituent. In the interests of fairness, complaints made through Members should not be given priority over those made directly, and the Protocol on Member/Officer Relations applies.

4 Anonymous Complaints

- 4.1 Anonymous complaints should be recorded but an appropriate officer in the Service concerned should make the decision as to whether or not public funds should be used to investigate the complaint based on the nature and severity of the issue and potential outcome.
- 4.2 Where the customer visits the Council or contacts us by telephone they should be told that the matter will be passed to the Service concerned for consideration but a detailed investigation will not normally be carried out unless the customer personally wants a response. In all cases the customer should be encouraged to provide their contact details so that the matter can be dealt with thoroughly and completely.

5 How can Customers make a Complaint?/ Receiving Complaints

- 5.1 Customers can express dissatisfaction by any method (e.g. by telephone, email, letter etc.) and there is no difference between a 'formal' and an 'informal' complaint in that both require a response.
- 5.2 The Council is committed to resolving issues without the need to invoke the formal complaints procedure and this approach should be taken wherever possible. It saves time and money, and hopefully enhances the Council's reputation. A resolution might be as simple as offering a further appointment or a date by when the customer can expect to have received a service. Complaints that start badly often escalate, placing unnecessary demands on the Council and the customer.
- 5.3 Whatever the issue, and however trivial it might seem, the customer has a right to express their opinion. The Council is committed to treating everyone fairly, promptly and with respect. This means that we will respond to all contacts within 5 working days and, if a full response can't be provided, we will explain why and provide a date by when the customer can expect a further update (see Section 6 on Timescales).
- 5.4 All Members and officers should be aware of the complaints process and how to access it. They should be clear about their roles and what they can and cannot do (See Section 7 on Roles and Responsibilities). If you are unclear, advice is available through your line manager or the Customer Services and Visitor Information Manager as appropriate.

- 5.5 All Members and officers coming into contact with service users should be able to take responsibility for finding out enough to be able to advise a customer about making a complaint, rather than leaving them to make contact with a different service or partner. If a customer has more than one issue (e.g. a request for service (“my rubbish hasn’t been collected”) and a complaint (“last week the bin man was rude to me”) officers should be able to separate out the different elements.
- 5.6 Where a customer contacts us by phone, or face-to-face, we will actively listen to what they have to say. This means reflecting back key points to show that you understand what they’re saying. You should always be honest with the customer. Be careful not to raise customer expectations and do not offer something you cannot deliver. If it is clear the Council has got something wrong apologise on the Council’s behalf and, where possible, tell the customer what you intend to do to prevent a reoccurrence in the future.
- 5.7 **Customers should never be told that an issue cannot be dealt with unless details are put in writing.**
- 5.8 However, when an issue becomes a formal complaint it is important that the investigating officer has a clear understanding of the issue and how the customer has been affected. Therefore, when an issue reaches Stage 1 of the complaints process customers should be encouraged to put their complaint in writing. If they would find this difficult they should be asked if there is someone (e.g. a relative or friend) who could help them. If there is no-one who can help, the officer dealing with the customer should make appropriate arrangements to assist the customer – e.g. by arranging an advocate, translation facilities or a home visit.
- 5.9 The following details should be recorded for each complaint (these are the same details sought by the Talk Back form):
- the customers contact details (name, address, telephone number and email address) and preferred method of contact;
 - a list of relevant points, highlighting any important issues;
 - details of how the customer has been affected;
 - an explanation of what the customer is seeking to achieve; and
 - a signature (if the customer is visiting the Council).
- Customers should be encouraged to provide copies of any documents supporting their complaint.
- 5.10 Customers may seek advice on what they may gain from making the complaint. If you are unable to resolve an issue at the point of contact you are not in a position to suggest possible outcomes which, to some extent, will depend on the outcome of any investigation. You can advise them that their aims should be realistic and proportionate to the problems they have had. The Council is committed to making service improvements and it will put things right where it can. You should be careful not to raise customer expectations (e.g. by suggesting compensation may be considered).
- 5.11 It is disruptive to customers to have a number of people to deal with and therefore it is important that they know who is handling their complaint at any given time. Whether or not you’re able to deal with the complaint personally you remain responsible for it until another officer takes over and accepts that

responsibility. If you're passing the complaint to someone else tell the customer this but give your own contact details. You should not give the contact details of the officer you've passed the complaint to until you're sure they're aware of it and have accepted it.

6 Timescales

- 6.1 The LGO considers 12 weeks from the receipt of a complaint to a final response sufficient time to deal with a complaint, though it expects most complaints to be dealt with more quickly than this. The 12 weeks covers the whole process – i.e. Stage 1 and Stage 2 and as such the corporate Customer Comments, Compliments and Complaints Policy sets the following timescales:
- 5 working days to acknowledge the complaint ;
 - 10 working days for a full Stage 1 response with a caveat that if it is likely to take longer (see para. 6.3) the customer is contacted and advised of this;
 - 5 working days to acknowledge a response to a Stage 1 decision notice; and
 - 10 working days for a full Stage 2 response, again with a caveat that if it is likely to take longer the customer is contacted and advised of this.
- 6.2 The LGO recognises that in very exceptional circumstances the process may take longer than the 12 weeks and suggests that in such cases timescales are agreed with the customer and the customer is regularly updated on progress as appropriate.
- 6.3 It is important that customer expectations in terms of timescales are met as a failure to do so may lead to the complaint escalating. The acknowledgment should therefore clearly state when the customer can expect a full response (or an update on progress) (see paras. 12.11 – 12.18). However, the date given should be realistic – the LGO has found cases where the pressure to respond at Stage 1 has led to poor quality, defensive responses resulting in the complaint escalating.
- 6.4 Where there is a clear, serious and continuing detrimental effect on the service user or others, and an issue needs to be addressed as a matter of urgency, the related complaint should be given priority.
- 6.5 Complaints may be linked to other procedures, such as legal or disciplinary proceedings and, in the interests of fairness it may not be possible to provide a full response until those proceedings are complete. However, this is not always the case and complaints should not be unnecessarily delayed because other proceedings are involved.

7 Roles and Responsibilities

Chief Executive

- 7.1 To refer complaints to the LGO when the Council has nothing more to say on the matter (see para. 8.6).

Customer Services and Visitor Information Centre Manager

- 7.2 To take overall responsibility for the Customer Comments, Compliments and Complaints Policy.
- 7.3 To oversee the operation of the Policy and monitor compliance through reviewing system reports as appropriate.
- 7.4 To provide advice on the Policy and this guidance as requested.
- 7.5 To consult with Management Team on unreasonably persistent complainants as appropriate and ensure appropriate records are maintained and designations are appropriately reviewed.(see para. 15.9).

Service Heads

- 7.6 To be responsible for complaints about their service, to deal with any service or staff issues arising and to incorporate feedback into service improvements as appropriate.
- 7.7 To ensure all staff in their Service are briefed and kept up to date with their responsibilities under the Customer Comments, Compliments and Complaints Policy and this guidance.
- 7.8 To allocate responsibilities for investigating complaints to appropriate officers within their Service.
- 7.9 To consider the validity of any complaints against investigating officers in their service and to respond accordingly (see para. 12.8).
- 7.10 In the absence of the original investigating officer, to consider any responses from customers to Stage 1 decisions issued by their Service in accordance with this guidance, to clarify matters with the customer where appropriate, to decide on the course of action and to update the customer accordingly (see paras. 13.4 and 13.8)
- 7.11 To respond to Stage 2 complaints allocated to them in accordance with the Customer Comments, Compliments and Complaints Policy and this guidance (see paras. 13.11 – 13.16).
- 7.12 To jointly designate unreasonably persistent complainants as appropriate through Management Team meetings and to inform the Customer Services and Visitor Information Centre Manager of their decisions (see para. 15.9).
- 7.13 To consult the Chief Executive on complaints where the Council has nothing more to say for a decision on whether to refer the matter to the LGO (see para. 8.6).

Front Line Staff

- 7.14 To keep up to date with service standards, legislative requirements etc. relevant to their role.
- 7.15 To keep up to date with complaint handling procedures.

