

Chichester District Council

CORPORATE GOVERNANCE & AUDIT COMMITTEE 19 October 2020

Complaints, Freedom of Information Requests and Data Protection Analysis – 2019/20

1. Contacts

Report Author:

Fiona Delahunty, Customer Services Manager

Tel: 01243 534734 E-mail: fdelahunty@chichester.gov.uk

2. Recommendation

2.1 The Committee note the contents of this report.

3. Background

3.1 The management of complaints, freedom of information requests (FOI) and subject access requests (SAR) is a crucial part of the responsibilities undertaken by the Council. Effective and correct management of these services ensures that users receive prompt and informed responses. It also ensures the Council acknowledge quickly when mistakes have been made; put them right effectively and apologise, where appropriate; ensure that we learn lessons from complaints and apply these to improve services and performance.

3.2 The Council's complaints procedure is a three stage procedure as summarised below.

Stage 1 – Initial complaint investigated by the Manager/Senior Officer responsible for the service team. A response sent within 10 working days.

Stage 2 - If the customer is dissatisfied with the response from the Stage 1 outcome, they can ask for the complaint to be reviewed by a more senior manager. A response sent within 15 working days.

If at any stage of the procedure the complaint investigation is likely to take longer than the specified time period the customer will be informed when they can expect a full reply.

Stage 3 - If the customer remains dissatisfied with the Council's response they are offered the opportunity to seek an independent investigation by the Local Government Ombudsman. Details of how to contact the Ombudsman is provided in the Stage 2 outcome response.

3.3 From April 2019 – March 2020 the council received a total of 124 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 1.

- 3.4 During 2019/20 there has been a decrease in complaints of 28%. Stage 1 complaints have decreased by 27%; Stage 2 complaints have decreased by 26%; Ombudsman complaints have decreased by 45%
- 3.5 The number of formal complaints dealt with by the District Council is a fraction of 1% of the total transactions with the public. If taken as a percentage of face to face and telephone interactions to the Customer Service Centre it would be 0.08% however there are many more customer contacts through other channels.
- 3.6 The analysis of complaints also includes whether the complaint was upheld; partially upheld or not upheld. If the customer's complaint is upheld they will receive an apology and where appropriate, be given details of any actions that we will take to remedy the situation or at least put things right for the future. If the complaint is partially upheld (ie; the outcome of the investigation finds in part the Council made an error), they will receive an apology and explanation and where appropriate, be given details of any action that we will take to remedy the situation or at least put things right. If the complaint is not upheld the customer will be given an explanation. Of the 124 complaints received; 25 were upheld; 20 partially upheld and 79 not upheld. Most of the upheld complaints were due to administrative or officer error and training were necessary has been provided.
- 3.7 The annual report letter from the Ombudsman for the period 1st April – 31st March 2020 shows the number of complaints received for Chichester as 11. During this period 15 complaints have been decided, this figure includes complaints which we submitted before 1st April 20. Of the decided complaints 7 were closed after initial enquiries, 1 referred back for local resolution, 6 not upheld and 1 upheld. 14% of complaints investigated by the Ombudsman were upheld. This compares to an average in similar authorities of 45%. To view further information about Chichester District Council's performance view this link <https://www.lgo.org.uk/your-councils-performance/chichester-district-council/statistics>

Table of results for boroughs/districts within West Sussex.

District	Investigated	Upheld	% Upheld
Chichester	7	1	14%
Arun	9	4	44%
Adur and Worthing	7	6	86%
Horsham	6	2	33%
Mid Sussex	6	2	33%
Crawley	4	1	25%
West Sussex CC	43	25	58%

- 3.8 When a customer is so satisfied with the service they have received they email, write to us or comment on our website we record this as a compliment. The number of recorded compliments rose by 19% from 105 in 2019 to 129 for the year ending

March 2020. The Customer Service Centre also received 74 calls to compliment the Council on the services they provide.

4. Learning Points

Following the upheld complaints from customers and the Ombudsman the Council have improved procedures and taken actions to put things right for customers.

- 4.1 An improved procedure for recording verbal appeals against a penalty charge notice and training provided to all Customer Services Officers.
- 4.2 Additional staffing employed to help with processing of increased taxi license applications.
- 4.3 South Downs National Park Planning Authority have amended their system to register and record the determination of applications to accurately set and show the date by which telecom applications would be determined. CDC Officers also will seek to determine applications in advance of this date to offer greater certainty that a determinate is made within the 56 day period.
- 4.4 New contract with the company who service Chichester District Council streetlights with improved service level agreements. This is to avoid delays in repairs.
- 4.5 CDC requested the contractor providing pest services improved their online forms and provide the option of a paper form for refund requests.
- 4.6 Additional payment methods for customers who subscribe to our garden recycling service.

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 2019 - March 2020 we received 864 requests, 97 of these were redirected to other agencies.
- 6.4 91% 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.

7. Data Protection Requests

The General Data Protection Regulations (GDPR) provides individuals the right to access their personal information. In 2019-20 the Council received 16 requests from customers. We also received and responded to 7 police/authority requests. Two other submissions were refused due to not disclosing proper authorisation.

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. **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.

11. **Consultation**

None

12. **Community impact and corporate risk**

None

13. **Other implications**

	Yes	No
Crime & Disorder:		√
Climate Change and Biodiversity:		√
Human Rights and Equality Impact:	√	
Safeguarding and Early Help:		√
General Data Protection Regulations (GDPR):	√	
Other (Please specify): eg health and wellbeing		√

14. **Appendices**

15.1 Appendix 1 Analysis of complaints

15.2 Appendix 2 General description of complaints received and the outcome

15.3 Appendix 3 Compliments received