

13 March 2017

Audit & Scrutiny Committee

Corporate Complaints Monitoring and Freedom of Information Requests

Report of: *Steve Summers, Group Manager In-House Services*

Wards Affected: *None*

This report is *Public*

1. Executive Summary

1.1 This report is before Members to monitor and review the complaints received through the Council's formal complaints process and provide information on the number of Freedom of Information requests received during the period April 2016 to September 2016.

1.2 As agreed by the Audit & Scrutiny Committee a Members Working Group has been formed to consider and review Formal Complaints received under the Council's Formal Complaints Policy.

1.3 The Members Working Group met on the 16th February 2017 and consisted of the following Councillors, Pound, Poppy, Barrett and Chilvers. The Group agreed its Terms of Reference as set out below:

1. To consider in detail Formal Complaints received by the Council in 2016/17.
2. To consider how Formal Complaints are reported to the Audit & Scrutiny Committee in the future.
3. To make recommendations to the appropriate Audit & Scrutiny Committee.

1.4 At its first meeting the Working Group went through each of the 29 formal complaints that had been received in the period April to September 2016 and identified the following:

1. Noted that the Council had introduced a new Formal Complaints Policy and that it was not necessarily a negative matter to receive complaints as this could assist in reviewing services that are provided by the council.

2. That complaints were reported to the Councils Leadership Board both for performance management and also for learning and improvement in service delivery.
3. That there had been a reduction in the number of complaints received in the period April to September 2016 (29) as opposed to the overall total in 2015/16 (76)
4. Recognized that Housing and Planning received the most complaints due to the nature of the service they deliver to residents.
5. That the majority of Planning complaints in this period related to the processing of pre-applications, however this had now significantly improved.
6. That Housing complaints were mainly for voids and for repairs. The Working Group noted that the Housing Services were currently undertaking reviews of service delivery in both of these areas.
7. The Working Group also made suggestions as to how they would like the information presented in the future and would also consider how such complaints information could be presented at future Audit & Scrutiny Committee meetings.

2. Recommendation(s)

2.1 That the Committee agrees the complaints received and outcomes through the Council's formal complaints process during the period April 2016 to September 2016.

2.2 That the Committee agrees the number of Freedom of Information Requests received during the period April 2016 to September 2016.

3. Introduction and Background – Corporate Complaints

3.1 Following a review in 2015 of its complaints procedure the Council has introduced a three stage complaints process which is intended to improve on the previous procedure for customers to take issue with any perceived failure to provide a service, failure to respond to requests or failure to adhere to standards on the part of the Council and its officers.

3.2 The new process itself has three stages. In the first instance, the complaint is forwarded to the service Investigator for a meaningful and informed review. If the complainant is not satisfied with the response then it will be forwarded to the Head of Service for the department concerned to conduct a second stage investigation into the matter. If the complainant is not satisfied with the response from the Head of Services they can request a third stage investigation into the matter. At all stages,

the Council aims to respond fully following the investigation within 20 working days.

4. Issue, Options and Analysis of Options

4.1 The number of previous complaints received is set out in the table below:

| Department | 2013/14 | 2014/15 | 2015/16 |
|-----------------------------|----------------|----------------|----------------|
| Assets | 0 | 2 | 0 |
| Housing | 10 | 11 | 32 |
| Planning | 10 | 4 | 23 |
| Revenue and Benefits | 9 | 2 | 12 |
| Streetscene & Environment | 1 | 3 | 5 |
| Governance | 0 | 0 | 1 |
| Legal | 3 | 0 | 2 |
| Health, Safety and Localism | 0 | 1 | 1 |
| Total | 33 | 23 | 76 |

4.2 The table below shows the breakdown for the complaints received for the period April to September 2016.

| Department | Apr-Jun 16 | Jul – Sep 16 |
|------------------------------------|-------------------|---------------------|
| Housing Services | 10 | 5 |
| Legal | 1 | 0 |
| Planning Development Control | 4 | 3 |
| Revenue and Benefits | 1 | 2 |
| Streetscene | 2 | 1 |
| Contact Centre | 0 | 0 |
| Community Services | 0 | 0 |
| Total | 18 | 11 |

- 4.3 The table below sets out the outcome of the complaints received in the period April to June 2016. Of the 18 complaints resolved, 2 were upheld, 6 were upheld in part and 10 were not upheld.

