

COMPLAINTS
(Report by the Head of Legal and Democratic 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 2010/11, 350 (420) complaints were received out of 41,791 (39,450) service requests, which represented a complaint rate of 0.8% (1.1%). The figures in parenthesis are for 2009/10.

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 2010 to 31st March 2011. The Ombudsman received a total of 24 enquiries and complaints in 2008/09, which represents an increase on the 18 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 24 enquiries, four were deemed to be premature, two resulted only in advice being given and four were re-submitted premature complaints. This means that 14 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	2008/09	2009/10	2010/11
Formal report finding maladministration causing injustice	0	0	0
Complaints settled locally	0	0	2
Maladministration causing no injustice	0	0	0
No maladministration	0	0	10
No, or insufficient, evidence of maladministration	7	2	0
Ombudsman's Discretion (no or insufficient injustice)	1	4	3
Outside LGO's jurisdiction	1	1	3
Total	10	7	18

- 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 The Ombudsman's report indicates that two complaints have been settled locally; however, one of these was agreed before the complainant contacted the Ombudsman and so the Ombudsman's involvement had no effect on the outcome of the complaint. One other complaint resulted in a benefit being allocated to the complainant in recognition of the time and trouble he had incurred in making the complaint.
- 3.5 Last year the Ombudsman criticised the Council for the time it took to respond to requests by Ombudsman investigators for information. The average time for the Council to respond to Ombudsman requests for action in 2009/10 was 47.2 days. In 2008/09 the average time taken to respond was 41.5 days and in 2007/08, the figure was 30 days. In mitigation it was pointed out that the Ombudsman needs extensive documentation to investigate cases, particularly in relation to planning matters, and that the level of resources the Council dedicated to providing information should be seen in the context of the declining number of decisions being issued and the fact that no findings of maladministration had been issued against the Council. Since then, however, a conscious effort has been made to respond within the timescale stipulated by the Ombudsman. In the last Municipal Year the Council managed to respond, on average, in 18.4 days.

4. CONCLUSION AND RECOMMENDATIONS

4.1 The Council has monitored the complaints it receives and the outcomes of those complaints for a number of years. The trends reported appear to be relatively consistent. The number of complaints the Council receives does not differ from that of other similar local authorities. Following criticism of the Council last year by the Local Government Ombudsman about the time it was taking to respond to requests for information, successful efforts have been made to improve the Council's performance in this area. The introduction in February 2011 of a new IT system will enable the Council to carry out better management and monitoring of complaints.

4.2 The Panel are invited to note the contents of the report.

BACKGROUND PAPERS

Local Government Ombudsman Provisional Complaint Statistics 2010/11

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Annex A

Complaint Reason	Division involved 2008/09 and action	Division involved 2009/10 and action	Division involved 2010/11 and action
Action of Employee	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)	2 Council Tax (NAT) 4 Development Mgt (3 NAT, 1 SI) 6 Benefits (2 NAT, 2 SI, 2 FT) 1 Operations (CIS) 1 Env & Comm Health (NAT) 3 Leisure (3 NAT)	1 Council Tax (CIS) 1 Development Mgt (NAT) 4 Benefits (4 NAT) 5 Cust Servs (3 NAT, 2 SI) 1 Env Mgt (CIS) 2 One Leisure (NAT, SI) 2 Dem & Central Servs (NAT)
Council Policy	1 Benefits (NAT) 7 Council Tax (1 CIS and 6 NAT) 1 Ops (SI)	1 Council Tax (NAT) 3 Benefits (NAT))	1 Operations (CIS) 1 Cust Servs (NAT) 5 Housing (NAT) 1 Dem & Central Servs (NAT)
Council Procedures	7 Development Control (4 NAT and 3SI) 1 Benefits (NAT) 2 Council Tax (2 CIS)	4 Development Mgt (3 NAT, 1CIP) 3 Benefits (2 NAT, 1 CIP) 1 Council Tax (NAT) 2 Operations (NAT) 1 Env & Comm Health (NAT)	4 Development Mgt (NAT) 1 Dem & Central Servs (CIP) 2 Council Tax (CIS, NAT) 3 Cust Servs (2 NAT, CIS) 1 Operations (NAT)
Equality of Service		1 Council Tax (NAT) 1 Development Mgt (SI)	1 Council Tax (NAT) 1 Development Mgt (NAT) 1 Benefits (NAT)
Failure to Respond		3 Development Mgt (2 CIS, 1 NAT) 1 Planning Policy (NAT) 1 Dev Mgt + CI Tax ((NAT) 1 Env & Comm Health (NAT)	3 Development Mgt (NAT) 1 Housing (NAT)
Service Delivery	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)	6 Development Mgt (4 NAT, 1 CIS, 1 SI) 6 Council Tax (4 NAT, 2 CIS) 3 Benefits (3 NAT) 3 Housing (2 NAT, 1 CIS) 5 Operations (4 NAT, 1 CIS) 3 Env & Comm Health (3 NAT) 1 Building Control (NAT)	6 Development Mgt (8 NAT, 1 CIS) 2 Dem & Central Servs (CIP) 1 Benefits (CIS) 4 Housing (2 NAT, 1 CIS, 1 CIP) 2 Env Mgt (2 NAT) 1 Building Control (NAT)
Total	52	67	58

KEY:

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