

Chichester District Council

CORPORATE GOVERNANCE & AUDIT COMMITTEE 31 October 2022

Complaints, Freedom of Information Requests and Data Protection Analysis – 2021/22

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, puts them right effectively and apologises, where appropriate, thereby making certain that lessons are learnt to improve services and performance.

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

Stage 1 – Initial complaint investigated by the Manager/Senior Officer responsible for the service team. A response is 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 is sent within 15 working days.

If at any stage of the procedure the complaint investigation is likely to take longer than the specified time, 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 are provided in the Stage 2 outcome response.

From April 2021 – March 2022 the council received a total of 150 complaints compared to 103 for the period 01 April 2020 - 31 March 2021, amounting to an increase of 45.6%. During the lockdown periods of 2020/21, some services were not operating as usual, contributing to decreased interactions. Services are now running

as expected, causing an increase in both interactions and complaints compared to 2020-2021.

- 3.3 Of the 150 complaints received in 2021/22, 73.6% were answered on time by the service team.
- 3.4 Compared to 2020/21, Stage 1 complaints have increased by 36%; Stage 2 complaints have increased by 118% and Ombudsman complaints have increased by 50%.
- 3.5 Analysis of complaints over the last three years is attached as Appendix 1.
- 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 0.1% 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 (i.e., 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 taken 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 150 complaints received; 38 were upheld; 29 partially upheld and 83 not upheld, please see below table for ease of reference. Most of the upheld complaints were due to delayed response times, administrative or officer error. Training where necessary has been provided.

Outcome	Total for 2021/22	% for 2021/22
Upheld	38	25.3%
Partially Upheld	29	19.3%
Not Upheld	83	55.4%

- 3.8 The annual report letter from the Ombudsman for the period 01 April 2021 – 31 March 2022 shows the number of complaints received for Chichester as 9. During this period all 9 complaints have been decided and 1 has also been decided from the 2020-2021 period. Of the decided complaints for 2021-2022, 6 were closed after initial enquiries, 1 was referred to Chichester District Council for local resolution and 2 were deemed as invalid due to insufficient information. No complaints were formally investigated by the Ombudsman. For further information about Chichester District Council's performance, please 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 and West Sussex County Council.

District	Investigated	Upheld	% Upheld
Chichester	0	0	0%

Arun	6	2	33%
Adur and Worthing	7	5	71%
Horsham	4	2	50%
Mid Sussex	4	3	75%
Crawley	0	0	0%
West Sussex CC	48	31	65%

3.9 When a customer is so satisfied with the service they have received, they email, write to us or comment on our website and we record this as a compliment. The number of recorded compliments was 274 across all services for the year ending March 2022. This compares to 177 compliments received during 2020/21 and equates to an increase of 55%.

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 Additional training has been provided to staff where appropriate, including refresher training on the Planning Service for Customer Service Officers.
- 4.2 Changes to phone messaging and routing of calls has been reviewed to ensure customers are reaching the correct officers as quickly as possible for Planning and Housing enquiries.
- 4.3 More payments are now able to be made online; work on this continues.

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 service improvements may be made and is discussed with relevant service managers at monthly service liaison meetings.

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 2021 - March 2022 we received 631 requests, 30 of these were redirected to other agencies.

6.3 91% of the 601 requests for CDC, were answered within the 20-working day deadline.

6.4 Collating responses to requests can take up a great deal of officer time and 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 all Freedom of Information requests; of the 601 received in 2021/22, 26.5% were from Commercial organisations and 8% were from the press.

The legislation does not permit the Council to recover costs for the officer time involved unless the estimated staff costs exceed £450. Under these circumstances, we can refuse the request on grounds of cost, or charge the applicant £25 per hour for the estimated work.

6.5 Some regularly requested information is posted on the Chichester District Council website for individuals and organisations to access; this helps to minimise officer time where possible

7. Data Protection Requests

The General Data Protection Regulations (GDPR) provides individuals the right to access their personal information. In 2021-22 the Council received 11 requests from customers. We also received and responded to 3 police requests.

8. Improvements to Procedures and Publication

Utilise reports from Customer Services to publish more information on our 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

- 14.1 Appendix 1. Analysis of complaints, compliments and Freedom of Information Requests
- 14.2 Appendix 2. General description of complaints received and outcome
- 14.3 Appendix 3. Compliments received