

# Audit and Corporate Governance Committee

Report of: Chief Executive

## AGENDA ITEM 4

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To: Audit and Corporate Governance Committee

Date: 27 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 during 2011/12 had three stages:

### **Stage one**

The head of service responded, or arranged 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 responded 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 wrote to the chief executive, within six weeks of the strategic director's response, asking for district councillors to consider their complaint. The chief executive decided whether or not there was merit in referring the complaint to a panel of councillors. The procedure did not specify a response time; however, the chief executive aimed 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. If, in his view, there was merit in referring the complaint to councillors, we convened a special complaints panel made up from members of the Audit and Corporate Governance Committee.

If, having followed our complaints procedure, the complainant remains dissatisfied; s/he has the right to ask the local government ombudsman to investigate their complaint.

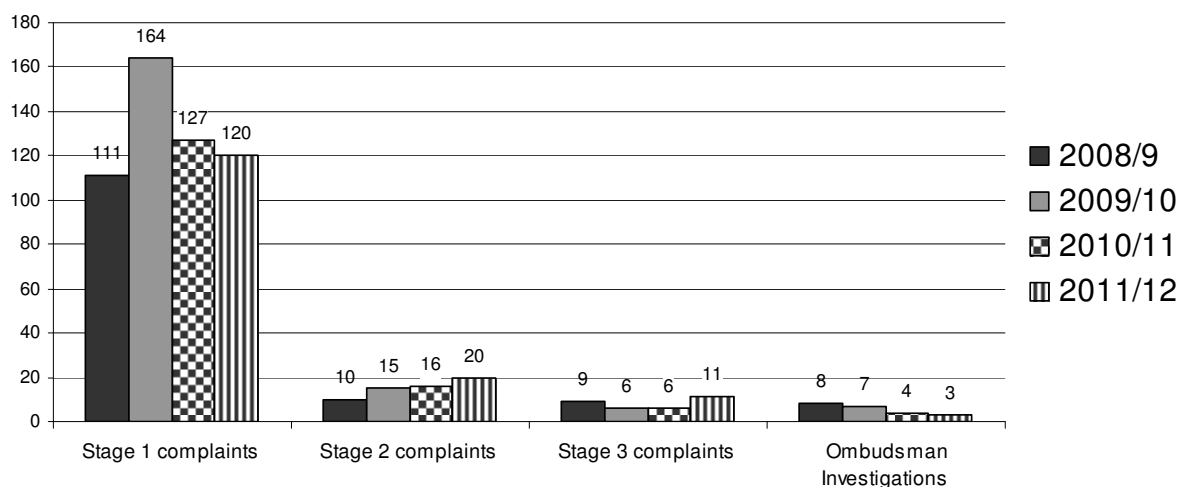
5. At its meeting on 10 July 2012 this committee agreed to introduce a revised complaints procedure that includes the deletion of stage three from the process. This revised procedure will be launched on 1 October 2012.

## **COMPLAINTS STATISTICS**

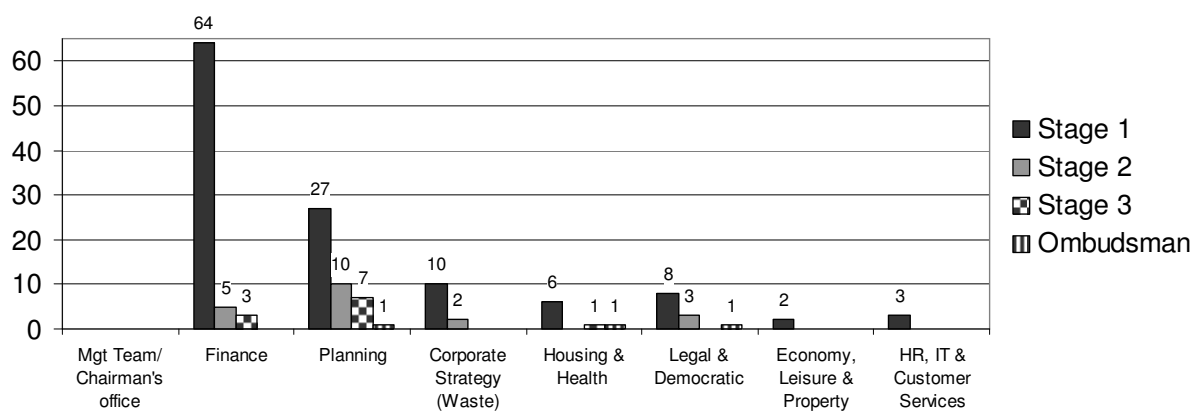
6. Complaint statistics are reported monthly in the Board Report, which is available to councillors via a web link in the Weekly Information Sheet. The Board Report is also available to the public on our website.

