

Audit and Governance Committee Report



Report of: Chief Executive

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To: Audit and Governance Committee

Date: 26 September 2012

Review of complaints received during 2011/12

Purpose of report

1. The purpose of this report is to provide the committee with information and statistics about the complaints received during 2011/12.

Strategic objectives

2. By analysing complaints we can identify any trends and introduce service improvements, where necessary, thereby supporting the corporate objective to put residents at the heart of service delivery and seek to provide an excellent customer experience.

Background

THE COMPLAINTS PROCEDURE

3. The main benefits of having a council-wide procedure for dealing with complaints are that:
 - members of the public know what to do if they have a complaint and how we will deal with it
 - staff can be confident about what to do when they get a complaint
 - everyone is treated fairly and equally
 - by analysing complaints we can improve our services.
4. A good complaints procedure gives us the opportunity to show that we want to be open and honest; that we care about providing a good service and that we value feedback on problems that need attention. Our procedure has three stages:

Stage one

The head of service responds, or arranges for a member of their team to respond on their behalf, within 15 working days of receipt of the complaint. All complaints are logged on our complaints database, which generates daily automatic reminder emails from two working days prior to the target date and continues to do so until details of the response have been entered.

Stage two

The relevant strategic director responds within 15 working days of receipt of the request to escalate the complaint to stage two. Again, the complaints database generates daily automatic reminder emails from two working days prior to the target date.

Stage three

The complainant writes to the chief executive, within six weeks of the strategic director's response, asking for district councillors to consider their complaint. The chief executive will decide whether or not there is merit in referring the complaint to a panel of councillors. Our procedure does not specify a response time; however, the chief executive aims to advise the complainant of his decision in accordance with our published service standards, i.e. within ten working days of receipt of the request. The chief executive consults the leader of the council and the leader of the opposition and if, in their view, there is merit in referring the complaint to councillors, we will convene a special complaints panel.

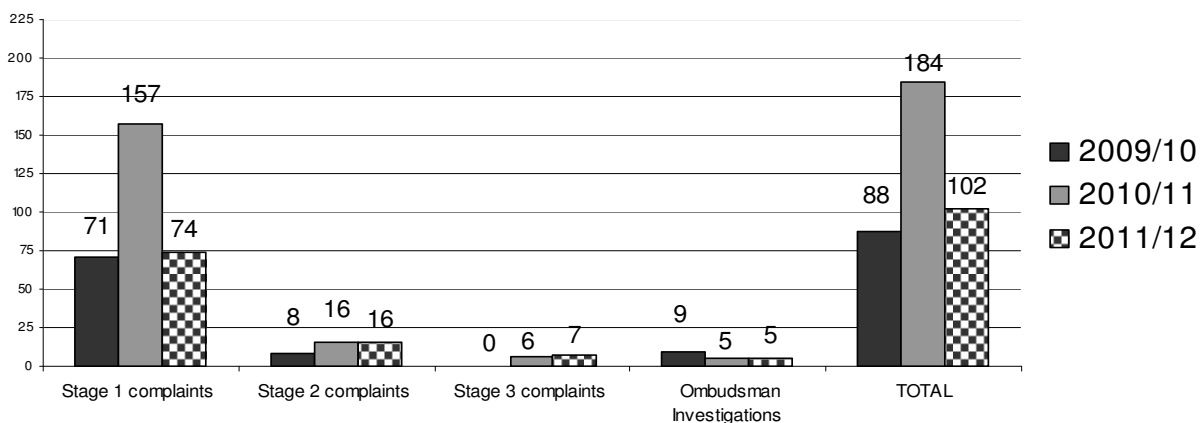
5. If, having followed these three stages, the complainant remains dissatisfied; s/he has the right to ask the local government ombudsman to investigate their complaint.

COMPLAINTS STATISTICS

6. Complaint statistics are reported monthly in the Board Report, which is available to councillors via a web link in the Councillors' Information Sheet. The Board Report is also available to the public on our website.

