

ANNUAL COMPLAINTS REPORT 2011/12

Performance & Governance Committee – 13 November 2012

Report of the: Corporate Resources Director

Status: For Information

Key Decision: No

Executive Summary: This report updates Members regarding customer complaints and feedback monitoring for the year 2011/12 and includes information from the Local Government Ombudsman's Annual letter.

This report supports the Key Aim of improving the key services we deliver to the public.

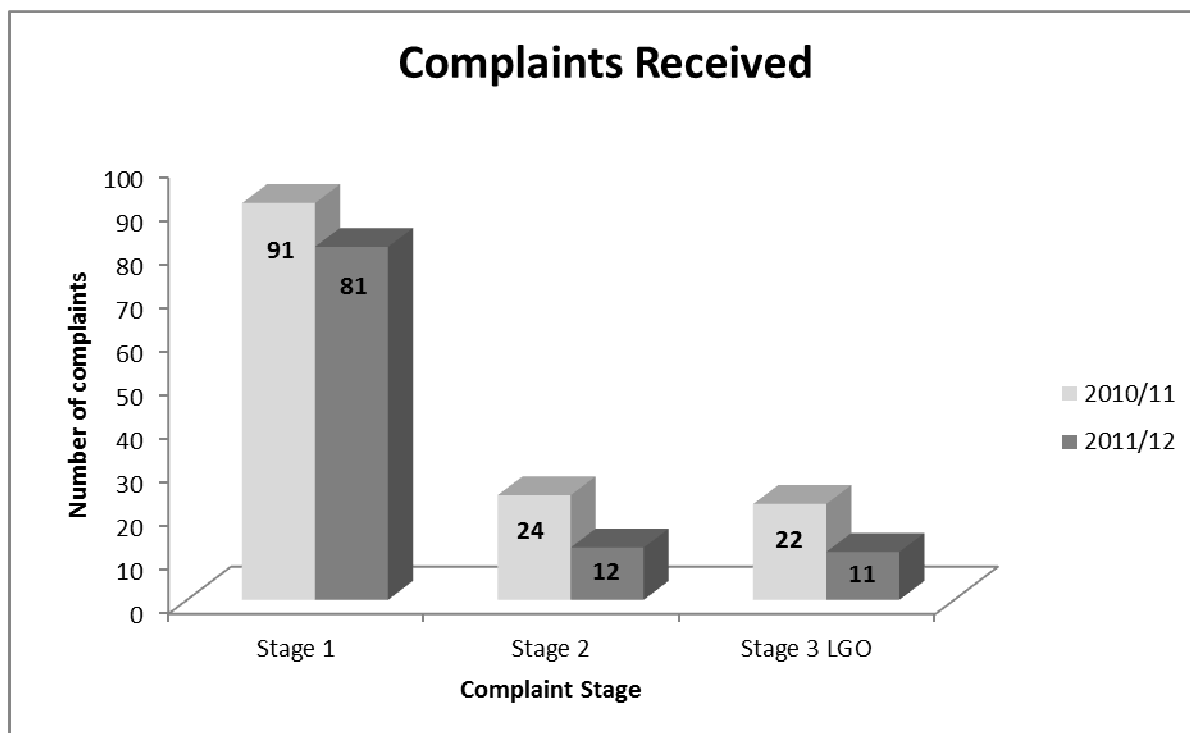
Portfolio Holder Cllr. Fleming

Head of Service Head of Information & Customer Service – Jim Carrington-West

Recommendation to Performance & Governance Committee: That the report be noted

Introduction

- 1 This report provides details of formal complaints received by Sevenoaks District Council during the period 1st April 2011 to 31st March 2012. It includes information from the Local Government Ombudsman's (LGO) annual letter. Complaints data is viewed by the Council as providing a useful tool to highlight specific concerns, assist in the identification of trends and act as a guide to which remedial action may be required.
- 2 The Council's formal complaints procedure defines a complaint as '*any expression of dissatisfaction with our services whether justified or not*'. If a customer is contacting the Council for the first time regarding assistance for a Council service then this will be dealt with as a service request. The complaints process will be used if a customer specifically states they would like us to follow the "complaints process" and/or they make reference to items from within the formal process (e.g. stage 1) or the customer is contacting us for a second time regarding the same matter and wishes to make a complaint.
- 3 The procedure is based on a two-stage internal process. If complainants are still dissatisfied with the outcome after both stage 1 and stage 2, they can then request the Local Government Ombudsman investigate at stage 3.
- 4 The Council received 104 complaints in 2011/12, 33 less than the 137 received in 2010/11. The following graph shows at which stage of the complaints process each of the complaints were received.