- 7.16 To respond to customers promptly and to treat them fairly and with respect.
- 7.17 To actively listen to customers and to find out sufficient information to enable the matter raised to be dealt with effectively in accordance with this guidance.
- 7.18 To assist customers in making complaints as necessary and in accordance with this guidance.
- 7.19 To seek advice as appropriate on matters of uncertainty.

Investigating Officers

- 7.20 To keep up to date with complaint handling procedures.
- 7.21 To accept responsibility for complaints concerning their Service or to pass them on where appropriate (e.g. the officer doesn't have sufficient independence to carry out a fair and balanced investigation).
- 7.22 To decide, in consultation with other Services concerned, who will co-ordinate complaints involving more than one Service.
- 7.23 To have a clear understanding of complaints passed to them, to agree the scope of the complaint with the customer and to understand how the customer has been affected.
- 7.24 To be mindful of the need to protect confidentiality where applicable and of the potential implications of the Data Protection and Freedom of Information Acts.
- 7.25 To carry out fair, thorough and balanced investigations and to make decisions based on the evidence obtained.
- 7.26 To ensure decisions are properly supported and complaints files are complete.
- 7.27 To respond to customers in accordance with the Customer Comments, Compliments and Complaints Policy and this guidance.
- 7.28 To raise issues with managers as appropriate (e.g. concerns raised by the complainant about the competence of the investigating officer, matters requiring urgent action or changes to procedures/working practices etc.).
- 7.29 To consider new allegations raised by the complainant and to respond appropriately in line with this guidance (see para. 12.20)
- 7.30 To ensure any actions needed in response to complaints are implemented per the decision letter to the complainant (see para. 12.54)

Information Management Officer

- 7.31 To act as the point of contact between the Council and the LGO and to co-ordinate the Council's responses to the LGO.

PAs to the Leader and Chief Executive

- 7.32 To allocate the Stage 2 review (see paras. 13.9 – 13.10)

8 Role of the Local Government Ombudsman

8.1 The LGO investigates complaints to provide remedy and redress when decisions are not properly taken by a council or a failure of service provision has occurred. Examples include:

- delay;
- incorrect action or a failure to take action;
- failure to follow proper procedures or the law;
- failure to reply or to provide information;
- inaccurate or misleading statements;
- inadequate record keeping;
- inadequate consultation; or
- broken promises.

The LGO will also comment on poor internal complaints processes and offer support and advice for improvement

8.2 The LGO may not investigate a complaint if it feels the complainant has not been significantly affected by the matter concerned. For the LGO to consider a complaint the complainant should have suffered an 'injustice' from the fault of the council. 'Injustice' can include:

- hurt feelings, distress, worry or inconvenience;
- loss of right or amenity;
- not receiving a service;
- financial loss or unnecessary expense; or
- time and trouble in pursuing a justified complaint.

8.3 There are certain things the LGO will not investigate (e.g. individual employment issues), details of which are available on the LGO's website at <http://www.lgo.org.uk/guide-for-advisors/can-we-investgate/>

8.4 The LGO encourages councils to resolve complaints at the earliest opportunity and will normally expect complaints to have been dealt with internally before they start an investigation. Exceptions include:

- where the matter is urgent (i.e. where a complainant is homeless or imminently will be);
- where the Council has unreasonably delayed handling the complaint;
- complaints where the Chief Executive has exercised discretion not to investigate further (see para. 8.6);
- complaints where the LGO feels the Council will not handle the matter effectively; and
- cases where the complainant's circumstances indicate a need for priority (e.g. where a referral to the Council would disadvantage an already disadvantaged complainant).

8.5 Whilst the LGO will not normally investigate complaints until they have been through the Council's procedure, where a customer is determined to approach the Ombudsman it is not for the Council to prevent that. Where appropriate, officers should tell customers that the LGO expects complaints go through the Council's procedure before it goes to them and that, if they were to go to the

LGO, they are likely to pass the complaint back to the Council for it to complete its procedure.

- 8.6 In exceptional cases where it is clear that the Council has nothing more to say on the complaint (e.g. where a complainant tries to pursue the same issue from a different angle and the Council sees no value in investigating the matter) this should be made clear to the person making the complaint, and the Chief Executive may ask the LGO to consider the matter without it having been through all of the Council's procedure. Such complaints should be brought to the attention of the Service Head concerned for discussion with the Chief Executive and a decision on the action to be taken.
- 8.7 If the LGO investigates a complaint and it finds the Council has done something wrong it may make recommendations to the Council on how to put things right. For example, by asking the Council to:
- apologise;
 - make payment in recognition of the injustice;
 - reconsider a decision which was not taken properly; or
 - review/improve procedures.
- 8.8 Each year the LGO publishes an annual review of each council through a letter sent to the Chief Executive (and subsequently reported to the Audit Committee) and available on its website. The review provides an opportunity to comment on the outcome and impact of complaints. When the LGO finds evidence of systemic failings that affect all service users a report is usually issued that councils are by law required to consider and then inform the LGO of the action it will take.
- 8.9 Housing Ombudsman (to be developed later when more guidance available and to follow corporate procedure as far as possible)

9 Complaints involving Partners or Contractors

- 9.1 Where there is a complaint about a service which is delivered by a third party, such as a partner or contractor, the Council remains accountable to its customers for any service failure and thus for ensuring any complaints are properly resolved. Therefore, the agreement with the third party should cover complaints handling procedures. Irrespective of whether there is a formal partnership agreement in place, there needs to be proper arrangements to ensure customers are not passed between the organisations involved.
- 9.2 Customers will often expect the Council to deal with complaints through its procedure and as such it would be helpful if the complaints handling procedures agreed with the third party are in line with the Council's Policy and these guidelines. If they're not, both parties should be clear on why there are differences and be able to explain these to service users.
- 9.3 The LGO has made the following recommendations relating to drawing up protocols with partners:
- when the partnership is first created, there should be clarity regarding accountability for different parts of the work that will be carried out;

- there should be a clear statement as to who is responsible for handling complaints and providing redress;
- there needs to be effective communication with service users, so that they understand what to do in the event of something going wrong; and
- there should be strong commitment to learning from complaints, so that services may be improved.

10 Complaints Records

10.1 All information relating to a complaint should be held on a complaint 'file' which should:

- provide a clear audit trail from the original complaint to the decision and implementation of any corrective actions;
- provide the chronology/timeline; and
- enable someone else to pick up a case and quickly understand the situation/position. This is particularly important should the complaint progress to Stage 2 or the LGO.

10.2 The following information (if available/applicable) should be held on complaints files:

- relevant dates (e.g. the date the complaint was received, date acknowledged etc.);
- details of the complaint (i.e. agreed scope);
- a record of all conversations;
- copies of all letters;
- file notes supporting any actions taken;
- the investigation plan (the investigating officer may be called upon to justify the investigation or decision reached);
- details of the decision (i.e. upheld, partially upheld or not upheld) including the reasons why and any supporting documentation
- details of any corrective action or service improvements resulting from the complaint including the date of implementation.

10.3 Records relating to complaints should be destroyed 3 years after their administrative use.

11 Confidentiality and Data Protection and Freedom of Information

11.1 Information relating to individual complaints needs to be treated carefully and all Members and officers need to be aware of the principles of the Data Protection Act 1998 (DPA) and the Council's duty to protect an individual's confidentiality. Whilst a customer might complain about a third party, Members and officers should be careful not to disclose personal information about that third party when responding to the complainant. Any doubts should be directed to the Council's Information Management Officer – Rosebella Kotonya (Ext. 2192).

11.2 Similarly, Members and officers need to be sure that when giving information in relation to a complaint the person receiving the information has the right to receive it. This means that before talking to someone you should establish their

identity. If a third party is acting on behalf of a complainant you should ensure that they are acting in the knowledge of the complainant and that the complainant is happy for relevant information to be shared with the third party (see Section 3).