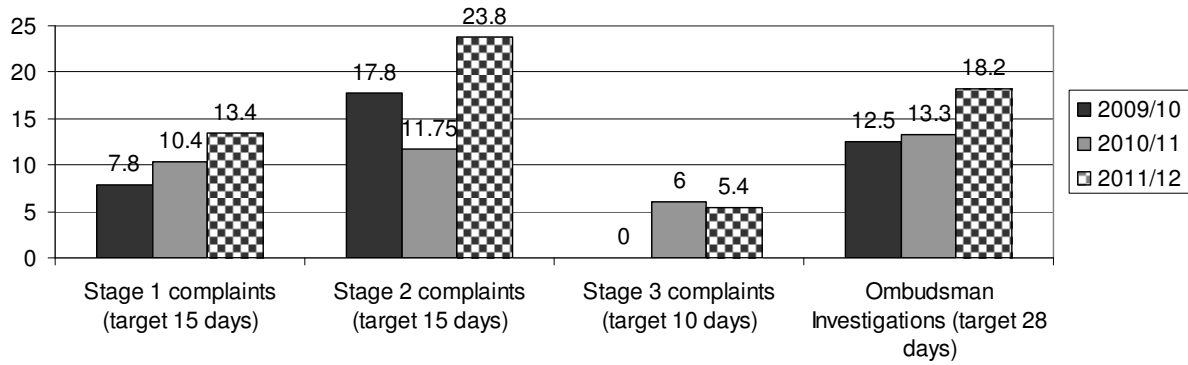
Statistics

Numbers of Complaints

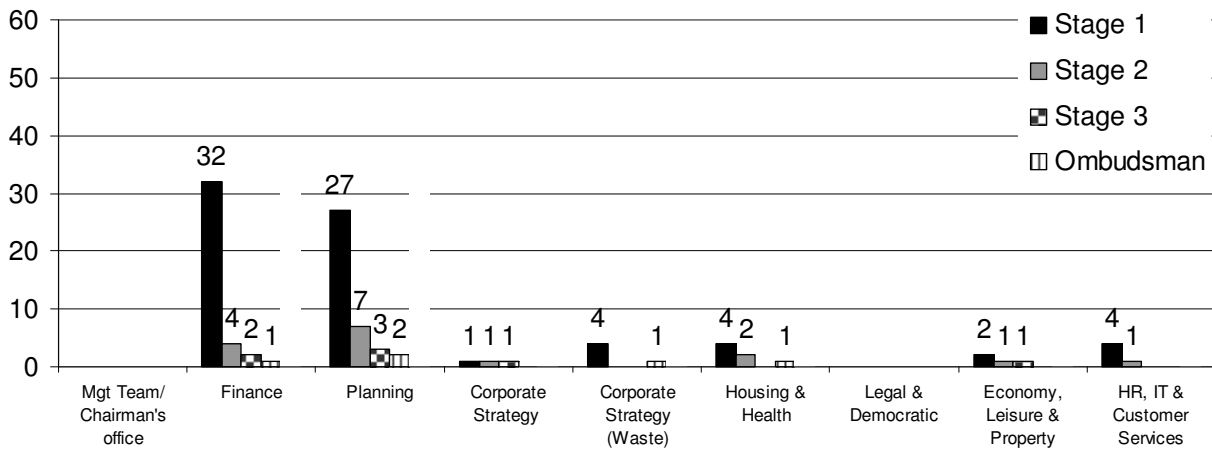


NB – stage three introduced in 2010/11

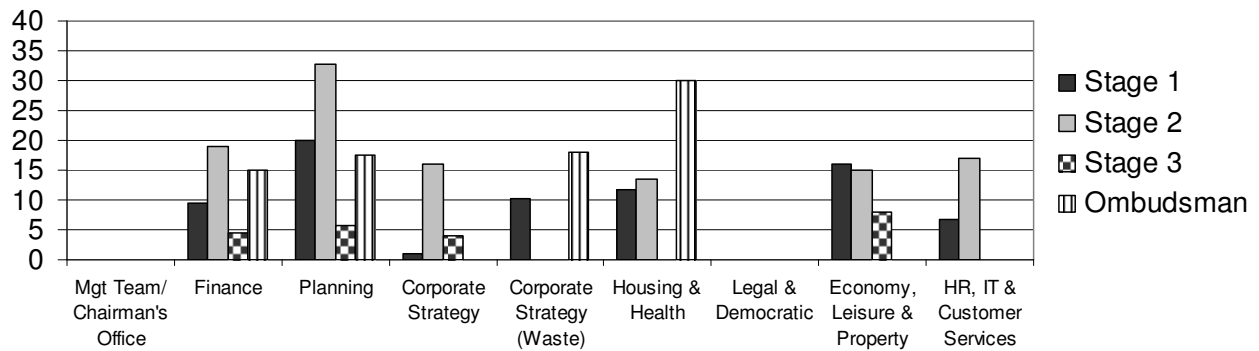
Average response time by stage (days)

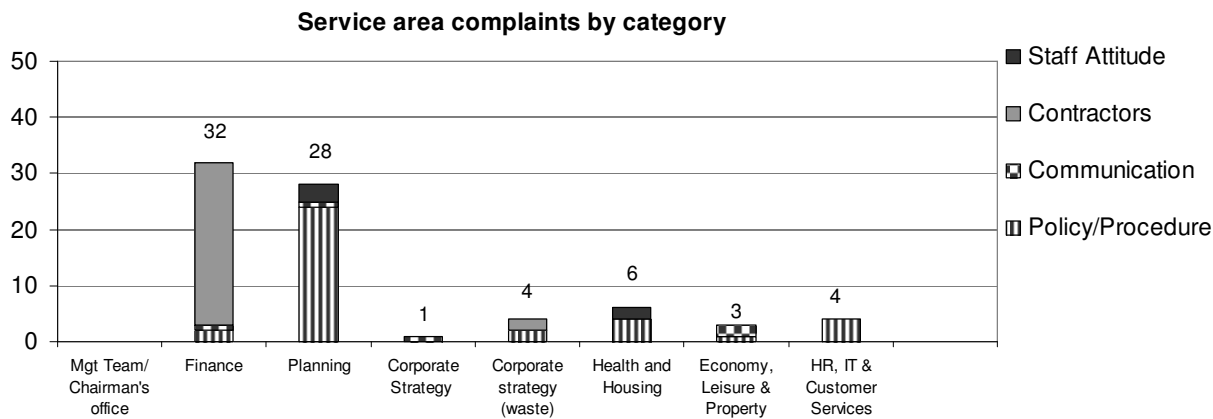


Service Area Complaints by Stage



Service area average response time (days)





Categories of complaints

Policy/procedure This category is used if a complaint is about the council's policies, commitments and intentions for individual services or working practices.

Communication This category is used when the council has failed to communicate effectively or in a timely manner.

Staff Attitude This category is used for complaints about staff being rude or discourteous.

Contractors This category covers any complaint about the way the council's contractors carry out services on behalf of the council.

Summary of complaint details

7. The numbers of complaints received has reduced from 184 last year to 102 this year. This is mainly because the number of complaints about the waste collection service has reduced significantly now that the new system has bedded in (five complaints received this year compared to 89 last year). Several complaints have progressed through each stage of our formal complaints procedure and these are recorded as separate complaints at each stage.
8. Unfortunately, the average response time for stage one complaints has increased this year, mainly in the planning service, where the number of stage one complaints received increased from 16 to 27. In one instance incorrect details were entered onto the complaints database resulting in no automatic reminder emails being generated, which resulted in a response not being issued for 70 days. This is clearly unacceptable and the head of planning has put measures in place, including some re-training, to ensure the same mistake does not happen again. The average response time for stage two complaints has also increased, largely due to one planning case where the strategic director had to await the outcome of a review of the position by the planning team before she could respond. The average response time for ombudsman complaints has increased slightly, but is still well within the target response time of 28 days.