Stage 1 complaints

5 Stage 1 complaints involve an investigation carried out by the relevant Service Manager and the reply being sent by the Head of Service. A response is aimed to be sent within 15 working days of the acknowledgement

6 Stage 1 complaints received by directorate

	2010/11	% of total	2011/12	% of total
Community & Planning	76	84	61	76
Corporate Resources	15	16	20	24
Total	91		81	

7 There has been a reduction in the number of stage 1 complaints received this year. Development Services and Local Tax continue to generate the highest number of complaints at stage 1. No complaints were received this year for the Chief Executive's department. For stage 1 complaints received broken down by service area see appendix A.

8 The main reasons for complaint at stage 1 were employee behaviour/actions of individual employees, failure to consider relevant matters, delays/complaints about admin process, dissatisfaction with Council policies, failure to fulfil statutory responsibilities and failure to provide service when requested.

9 Of the 81 stage 1 complaints, 49% were found to be not valid. This was because customers had made unrealistic claims, incorrect claims or had contacted the wrong organisation. 45% of complaints were given partial

consideration/consideration with no local settlement and just 6% of complaints were given partial consideration with local settlements agreed.

10 Outcome of complaints by Directorate:

	Community & Planning	Corporate Resources	Total	% of Total
Complaint invalid	24	16	40	49
Complaint given partial consideration – no local settlement	4	1	5	7
Complaint given partial consideration – local settlement	0	2	2	2
Complaint given consideration – no local settlement	30	1	31	38
Complaint given consideration – local settlement	3	0	3	4
Total	61	20	81	

11 Two financial compensation payments were made at stage 1 totalling £150; £40 in respect of a benefit complaint and £110 in respect of a local tax complaint.

Stage 2 Complaints

12 Stage 2 complaints are investigated by a Head of Service independent to the service being complained about and the reply sent from the relevant Service Director on behalf of the Chief Executive. A response is aimed to be sent within 20 working days of the acknowledgement.

13 Stage 2 Complaints received by Directorate:

	2010/11	% of total	2011/12	% of total
Community & Planning	15	63	9	75
Corporate Resources	9	37	3	25
Total	24		12	

14 There has been a 50% reduction in the number of stage 2 complaints received this year with Development Services attracting the highest number at this stage. For stage 2 complaints received broken down by service area see appendix B.

15 The main reasons for complaint at stage 2 included failure to consider relevant matters, delays/complaints about admin process, employee behaviour, failure to provide service when requested and failure to fulfil statutory responsibilities.

16 In 2011/12 of the 12 stage 2 complaints investigated, 50% were found to be not valid. This was because customers had made incorrect claims or unrealistic claims. 42% of complaints were given partial consideration/consideration with no local settlement and just 1 complaint was given consideration with a local settlement agreed.

17 **Outcome of complaints by Directorate:**

	Community & Planning	Corporate Resources	Total	% of Total
Complaint invalid	4	2	6	50
Complaint given partial consideration – no local settlement	1	1	2	17
Complaint given partial consideration – local settlement	0	0	0	0
Complaint given consideration – no local settlement	3	0	3	25
Complaint given consideration – local settlement	1	0	1	8
Total	9	3	12	

18 One financial compensation payment of £100 was made at stage 2 in respect of a Development Control complaint.

Stage 3 complaints – Local Government Ombudsman

19 The Local Government Ombudsman (LGO) is made up of an Advice Team and an Investigation team. The Advice Team dealt with 18 enquiries and complaints this year which was 4 less than the previous year. Of the 18 enquiries and complaints received, 2 were premature and so were referred back to the Council for investigation within its own complaints process. Advice was provided on a further 5 enquiries. The Ombudsman Advice Team forwarded 11 complaints to the investigation team, 4 less than the previous year. Community & Planning Services Directorate accounted for the majority of the enquiries and complaints received.

20 It should be noted that the number of complaints received by the Ombudsman will not always be the same as the number of decisions made as some complaints are received in one year and a decision taken in the next financial year.

21 The Ombudsman decided 11 complaints in the year. Appendix C provides a breakdown on this figure. The Ombudsman was pleased to report she had no concerns about this authority's response times and there were no issues arising from complaints that she wanted to bring to the Council's attention.