Apr – June 2016 (1st Quarter)

| Department | Upheld | Upheld in Part | Not Upheld | Ongoing | Total |
|------------------------------|---------------|-----------------------|-------------------|----------------|--------------|
| Housing | 1 | 3 | 6 | 0 | 10 |
| Legal | 0 | 0 | 1 | 0 | 1 |
| Planning Development Control | 0 | 1 | 3 | 0 | 4 |
| Revenue & Benefits | 1 | 0 | 0 | 0 | 1 |
| Streetscene | 0 | 2 | 0 | 0 | 2 |
| Total | 2 | 6 | 10 | 0 | 18 |

- 4.4 The table below sets out the outcome of the complaints received in the period July to September 2016. Of the 11 complaints resolved, 1 was upheld, 2 were upheld in part and 8 were not upheld.

July – September 2016 (2nd Quarter)

| Department | Upheld | Upheld in Part | Not Upheld | Ongoing | Total |
|--------------------|---------------|-----------------------|-------------------|----------------|--------------|
| Housing | 1 | 1 | 3 | 0 | 5 |
| Planning | 0 | 0 | 3 | 0 | 3 |
| Revenue & Benefits | 0 | 0 | 2 | 0 | 2 |
| Streetscene | 0 | 1 | 0 | 0 | 1 |
| Total | 1 | 2 | 8 | 0 | 11 |

- 4.5 If the complainant remains dissatisfied following the Stage 3 response, it would be appropriate for them to approach the Local Government Ombudsman should they choose to do so.

5. Freedom of Information Requests

- 5.1 The Freedom of Information Act 2000 provides public access to information held by public authorities. It does this in two ways:

- Public authorities are obliged to publish certain information about their activities; and
- Members of the public are entitled to request information from public authorities.

Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. The Act does not cover access to individual's own personal data, such request need to be made under the Data protection Act 1998.

- 5.2 Set out in the table below is a breakdown by department of the number of Freedom of information Requests received in 2014/15, 2015/16 and for the period April to September 2016. This information is available for public viewing on the Council's website. The total number of requests received in 2012/13 was 432, 2013/14 was 661, 2014/15 was 622 and 2015/16 was 574.

| Department | 2014/15 | 2015/16 | 2016 April to September |
|-----------------------|----------------|----------------|--|
| Revenues and Benefits | 164 | 134 | 54 |
| ICT | 31 | 34 | 11 |
| Corporate Services | 103 | 79 | 26 |
| Environmental Health | 73 | 93 | 41 |
| Housing | 49 | 69 | 19 |
| Streetscene | 86 | 50 | 15 |
| Finance Services | 47 | 54 | 21 |
| Built Environment | 44 | 45 | 25 |
| Community Services | 18 | 12 | 3 |
| Democratic Services | 7 | 4 | 2 |
| Total | 622 | 574 | 217 |

6. Reasons for Recommendation

- 6.1 To ensure complaints are dealt with in a satisfactory manner and ensure processes and service delivery are regularly reviewed..

7. References to Corporate Plan

- 7.1 A Corporate Complaints Policy enables the Council to better deliver its corporate objectives.

8. Implications

Financial Implications

Name & Title: John Chance, Finance Director

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8.1 There are no direct financial implications arising from this report.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer

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8.2 None - although a robust complaints mechanism contributes towards good governance.

9. Background Papers (include their location and identify whether any are exempt or protected by copyright)

9.1 None.

10. Appendices to this report

8.1 None.

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