



CABINET– 1 AUGUST 2001

COMPLAINTS – ANNUAL REPORT

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to review complaints investigated corporately during 2000 and to compare the results to previous performance.

2. THE COMPLAINTS PROCEDURE

- 2.1 The Council's Complaints Procedure encourages the investigation and resolution of problems as they occur. This procedure allows for managers and directors to investigate complaints swiftly and thoroughly in their own work areas. Services can therefore learn immediately from the investigation and take any necessary action so the problem should not reoccur.
- 2.2 Services have been required historically to include details of their performance on handling complaints in performance measurement reports to business committees. This requirement is being modified by the Best Value process.
- 2.3 The complaints featured in this report are those from the Local Government Ombudsman and those investigated on behalf of the Chief Executive. The latter are called Corporate Complaints.

3. COMPLAINTS INVESTIGATED

- # 3.1 An analysis of the complaints against this Council to the Local Government Ombudsman investigated during 2000 is shown in Appendix 1. The tables show a comparison with 1997, 1998 and 1999. All days mentioned are working, not calendar days.
- # 3.2 An analysis of the complaints to the Chief Executive investigated during 2000 is shown in Appendix 2. The results are compared to those of 1998 and 1999. All days mentioned are working, not calendar days.
- # 3.3 To enable some comparison with other authorities the Local Government Ombudsman's table for Hampshire is shown as Appendix 3.

4. COMPLAINTS TO THE LOCAL GOVERNMENT OMBUDSMAN

- 4.1 The volume of complaints received from the Local Government Ombudsman has remained reasonably constant for the last few years. This is influenced by several factors.
- 4.2 The first is this Council's pro-activity in dealing with complaints before they become an issue.
- 4.3 The second factor is the Ombudsman's practice of asking complainants to use our Complaints Procedure before complaining to the Ombudsman.
- 4.4 The final factor is that officers readily explain the Ombudsman's function and provide literature on the service to complainants. Complainants then often choose for the Council to investigate their complaint.
- 4.5 Planning continues to receive the highest number of complaints. This is often due to the lack of understanding of the planning process and a false expectation of what the procedure can achieve. This is by both applicants and objectors.
- 4.6 The average time taken to investigate complaints continues to rise and in 2000 was an average of 17.3 days. The reason for this is that the complaints investigated are often the most complex and are often multi-service.

5. COMPLAINTS TO THE CHIEF EXECUTIVE

- 5.1 Although in 2000 the numbers increased, many were referred to the relevant service for investigation in accordance with the Complaints Procedure. A small percentage of those referred to service are dissatisfied and ask for a further scrutiny to be undertaken.
- 5.2 Local settlements continue to be a useful way of settling dissatisfaction. Sometimes a simple apology is sufficient.
- 5.3 In addition to the complaints shown on the appendices, officers also discuss another 2-3 complaints a week informally with residents or officers. These informal discussions often enable residents to clarify their own thoughts and to consider other means of resolution available to them. Some also do become formal complaints.

6. CONCLUSIONS

- 6.1 Complaints are made for a range of reasons. The analysis shows the majority are not justified. It should not be assumed that although complaints were not justified, some of the complainants did not have a genuine problem or sense of frustration about their situations.
- 6.2 Complaints overall could be reduced if the residents or customers perspective could be recognised more. For instance, more could be done by:
 - Keeping the public informed of actions, progress and unavoidable delays
 - Explaining procedures, policies and practices in clear language

- Explaining legislation, regulations, etc, in a form they can consider at their leisure
- Defining what the Council can and cannot do
- Answering queries in full

- 6.3 The introduction of the provisions of the Human Rights Act means the Complaints Procedure has to be reviewed to ensure compliance.
- 6.4 Investigations by the Local Government Ombudsman show their expectation that all practices will follow written procedure notes. Also that officers should record key telephone conversations on file complete with date and year.
- 6.5 Concern has been shown at the growth of potential abuse of the system. These are twofold. The first is where persistent complainers attempt to seek monetary compensation. The second is where attempt is made to prevent or disrupt legitimate Council activities because the complainant does not agree with them.

