

<b>REPORT TO:</b>	<b>FINANCE AND MANAGEMENT COMMITTEE</b>	<b>AGENDA ITEM: 12</b>
<b>DATE OF MEETING:</b>	<b>28<sup>TH</sup> NOVEMBER 2019</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>STRATEGIC DIRECTOR (CORPORATE RESOURCES)</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>KEVIN STACKHOUSE (595811)</b> <a href="mailto:kevin.stackhouse@southderbyshire.gov.uk">kevin.stackhouse@southderbyshire.gov.uk</a>	<b>DOC:</b> s:\cent_serv\complaints\committee reports\working papers for Dec 2019\Complaints and FOI report for Dec 2019
<b>SUBJECT:</b>	<b>COMMENTS, COMPLIMENTS, COMPLAINTS &amp; FREEDOM OF INFORMATION REQUESTS</b> <b>01 APRIL 2019 TO</b> <b>30 SEPTEMBER 2019</b>	<b>REF: KS/FR/SH</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: FM11</b>

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## **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**

This report provides:

- 2.1 A summary of official comments, compliments, complaints and Freedom of Information (FOI) requests received by the Council for the period 1 April 2019 to 30 September 2019. Details of individual complaints and requests etc, can be found at: <https://www.south-derbys.gov.uk/about-us/open-data-and-transparency>. Figures for the corresponding period in 2018/19 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 our services.
- 3.2 3 comments, 175 compliments and 41 complaints have been received between 1 April 2019 to 30 September 2019. 131 of the compliments related to events.
- 3.3 The number of complaints received in the first half of this financial year has decreased compared to the corresponding period of 2018/19, and the number of compliments received has increased.

- 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 01.06.19.

### **Freedom of Information**

- 3.5 South Derbyshire District Council is committed to making itself more open. A large amount of information is already available to the public, through our website or through our offices and at local libraries.

### **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.) and
  - 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.south-derbys.gov.uk/council\\_and\\_democracy/data\\_protection\\_and\\_freedom\\_of\\_information/default.asp](http://www.south-derbys.gov.uk/council_and_democracy/data_protection_and_freedom_of_information/default.asp)

- 3.7 A total of 345 Freedom of Information requests have been received from 1 April 2019 to 30 September 2019. This is a decrease of 50 over the corresponding period for 2018/19.

## **4.0 Background**

- 4.1 The Comments, Compliments and Complaints customer leaflet and procedure is available for download from the Website or can be completed using an electronic form:

[http://www.south-derbys.gov.uk/council\\_and\\_democracy/complaints/comment\\_compliment\\_or\\_complaint\\_form/default.asp](http://www.south-derbys.gov.uk/council_and_democracy/complaints/comment_compliment_or_complaint_form/default.asp)

- 4.2 The aim of The Freedom of Information Act 2000, which came into force on 1<sup>st</sup> January 2005, is to extend the right to allow public access to information that the Council holds.

## 5.0 Detail

### Comments

- 5.1 3 comments were received over the past six months. Any comments received are carefully considered and, if appropriate, are investigated under the complaints procedure.

<b>Department</b>	<b>1 April 2018– 30 September 2018</b>	<b>1 April 2019 – 30 September 2019</b>
Operational Services		1
Planning & Strategic Housing		1
Environmental Services	1	
Legal & Democratic Services		1
Various Departments	1	
Derbyshire County Council	1	
<b>Total</b>	<b>3</b>	<b>3</b>

### Compliments

- 5.2 The table below compares the number of compliments received for the first half of 2018/2019 against the first half of 2019/2020. Compliments generally relate to the quality of the service provided and/or actions of individuals.

<b>Department</b>	<b>1 April 2018 – 30 September 2018</b>	<b>1 April 2019 – 30 September 2019</b>
Corporate Resources	1	0
Organisational Development & Performance	0	1
Customer Services	2*	1
Housing Services	39	0
Cultural & Community Services	12	139*
Operational Services	0	28*
Planning & Strategic Housing	1	1
Environmental Services	36*	3
Legal & Democratic Services	0	1
Partner Organisations (CVS)	0	1
<b>Total</b>	<b>91</b>	<b>175</b>

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

131 of the compliments related to events.