## Statistics

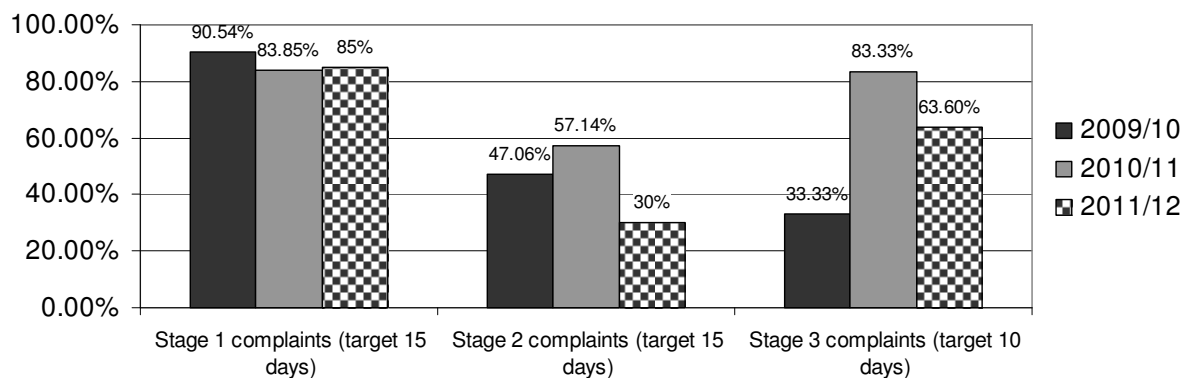
### Numbers of complaints

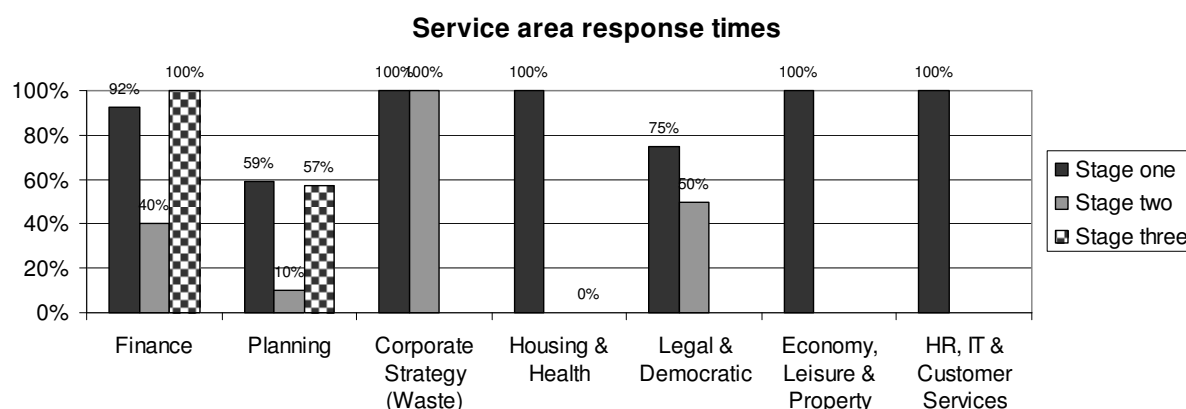


### Service area complaints by stage



### Response within target by stage





## Summary of complaint details

7. The total number of complaints received at stage one in 2011/12 is 120, similar to last year's number of 127. However, slightly more complaints have progressed to stages two and three. The number of complaints received at each stage of the process, including the local government ombudsman, are broadly the same as last year.
8. Finance and Planning received the highest number of complaints.
 