- 11.3 Customers may be reluctant to make complaints, or to put their name to complaints, because they do not want to cause upset, or they are concerned that it will affect the way they are treated in future. Whilst, on rare occasions, it might be appropriate and possible to have the complaint dealt with by someone outside the service area involved this will not always be the case and normally the only assurances that can be given is that any information the customer provides is confidential to the Council.
- 11.4 Under the Data Protection Act 1998 (DPA), individuals have a right to access information about themselves. If a subject access request is received, a decision will be needed on which data the subject has a right to access.
- 11.5 Anyone can make a request for access to any information held by the Authority under the Freedom of Information Act 2000 (FoIA). Potentially the FoIA gives one individual a right of access to information about another but if providing the third party information would breach the data protection principles it is exempt from disclosure.
- 11.6 All data access requests should be dealt with in consultation with the Information Management Officer and further guidance is also available on Information Commissioner's website – www.ico.gov.uk
- 11.7 Complaints files hold personal data (e.g. documents relating to the initial contact with the customer including the customer's details, views etc.) and non-personal data (e.g. the Authority's policies or procedures) and may hold the personal data of more than one person (e.g. a witness statement). For information to be personal data it must relate to an individual and allow an individual to be identified from it.
- 11.8 Under FoI, a third party may request information relating to a specific complaint. Where personal data is concerned it would be inappropriate and unfair to release the information. However, the legitimate interest of the public in the information being disclosed must be taken into account and therefore the Council should consider how to de-personalise the information. Further advice is available from the Information Management Officer.
- 11.9 Some complaints are about a failure to provide information requested (failure to comply with FoI legislation and guidance). These are outside this complaints procedure and should be referred directly to the Head of Governance.
- 11.10 Some complaints are about the provision of too much information (in breach of DPA legislation or guidance). These complaints should be dealt with in the same way as any other complaint but where a breach has occurred this should be reported to the Council's Information Management Officer who can also provide further guidance.

12 Stage 1 Formal Complaints

- 12.1 If a complaint cannot be resolved at the point of service delivery, usually because matters need to be investigated further, it should be dealt with as a Stage 1 complaint.
- 12.2 There are five elements to Stage 1 as follows:
- acknowledging the issue and agreeing the scope of the complaint;
 - investigating the complaint;
 - making a decision on the evidence obtained;
 - communicating the decision; and
 - taking action to put things right where they have gone wrong.
- 12.3 Stage 1 complaints are dealt with by designated senior officers, usually Section Heads, within the Service which is the subject of the complaint. If a complaint covers more than one Service the officers concerned should agree which of them will take responsibility for co-ordinating the investigation and response. Services need to ensure that complaints are dealt with by officers with sufficient authority to ask questions. Ideally the person dealing with a complaint should also have some degree of independence to ensure valid points raised are considered and to help prevent a defensive response which may result in time consuming circular correspondence.

Complaints against staff

- 12.4 Staff may be the subject of complaints either directly or through the service they provide. In all cases it is important that they are treated fairly. They should be informed of complaints made against them and given the opportunity to comment. **They should not respond to the complainant.** At the end of the investigation they should be made aware of whether the complaint has been upheld or not.
- 12.5 Understandably staff may feel defensive and upset if a complaint concerns them. They may be worried about the potential consequences which, if things have gone seriously wrong, may involve disciplinary action, albeit in a very small number of cases. When speaking to staff about complaints against them it may be helpful to draw their attention to the fact that the complaints system is a mechanism for learning rather than for apportioning blame.
- 12.6 Whilst a formal record should be made of any meetings with a member of staff concerning a complaint against them for the complaints record, the meeting is a fact finding exercise to determine the course of action to be taken and as such the member of staff has no right to be accompanied.
- 12.7 There may be occasions where customers will try to use the complaints process to pursue a personal vendetta against a member of staff. In such instances it is important to separate out as early as possible aspects of the complaint against the authority and allegations against the officer concerned so that each can be dealt with appropriately. For example, it may be more appropriate to deal with allegations against officers under disciplinary procedures rather than the complaints process – in such circumstances the complainant would only need to be told that the matter is being dealt with under the Council's disciplinary procedures. They would not be entitled to know the outcome.

- 12.8 Some complainants may complain about the person investigating their complaint. Whilst they may have legitimate criticisms, some may do this to try to intimidate the officer concerned, to derail an investigation not going in their favour or to try to get the investigation reallocated to someone they think will see things their way. The complainant cannot dictate who will investigate their complaint. The investigating officer concerned will need to speak to their Service Head to determine whether the new complaint needs to be looked into. If not, and the investigating officer concerned is comfortable continuing the investigation, the Service Head should inform the complainant accordingly – i.e. that they are satisfied that the complaint is unfounded and the investigating officer will continue with the investigation as notified previously. If the complaint about the investigating officer needs to be looked into, a decision is needed on whether it would be better to reallocate the complaint for investigation. In any event the response to a complaint about an investigating officer should be sent by that officer's Service Head.

Complaints against Elected Members

- 12.9 Any complaints about the actions or conduct of an Elected Member should be referred to the Council's Monitoring Officer.

Acknowledging the Issue and Agreeing the Scope of the Complaint

- 12.10 Upon receiving a complaint for investigation the officer concerned needs to establish:
- *whether the complaint falls within the scope of the Council's Customer Comments, Compliments and Complaints Policy*
If it doesn't (e.g. is about a disagreement with a Council Policy) the customer needs to be informed and if there is an alternative way for them to pursue the issue this should be pointed out;
 - *whether the complaint concerns another organisation either wholly or in part*
If it involves another organisation and the Council, an agreement needs to be reached on which party will take the lead in investigating the decision (see also Section 9); and
 - *whether they have had any role in the events which gave rise to the complaints (see para. 12.3).*
- 12.11 Complaints should be acknowledged within 5 working days of receipt. The acknowledgement should include the date when a customer can expect a further update or full response (see Section 6).
- 12.12 The approach to acknowledging the complaint (i.e. telephone call, email, letter etc.) will depend upon the way the customer made contact and the nature of the complaint, but wherever possible the process of acknowledging the complaint should be combined with agreeing the scope of the complaint.
- 12.13 It may be fairly easy to establish the scope of the complaint from the information given (i.e. the letter, Talk Back form etc.) but this isn't always the case and further contact may be needed with the customer to clarify matters.
- 12.14 It is important that the officer dealing with a Stage 1 complaint fully understands the nature of the complaint, the extent to which the customer feels they have been or are to be affected and what they hope to achieve through complaining.

A failure to agree the scope of the complaint at the start may lead to problems later in the process if the customer starts to digress. Establishing what the customer seeks to achieve may save time on investigation if the resolution is relatively straight forward.

- 12.15 Direct contact with the person making the complaint (e.g. through telephone contact or a visit) can be seen as time-consuming but such contact is valuable to the Council and the customer and helps to build a positive relationship at the start. As well as potentially saving time in clarifying the complaint and establishing the desired outcome which helps provide a proportionate response, it's a way of agreeing the way forward (e.g. when and how contact should be made etc.).
- 12.16 There may be occasions when, despite best efforts, the grounds of the complaint are still unclear and there is no apparent reason (e.g. a learning disability or special need) for the complainant not providing the information needed. In these cases the complainant should be told that the investigation cannot go any further until the complaint is clarified. The officer concerned should make it clear what information is needed and a deadline should be given for the receipt of that information. LGO guidance states that *"if by the deadline there still isn't a complaint that can be investigated, write to tell the complainant that is the position"*.
- 12.17 Once the scope of the complaint has been established it is best practice for the details to be formally set out for the customer in an email or letter. This could form part of the acknowledgement or be a summary statement agreed during an initial meeting with the customer. The advantages of this are:
- both the Council and customer are clear on the scope of the complaint at the outset thus reducing the likelihood of the customer complaining at a later stage that the investigation has not addressed their concerns; and
 - it helps drafting the report/letter for the customer on the findings of the investigation.
- 12.18 The formal summary of the complaint needs to be clear and should include:
- details of the officer handling the complaint;
 - a numbered or bullet pointed list of issues to be investigated (if there are issues which won't be investigated these should be listed separately with the reasons why (e.g. outside the scope of the complaints policy, not significant enough to warrant investigation));
 - details of what the complainant thinks has gone wrong and how they believe it has affected them (the complainant's own words should be used where appropriate);
 - reference to the Customer Comments, Compliments and Complaints Policy and the fact that the complaint is being dealt with at Stage 1 of the process;
 - a statement of what the customer should do if they disagree with anything set out in the summary; and
 - a date by when the customer should have a full response to their complaint (or an update on progress if this is appropriate).
- 12.19 If the complainant doesn't agree with the summary this needs to be resolved and personal contact with the complainant may help. You will need to establish what the complainant doesn't agree with and why. It may help to ask them to

propose an alternative but if their version isn't something that can be dealt with under the complaints policy they need to be told this.

