

Chichester District Council

CORPORATE GOVERNANCE & AUDIT COMMITTEE 27 September 2021

Complaints, Freedom of Information Requests and Data Protection Analysis – 2020/21

1. Contacts

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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 2020 – March 2021 the council received a total of 103 complaints compared to 124 for the period 01 April 2019 - 31 March 2020. 81% of these were answered on time by the service team. During 2020/21 there has been a decrease in

complaints of 17% overall which is very encouraging. Stage 1 complaints have decreased by 3%; Stage 2 complaints have decreased by 52% and Ombudsman complaints have decreased by 55%

- 3.4 Analysis of complaints over the last three years is attached as Appendix 1.
- 3.5 During 2020/21 there has been a decrease in complaints of 17%. Stage 1 complaints have decreased by 3%; Stage 2 complaints have decreased by 52%; Ombudsman complaints have decreased by 55%
- 3.6 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.
- 3.7 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 that 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 for the future. If the complaint is not upheld the customer will be given an explanation. Of the 103 complaints received; 16 were upheld; 18 partially upheld and 69 not upheld, please see below table for ease of reference. Most of the upheld complaints were due to administrative or officer error and training where necessary has been provided

Outcome	Total for 2020/21	% for 2020/21
Upheld	16	15.5%
Partially Upheld	18	17.5%
Not Upheld	69	67%

- 3.8 The annual report letter from the Ombudsman for the period 1st April 2020 – 31st March 2021 shows the number of complaints received for Chichester as 6. During this period 5 complaints have been decided and 1 is yet to be decided. Of the decided complaints 3 were closed after initial enquiries, 1 referred back for local resolution and 1 deemed as invalid due to insufficient information. No complaints were formally investigated by the Ombudsman. This compares to an average in similar authorities of 32%. 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/District Councils within West Sussex.

District	Investigated	Upheld	% Upheld
Chichester	0	0	0%
Arun	1	0	0%
Adur and Worthing	2	1	50%

Horsham	1	0	0%
Mid Sussex	4	3	75%
Crawley	3	1	33%
West Sussex CC	24	18	75%

- 3.9 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 was 177 across all services for the year ending March 2021. This compares 203 compliments received during 2019/20

4. Learning Points

Following the upheld and partially upheld complaints from customers, the Council have improved procedures and taken actions to put things right for customers as follows:

- 4.1 Action taken to provide clearer guidance on the website in regard to planning applications
- 4.2 Improved littering fine reporting to ensure the correct enforcement action is taken and errors regarding incorrect notices are avoided
- 4.3 Online payments now an option for resident visitor permits
- 4.4 Review undertaken of Benefits outward correspondence and amendments and training undertaken to make communications clearer for the customer.

5. Summary

- 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 team 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, Instagram and Twitter account which is a quick and easy way for customers to make contact and provide 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 From April 2020 - March 2021 we received 731 requests, 15 of these were redirected to other agencies.
- 6.3 91% of the 716 requests for CDC were answered within the 20 working day deadline.
- 6.4 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. We have now begun to keep a record of the source of these requests; of the 734 requests received in 20/21, 32% were from Commercial organisations and 7% were from the press. 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 2020-21 the Council received 13 requests from customers. We also received and responded to 13 police/authority requests.

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 of 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