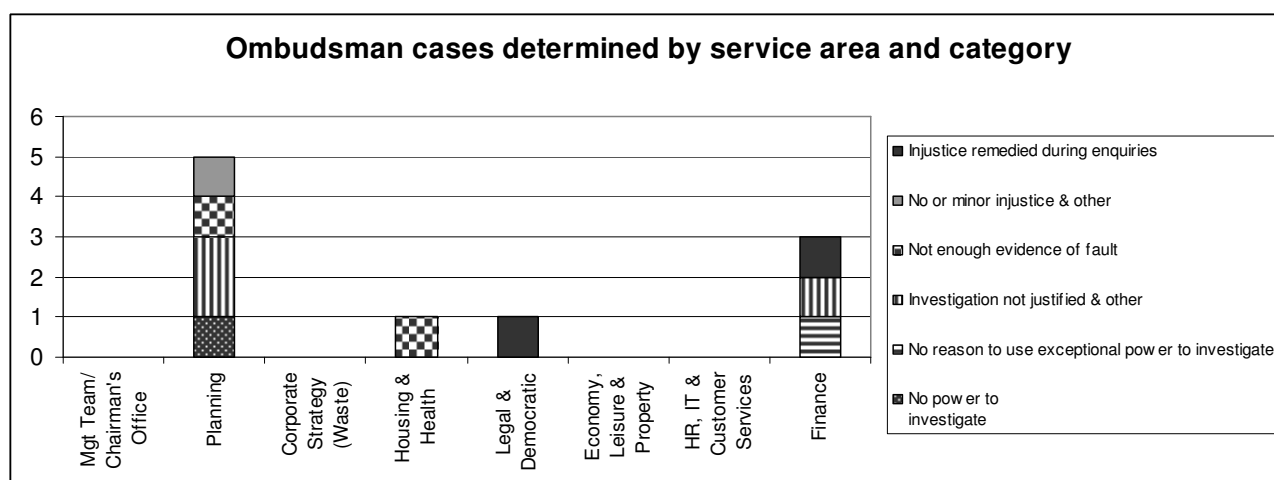
Finance: 64 complaints received this year compared to 58 last year. Mainly inaccuracy/delay in processing benefit payments and reminders being incorrectly issued.

Planning: 27 complaints received this year compared to 22 last year. Mainly around objections to decisions.
9. Whilst we resolved the majority of finance complaints at stage one of the process, a higher proportion of complaints about the planning service progressed to stages two and three.
10. Unfortunately, the response time for responding to stage two complaints has increased significantly, and the chief executive is addressing this issue.
11. The staff guidance note contains advice on how to determine what is, and is not, a formal complaint.

## Local Government Ombudsman investigations

12. During 2011/12 the Local Government Ombudsman (LGO) determined ten complaints, compared to seven the previous year, which is line with our average over the last ten years. This compares favourably with the other Oxfordshire districts which had an average of 13.25.
13. We responded to investigations within an average of 25.7 days, compared to 26.5 days last year, which is below the target of 28 calendar days set by the LGO.
14. A summary of cases and Ombudsman decisions is attached at appendix two.

15. The following table provides details by service area of the ten 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 and 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 in 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.

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

## **Financial implications**

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

## **Legal implications**

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

## **Risks**

19. 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**

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

## **Conclusion**

21. This report sets out the statistical data for complaints and compliments received during 2011/12.

## **Background papers**

22. None.