7. FINANCIAL IMPLICATIONS

- 7.1 Any formal or local settlement is financed from the budgets of the service concerned.

8. ENVIRONMENTAL IMPLICATIONS

- 8.1 There are no environmental implications arising from this report.

9. CRIME AND DISORDER IMPLICATIONS

- 9.1 None

10. RECOMMENDATIONS

- 10.1 That the report be noted; and
- 10.2 That services be encouraged to minimise the activities that contribute to complaints as listed in paragraph 6.2.

For further information

Helena Renwick
 Complaints Officer
 New Forest District Council
 Appletree Court, Lyndhurst
 Tel: 023 8028 5560
 Fax: 023 8028 5555
helena.renwick@nfdc.gov.uk

Background Papers

Confidential Papers

**COMPLAINTS TO LOCAL GOVERNMENT OMBUDSMAN (LGO)
- 1997, 1998 AND 1999**

TABLE 1 - COMPLAINTS RECEIVED

Complaints Received	1997		1998		1999		2000	
	No	%	No	%	No	%	No	%
Total number of LGO complaints received	28	100	28	100	27	100	30	100
Number of these previously investigated by this Council	12	42.9	11	39.3	11	40.7	11	36.7
Complaints not investigated by LGO	11	39.3	7	25	9	33.3	17	56.7
Complaints closed after preliminary investigation	13	46.4	10	35.7	8	29.6	10	33.3
Complaints settled locally	2	7.1	2	7.1	2	7.4	0	0
Complaints subject to formal investigation	2	7.1	5	17.9	0	0	1	3.3
Complaints still under investigation	1	4	0	0	4	14.8	2	6.7

TABLE 2 - RESULTS OF FORMAL INVESTIGATIONS BY LGO

Year	No of formal Complaints	Result
1997	2	- Investigation found no maladministration - Investigation found no maladministration
1998	5*	- Investigation found no maladministration* - Investigation found no maladministration* - Investigation found no maladministration* - Investigation found no maladministration - Injustice caused by maladministration - £1,000 compensation plus rectification of problem
1999	0	
2000	1	- Investigation found no maladministration

*NB: 3 complaints were on one topic.

TABLE 3 - LOCAL SETTLEMENTS

Year	No of local settlements	Result
1997	2	- Letter of explanation written for information for prospective purchasers - Apology and £50 compensation for time and trouble
1998	2	- Apology given - Compensation payment £5,500
1999	2	- £190 compensation payment - £20 compensation payment
2000	0	

TABLE 4 - SERVICES

Year	Service	% Submitted	% Justified	Reason
1997	Council	14	4	Wrong assessment
	Tax/Benefits			
	Planning	50	0	
	Housing	11	0	
	Environmenta	21	0	
	I Health			
	Highways	4	0	
	Total (*28 actual)	100	4	*12 had been previously investigated by the Council
1998	Council	10	0	Lack of action
	Tax/Benefits			
	Planning	64	0	
	Housing	14	4	
	Highways	4	0	
	Licensing	4	4	
	Administration	4	0	
	Total (*28 Actual)	100	8	*11 had been previously investigated by the Council
1999	Administration	3.7		Delay
	Housing	25.9		
	Environment Services	7.4		
	Highways	3.7		
	Housing Benefit	3.7		
	Environmental Health	3.7		
	Planning	33.3	3.7	
	Community Services	7.4		
	Council Tax	3.7	3.7	
	Various	7.4		
	Total (*27 Actual)	100	7.4	*11 had been previously investigated by the Council

Year	Service	% Submitted	% Justified	Reason
2000	Housing	13.3		*11 had been previously investigated by the Council
	Environment Services	20		
	Housing Benefit	13.3		
	Planning	33.3		
	Community Services	3.3		
	Leisure	3.3		
	Council Tax	6.6		
	Total (*27 Actual)			

TABLE 5 - TIME TAKEN TO ACKNOWLEDGE AND INVESTIGATE

	% 1997	% 1998	% 1999	% 2000
Acknowledge...				
...within 3 working days	78	82	82	96.7
...within 7 working days	22	18	19	0
Average time	2.2 days	2.1 days	2 days	*1.8 days
Investigate...				
...within 15 working days	70	57	55	50
...within 21 working days	11	11	25	30
...over 22 working days	19	32	20	20
Average time	13 days	17 days	16.9 days	17.3 days