- 12.20 Some complainants will make further allegations whilst a complaint is under investigation. In these cases the investigating officer needs to establish whether the new allegations are linked to the matters under investigation to determine whether they should be included. This may mean extending the timescale for the investigation and notifying the complainant accordingly. If the allegations are not closely linked to the matters under investigation the complainant should be told that these will need to be pursued as a new complaint. All additional allegations should be responded to within 5 working days.

Investigating the complaint

- 12.21 It is important to plan the investigation of a complaint, especially if the complaint is complex, and in some cases it is helpful to write a draft decision letter/report at the start to help identify any gaps in knowledge or information. When planning the investigation it may be helpful to consider the following questions:
- *what are the main issues of the complaint and what events/conversations/decisions will the outcome depend on?*
 - *what information will I need (e.g. policies, procedures, background information etc.) and how will I get it? and*
 - *will I need to interview anyone and what information will I need to make best use of the interview?*
- 12.22 Identifying and assessing all possible sources of information may be particularly important if there is a direct conflict between two parties on a crucial part of the complaint – e.g. where a customer denies an officer visited them on a certain date a visit recorded in a diary and associated expense claim will support the officer's version of events whereas a leave record will do the opposite.
- 12.23 Decisions need to be made on how you will access information, for example:
- whether the person you have approached has the authority to release the information; and
 - how secure will the response be (e.g. if you are away from the office).
- 12.24 In preparing to meet the customer it is helpful to prepare for potential questions – e.g. questions about who might accompany them (e.g. relative, friend, solicitor), whether or not they can tape the interview and whether or not they can have a copy of any notes taken. It is acceptable for the complainant to be supported by a relative or friend but it would not normally be appropriate for them to be accompanied by a solicitor or someone from the media. Neither is it acceptable for the interview to be recorded. However, there is no reason why the complainant shouldn't have a copy of the interview notes. It is useful to agree the boundaries (i.e. who will attend etc.) with the customer in advance so that any concerns can be raised with Legal Services in good time.
- 12.25 You should be clear about the information you want to obtain from the interview and, as far as possible, questions should be prepared in advance. Open questions (i.e. questions that don't have a yes/no answer) tend to be useful in drawing out information you wouldn't get otherwise but you need to beware of going off on a tangent. Closed questions (i.e. those with a yes/no answer) are useful for confirming facts. Questions should be unambiguous, precise and

focussed and you should be prepared to ask unplanned, supplementary questions based on information gained during the course of the interview. Leading questions should be avoided.

- 12.26 During the course of the interview paraphrasing should be used where appropriate to check the understanding of both parties. At the end of the interview it is useful to summarise key points to allow any misunderstandings to be corrected and to help prevent future disputes.
- 12.27 Having obtained information to form a decision on the complaint you need to be sure that that the decision will be well supported and will stand up to scrutiny. It might be helpful to put yourself in the complainant's place and ask yourself if you would be satisfied with a decision based on the evidence you have. If necessary seek assistance from a colleague.

Making a decision on the evidence obtained

- 12.28 Information gathered during the course of the investigation needs to be evaluated to reach a decision on the complaint. When evaluating information it is important to consider whether the information is reliable, relevant and important (i.e. central or peripheral). In determining the reliability of information you might consider whether:

- the source is reliable, independent etc;
- it is consistent with other information received;
- if recording an event, how long after the event it was produced;
- if a publication or advisory document, it has been updated or superseded;
- it is a statement of opinion or fact; and
- it can be corroborated.

- 12.29 Having established the facts relating to a complaint the officer concerned should reach a decision on:

- whether the Council has been at fault and, if so, how has the complainant been disadvantaged; and
- if the complainant has been disadvantaged by some fault of the Council, how the Council should put things right.

If there has been no fault on the Council's part then any difficulty the complainant is having cannot be laid at the Council's door. If there has been a fault but the complainant has not been disadvantaged there is no action needed to put things right for the complainant. However action may be needed to prevent others being disadvantaged.

- 12.30 Decisions need to be based on evidence which is clear, unambiguous, relevant and which has been applied objectively.

- 12.31 There are many causes of maladministration or service failure but the following questions based on guidance from the LGO may help in reaching a decision:

- *Have the Council and the staff involved understood any statutory requirements which apply and has it fulfilled those requirements?*
Failure to comply with legal requirements is one of the most common reasons for findings of maladministration.
- *Has the Council got policies or procedures covering the issue raised and have these been followed?*

Maladministration is sometimes found because a council fails to do something which its own policy or established practice requires – e.g. the failure to notify neighbours about a planning application despite a policy stating this should be done.

- *Can the Council demonstrate that relevant criteria have been applied objectively and that any decision taken is consistent with others relating to the same matter?*
Criteria should be clear and relevant and applied objectively so that decisions are not made on an inconsistent, ad hoc or subjective basis – e.g. it would be difficult to demonstrate clarity and objectivity where decisions to provide a service are based on merit rather than some sort of points system or ‘first come, first served’ basis.
- *Has the Council communicated with customers consistently and effectively in line with any related requirements?*
There would be a failing if a customer has been given preferential treatment by being informed of something which should also have been relayed to the complainant.
- *Has the Council rigidly applied policy thus preventing the proper consideration of any exceptional circumstances?*
If a policy contains a positive statement (i.e. what will be done) then the citizen is entitled to expect that the promise is fulfilled but a negative statement (i.e. what won’t be done) is a general guideline. It is inappropriate to fetter discretion by operating a policy which specifies in advance circumstances where discretion will never be exercised – e.g. an absolute rule that council tenant applications for a transfer will not be considered if there are any rent arrears, no matter how small, how they’ve arisen or what exceptional circumstances there are.
- *Where a decision has been made which is inconsistent with established policies or other relevant plans or guidelines, were there adequate and relevant grounds for it?*
e.g. when dealing with planning applications councils are required by law to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. They should determine the application in accordance with the plan unless material considerations indicate otherwise. The plan should normally be given considerable weight in the decision and strong contrary planning grounds would have to be demonstrated to justify a proposal which conflicts with it.
- *Have relevant codes of practice and government circulars been considered and the advice in them followed, unless there were justifiable reasons for not to do so?*
Whilst there is no legal obligation to follow such codes or advice, the Council could be vulnerable to criticism if it was unable to show, when challenged, that it had at least given adequate consideration to them.
- *Has there been proper consideration to the views of relevant parties in making a decision?*
Whilst a committee or officer acting under delegated powers is not obliged to agree with any views put forward, either as a result of consultation or by relevant officers, there is an onus on the decision taker to give proper consideration to those views – e.g. the assessment of a medical officer that a homeless couple is vulnerable for medical reasons should not be rejected without adequate grounds.

