

COMPLAINTS
(Report by the Director of Central Services)

1. INTRODUCTION

- 1.1 The purpose of this report is to provide Members with an analysis of internal complaints and a summary of complaints determined by the Local Government Ombudsman.

2. SUMMARY OF INTERNAL COMPLAINTS

- 2.1 The Council's internal complaints system summarises complaints into six categories as follows:-

- ◆ action of employee;
- ◆ council policy;
- ◆ council procedures;
- ◆ equality of service;
- ◆ failure to respond; and
- ◆ service delivery.

- 2.2 The table attached at Annex A provides an analysis of complaints by complaint reason, the Division involved and results compared with the previous two years.

- 2.3 The Council captures information relating to verbal complaints. These complaints predominantly relate to the Operations Division and for the period 2008/09 457 (921) complaints were received out of 41,546 (43,699) service requests, which represented a complaint rate of 1.1% (2.1%). The figures in parenthesis are for 2007/08. The decrease in the figures for 2008/09 can be explained by the fact that the days on which refuse collections are made changed in 2007/08 resulting in a significant number of bins being missed because they had been put out on the wrong day. This explanation is supported by the fact that the figures for 2008/09 closely resemble those for 2006/07.

3. SUMMARY OF OMBUDSMAN COMPLAINTS

- 3.1 The Local Government Ombudsman Service has published its provisional statistics for enquiries and complaints dealt with in relation to the District Council in the year 1st April 2008 to 31st March 2009. Following the introduction of an Advice Team, the form of the statistics has changed significantly this year. This means direct comparisons with some of the previous years' figures are not possible. Where trends can be detected, these are reported in the tables below.

- 3.2 The Ombudsman received a total of 17 enquiries and complaints in 2008/09, which represents a small decrease on the 18 received in the previous year. The Ombudsman will not now consider a complaint

unless a Council has had the opportunity to deal with the complaint itself. So if someone complains to the Ombudsman without having taken the matter up with a Council the Ombudsman will almost always refer it back to the Council as a '*premature complaint*' to see if the Council can itself resolve the matter. Of the 17 enquiries, seven were deemed to be premature, three resulted only in advice being given and seven were forwarded to the investigative team to pursue. The following table provides a summary of the complaints received by decision compared with previous years.

Decisions	2006/07	2007/08	2008/09
Formal report finding maladministration causing injustice	0	0	0
Complaints settled locally	1	1	0
Maladministration causing no injustice	0	0	0
No maladministration	0	0	0
No, or insufficient, evidence of maladministration	7	3	7
Ombudsman's Discretion	3	1	1
Outside LGO's jurisdiction	3	4	1
Premature complaints	3	9	7
Total excluding premature	14	9	10
Total	17	18	17

- 3.3 The difference between the total number of cases and the number of outcomes reported may be attributed to the fact that this table comprises both enquiries made and decisions reached. The latter may occur in a different year from the year in which it was received. The same reasoning explains the differences between the tables above and below.
- 3.4 As no complaints were settled locally it has not been necessary to pay any compensation during the year.
- 3.3 A comparison of the enquiries and complaints received by subject area in relation to District Council services, including premature complaints, is set out in the table below.

Subject Area	2006/07	2007/08	2008/09
Housing (not including HB)	0	2	2
Housing Benefit	2	0	1
Public finance inc. Local Taxation	0	1	4
Planning & Building Control	9	12	5
Other	5	2	5
Total	16	19	17

- 3.5 It is important to stress that while the total numbers themselves are low, of the 17 enquiries in 2008/09, only seven were forwarded to the investigative team to pursue.
- 3.6 The average time for the Council to respond to Ombudsman requests for action was 41.5 days. In 2007/08 the average time taken to respond to the Ombudsman was 30 days. In fact, in 2008/09 this relates to two cases, both of which were especially complex planning related matters that required considerable investigation.

4. CONCLUSION AND RECOMMENDATIONS

- 4.1 The Panel are invited to note the contents of the report.

BACKGROUND PAPERS

Local Government Ombudsman Provisional Complaint Statistics 2008/09

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Annex A

Complaint Reason	Division involved 2006/07 and action	Division involved 2007/08 and action	Division involved 2008/09 and action
Action of Employee	3 Housing (NAT and 1 SI) 1 Public Health 4 Council Tax (NAT, 1SI and 1 FT) 3 Development Control (NAT) 2 Benefits (NAT) 2 Planning Policy	1 Public Health 1 Benefits (SI) 5 Development Control 2 Planning Policy	3 Benefits (1 SI and 2 NAT) 1 Customer Services (NAT) 4 Council Tax (3 NAT and 1 SI) 1 Housing (SI) 2 Planning Policy (1 SI and 1 NAT)
Council Policy	3 Council Tax (NAT) 1 Development Control 7 Benefits (NAT)	3 Council Tax 2 Benefits 4 Housing (NAT) 1 Development Control	1 Benefits (NAT) 7 Council Tax (1 CIS and 6 NAT) 1 Ops (SI)
Council Procedures	2 Development Control (NAT) 7 Benefits (NAT and 1 CIP) 6 Council Tax (NAT and 1 CIP) 1 Housing (NAT) 1 Recruitment	1 Development Control (NAT) 4 Benefits (1 NAT, 2 SI) 1 Business Rates (NAT) 5 Housing (3 NAT) 1 Commercial Team	7 Development Control (4 NAT and 3SI) 1 Benefits (NAT) 2 Council Tax (2 CIS)
Equality of Service		1 Housing (NAT) 1 Operational 1 Development Control	
Failure to Respond	1 Development Control		
Service Delivery	1 Development Control (NAT) 2 Council Tax (NAT and 1 SI) 2 Benefits (NAT) 2 Planning Policy (NAT) 1 Housing (NAT)	8 Development Control 3 Operational (CIP) 1 Amenities 2 Benefits (1 SI, 1 NAT) 2 Housing (1 NAT) 4 Council Tax (NAT) 1 Planning Policy	8 Development Control (4 SI and 4 NAT) 2 Ops)1 CIP and 1 NAT) 1 Council Tax (NAT) 4 Benefits (2 NAT, 1 SI and 1 CIS) 1 Housing (CIP)
Total	52	58	52

KEY:

NAT	No Action Taken
CIP	Change in Procedures
SI	Staff Instruction
RTC	Referral to Contractor
CIS	Change in Service
FT	Formal Training