Stage 1 average response time is 13.4 days compared to 10.4 last year

Stage 2 average response time is 23.8 days compared to 11.75 last year

Stage 3 average response time is 5.4 days, compared to six last year

Ombudsman average response time is 18.2 days compared to 13.3 last year

9. Finance and Planning received the highest number of complaints.

Finance: 39 complaints received this year compared to 60 last year. Mainly inaccuracy/delay in processing benefit payments; lack of response to correspondence and complaints about bailiff action.

Planning: 39 complaints received this year compared to 20 last year. Mainly enforcement issues and residents concerned that their objections had not been taken into account or that they had not been given sufficient time to submit their objections.

10. The staff guidance note contains advice on how to determine what is, and is not, a formal complaint.

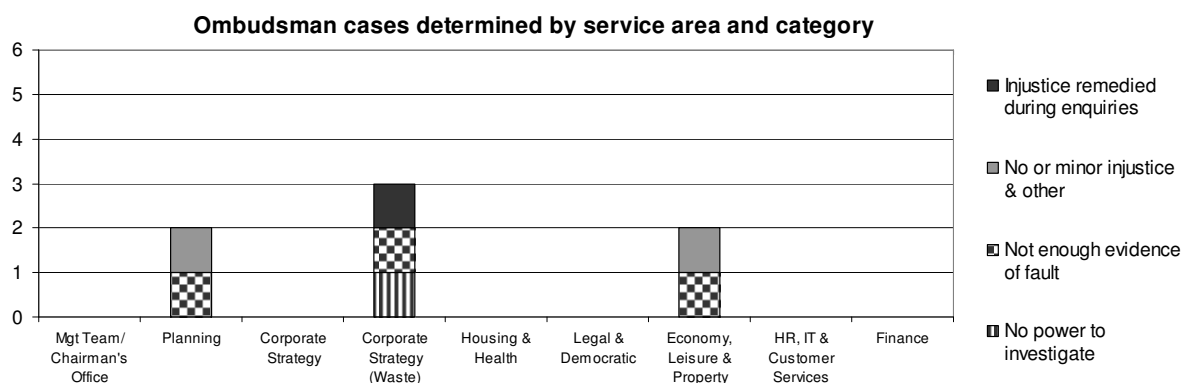
Local Government Ombudsman investigations

11. During 2011/12 the Local Government Ombudsman (LGO) determined seven complaints, compared to three the previous year. This compares very favourably with the other Oxfordshire districts which had an average of 14.

12. We responded to investigations within an average of 18.2 days, compared to 13.3 days last year, which is significantly below the target of 28 calendar days set by the LGO. Again, this compares favourably with the other Oxfordshire districts, which had an average of 22.7 days.

13. A summary of cases and Ombudsman decisions is attached at Appendix two.

14. The following table provides details by service area of the seven complaints determined by the LGO during 2011/12.



Categories of Ombudsman Complaints

The LGO introduced new categories during 2011/12; these are:

Not investigated:

Where the LGO has decided not to investigate for one of the following reasons:

No power to investigate – complaints that the law does not allow the LGO to investigate

No reason to use exceptional power to investigate – complaints that the law says the LGOs should generally not investigate but gives an exceptional power to do so

Investigation not justified and other – complaints where the LGO has used her general power and not pursued the complaint. This can be for a variety of reasons, including that the injustice claimed does not warrant the public expense of the LGO's involvement or that another organisation could deal with the matter better.

Investigated:

Where the LGO has discontinued an investigation for one of the following reasons:

Not enough evidence of fault – decisions where the LGO found insufficient evidence that the council was at fault.