- *Have decisions been made or action taken prematurely?*
E.g. whether a consultation period is statutory or non-statutory it should be allowed to run and the council should then properly consider the views expressed by the end of that period (and any later views which arrive in time to be considered).
- *Has the customer been properly informed of an adverse decision?*
E.g. a failure to put the reasons in writing may give the impression that the decision was made arbitrarily and unsuccessful applicants may be unable to make informed judgements or to properly prepare for an appeal if they have insufficient information regarding the reasoning they are to counter.
- *Were decisions or actions taken as required and within a reasonable time?*
It is not good practice to fail to do something which ought to have been done and this is the most common cause for findings of maladministration by the LGO. In some cases there are statutory timescales whereas in others timescales may be suggested (e.g. in government circulars) as reasonable expectations. The Council should aim to meet all statutory or advisory timescales. Where there are no externally specified time limits, action should be taken within a period which is reasonable in the circumstances. Setting target times in-house may be helpful in that it sets the standards so that customers know what to expect and it provides a guideline for staff enabling performance monitoring and corrective action where necessary.
- *Was there sufficient authority for a decision under delegated powers and was the use of delegated powers appropriate in the circumstances?*
The use of delegated powers is a discretion and not an obligation and officers with delegated powers need to be alert to the possibility that a particular issue would be better referred to a committee for consideration. The authority to act under delegated powers should be recorded in writing and the terms of the authority should be clear and specific so that the delegated power is not misinterpreted. An example of the inappropriate use of delegated powers might be the planning officer approving a planning application which did not conform to the Council's policy guidelines.
- *Have all the relevant and material facts been established?*
In some cases there is a statutory duty to establish the facts – e.g. housing authorities must make enquiries into the circumstances of an applicant for housing if they have reason to believe the applicant may be homeless. Whether there is a statutory duty or not it is good practice to establish all the relevant and material facts and the Council may be criticised by the LGO for not doing so – e.g. through failing to properly investigate complaints about nuisance from neighbouring tenants.
- *Has the Council sought appropriate specialist advice where necessary?*
Maladministration has been found by the LGO where councils have neglected to seek specialist advice where it was felt that the nature of the issue made it appropriate to do so in order to carry out a thorough evaluation – e.g. expert advice on the effects of noise and the need for safety measures in relation to a planning application for a development such as a rifle range not being sought.
- *Have any individuals or organisations who might reasonably consider that they would be adversely and significantly affected by a proposed action been consulted?*
In some cases consultation is a legal requirement and must be undertaken but it is good practice to go further and consider consultation in any situation

where it could reasonably be thought that fairness requires it. Whilst it may be difficult to determine who should be consulted on a particular issue, the Council should always seek to act fairly and it is often better to run the risk of notifying too many people rather than not enough. Where consultation is undertaken it is important that adequate and accurate information is given about the issues, and sufficient time is allowed to consider comments received and to respond accordingly. If a proposal is significantly revised as a result of consultation the Council needs to consider whether a second round of consultation is appropriate.

- *Has the Council given adequate consideration of all the options available?*
It is good practice to identify all available options and to ensure that they are properly considered. The Council is open to criticism from the LGO if it fails to do so – e.g. through a failure to consider the use of discretionary powers under housing legislation to prevent the landlord of a property allowing it to fall into such disrepair that it becomes unfit for human habitation.
- *Has a report been provided to committee when required and was the report materially accurate and covering all the relevant points?*
The LGO has been critical on occasions where officers have not put a report to a committee where there were serious, persistent or long-standing problems which the committee should have been told about. Where reports have been criticised it is commonly because there were significant omissions or inaccurate or misleading statements.
- *Has correct action been taken, including action to implement decisions made?*
Examples of incorrect action include:
 - a planning permission letter being issued without the conditions agreed at committee; and
 - a computer inputting error resulting in a housing benefit cheque going to a tenant despite an arrangement that it should be paid to the landlord resulting in the landlord not receiving a significant amount of money owed to him when the tenant left.
- *Has the Council taken appropriate action to resolve difficulties or disagreements?*
It is good practice to try to resolve difficulties or disagreements by discussion and negotiation in the first instance but to take formal action when it is clear that informal attempts at resolution are not working. A warning should be issued before embarking upon formal action. An example of failing to take appropriate action might be a failure to embark early enough on legal action to terminate the tenancy when tenants are causing nuisance or are harassing their neighbours.
- *Has the Council made misleading or inaccurate statements?*
Customers will expect, and are entitled to expect, that any statements made to them by the Council are accurate and unambiguous. Members and officers need to be circumspect in their statements to members of the public and not give the impression that they are giving an undertaking on behalf of the Council unless that is what is intended. Whilst it is helpful to deal with issues through direct discussion it is good practice to confirm discussions or advice in writing to minimise any risk of misunderstanding – e.g. a failure to document planning advice might result in a customer believing a proposal to their plans would be acceptable and result in planning permission being granted when it would not.

- *Has the Council formulated undertakings with care and discharged any responsibilities arising from them appropriately?*
It is important that undertakings are not given lightly, that they are expressed carefully and clearly, and that they are only given when the Council is confident it can fulfil them. Provisos (e.g. subject to the availability of funds) should be stated where appropriate. If, in exceptional circumstances, the Council cannot fulfil an undertaking the Council should consider compensation as appropriate. The LGO can ask the Council to pay compensation – e.g. if a prospective purchaser of a site is told that a residential development would be acceptable but after the purchase planning permission is refused.
- *Has the Council taken appropriate action to avoid unfair discrimination?*
Some forms of discrimination (e.g. sex or race) are proscribed by legislation but unfair discrimination may result in other instances too – e.g. where a householder is given the opportunity to bid for a plot of land but a neighbour in similar circumstances is not.
- *Has the Council properly informed customers of any rights of appeal or avenues for pursuing a complaint where they are adversely affected by a decision?*
Whether there is a statutory obligation or not, it is good practice to make clear to those affected by decisions the further avenues that may be open to them if they are dissatisfied.

12.32 The LGO website (<http://www.lgo.org.uk/News>) also has examples of LGO cases which may be a useful point of reference when reaching a decision.

12.33 The basis of the decision, the date it was taken and the officer responsible, should be apparent from the complaint file.

12.34 In some cases there will be insufficient evidence to form an opinion and, if possible, a view will have to be formed on the 'balance of probabilities'. There may be exceptional circumstances when reaching a decision either way is near impossible and the complainant will have to be told that a decision cannot be made. Every effort should be made to reach a conclusion and where this is not possible the extent of evidence gathered should be reconsidered with a view to finding more information or more conclusive evidence.

Communicating the Decision

12.35 Responses to complaints should be clear and evidence-based. They should also be provided in the timescales set out in earlier contacts with the complainant (see Section 6).

12.36 The LGO has guidance recommending the content of decision letters as follows:

- a statement of the complaint - this should be the summary agreed with the complainant at the start of the process;
- the steps taken to investigate the complaint and the things taken into account – e.g.

"In considering your complaint I have:

- *read the records of your contacts with the Health and Housing Service;*
- *interviewed officers who have dealt with your case;*

- examined Council policies relating to your complaint; and
- researched relevant legal background”;
- the decision and reasons for it – e.g.
“I have come to the conclusion that your complaint is justified for the following reasons:”
This should be followed by headings from the list of points in the statement of the complaint. Under each heading there should be a summary of the complaint made relating to that point, a detailed explanation of relevant findings (key issues, facts, policies, law etc.) and your opinion based on those findings – i.e. whether the council upholds, partly upholds or does not uphold the complaint. It may be appropriate to append documentary evidence;
- a summary of the decision may be appropriate if the letter/report is lengthy, although this is not specifically recommended by the LGO;
- **if the complaint is upheld the letter should contain an apology** and details of the action to be taken to put things right for the complainant, including who will do it and when. It may also be appropriate to include any service improvements as a result of the complaint (see paras. 12.39 – 12.42); and
- what the complainant should do if they disagree with the decision. The following wording is suggested but should be tailored to the individual circumstances:
“If you are not happy with the outcome of your complaint you can ask that it be reviewed stating why you disagree with the outcome. If you produce significant new evidence which may make a material difference, you will need to provide an explanation of why that information was not previously made available. Please refer to our complaints booklet for further details on taking the matter further at www.lancaster.gov.uk/complaints”.

Taking Action to Put Things Right Where They Have Gone Wrong (including Rights to Compensation)

- 12.37 Section 92 of the Local Government Act 2000 confirms that councils are empowered to remedy injustice arising from maladministration where the complaint is made only to the Council and not the LGO.
- 12.38 If there is maladministration it does not necessarily follow that the complainant has suffered injustice as a consequence. It is not enough to know the complainant suffered a disadvantage as the disadvantage may have been caused by the actions of the complainant or a third party. For a finding of maladministration causing injustice it should be clear, on the balance of probabilities, that the injustice, either wholly or partly, occurred as a consequence of the Council’s maladministration.
- 12.39 If it becomes apparent, during the course of the investigation, that the Council has got it wrong, action should be taken as soon as possible to:
- save time and money by preventing things getting worse;
 - build trust, increase customer satisfaction and promote a positive image; and
 - enhance the Council’s reputation for complaints handling.

