

Report of Head of Resources

PERFORMANCE: COMPLIMENTS, COMMENTS AND COMPLAINTS AND FREEDOM OF INFORMATION – 1 APRIL 2016 TO 30 SEPTEMBER 2016**1 Purpose of report**

- 1.1. To inform the committee of the council's performance, including Wellingborough Norse, during the first half of 2016/17 in handling customer feedback, including complaints which have been referred to the Local Government Ombudsman (LGO). It also includes performance details for managing requests for information considered under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
- 1.2. This report relates to the council's priority of delivering an efficient and responsive service.

2 Executive summary

- 2.1 The council aims to fully respond to complaints within 12 working days. The performance against this target for the period was 97% (74% to 30 September 2015). The performance does not include those complaints referred by the LGO, as she dictates the response deadline for these.
- 2.2 There is a statutory requirement to respond to requests for information (under the Freedom of Information Act) within 20 working days. The performance against this for the period was 97% (98% to 30 September 2015).

3 Appendices

Appendix A – complaints received by service area

Appendix B – Freedom of Information and Environmental Information Regulation requests received

4 Proposed action:

The committee is invited to RESOLVE to note the report.

5 Background

- 5.1 Customer feedback is valued as a means to continuously review and improve the services offered by the council. This includes services delivered directly by council employees or through agency workers and contractors appointed by the council. The target to respond to complaints is 12 working days.
- 5.2 When a customer is dissatisfied with the council's response to their complaint (Stage 1), following a review by a more senior officer (Stage 2), they have a right of appeal to the LGO. This report also contains details of complaints which have been received by the LGO. Depending on the circumstances, the LGO will

consider whether the council has had reasonable opportunity to investigate the complaint within its own procedures. If not, the LGO will request this before carrying out her own investigation; these are identified in this report as referrals.

- 5.3 Compliments are considered as praise or expressions of satisfaction about any council activity, or about an employee or representative of the council. Comments are considered as observations which are neither critical nor complimentary, but include helpful suggestions for improving our services and our customer satisfaction.
- 5.4 Since its introduction in 2005, the Freedom of Information Act has instigated a culture change for authorities to represent a balance between greater openness and transparency of decision making and the need to protect information where disclosure would cause harm or otherwise be contrary to the public interest.

6 Discussion

Compliments

- 6.1 For this period, a total of 41 compliments has been received as:

Service	Number of compliments received (same period 2015/16)
Environment (Wellingborough Norse)	28 (35)
Finance	1 (2)
Planning and Local Development	9 (8)
Resources	3 (0)
Total	41 (45)

- 6.2 When a compliment is received, it is shared with the manager, who acknowledges the feedback with the relevant individual or team.

Comments

- 6.3 There were two comments received for this period. One related to a local facility but it was outside of the council's jurisdiction to get involved. The other comment was general feedback about public (baby changing) facilities within Tithe Barn Road offices.

Complaints

- 6.4 During the first half of the year there were 60 complaints, of which 97% were responded to in full within 12 days. A summary of the complaints per service is detailed below, with a further breakdown by service level attached at Appendix A.
- 6.5 Of the 60 complaints received, five were dealt with at Stage 2 of the council's process.

Service	Number of Complaints Received	Completed	Within Target
Environment (Wellingborough Norse)	34	35	35
Finance	16	16	16
Planning and Local Development	8	8	5
Resources	2	2	2
Total	60	60	58

6.6 For the same period in 2015/16 a total of 46 complaints were received, of which 74% were responded to within target.

6.7 The complaints received for this period highlighted that:

- a) Wellingborough Norse received the highest number of complaints, mainly relating to bin repair and customer service standards. There were also repeated concerns regarding the use of weed killer.
- b) Finance received the second highest number of complaints, all relating to the Revenue and Benefits service.
- c) There was no pattern in the complaints received for Planning and Local Development and Resources.

Local Government Ombudsman

6.8 During this period, the council received three complaints via the LGO, one of which was premature and referred to the council for consideration under the complaints policy. The remaining two complaints were as follows:

Service	Nature of complaint	Conclusion
Finance	Miscalculation of Housing Benefit and Council Tax	Complaint not pursued as council's complaints procedure not completed
Planning and Local Development	Homelessness: decision made to end interim accommodation	There was no fault by the council
Planning and Local Development	Handling of application for planning permission	Not upheld: no maladministration

Freedom of Information and Environmental Information Requests

6.9 During the first half of the year the council received 277 requests for information under the Freedom of Information Act, 7 requests for information under Sections 29 and 35 of the Data Protection Act and 178 requests under the Environmental Information Regulations. There were no Data Subject Access requests.

6.10 The combined total of requests made under the Freedom of Information Act and the Environmental Information Regulations was 455. Of these, 97% were completed within the statutory deadline.

- 6.11 A breakdown of the requests received per service area and the type of requester is attached at Appendix B. This summary excludes the requests made under the Data Protection Act.
- 6.12 For the same period in 2015/16, the council received 192 requests under the Freedom of Information Act, 13 requests for information under Section 29 of the Data Protection Act and 226 requests under the Environmental Information Regulations. Of these 418 requests, 406 (97%) were answered within the statutory deadline.
- 6.13 There is no apparent reason for the increase in requests against the same period for last year; however, there does appear to be a marginal increase with interest in business rates matters.

Transparency

- 6.14 In May 2014, the Secretary of State for Communities and Local Government issued "The Local Government Transparency Code 2014" (the Code) in exercise of his powers under section 2 of the Local Government, Planning and Land Act 1980. The Code sets out key principles for local authorities in creating greater transparency through the publication of data and sets out what, when and how this information must be published. The code is intended to meet the government's desire to place more power into citizens' hands to increase democratic accountability and came in to force on 31 October 2014.
- 6.15 The requirement is for quarterly and annual data to be published within specific time frames and is grouped in to three themes.

