

Chichester District Council

CORPORATE GOVERNANCE& AUDIT COMMITTEE 29 September 2016

Complaints, Freedom of Information Requests and Data Protection Analysis - 2015/16

1. Contacts

Fiona Delahunty – Customer Service Centre Manager

Telephone: 01243 534734

E-mail: fdelahunty@chichester.gov.uk

2. Recommendation

- 2.1. The Committee is requested to consider the information provided in this report and to make any appropriate recommendations as to future monitoring arrangements to identify business improvement where appropriate.**

3. Background

- 3.1** The Corporate Governance and Audit Committee receive an annual analysis of all formal complaints and compliments, freedom of information requests and data subject access requests received by the authority, together with a summary of the Local Government Ombudsman's Annual Report.

3.2 The Council's complaints procedure:

The complaints procedure has three stages:

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

Stage 2 – If the customer is dissatisfied with the response to stage 1, the investigation is reviewed by the Head of Service for that team.

Stage 3 – If the customer is dissatisfied with response to stage 2, they are offered the opportunity to seek an independent investigation by the Local Government Ombudsman.

- 3.3** From April 2015 – March 2016 the Council received 146 complaints. 90% of those were responded to within the 10 day target date. Appendix 1 provides a graphical illustration of complaints received as follows:-

- Table 1 - the number of complaints received during the preceding 3 years.
- Table 2 - the number of complaints under each stage of the complaints process during the preceding 3 years.

- Table 3 - the categories of complaints received during the preceding 3 years.
- Table 4 - the complaints per service team.
- Table 5 - compliments per service team.
- Table 6 - the number of FOI requests received per service team.

Appendix 2 provides a summary of complaints received.

- 3.4 The annual report letter from the Ombudsman shows the number of complaints received for Chichester was 20, 19 of these have been decided. Of the decided, complaints 2 were upheld, 14 were closed after initial enquiries and 3 were referred back to the Council to resolve. All Ombudsman decisions are published and can be viewed on their website. <http://www.lgo.org.uk/decisions>

The Ombudsman upheld two complaints;

- 3.5 A planning complaint was upheld - to view details please view this link <http://www.lgo.org.uk/decisions/planning/planning-applications/15-001-253>
To improve our procedures when a customer requests a file is removed from the website the Customer Services team now raise a request which is sent to the Service Team Manager and the Customer Services Manager to ensure the files are removed that day and reviewed by an Officer.
- 3.6 A council tax complaint was upheld - to view details <http://www.lgo.org.uk/decisions/benefits-and-tax/council-tax/14-008-121> to improve our procedures, the billing and enforcement processes were reviewed and improved. Additional training has been given where required. A new enforcement agent contract was awarded in April 2015. This includes a Trace and Collect scheme which is used to verify an address when a care of address is the only available address the Council hold.
- 3.7 All complaints are recorded, categorised and monitored by Customer Services. The percentage of procedures/enforcement, quality of service and committee decision complaints has increased. However Officer conduct and decision complaints have reduced.

4.0 Learning Points

- 4.1 Following feedback from customers the Council has simplified the charging policy for bulky household waste collections by changing the minimum spend of £45.00 for up to three items. Prices now start at £20.00 for the first item and £15.00 for additional items added. Residents are now able to access this service online where they can easily book and pay for a collection. For more information view this link <http://www.chichester.gov.uk/bulkyhouseholdwastecollection>.
- 4.2 The Pay on Foot system was introduced at Avenue De Chartres Car Park in January 2015. With any new system a level of teething issues can be expected and this new system resulted in an increased number of complaints for the service, which were all responded to and the service worked closely with the contractor to resolve these, along with providing staff on hand to

assist the public within the car park. The system has allowed customers more flexibility in terms of when they return to their vehicle, and therefore encourages visitors to stay longer within the city. In January 2016 a customer survey was carried out to gain feedback on the system and this feedback has been used to improve signage. Consideration is being given to increasing the number of payment machines within the car park.

5.0 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 future complaints and to improve service delivery and/or to contribute to a review of policy.
- 5.2 Each Head of Service has access to monthly reports containing the detail of all complaints received and their service areas performance in dealing with each complaint.
- 5.3 Not all customers wish to formalise their complaint but it is important as an organisation to understand areas where there is dissatisfaction and to try to rectify it. To this end, other channels of feedback and performance monitoring are made available with mechanisms in place to address issues:-
 - The website has a generic email account called CDC Complaints. Often customers will use this to report an issue. These are forwarded to the appropriate service area to contact the customer and deal with the request.
 - The website has the option to provide feedback on usability and usefulness on each page. This information is fed back to the service areas responsible for the appropriate page.
 - The Customer Service Centre undertakes monthly performance monitoring with customers contacting the Council by telephone and those visiting the Reception Service. This information is used to identify areas where service improvements may be made.
 - All telephone calls to the Customer Service Centre are recorded and monitored. These recordings are used to mentor and train staff with a view to improving quality of service.
 - The Council have a Facebook and Twitter account which is a quick and easy way for customers to make contact and provide feedback.

6.0 Freedom of Information Requests

- 6.1 The Freedom of Information (FOI) Act gives people the right to ask the Council for recorded information they hold. If the request relates to environmental information, this will be handled under the Environmental Information Regulations (EIRs). The Council is required to reply to requests within 20 working days.

- 6.2 The Customer Services team administers the FOI process.
- 6.3 From April 2015 – March 2016, 656 requests for information were received; 86 of these were redirected to other agencies.
- 6.4 93% of the 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 in locating or compiling the information exceeds £450. Under these circumstances, the Council can refuse the request on grounds of cost, or charge the applicant £25 per hour for the estimated work. Information that is regularly asked for is provided and published on the Council's website to allow future requesters to self serve the information.

7.0 Data Protection Requests

The Data Protection Act 1998 provides individuals with the right to access their personal information. Requesters are required to pay £10 administration fee and the Council has 40 working days in which to provide the information. In 2015-16 the Council received 6 requests for personal data from members of the public. We also received 3 requests from other Authorities and 4 from the Police.

8.0 Improvements to Procedures and Publications

- 8.1 Adopt a model publication scheme as recommended by the Information Commissioner.

9.0 Proposal

- 9.1 To continue with existing monitoring and recording of formal complaints, freedom of information and subject data access requests.
- 9.2 To continue to provide feedback on performance to service areas to provide opportunity to improve service delivery.
- 9.3 To continue to provide performance monitoring within the Customer Service Centre to gain customer insight and improve service delivery.

10.0 Alternatives that have been considered

- 10.1 None

11.0 Resource and legal implications

- 11.1 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. However the Customer Services Manager and Head of Business Improvement Services have gained a Practitioner qualification for Freedom of Information to help assist and advise staff in dealing with requests.

12.0 Consultation

12.1 None

13.0 Community impact and corporate risks

13.1 As outlined in paragraph 11.1 the Council are legally obliged to comply with FOI and DPA legislation. However, there are also exemptions to be considered before the disclosure of requested information. Failure to apply these exemptions correctly can lead to personal damage or distress to an individual and/or legal challenge and subsequent financial penalties for incorrect application of the Acts, leading to financial and reputational damage to the Council.

14.0 Other Implications

	Yes	No
Crime and Disorder:		X
Climate Change		X
Human Rights and Equality Impact	x	
Safeguarding		X
Other (please specify) eg biodiversity		x

15.0 Appendices

Appendix 1 Graphical illustration of complaints received

Appendix 2 Summary of complaints received

16.0 Background Papers

None