- 12.40 If the Council has got things wrong it should **always apologise**. Sometimes an apology is all that the complainant wants. An apology is not an acceptance of liability. Section 2 of the Compensation Act 2006 makes clear that an apology in itself does not amount to an admission of negligence or breach of statutory duty.
- 12.41 Sometimes the complainant may just want to know that the same thing won't happen again and the fact that their complaint has led to real improvements might mean a great deal to them; in these cases the complainants should be informed of the changes to practices/procedures as a result of their complaint.
- 12.42 If a specific action is needed (e.g. repairs are needed to a council house) the complainant should be told when this will be done and by whom.
- 12.43 Where there is no other way of putting things right (e.g. through the passage of time) financial compensation may be the only option but this should only be considered where there has been a significant injustice.
- 12.44 Where a complainant has incurred costs which they would not have incurred but for the maladministration it may be appropriate reimburse all or some of those costs (e.g. abortive expenditure in respect of a land purchase which the Council agreed and then cancelled). In such cases a decision is needed as to whether it was reasonable for the complainant to incur these costs. Where the costs relate to professional fees for pursuing the complaint (e.g. legal fees, planning consultancy fees) a decision on reasonableness should take into account:
- the complexity of the case;
 - the circumstances of the complaint;
 - whether the complainant is vulnerable; and
 - whether the complainant could reasonably have been expected to pursue the complaint without advice.
- It may be appropriate to contribute to the costs incurred rather than reimburse them in full. Where legal fees are involved it would also be relevant to establish whether the complainant got assistance with the fees from elsewhere.
- 12.45 When determining the loss of a non-monetary benefit (e.g. a council tenant unable to use a room through the lack of a repair) it may be difficult to quantify the loss. An objective approach might be available – e.g. it might be appropriate to ask “what would the council have had to pay to make alternative provision over the time period involved”. However, a calculation on that basis may be disproportionate to the injustice (i.e. a small amount of money might relate to a major injustice or vice versa) and the effect on the complainant has to be considered.
- 12.46 If a complainant owns something which has lost value through maladministration by the Council (e.g. property devalued as a result of a planning decision), and any action the Council might take to restore the amenity would not fully compensate for the injustice, an assessment is needed of the value before the maladministration and the probable value after the maladministration. In such cases it may be appropriate to seek an independent valuation.
- 12.47 Compensation for a lost opportunity (e.g. the complainant was deprived of a right of appeal through the Council not informing them of that right) is likely to be fairly small as the complainant has only lost an opportunity and the actual outcome which might have occurred is unknown. However, if there is some

certainty over what the outcome might have been, compensation should take this into account.

12.48 Compensation for distress, including stress, anxiety, frustration, uncertainty, worry, inconvenience or outrage should only be considered where the complainant has clearly suffered significantly more than if the situation had been managed correctly. Compensation needs to take into account:

- the severity of the distress;
- the length of time involved;
- the number of people affected (might include complainants' family);
- whether the person affected is vulnerable; and
- any professional opinion about the effects on the individual.

12.49 If paying compensation which is not for a specific purpose (e.g. a redecoration allowance in lieu of the council decorating after repairs), it might be reasonable to offset the compensation against any debt.

12.50 When determining the remedy it is important to focus on what the consequences were rather than on what went wrong. The remedy should be appropriate and proportionate to any harm suffered and should seek, where possible, to put the complainant back in the position they would have been in if the fault had not occurred.

12.51 When deciding the remedy it may be appropriate to take account of the complainant's views but you should always exercise your own judgement taking into account:

- anything the complainant did or did not do which contributed to the harm they suffered (e.g. the complainant did not take action to mitigate the effect of maladministration when they could reasonably have been expected to do so); and
- if appropriate, the time and trouble they went to in pursuing their complaint.

12.52 Guidance from the LGO states that in some cases it may be appropriate to compensate for the complainant's 'time and trouble' in pursuing their complaint. Such payments should not be standard practice and should only be considered where the complainant has had to endure delays and/or difficulties which are clearly over and above what could reasonably be expected. The LGO may recommend time and trouble payments in any findings of maladministration and injustice but such payments may also be considered at local level. Guidance states that such payments recommended by the LGO are normally between £50 and £250 but early local settlements are likely to be lower. The amount is determined through considering relevant factors such as:

- the passage of time, including response times by the authority;
- the amount of time the complainant had to devote to pursuing their complaint;
- difficulties experienced by the complainant in dealing with the authority; and
- any inadequacies in responses to the complainant by letter, telephone etc. and whether this was a result of wilful action or poor administration; and
- the level of minor expenses (e.g. telephone costs, travel costs etc.) not quantified as a separate element of compensation.

Where compensation for 'time and trouble' is included in a composite payment it is important that this is made clear to the complainant.

- 12.53 There may be rare instances where people other than the complainant have been similarly affected and it may be appropriate to consider their situation with a view to applying a similar remedy. The LGO can only formally recommend a remedy for the person who has made a complaint or a person on whose behalf a complaint has been made.
- 12.54 It is important that any actions proposed as a result of a complaint are implemented within a reasonable timeframe and that the responsibility for doing so is properly assigned. Whilst the investigating officer may assign responsibility to someone else they, as the officer responsible for the complaint, remain responsible.

13 Stage 2 Formal Complaints

- 13.1 Some complainants will be dissatisfied with the response they get from the Stage 1 investigation of their complaint and they have the right to question or challenge the response. The complaint only becomes a Stage 2 complaint when the Stage 1 process has been exhausted (i.e. a thorough investigation covering the agreed scope of the original complaint has been carried out) and the Stage 1 investigating officer has nothing more to say on the matter.
- 13.2 At Stage 2 complaints are reviewed by an officer independent of the service area concerned, the review to establish:
- whether the Stage 1 investigation was adequately thorough and impartial; and
 - if any fault was found, whether things have been put right for the complainant.

Stage 2 is not a re-investigation of the complaint.

- 13.3 There are several stages to the Stage 2 process as follows:
- acknowledging and establishing the basis of the dissatisfaction and determining whether a Stage 2 review is required;
 - allocating the Stage 2 review;
 - taking ownership of the Stage 2 review;
 - reviewing the Stage 1 investigation; and
 - informing the complainant of the outcome of the Stage 2 review.

Acknowledging and Establishing the Basis of the Dissatisfaction and Determining whether a Stage 2 Review is required

- 13.4 Complainants may express their dissatisfaction with Stage 1 responses in a number of ways (e.g. letter, email, telephone call etc.). All contacts should be directed to the original investigating officer or the Service Head in their absence.
- 13.5 It is important to establish the basis of the complainant's dissatisfaction with the Stage 1 response (i.e. what do they disagree with and why) and, where possible, to get this documented and agreed by the complainant. Where the basis of the dissatisfaction is obvious (i.e. clear from the documentation received) to save time, this could be reflected back to the complainant in the acknowledgment letter (see para 13.7). Where it isn't obvious the officer concerned should arrange to contact the complainant to clarify the issues raised.

- 13.6 The Stage 1 investigating officer (or their Service Head) is to decide whether the dissatisfaction warrants a Stage 2 review. In determining whether a complaint should progress to Stage 2 the officer concerned should consider the points raised in response to the Stage 1 decision against the agreed scope of the original investigation to establish whether:
- i) the Stage 1 investigation has overlooked an element of the original complaint;
 - ii) new information has been provided which, if it had been available at the time, would have been considered at Stage 1;
 - iii) new information or allegations have been made which are outside the scope of the original investigation; or
 - iv) there is no new information which would have influenced the outcome of the Stage 1 investigation.

Where i) or ii) applies the complaint should be dealt with in the service concerned, perhaps by the original investigating officer.

Where iii) applies the complainant needs to be advised that the issues raised are outside the scope of the original investigation and that if they wish to pursue the issues they will be treated as a new complaint.

Where iv) applies the complaint should progress to a Stage 2 complaint.