Publishing spending and procurement information:

- expenditure exceeding £500
- Government Procurement Card transactions
- procurement information (tenders and contracts)
- grants to voluntary, community and social enterprise organisations
- waste contracts.

Publishing organisation information:

- organisation chart
- senior salaries
- the pay multiple
- trade union facility time
- fraud
- constitution

Publishing land asset and parking information

- local authority land and building assets
- parking accounts and parking spaces

- 6.16 The council's website has dedicated pages to publish information in accordance with the Code.

7 Legal powers

- 7.1 Section 1 of the Freedom of Information Act 2000 provides the general right of access to information held by public authorities.
- 7.2 Part 2 of the Environmental Information Regulations 2004 provides for access to environmental information held by public authorities
- 7.3 The Data Protection Act 1998 provides for the regulation of the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information.
- 7.4 Part 2 of the Local Government, Planning and Land Act 1980 provides a duty for the publication of information by authorities.

8 Financial and value for money implications

- 8.1 Ombudsman investigations may recommend a local settlement by the council or prove maladministration by the council, which may lead to compensation being paid to the customer. No compensation payments have been made so far during 2016/17.
- 8.2 There is the potential for the council to charge for the provision of information supplied under the Freedom of Information Act, should it exceed 18 hours work at £25 per hour, i.e. £450. Since the introduction of the Act, the council has not received any income as a result of a request for information, mainly because there is a duty to allow applicants to amend their enquiry so that it remains below the 18 hour threshold.

9 Risk analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Council proved negligent by the Ombudsman.	Potential compensation claim and negative reflection of the council.	Low.	Ensure senior officers investigate or scrutinise all complaints/potential Ombudsman referrals and take action to mitigate the escalation of complaints. Learn from previous errors.
Confidential information provided in error in response to an FOI request.	Contrary to the Data Protection Act.	Low.	Suitably trained employees and legal guidance in case of doubt.
Not meeting statutory deadlines to respond to FOI requests.	Potential referral to Information Commissioner.	Medium.	Stringent recording and monitoring arrangements in place. Suitably trained employees and legal guidance available.

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Council fails to take improvement opportunities identified by complaints.	Rising levels of dissatisfaction by customers.	Medium.	All feedback is measured within Corporate Support to identify lessons learnt and improvements required, as resources permit.

10 Implications for resources

Officer time and materials in carrying out investigations and for providing information for requests.

11 Implications for equalities

Monitoring customer feedback provides an important source of assurance that council services are fair, equitable and free from discrimination and harassment.

12 Author and contact officer

Karen Denton, Principal Corporate Support Manager

13 Consultees

Monitoring Officer
Heads of Service
Principal Managers

14 Background papers

Electronic files held within Corporate Support.

Complaints received by Service Area

Appendix A

Environment (Wellingborough Norse) – Bernard Gallyot

Service	Nature of complaint		Upheld/ justified	Replied to within 12 days	Improvements/ Lessons Learnt?
	Service Quality	Staff			
Customer Service		1	1	1	Customer service skills refreshed
Grounds	8	0	5	8	Complaint regarding weed killer. Measures in place to prevent future problems
Refuse	24	1	17	25	Arrangements put in place for residents to retrieve their own bins where appropriate
Total	32	2	23	34	

Finance – Head of Service: Liz Elliott

Service	Nature of complaint		Upheld	Replied to within 12 days	Improvements/ Lessons Learnt?
	Service Quality	Staff			
Accountancy	0	0	0	n/a	n/a
Revenue & Benefits	12	4	1	16	Revision of procedures to prevent repetition of error
Total	12	4	1	16	

Planning and Local Development – Head of Service: Julie Thomas

Service	Nature of complaint		Upheld	Replied to within 12 days	Improvements/ Lessons Learnt?
	Service Quality	Staff			
Housing	4	0	0	2	Improved attention to detail required
Health Protection	0	0	0	n/a	n/a
Environmental Protection	0	0	0	n/a	n/a
Planning Policy & Regeneration	1	0	0	1	Improved communication between officers necessary
Planning & Building Control	2	1	1	2	Officer reminded of expected conduct
Total	7	1	0	5	

Resources – Head of Service: Bridget Gamble

Service	Nature of complaint		Upheld	Replied to within 12 days	Improvements/ Lessons Learnt?
	Service Quality	Staff			
Bridget Gamble (on behalf of multiple services)	1	0	0	1	Council due to strengthen safeguarding policy
Democratic Services	0	0	0	n/a	n/a
Organisational Development	0	0	0	n/a	n/a
Community Support	0	1	0	1	Investigation carried out at Waendel Leisure Centre
Property & Facilities	0	0	0	n/a	n/a
Total	1	1	0	2	

**Freedom of Information and Environmental Information Regulations
Breakdown of Requests 1 April 2016 to 30 September 2016**

Service	Number of Requests	Answered within Statutory Deadline	Over 20 days
Environment (Norse)	17	16	1
Finance	73	69	4
Planning and Local Development	253	248	5
Resources (Inc. ICT)	65	62	3
All Services	9	7	2
Non BCW*	38	38	0
Total	455	440	15

*of the non-Borough Council of Wellingborough requests, all were for information held by Northamptonshire County Council.

Requester Breakdown	Number	%
General Public	108	24
Business Representative	292	63
Media	34	9
Pressure Group	0	0
Charity	4	0.5
Local Government	4	0.5
Researcher (Including Students)	13	3
MP	0	0
Total	455	100