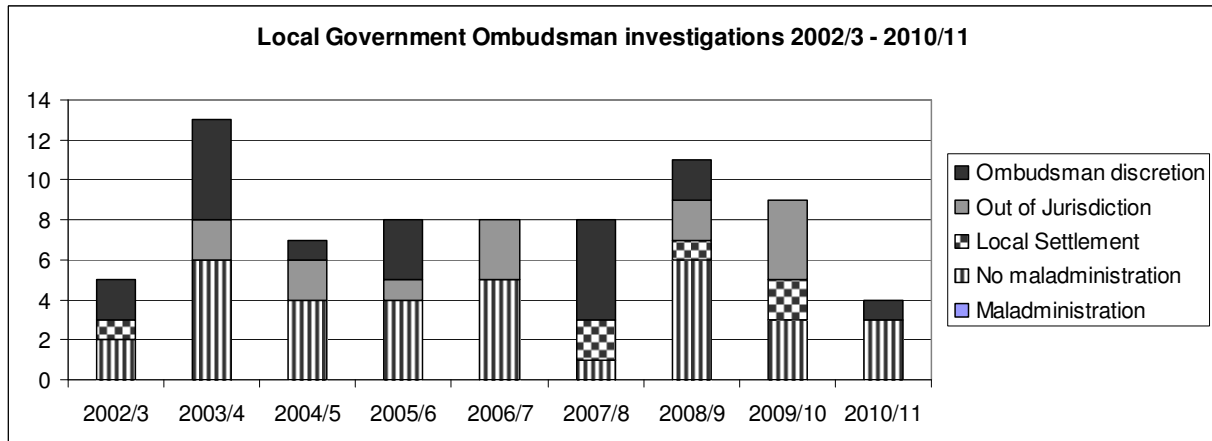
Injustice remedied during enquiries – decisions where the council remedied or agreed to remedy any injustice to the LGO's satisfaction during the investigation.

No or minor injustice and other – decisions where we have used the LGO's general power to discontinue the investigation. This can be for a variety of reasons, but the most common is that any injustice caused does not justify the public expense of pursuing the matter further.

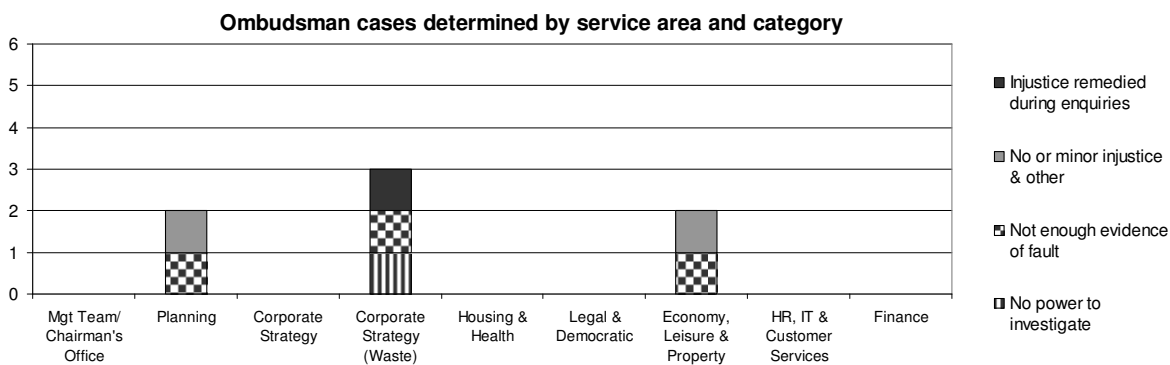
Report issued:

Where the LGO has issued a report on a completed investigation.

15. Cases determined by the Local Government Ombudsman between 2002/2003 and 2010/11:



16. Cases determined by the LGO in 2011/12:



17. The Local Government Ombudsman produces an Annual Review Report for all councils, which is published on our website (attached at Appendix One).

18. No maladministration has ever been found against this council.

Financial implications

19. There are no financial implications arising directly from this report.

Legal implications

20. There are no legal implications arising from this report.

Risks

21. Having a formal complaints procedure allows us to analyse complaints and improve services where necessary; it also gives members of the public clarity about what to do if they have a complaint, and how we will deal with it. If we did not have a formal procedure, we would be unable to carry out such analysis, with the risk that we would fail to make service improvements.

Other implications

22. There are no human resources, sustainability, equality or diversity implications arising directly from this report.

Conclusion

23. This report sets out the statistical data for complaints and received during 20011/12.

Background papers

24. None.