## Complaints

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

	<b>1 April 2018 – 30 September 2018</b>	<b>1 April 2019 – 30 September 2019</b>
Resolved at Stage 1	47	33
Stage 1 still ongoing	0	1
Resolved at Stage 2	11	6
Stage 2 still ongoing	0	1
Withdrawn	0	0
<b>Total received</b>	<b>58</b>	<b>41</b>

5.4 The 41 complaints received can be broken down as follows:-

<b>Department</b>	<b>1 April 2018 – 30 September 2018</b>	<b>1 April 2019 – 30 September 2019</b>
Corporate Resources	1	1
Finance Services	0	1
Corporate Property	1	0
Customer Services	8*	4*
Housing Services	16	9*
Cultural & Community Services	5	3*
Operational Services	0	7*
Planning & Strategic Housing	6*	7*
Environmental Services	19	4*
Legal and Democratic Services	2	5*
<b>Total</b>	<b>58</b>	<b>41</b>

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

5.5 For comparison, the table below shows the total number of complaints over the last four complete years:-

<b>Department</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>
Corporate Resources	3	1*	1	0
Organisational Development & Performance	0	0	0	1*
Finance & Property Services	1	0	1*	1
Customer Services	15	6*	6*	8*
Housing Services	21	17	10	16
Cultural & Community Services	2	1*	2	5
Planning Services	15	6	7	6*
Environmental Services	10	7	9	19*
Legal and Democratic Services	6	5	2	2
Derbyshire County Council	1	0	0	0
<b>Total</b>	<b>74</b>	<b>43</b>	<b>38</b>	<b>58</b>

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

- 5.6 Managers dealing with the complaint are asked to complete a questionnaire following each complaint. This provides details of actions taken and improvements made as a consequence of a complaint.
- 5.7 If a complaint cannot be resolved at Stage 2 of our 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

- 5.8 Although the Freedom of Information Act 2000 creates a general right of access to information, it also sets out information that we do not have to make available for specific reasons. This is information, which, if published, might prejudice the health, safety or security of the Council, our staff, systems, services or property.
- 5.9 We make as much information available as possible without charging for it. We do however reserve the right to levy a reasonable charge where the information request is extensive and would require more than 2 days' staff time to satisfy the request.
- 5.10 The Council deals with hundreds of routine requests for information every day by phone and by letter. These are referred to as "business as usual requests". We will deal with these in the normal way. However, information that is not readily available and that has to be prepared or extracted is handled differently. We are entitled to make a charge for this kind of information.
- 5.11 Requests for information under Freedom of Information have to 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.
- 5.12 The table below compares the Freedom of Information requests received for the first half 2018/2019 against the first half of 2019/2020.

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

	1 April 2018 to 30 September 2018	1 April 2019 to 30 September 2019
Total Number of Requests Received	415	345
Less passed to other organisations	71	53
Less those withdrawn	2	0
Less exemptions/partial exemptions	32	8
<b>Total Requests Answered</b>	<b>310</b>	<b>284</b>
Number replied to within 20 statutory days	294	273
Number replied to after 20 statutory days	17	11
Percentage replied to within 20 statutory days	95%	96%
Percentage replied to after 20 days	5%	4%

- 1 request (1920-345) Customer Services has not been replied to

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

<b>Department</b>	<b>1 April 2018 – 30 September 2018</b>	<b>1 April 2019 – 30 September 2019</b>
Corporate Resources	20*	13*
Finance	15*	9*
Organisational Development & Performance	10*	16*
Business Change & ICT	23*	23*
Corporate Property	8*	4
Customer Services	71*	71*
Environmental Services	81*	55*
Housing Services	37*	26*
Cultural & Community Services	19*	19*
Operational Services	0	5
Planning & Strategic Housing	26*	32*
Legal & Democratic Services	31*	20*
Economic Development & Growth	3	0
Passed to 3 <sup>rd</sup> Parties	71	53

\* Same request has involved several Services.

## **6.0 Financial Implications**

6.1 None directly stemming from this report.

## **7.0 Corporate Implications**

7.1 Under the Complaints procedure the Council will write to the complainant within 5 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.

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

## **8.0 Community Implications**

8.1 None.

## **9.0 Background Papers**

None.