- 13.7 Complainants should be informed of the decision on how the complaint is to be progressed within 5 working days of them making contact. If the complainant has been contacted to clarify the basis of their disagreement this may be done verbally but where appropriate followed up formally. Letters or emails should state:
- the basis of the complainant's dissatisfaction with the original decision; and
 - a date by when the complainant should expect further contact (i.e. within 10 working days).

- 13.8 If the decision is not formally communicated to the complainant by the investigating officer (or their Service Head) a file note should be made for the officer who is to conduct the Stage 2 review to help them prepare the acknowledgement letter (see para. 13.12). The note should set out the key points of:
- the complainant's disagreement with the Stage 1 response; and
 - the decision to proceed to Stage 2.

Allocating the Stage 2 Review

- 13.9 Where the Stage 1 investigating officer determines the complaint should progress to Stage 2, details should be passed to the Leader's or Chief Executive's PA for allocation to a Service Head independent of the issue concerned.
- 13.10 All information relating to the complaint should be available for the Service Head (or their nominated representative) for the Stage 2 review.

Taking Ownership of the Stage 2 Review

- 13.11 Responsibility for Stage 2 reviews rests at Service Head level. The Service Head may delegate the review to an officer within their Service but the final Stage 2 decision letter should go out in the Service Head's name.
- 13.12 The reviewing service should make contact with the complainant within 10 working days of their Service Head having been allocated the complaint. Where possible this should be the final decision letter but where this is not possible the complainant should be given the date by when they should receive the decision. The following wording may be appropriate where the decision cannot be issued in 10 working days –

Dear xxxxx

In accordance with the Council's Customer Comments, Compliments and Complaints Policy I have been requested to review your complaint with regard to xxxxx.

I am currently reviewing your case and will contact you with my decision by (date).

Reviewing the Stage 1 Investigation

- 13.13 The Stage 2 review is not a reinvestigation of the complaint but a check that:
- the original Stage 1 investigation was carried out in accordance with the Council's Customer Comments, Compliments and Complaints Policy;
 - the investigation was appropriate, thorough and fair;
 - communication with the complainant was timely, appropriate and in-line with the Customer Comments, Compliments and Complaint's Policy;
 - the decision made was appropriate based on the evidence available; and
 - the remedy, if any, was appropriate and was implemented as notified to the complainant.
- 13.14 Whilst all paperwork relating to the Stage 1 investigation should be available to the Stage 2 reviewing officer, in some cases it might be useful to speak to the original investigating officer during the course of the Stage 2 review.

Informing the Complainant of the Outcome of the Stage 2 Review

- 13.15 A formal Stage 2 response should be issued in all cases either by letter or email, though this may be confirmation of a conversation with the complainant. The Stage 2 response should be sent out in the name of the Service Head responsible for the Stage 2 review and ideally the response should be reviewed by a relevant officer in the Service the complaint concerns (e.g. the Service Head, original investigating officer etc.) first to ensure there are no factual inaccuracies.
- 13.16 The Stage 2 response should include:
- details of the complaint – e.g.
“The investigation into your original complaint dated xxx and concerning xxx has been reviewed as a Stage 2 complaint per the Council's Customer

Comments, Compliments and Complaints Policy. I understand that you were dissatisfied with the original response to your complaint on the following grounds:

- *xxx; and*
- *xxx”*
- a statement of the complaint about the officer carrying out the Stage 2 review – e.g.
“A review of your complaint has been carried out on my behalf by xxx, who is outside the service area which is the subject of your complaint.”
- the steps taken to carry out the review – e.g.
“In reviewing your complaint consideration has been given to the material substance of the complaint and whether it has been dealt with in accordance with the Council’s own policy and procedures. Documentation held in relation to your complaint has been reviewed and (name of reviewing officer) has met with relevant officers to help gain a balanced view of the matter.”
- the decision and reasons for it. How this is set out will depend on the grounds for dissatisfaction. If they were specific then each specific point should be set out in the letter/email followed by a summary of the findings of the Stage 2 review. If the dissatisfaction was of a general nature it may be helpful to set out headings relating to the matters considered during the review followed by a summary of the findings under each – e.g.
 - failure to follow Council policy, procedures, rules or standards of service;
 - failure to take account of relevant matters in the Stage 1 investigation;
 - neglect or unjustified delay;
 - unhelpful attitude of a Council employee; and/or
 - malice, bias or discrimination.
- an overall conclusion (i.e. whether the complaint is upheld or not), an apology if appropriate and details of any action proposed as a result;
- where appropriate (e.g. the complainant has been persistent and potentially may become unreasonably so as a result of the Stage 2 decision), a statement that the Council has nothing further to say on the matter; and
- what the complainant should do if they disagree with the decision – i.e. reference to the LGO or Information Commissioner as appropriate.

The following wordings are suggested:

“If you are not satisfied with how your complaint has been dealt with you have the right to refer the matter to the Local Government Ombudsman. Contact details for the Local Government Ombudsman are as follows:

*The Local Government Ombudsman
PO Box 4771
Coventry CV4 0EH*

*Tel:0300 061 0614
Fax: 024 7682 0001
website: <http://www.lgo.org.uk>”*

“Where you are dissatisfied with the way that any Data Protection issue has been dealt with under this policy you can refer the matter to the Information

Commissioner. Contact details for the Information Commissioner's Officer are as follows:

*Information Commissioner's Office
Casework and Advice Division
Wycliffe House
Water Street
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Email: enquiries@ico.gsi.gov.uk
Website: <http://www.ico.gov.uk>*

14 Complaints about the Council made through the LGO.

- 14.1 When the LGO is considering a complaint against the Council it will contact the authority as necessary by emailing info@lancaster.gov.uk
- 14.2 The Information Management Officer is primarily responsible for managing the relationship with and co-ordinating responses to the LGO. She will regularly check the inbox, passing information on to services as appropriate, colleagues in Legal Services providing cover in her absence.
- 14.3 Information requests from the LGO often have timescales attached, the timescale dependent upon the nature of the request. For example, an information request in respect of a complaint it is investigating may have 28 days attached whereas a request to apply the Council's complaints policy will normally have 12 weeks attached. In either case officers concerned should meet the requirements of the LGO in consultation with the Information Management Officer.
- 14.4 All responses to the LGO should be through the Information Management Officer so that the Head of Governance may have sight of the response before it is sent.

15 Dealing with Unreasonable persistent complainants

- 15.1 A minority of customers can pursue their complaints in ways which may be considered unreasonable. Their behaviour may be considered unacceptable, or they may be unreasonably persistent in their contacts and submission of information. Unreasonably persistent complainants can impede the investigation of their complaint and can have significant resource issues for the Council. These actions can occur either while their complaint is being investigated, or once the council has concluded the complaint investigation.
- 15.2 The Council's Customer Comments, Compliments and Complaints Policy seeks to ensure unreasonably persistent complainants are dealt with fairly by ensuring that, as far as possible, the substance of their complaint is addressed. However, at the same time, the Policy seeks to ensure the resources expended on dealing with the matter are proportionate. The key to success is the effective

management of customer expectations and their behaviour. This guidance seeks to support the Policy through examples.

15.3 It is important to distinguish between 'persistent' complainants and 'unreasonably persistent' complainants. Customers who take their complaints to the LGO are 'persistent' because they feel their complaint has not been dealt with properly. 'Unreasonably persistent' complainants are those who pursue their complaints (which may be justified) in inappropriate ways for example by:

- refusing to specify the grounds of a complaint, despite offers of assistance (see also para. 12.16);
- refusing to accept that certain issues are not within the scope of the Customer Comments, Compliments and Complaints Policy;
- refusing to co-operate with the complaints investigation process;
- making unnecessarily excessive demands on the time and resources of staff while a complaint is investigated, e.g. excessive telephone calls, emails, long and complex letters every few days and expecting immediate responses;
- changing the basis of the complaint as the investigation proceeds (see paras. 12.10 – 12.20);
- denying or changing statements made previously;
- continually raising new issues or seeking to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed;
- continually focusing on trivial matters to an extent which is out of proportion to its significance;
- being unwilling to accept documented evidence (e.g. council Tax records) or denying receipt of any adequate responses in spite of correspondence specifically answering their questions;
- persisting in pursuing a complaint, where the council's complaints procedure has been fully and properly implemented;
- refusing to accept that facts can sometimes be difficult to verify after a long period of time;
- adopting a "scattergun" approach – i.e. pursuing a complaint or complaints with several parties (e.g. MPs, LGO, External Audit) at the same time as contacting the Council;
- recording meetings or telephone conversations without the prior knowledge and consent of other parties involved;
- making what appear to be groundless complaints about staff dealing with the complaints, and seeking to have them removed;
- submitting repeat complaints, after complaints processes have been completed about the same issues, with additions/variations which the complainant insists make these "new" complaints which should be considered; or
- refusing to accept the decision and repeatedly arguing points with no new evidence.

