

REPORT TO:	FINANCE AND MANAGEMENT COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	25th NOVEMBER 2021	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (595811) kevin.stackhouse@southderbyshire.gov.uk	DOC: s:\cent_serv\complaints\committee reports\working papers for Dec 2021\Complaints and FOI report for Dec 2021
SUBJECT:	COMMENTS, COMPLIMENTS, COMPLAINTS & FREEDOM OF INFORMATION REQUESTS 01 APRIL 2021 TO 30 SEPTEMBER 2021	REF: KS/SH
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: FM11

1.0 Recommendations

- 1.1 That the comments, compliments, complaints and FOI requests, as detailed in the report, are considered and noted.

2.0 Purpose of Report

- 2.1 The report provides a summary of official comments, compliments, complaints and Freedom of Information (FOI) requests received by the Council for the period 1 April 2021 to 30 September 2021. Details of individual complaints and requests etc, can be found at:
<https://www.southderbyshire.gov.uk/about-us/open-data-and-transparency>.
- 2.2 Figures for the corresponding period in 2020/21 are given for comparison purposes.

3.0 Executive Summary

Comments, Compliments and Complaints

- 3.1 The comments, compliments and complaints procedure is designed to encourage people to give informal feedback on Council services.
- 3.2 No comments, 56 compliments and 77 complaints have been received between 1 April 2021 to 30 September 2021.
- 3.3 The number of complaints received in the first half of this financial year has increased compared to the corresponding period of 2020/21 and the number of compliments received has decreased.

- 3.4 Members are informed via e-mail (enclosing a copy of the original complaint) when a complaint is received relating to their ward. This is for information purposes only. A copy of the response letter sent to the complainant has been provided to Ward members from 01 June 2019.

Freedom of Information

- 3.5 The Council is committed to making itself open. A large amount of information is already available to the public, through for example, the Council's website and at community centres and village halls, etc.

Publication Scheme

- 3.6 Under the Freedom of Information Act, South Derbyshire District Council has a duty to adopt and maintain a Publication Scheme describing:
- The classes of information it publishes
 - How and where such information is published (e.g., website, paper copy, etc.)
 - Whether or not a charge is made for such information

The purpose of a Publication Scheme is to let everyone know what information will be automatically or routinely published by the Council and to ensure that a significant amount of information is available to the public, without the need for a specific request to be made.

In line with guidance from the Information Commissioner's Office, the scheme is updated regularly, and the current version is available from the Website at:

http://www.southderbyshire.gov.uk/council_and_democracy/data_protection_and_freedom_of_information/default.asp

- 3.7 A total of 149 Freedom of Information requests have been received from 1 April 2021 to 30 September 2021. This is a decrease of 138 over the corresponding period for 2020/21.

4.0 Detail

Comments

- 4.1 No comments were received over the past six months. Any comments received are carefully considered and if appropriate, are investigated under the Complaints Procedure.

Department	1 April 2020 – 30 September 2020	1 April 2021 – 30 September 2021
Total	0	0

Compliments

- 4.2 The table below compares the number of compliments received for the first half of 2021/2022 against the first half of 2020/2021. Compliments generally relate to the quality of the service provided and/or actions of individuals.
- 4.3 The decrease for Operational Services for this year is due to the unprecedented increase in compliments received last year in response to the Covid-19 situation after the first lockdown,

Department	1 April 2020 – 30 September 2020	1 April 2021 – 30 September 2021
Customer Services	8*	10*
Housing Services	19	14
Cultural and Community Services	5*	3*
Operational Services	58*	18*
Planning and Strategic Housing Services	2	6
Environmental Services	1	2
Legal and Democratic Services	0	1
Business Change and ICT	0	2
Total	93	56

* This indicates where one compliment has referred to two separate services

Complaints

- 4.4 The table below compares the number of official complaints received:

	1 April 2020 – 30 September 2020	1 April 2021 – 30 September 2021
Resolved at Stage 1	43	65
Stage 1 still ongoing	0	0
Resolved at Stage 2	11	8
Stage 2 still ongoing	0	1
Withdrawn	1	3
Total received	55	77

- 4.5 The 77 complaints received can be broken down as follows:

Department	1 April 2020 – 30 September 2020	1 April 2021 – 30 September 2021
Organisational Development and Performance	0	1*
Finance Services	1	2*
Corporate Property Services	1*	0
Customer Services	2	16*
Housing Services	15	21*
Cultural and Community Services	5*	2*
Operational Services	15	19*
Planning and Strategic Housing Services	9	10
Environmental Services	3	4*
Legal and Democratic Services	4	2*
Total	55	77