* One complaint took 12 days to acknowledge

**COMPLAINTS TO THE CHIEF EXECUTIVE
- 1998 AND 1999**

TABLE 1 – COMPLAINTS RECEIVED

Complaints Received	1998		1999		2000	
	No	%	No	%	No	%
Total received	148	100	85	100	158	100
Referred to service	80	54.1	35	41.2	104	65.8
Not NFDC	11	7.4	7	8.2	13	8.2
Investigated by Complaints Officer	57	38.5	43	50.6	43	27.2
Re-submitted to CE after investigation by service	7	8.8	5	14.3	6	3.8

TABLE 2 – RESULTS OF COMPLAINTS

Complaints Investigated	1998 %	1999 %	2000* %
Not justified	93.8	91.8	83.7
Settled locally	6.2	8.2	14.0

* Some cases still outstanding

TABLE 3 - LOCAL SETTLEMENTS

Year	No of local Settlements	Result
1998	4	- Refund CT £22.89 - Apology - £100 payment - Report to Committee
1999	4	- Apology - £2,292.72 Repayment - Payment Legal Fees - Bus tokens issued
2000	6	- 5 grey garden refuse sacks - Clearing up of area - Apology - Black bags sent to complainant - Dragon teeth fitted to pavement - Apology and compensation

TABLE 4 - SERVICES

Year	Service	% Submitted	% Justified	Reason
1998	Beach Huts	0.7		
	Building Control	0.7		
	Concessionary Tokens	0.7		
	Council Tax and Housing Benefit	16.2	0.7	▪ Wrong Action
	Drainage	1.4		
	Economic Development	0.7		
	Environmental Health	7.4		
	Highways	9.6		
	Housing Maintenance	8.1	0.7	▪ Wrong Action
	Housing Management	9.6		
	Housing Needs	4.4		
	Leisure and Tourism	3.7		
	Members Interests	3.7		
	Planning Policy	3.7		
	Public Services	11		
	Refuse Collection	0.7		
	Planning DC	17.6	1.5	▪ Did not follow procedure ▪ Did not follow procedure
1999	Beach Huts	2.7		
	Council Tax and Housing Benefits	10.7		
	Environmental Health	6.7		
	Highways	6.7		
	Housing Maintenance	10.7		
	Housing Management	4		
	Housing Needs	4		
	Members Interests	1.3		
	Others	4		
	Planning Policy	2.7		
	Public Services	6.7	1.3	▪ Did not follow procedure
	Refuse Collection	5.3		
	Planning DC	34.7	4	▪ Wrong action ▪ Failed to take action ▪ Lack of information

Year	Service	% Submitted	% Justified	Reason
2000	Committee Procedures	0.7	0.7	<ul style="list-style-type: none"> ▪ Insensitive and inappropriate information
	Council Tax and Housing Benefits	11		
	Development Control	20		
	Environmental Health	6.7		
	Estates and Valuation	1.4	0.7	<ul style="list-style-type: none"> ▪ Agreed action needed to be taken
	Highways	4.1		
	Housing	22.1		
	Information Services	0.7	0.7	<ul style="list-style-type: none"> ▪ Delay
	Leisure	4.1		
	Personnel	0.7	2.1	<ul style="list-style-type: none"> ▪ Goodwill gesture ▪ Work had not been carried out as informed. ▪ Not received allotted black bags
	Policy, Design and Information	2.3		
	Public Services	18.6		
	Warden Services	1.4		
	Various	5.5		

TABLE 5 - TIME TAKEN TO ACKNOWLEDGE AND INVESTIGATE

	% 1998	% 1999	% 2000
Acknowledge...			
...within 3 days	74.8	73.2	79.17
...within 7 days	2.72	6.1	16.67
Average time	1.02	1.34	2.34
Investigate...			
...within 15 days	78.9	69.5	14.63
...within 21 days	9.6	11.1	68.29
...over 22 days	11.5	19.4	17.07
Average time	11.28	12.22	14.41