15.4 The Council will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants. If this occurs the complainant should be dealt with in accordance with the Council's procedures for protecting staff against harassment and harm and consideration should be given to placing the complainant on the staff warning register. Details of the

Staff Warning Register procedure can be found on the Intranet under Health and Housing\Council Housing\Health and Safety

15.5 When considering whether a complainant's behaviour is unreasonable it is important that they are told why their behaviour is considered as such so that they have the opportunity to change it before restrictions are applied. It may be helpful to offer a meeting with an appropriately senior officer to explore scope for a resolution. The officer meeting the complainant should explain why the complainant's behaviour is considered unreasonable and the courses of action the Council might take (see paras. 15.13 – 15.14) should be discussed.

15.6 Where a complainant's behaviour is impeding an ongoing investigation the following phrases may be useful when contacting them:

I do not need any further information from you at this stage.

Please do not revert to sending large and numerous emails as these are difficult to deal with and do not help me progress the investigation.

You have sent (x number) of emails in the last (number) weeks all with similar enclosures and comments.

By copying numerous officers into your emails you are causing confusion.

I will not respond to every email you send as this will lead to me repeating the same information.

As I explained to you when we last spoke your daily telephone calls serve only to hold up work on your complaint.

I appreciate you are anxious to know what is happening. I assure you I will keep you up to date on the progress of the investigation by writing to you.

I will contact you if I need further information from you.

You should not expect to hear from me before (date). I assure you I will write to you before (date) to give you an update.

15.7 In some instances, it might help to work with the complainant to find a suitable independent advocate through whom all communication can be directed.

15.8 Where a complainant is contacting several Services, Service Heads need to decide which of them will co-ordinate the council's approach/response to the complainant. A strategy meeting to agree a cross-departmental approach might be useful.

15.9 The decision to designate someone's behaviour as unreasonable rests with Management Team. Before designating someone persistent the Council needs to be satisfied that:

- the complaint is being or has been investigated properly;
- any decision reached on the complaint is the right one;
- there has been appropriate communication with the complainant; and
- the complainant is not providing any significant new information that might affect the organisation's view on the complaint.

- 15.10 Once a complainant has been designated unreasonably persistent a record should be made stating the date, the name of the officer making the decision and the reason why. The record and any supporting documentation should be held centrally by the Customer Services and Visitor Information Manager.
- 15.11 Decisions not to designate someone unreasonably persistent should also be recorded with the reasons why. These should also be held by the Customer Services and Visitor Information Manager.
- 15.12 The complainant should be formally notified promptly that they have been designated unreasonably persistent. The letter should be on the lines of the following format:

“The Council sees complaints as an effective tool to help manage its business and improve the services it provides to its customers. Its complaints system aims to provide a feedback mechanism which:

- meets customer needs;*
- identifies and leads to improvements; and*
- meets guidelines provided by the Local Government Ombudsman.*

The Council seeks to ensure all customers accessing the complaints procedure are treated fairly, promptly and sensitively and that the substance of all complaints is, as far as possible, addressed.

You first complained to the Council on (date). The substance of your complaint was (brief details – perhaps refer to previous correspondence such as the initial acknowledgement letter).

(A brief history of events to date with references to previous letters etc. where appropriate).

The Council has a duty to effectively manage public funds and to ensure any actions taken are proportionate to the matter in hand. Having reviewed your case I consider the amount of time being spent on your complaint(s) is now unreasonable (the reasons why)

For these reasons I propose (set out the restrictions to apply and how long they are to be applied).

You have the right to appeal against my decision by contacting xxx within one month of the date of this letter.”

The letter can also state, if appropriate, that future correspondence will be read by a named designated officer and placed on file but not acknowledged, unless it contains material new information.

- 15.13 The Council has several options for dealing with unreasonably persistent complainants. Any actions taken should be proportionate to the nature and frequency of the complainant’s current contacts and should take into account the complainant’s behaviour and circumstances. The objective is to manage the complainant’s unreasonable behaviour in such a way that their complaint can be brought to a conclusion quickly. Options include:
- placing limits on the number and duration of contacts with staff;
 - offering a restricted time slot for necessary calls;
 - limiting the complainant to one medium of contact (telephone, letter, email etc);

- requiring the complainant to communicate only with one named member of staff;
 - requiring any personal contacts to take place in the presence of a witness and in a suitable location; or
 - refusing to register and process further complaints about the same matter.
- 15.14 Where the relationship between the Council and complainant has broken down badly while complaints are under investigation and there is little prospect of achieving a satisfactory outcome there is nothing to be gained through following through the stages of the Council's complaints procedure. In these circumstances, the LGO may, exceptionally, be prepared to consider complaints before complaints procedures have been exhausted, if the request is made by both sides to the dispute.
- 15.15 Even though a complainant has been designated 'unreasonably persistent' all future contacts from the complainant should be considered on their own merit. Where the contact refers to the same issue it should still be checked for any significant new information. Whether or not the complainant gets a response will depend upon the restrictions applied per the formal notification that they have been designated unreasonably persistent but the file in Customer Services should be updated with each contact and the reason for the course of action taken.
- 15.16 The 'unreasonably persistent' status needs to be periodically reviewed. This will normally be after 12 months. At review restrictions should be lifted and relationships returned to normal unless there are good grounds to continue the extension (e.g. continued persistence). Whatever the outcome the complainant should be formally notified and where appropriate a new review date stated. Again the complainant has the right to appeal.
- 15.17 A complainant who has been treated as behaving unreasonably may make a complaint to the LGO about it. The LGO is unlikely to be critical of the Council's action if it can show that it acted proportionately and in accordance with its own procedures.

16 Reviewing, Monitoring and Reporting Arrangements

- 16.1 The corporate complaints procedure aims to provide a comprehensive record of complaints. It is recognised a system is needed to support the procedure which provides:
- an audit trail;
 - a mechanism to track progress and follow up delays;
 - a mechanism to identify trends; and
 - a tool to demonstrate learning from complaints.
- System options are currently being considered and any changes will result in this guidance being updated.
- 16.2 Any system is to be owned by the Customer Services and Visitor Information Centre Manager and it is hoped that in time the officer will regularly review reports from the system to ensure the principals of the Customer Comments,

Compliments and Complaints Policy are being applied and timescales are being met.

- 16.3 The Customer Services and Visitor Information Centre Manager will review the quality of responses to complaints on a sample basis and any issues will be raised with those concerned as appropriate. If necessary recommendations for changing the complaints system/procedures will be put to senior managers.
- 16.4 Reporting arrangements are still to be determined and will be influenced by system capabilities. The consensus of the Complaints Officer Working Group is that a corporate picture of complaints is needed at Management Team level on a regular basis (i.e. the number of Stage 1/Stage 2 complaints and the number upheld, not upheld etc. with brief details where appropriate to enable further investigation if necessary). Arrangements for reporting to Members are to be considered in the longer term.

17 Learning

- 17.1 The Customer Comments, Compliments and Complaints Policy includes a general aim –
- “To learn from our successes and mistakes; to use feedback from customers to continually improve our services”.
- 17.2 The ability to share complaints information corporately will, to some extent, be dependent upon system reporting arrangements. The Complaints Officer Working Group is considering ways to improve learning from complaints and it is hoped proposals for regular reporting to Management Team will help. Other options under consideration include:
- sharing the annual LGO report corporately with information relating to the original complaint; and
 - the formation of a group for officers responsible for handling complaints to share experiences.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
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