* This indicates where one complaint has referred to more than one service

- 4.6 The increase in complaints in Customer Services emanated from a delay in processing Council Tax reminders and change in circumstances, following the lifting of debt recovery restrictions which had been applied during Covid 19.
- 4.7 The slight increase in complaints relating to Housing concerns some applicants on the housing register not being satisfied with the property that they had been allocated.
- 4.8 For comparison, the table below shows the total number of complaints over the last four complete years:

Department	2017/18	2018/19	2019/20	2020/21
Corporate Resources	2*	0	0	0
Organisational Development and Performance	0	1*	1*	1
Finance Services **	0)	1)	1	1
Corporate Property Services **	1)	2)	2	2*
Customer Services	12*	13*	18*	5
Housing Services	22	24*	26	36
Cultural and Community Services	6	7*	10	6*
Planning and Strategic Housing Services	15	16*	14*	14
Environmental Services **	25)	26*)	12*	6
Operational Services **))	22	29
Legal and Democratic Services	6	7*	5	5
Total	89	97	111	105

* This indicates where one complaint has referred to two separate divisions.

** This indicates where Finance and Corporate Property Services and Environmental and Operational Services were counted as one service for the years 2017/18 & 2018/19.

4.9 Managers dealing with the complaint are asked to complete a questionnaire following each complaint. This provides details of actions taken and improvements made because of a complaint.

4.10 If a complaint cannot be resolved at Stage 2 of the Council’s procedure, it can be taken to the Local Government Ombudsman for independent consideration. These complaints are the subject of a separate annual report.

Freedom of Information Requests

4.11 Although the Freedom of Information Act 2000 creates a general right of access to information, it also sets out information that the Council does not have to make available for specific reasons. This is information, which, if published, might prejudice the health, safety or security of the Council, its staff, systems, services or property.

4.12 As much information is made available as possible without charging for it. The Council, however, reserves the right to levy a reasonable charge where the information request is extensive and would require more than two days’ staff time to satisfy the request.

4.13 The Council deals with hundreds of routine requests for information every day. These are referred to as “business as usual requests”. However, information that is not readily available and that has to be prepared or extracted is handled differently. The Council is entitled to make a charge for this kind of information.

4.14 Requests for information under Freedom of Information must be processed within 20 working days. However, requests for details under the Freedom of Information Act can be turned down if they fall within certain exemption criteria.

4.15 The table below compares the Freedom of Information requests received for the first half 2020/2021 against the first half of 2021/2022.

Note: the figures also include any requests that have been made under EIR (Environmental Information Regulations).

	1 Apr 2020 - 30 Sept 2020	1 Apr 2021 – 30 Sept 2021
Total Number of Requests Received	287	149
Less passed to other organisations	42	13
Less those withdrawn or duplicate requests	3	2
Less exemptions/partial exemptions	3	9
Total Requests Answered	239	125
Number replied to within 20 statutory days	226	100
Number replied to after 20 statutory days	13	25
Percentage replied to within 20 statutory days	95%	80%
Percentage replied to after 20 days	5%	20%

4.16 The above table shows that the response times fell overall to 80% in the first half of 2021. This was mainly due to a reduction of resources in the Planning Service, with one of the two Development Management team leader posts being vacate for six months and several other staff vacancies. Coupled with an increase in planning applications, this resulted in reduced overall capacity in the service to deal with some requests within specified timescales.

4.17 The requests for information received can be broken down as follows:

Department	1 April 2020 – 30 September 2020	1 April 2021 – 30 September 2021
Corporate Resources	2*	0
Finance Service	15*	7*
Organisational Development and Performance	13*	8*
Business Change and ICT	25*	13*
Corporate Property Services	7*	7*
Customer Services	47*	21*
Environmental Services	49*	20*
Housing Services	19*	17*
Cultural and Community Services	17*	6*
Operational Services	12*	8*
Planning and Strategic Housing Services	19*	15*
Legal and Democratic Services	19*	12*
Economic Development and Growth	1	1
Passed to 3 rd Parties	42*	13*

* Same request has involved several Services.

5.0 Financial Implications

5.1 None directly stemming from this report.

6.0 Corporate Implications

6.1 Under the Complaints procedure the Council will write to the complainant within five working days, telling them who is dealing with their complaint and when they can expect to receive a reply. In most cases a full reply will be sent within 10 working days.

6.2 Under the Freedom of Information Act the Council must respond to any requests received within 20 working days. For many requests the information required affects several areas of the Council. Consequently, a coordinated approach must be taken in the Council's response, with each service area being responsible for providing the information requested relating to their area.

7.0 Community Implications

7.1 None.

8.0 Background Papers

None.