

13 June 2016

Audit and 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

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 2015 to March 2016.

2. Recommendation(s)

2.1 That the Committee notes the complaints received through the Council's formal complaints process and the number of Freedom of Information Requests received during the period April 2015 to March 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 During 2014/2015 financial year there were 23 complaints for first stage investigation, 76 complaints have been received from in 2015/16.

4.2 The table below shows the breakdown for the financial year 2012/13 to 2014/15 and the complaints received for the period 2015/16.

Stage One

Department	2012/13	2013/14	2014/15	2015/16
Assets	0	0	2	0
Housing	10	10	11	32
Planning	8	10	4	23
Revenues and Benefits	6	9	2	12
Governance	2	0	0	1
Legal and Debt Recovery	2	3	0	2
Health, Safety and Localism	2	0	1	1
Street Scene & Environment	4	1	3	5
Total	34	33	23	76

4.3 Details of the 76 complaints included

- Housing repair issues and general housing issues
- General handling of planning applications and delay in planning application validation
- Length of process and advice provided by planning pre application advice
- Strategic Growth Options Consultation validity
- Handling of Housing Benefit overpayment
- Delay in Housing Benefit assessment
- Complaint regarding grass cutting

4.4 Twelve complaints have progressed to the second stage for 2015/2016. The table below shows a comparison for previous years.

Stage Two

Department	2012/13	2013/14	2014/15	2015/16
Housing	1	2	3	3
Planning	3	3	1	8
Revenues and Benefits	2	3	0	1
Environmental Health	0	0	1	0
Governance	2	0	0	0
Streetscene & Environment	0	0	1	0
Legal	0	1	0	0
Total	8	9	6	12

- 4.5 Four complaints have progressed to Stage 3 in 2015/16. One for Planning and three for Housing.
- 4.6 Of the 76 complaints received in 2015/16, 10 were upheld, 10 were partially upheld and 34 were not upheld. The remaining complaints either required no further action or are still outstanding at the time of drafting this report.
- 4.7 Of those upheld or partially upheld there continue to be no particular trends or themes to the complaints made in 2015/16 which would result in concern about a process failure or service delivery breakdown in any service areas.
- 4.8 However, it is inevitable that there will be a proportion of cases where the complainant is unhappy with the outcome. 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.
- 4.9 In 2014/15 three complaints had progressed to the Local Government Ombudsman. A comparison with previous years is included in the table below. Two complaints were made to the Local Government Ombudsman in 2015/16

Department	2012/13	2013/14	2014/15	2015/16
Housing	1	2	1	1
Planning	2	3	0	0
Revenues and Benefits	0	2	1	1
Building Control	1	0	0	0
Governance	0	0	1	0
Total	4	7	3	2

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 and 2015/16. This information is available for public viewing on the Council's website. The total number of requests received in 2012/13 was 432 and 2013/14 was 661.

Department	2014/15	2015/16
Revenues and Benefits	164	134
ICT	31	34
Corporate Services	103	79
Environmental Health	73	93
Housing	49	69
Streetscene	86	50
Finance Services	47	54
Built Environment	44	45
Community Services	18	12
Democratic Services	7	4
Total	622	574

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: Chris Leslie, Finance Director
Tel & Email 01277 312712 / christopher.leslie@brentwood.gov.uk

- 6.1 There are no direct financial implications arising from this report.

Legal Implications

Name & Title: Daniel Toohey, Monitoring Officer
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- 6.2 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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