

Chichester District Council

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

16 October 2018

Complaints, Freedom of Information Requests and Data Protection Analysis – 2017/18

1. Contacts

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2. Recommendation

- 2.1 The Committee consider the revised complaints scheme - Appendix 1
- 2.2 The Committee consider a policy for the management of unreasonable complainant behaviour to support the revised complaints scheme and to follow best practice as per Local Government Ombudsman – Appendix 2
- 2.3 The Committee consider the information provided in this report and to make any appropriate recommendations as to future monitoring arrangements to identify improvement where appropriate.
- 2.4 The Committee consider a call recording policy to support the complaints scheme and to comply with the GDPR – Appendix 3

3. Background

- 3.1 The Corporate Governance and Audit Committee receive an annual analysis of all formal complaints, compliments, freedom of information requests and data subject access requests together with a summary of the Local Government Ombudsman's Annual Report.
- 3.2 The Council's complaints scheme has been reviewed following a recent management re-structure. It has three stages:

Stage 1 – Initial complaint investigated by the Manager/Senior Officer responsible for the service team.

Stage 2 If the customer is dissatisfied with the response 1, they can ask for the complaint to be reviewed the Divisional Manager or in some cases the Director of the service.

Stage 3 If the customer remains dissatisfied with the Council's response they are offered the opportunity to seek and independent investigation by the Local Government Ombudsman.

- 3.3 Analysis of Stage 2 complaints has shown that a longer investigation period is often required therefore it is proposed to increase the response time to these complaints to 15 working days.
- 3.4 From April 2017 – March 2018 the council received 160 complaints. 94% of these were answered within the response date offered by the service team. Analysis of complaints over the last three years is attached as Appendix 4.
- 3.5 This year has seen an increase in complaints of 29% Stage 1 complaints have increased by 26%; Stage 2 complaints have increased by 67%; Ombudsman complaints have reduced by 11%
- 3.6 The annual report letter from the Ombudsman shows the number of complaints received for Chichester as 13, 15 complaints have been decided, this figure includes complaints which were submitted in year ending March 17. Of the decided complaints 1 was invalid, 3 were closed after initial enquiries, 7 were referred back to the Council to resolve, and 4 were investigated. Of the four complaints that were investigated 2 were not upheld and 2 were upheld. The Ombudsman publish their decisions, to view these details use this link to their website <https://www.lgo.org.uk/decisions>
- 3.7 To follow the guidance and advice from the Local Government Ombudsman that the Council have a policy for the management of unreasonable complainant behaviour.

Compliments are also recorded. Service teams received 105 compliments this year.
- 3.8 All calls received by the Customer Contact Centre and the Revenues and Benefits Client Support team are recorded; this is standard practice that allows the recording of telephone calls for quality monitoring, training, compliance, security and safeguarding purposes. This proposed policy is to ensure the use of call recordings is fair and that we comply with the requirements of legislation.

4. Learning Points

Following two upheld complaints from the Ombudsman the Development Management team have made the following improvements to the planning application process;

- 4.1 The procedure for posting site planning site notices has been reviewed and all officers now take a photograph of the notice in situ and this is placed on file.
- 4.2 Senior planning officers have a greater oversight of the progress of planning applications.
- 4.3 An alert system has also been introduced to notify officers to comments on an application as soon as they are received, in order to avoid delays in raising potential issues with applicants.

5. Outcomes to be achieved

- 5.1 The primary purpose of investigating complaints is to resolve customer dissatisfaction where possible. However, by recording and monitoring the nature of complaints it is possible to identify trends or address issues to avoid further complaints and to improve service delivery and/or to contribute to a review of the policy.
- 5.2 Each Divisional Manager has access to monthly reports containing a summary of all complaints received for their service areas performance in dealing with complaints.
- 5.3 The website has the option to provide feedback on usability and usefulness on each page. This information is fed back to the services areas responsible for the appropriate page.
- 5.4 The Customer Service centre undertakes monthly performance monitoring with customers contacting the Council. This information is used to identify areas where services improvements may be made.
- 5.5 All telephone calls to the Customer Service and Revenues Client Support teams are recorded and monitored. These recordings are used to mentor and train staff with a view to improving quality of service.
- 5.6 The Council have a Facebook and Twitter account which is a quick and easy way for customer to make contact and provided feedback.

6. Freedom of Information Requests

- 6.1 The Freedom of Information (FOI) Act gives people the right to ask the Council for recorded information they have on any subject. If the request relates to environmental information, this will be handled under the Environmental Information Regulations (EIRs). We are required to reply within strict deadlines, giving the information requested, or explaining why we cannot provide that information.
- 6.2 The FOI process is administered by Customer Services.
- 6.3 From April 2017 - March 2018 we received 759 requests, 107 of these were redirected to other agencies
- 6.4 90% of requests were answered within the 20 working day deadline.
- 6.5 The number of requests received can take up a great deal of officer time in collating the responses. Many requests continue to be received from the press or from commercial organisations. The legislation does not provide for the Council to recover costs for the officer time involved unless the estimated staff costs involved locating or compiling the information exceeds £450. Under these circumstances, we can refuse the request on grounds of cost, or charge the applicant £25 per hour for the estimated work.
- 6.6 This year saw an increase in requests for our housing team as we received a number of requests for information regarding tower blocks in our district following the Grenville Tower Fire in West London.

7. Data Protection Requests

The General Data Protection Regulations (GDPR) provides individuals the right to access their personal information. In 2017-18 the Council received 3 requests from customers and 17 requests from other agencies such as the Police and HMRC.

8. Improvements to Procedures and Publication

Utilise reports from Customer Services to publish more information on website and improve our online services.

9. Proposal

9.1 To continue monitoring and recording formal complaints, freedom of information requests and subject data access requests.

9.2 To continue to provide feedback on performance to services areas to provide the opportunity to improve service delivery.

9.3 To continue to provide performance monitoring with the Customer Service Centre to gain customer insight and improve service delivery.

10. Alternatives that have been considered

None

11. Resource and legal implications

There is a legal obligation to comply with the Freedom Information and Data Protection Acts. Compliance does require a significant amount of staff time. The Legal team are able to assist and advise staff when dealing with requests.

12. Consultation

None

13. Community impact and corporate risk

None

14. Other implications

	Yes	No
Crime & Disorder:		x
Climate Change and Biodiversity:		x
Human Rights and Equality Impact:	x	

Safeguarding and Early Help:		X
General Data Protection Regulations (GDPR):		X
Other (Please specify): eg health and wellbeing		X

15. Appendices

- 15.1 Appendix 1 Revised complaints scheme.
- 15.2 Appendix 2 Managing unreasonable behaviour.
- 15.3 Appendix 3 Call recording policy
- 15.4 Appendix 4 Analysis of complaints of the last three years
- 15.5 Appendix 5 General description of complaints received