CORPORATE GOVERNANCE PANEL

30TH JUNE 2010

COMPLAINTS (Report by the Director of Central Services)

1. INTRODUCTION

1.1 The purpose of this report is to provide Members with information on 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 2009/10, 420 (457) complaints were received out of 39,450 (41,546) service requests, which represented a complaint rate of 1.1% (1.1). The figures in parenthesis are for 2008/09.

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 2009 to 31st March 2010. The Ombudsman received a total of 18 enquiries and complaints in 2008/09, which represents a small decrease on the 15 received in the previous year. The Ombudsman will not normally 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 usually refer it back to the Council as a 'premature complaint' to see if the Council can itself resolve the matter. Of the 18 enquiries, three were deemed to be premature, six resulted only in advice being given and two re-submitted premature complaints and seven new complaints were forwarded to the investigative team to pursue.
- 3.2 The following table provides a summary of the decisions reached by the Ombudsman during the year compared with previous years.

Decisions	2007/08	2008/09	2009/10
Formal report finding maladministration causing injustice	0	0	0
Complaints settled locally	1	0	0
Maladministration causing no injustice	0	0	0
No maladministration	0	0	0
No, or insufficient, evidence of maladministration	3	7	2
Ombudsman's Discretion (no or insufficient injustice)	1	1	4
Outside LGO's jurisdiction	4	1	1
Total	9	10	7

- 3.3 This table refers only to decisions reached and includes complaints received before the start of the year. Equally, some of the complaints received as set out in paragraph 3.1, will appear in the Ombudsman's report next year.
- 3.4 Of the decisions reached, four related to planning and building control and three were categorised by the Ombudsman as "other".
- 3.5 As no complaints were settled locally it has not been necessary to pay any compensation during the year.
- 3.6 The average time for the Council to respond to Ombudsman requests for action was 47.2 days. In 2008/09 the average time taken to respond to the Ombudsman was 41.5 days and in 2007/08, the figure was 30 days. This trend reflects the fact that the Ombudsman needs extensive documentation to investigate cases, particularly in relation to planning matters, and should be seen in the context of the declining number of decisions being issued and the fact that no findings of maladministration have been issued against the Council.

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 2009/10

Contact Officer: Tony Roberts (01480) 388015

Annex A

Reason2007/08 and action2008/09 and action2009/10 and actionAction of Employee1 Public Health 1 Benefits (SI) 5 Development Control 2 Planning Policy3 Benefits (1 SI and 2 NAT)2 Council Tax (NAT) 4 Development Mgt (3 NAT, 1 SI)2 Planning Policy1 Customer Services (NAT)6 Benefits (2 NAT, 2 SI, 4 Council Tax (3 NAT and 1 SI)1 Operations (CIS) 1 Housing (SI)2 Council Policy3 Council Tax 2 Benefits1 Housing (SI) 7 Council Tax (1 CIS and 4 Housing (NAT)1 Env & Comm Health (NAT)Council3 Council Tax 4 Benefits (1 NAT, 2 SI) 4 Benefits (1 NAT, 2 SI)1 Development Control 6 NAT)3 Benefits (NAT) 3 Benefits (NAT)Council1 Development Control (NAT)1 Development Control 6 NAT)4 Development Mgt (3 NAT, 1 CIP)Council1 Development Control (NAT)1 Development Control (4 NAT and 3SI)4 Development Mgt (3 NAT, 1 CIP)Procedures1 Housing (NAT) 4 Benefits (1 NAT, 2 SI) 1 Business Rates (NAT) 1 Commercial Team1 Benefits (NAT) 2 Council Tax (2 CIS)3 Benefits (2 NAT, 1 CIP)Equality of Service1 Housing (NAT) 1 Operational 1 Development Control1 Council Tax (NAT) 2 Operations (NAT)1 Env & Comm Health (NAT)Failure to Respond1 Housing (NAT) 1 Operational 1 Development Control3 Development Mgt (2 CIS, 1 NAT) 1 Planning Policy (NAT) 1 Planning Policy (NAT) 1 Planning Policy (NAT) 1 Planning Policy (NAT) 1 Planning Policy (NAT)Failure to Respond1 Housing (NAT) 1 Development Control3 Development Mgt (2 CIS, 1 NAT	Complaint	Division involved	Division involved	Division involved
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	Total	58	52	67

KEY:

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