22 One compensation payment of £250 was made by Sevenoaks District Council in respect of a housing complaint.

23 **Complaints Investigated by the LGO - Comparison to other Kent Councils**

Local Authority	Complaints received (2011/12)
Tonbridge & Malling Borough	5
Tunbridge Wells Borough	8
Swale Borough	8
Canterbury City	9
Sevenoaks District	11
Dartford Borough	11
Thanet District	14
Shepway District	15
Dover District	15
Gravesham Borough	17
Ashford Borough	25
Maidstone Borough	29
Medway	59
Kent County	147

Source: Local Government Ombudsman website

Key Implications

Financial

24 The Council made four financial payments as compensation in 2011/12 to resolve complaints. Any such payments are met from within the relevant service budget

	Compensation Paid (£)	
	2010/11	2011/12
Stage 1	49	150
Stage 2	175	100
LGO	0	250
Total	224	500

Community Impact and Outcomes

- 25 The Complaints process is designed to be used to feedback any issues arising to Service Managers so that service improvements can be made.

Legal, Human Rights etc.

- 26 The complaints process meets all legal requirements, and recognises Human Rights through the comprehensive 3 stage process.

Conclusions

- 27 The Complaints process is accessible and allows customers and residents to formally raise issues in their dealing with the Council. Overall there is no indication that there is any major problem area within service operations, and the process is viewed as providing a useful tool to highlight customer concerns, assist in the identification of trends and identify where procedural or training improvements can be made.

RISK ASSESSMENT STATEMENT

- 28 The complaints process gives good opportunity to identify and deal with any service problem from a customer perspective. The operation of the system is subject to external rigorous appraisal by the LGO stage 3 processes. This and the results of the last year indicate that the current system is working well.

Appendices

Appendix A - Table to show stage 1 complaints received by service area.

Appendix B – Table to show stage 2 complaints received by service area

Appendix C – Statistics from LGO annual review letter

Background Papers:

LGO annual review letter

Contact Officer(s):

Jim Carrington-West 7286, Amy Wilton 7280, Julie Heather 7125

Dr Pav Ramewal

Deputy Chief Executive and Director of Corporate Resources

Appendix A – Stage 1 complaints received by service area

Community & Planning Services				
Service area	2010/11	% of total CPS	2011/12	% of total CPS
Building Control	1	1	0	0
Communications	0	0	0	0
Community Development	2	2	2	3
Development Services	29	38	22	36
Direct Services	17	23	11	18
Housing	7	9	10	17
Environmental Health	5	7	4	7
Licensing	1	1	2	3
Parking & Amenities	14	19	10	16
Planning Policy	0	0	0	0
TOTAL	76	100	61	100

Corporate Resources				
Service area	2010/11	% of total CR	2011/12	% of total CR
Benefits	0	0	5	25
Customer Services	1	6	0	0
Democratic Services	0	0	0	0
Electoral Services	0	0	1	5
Finance	0	0	0	0
Human Resources	0	0	0	0
IT Services	0	0	0	0
Legal	0	0	0	0
Local Tax	13	88	14	70
Property	1	6	0	0
TOTAL	15	100	20	100

Appendix B – Stage 2 complaints received by service area

Community & Planning Services				
Service area	2010/11	% of total CPS	2011/12	% of total CPS
Building Control	0	0	0	0
Communications	0	0	0	0
Community Development	0	0	1	11
Development Services	9	60	7	78
Direct Services	0	0	0	0
Housing	1	7	0	0
Environmental Health	1	7	0	0
Licensing	0	0	0	0
Parking & Amenities	4	26	1	11
Planning Policy	0	0	0	0
TOTAL	15	100	9	100

Corporate Resources				
Service area	2010/11	% of total CR	2011/12	% of total CR
Benefits	0	0	1	34
Customer Services	0	0	0	0
Democratic Services	0	0	0	0
Electoral Services	0	0	0	0
Finance	0	0	0	0
Human Resources	0	0	0	0
IT Services	0	0	0	0
Legal	0	0	0	0
Local Tax	8	89	2	66
Property	1	11	0	0
TOTAL	9	100	3	100

Appendix C Statistics from LGO annual review letter

Local authority report - Sevenoaks DC
LGO advice team

for the period - 01/04/2011 to 31/03/2012

Enquiries and complaints received	Benefits & Tax	Corporate & Other Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Planning & Development	Total
Advice given	1	0	1	2	1	0	5
Premature complaints	0	0	1	0	1	0	2
Forwarded to Investigative team (new)	0	1	1	2	2	5	11
Total	1	1	3	4	4	5	18

Investigative team - Decisions

No power to investigate	Not investigated		Investigated				Report	Total
	No reason to use exceptional power to Investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries			
0	3	2	4	0	2	0	11	
Response times to first enquiries		No of first enquiries		Avg no of days to respond				
		5		31.6				