

OVERVIEW AND SCRUTINY COMMITTEE – 21 JANUARY 2019

OVERVIEW OF COMPLAINTS RECEIVED - BIENNIAL UPDATE

Executive Summary

The Committee agreed that it would be helpful to receive a regular report giving brief details of formal complaints received by the Council. This would enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.

This report sets out how complaints are dealt with, and gives brief details of those received since 27 November 2017.

Recommendations

That the report be noted

The Committee is requested to:

RESOLVE That

- (i) the report be noted

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: Council's Complaints Procedure

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1.0 Introduction

- 1.1 It has been agreed that the Overview and Scrutiny Committee should have a regular report giving brief details of formal complaints received by the Council. This would enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.

2.0 The Council's Complaints Procedure

- 2.1 A copy of the Council's Complaints Procedure can be found at:-

<https://www.woking.gov.uk/council/about/customercarestandards/comments>

- 2.2 A complaint is an expression of dissatisfaction. It could relate to:

- A failure to deliver a service;
- A delay in providing a service;
- A poor quality of service;
- A failure to comply with Council policies, or
- The conduct or behaviour of a member of staff.

- 2.3 When a complaint is received, it is allocated to a manager within the relevant service concerned. The complaint is acknowledged within five working days' of receipt, and details of the Officer who will investigate it are provided to the complainant.

- 2.4 The intention is that investigations into complaints are completed within fifteen working days of allocation to the Officer who will investigate it. If this is not possible, the complainant will be advised of the date by which he/she will receive a full reply.

- 2.5 If the complainant has good reasons to believe that the complaint has not been investigated properly, he/she can appeal and ask for a further review to be undertaken. The appeal has to be submitted within six weeks of the initial determination. The Deputy Monitoring Officer will decide whether there are grounds to support a further review of the complaint. Her decision should be made within fifteen working days of receipt of the request. If the Deputy Monitoring Officer considers that there are grounds for a review, the complaint will be investigated by a member of the Corporate Management Group. The decision of the CMG member will be final, and should be made within fifteen working days of the complaint being allocated to him/her.

- 2.6 If the complainant remains dissatisfied with the outcome under the Council's Complaints Procedure, he/she can refer the matter to the Local Government Ombudsman or Housing Ombudsman (as appropriate).

- 2.7 If a complaint relates to a service provided by a contractor, the complainant must submit it to the contractor under the contractor's complaints procedure. Once this process has been completed, the complainant can request a review under the Council's Complaints Procedure (as outlined in paragraph 2.5 above).

- 2.8 Under the Council's Constitution, the following arrangements exist for dealing with decisions of the Local Government Ombudsman and Housing Ombudsman:-

Overview of Complaints Received - Biannual Update

- (i) The Monitoring Officer deals with compensation payments which are neither disputed nor significant. This is subject to oversight by the Standards and Audit Committee.
- (ii) Full Council has responsibility for compensation payments which are disputed or significant.

3.0 Complaints received by the Council since 27 November 2017

- 3.1 A table containing a summary of the complaints can be found at Appendix 1. Together with a graph illustrating trends.
- 3.2 In the period of 1 April 2017 to 27 November 2017 the Council received 55 complaints through its Complaints Procedure. The Council received a total of 69 complaints through its Complaints Procedure between 27 November 2017 and 1 July 2018.
- 3.3 Of these a total of 10 complainants have made a request for a review of the original response to their complaint since July 2018. Of these two were referred to a member of CMG for consideration. It should also be noted that two are still in progress. This compares with eight requests for a review in the previous six months with one being referred to a member of CMG.
- 3.4 There has been an increase in complaints in respect of various parking matters. However, it should be noted that of these complaints only one complainant has to date requested a review of their complaint. This is currently in progress.
- 3.5 It should be noted that it would not be appropriate for the Committee to review the circumstances of, or decisions reached in respect of, individual complaints. The purpose of submitting this report is to assist the Committee in identifying possible topic areas for future scrutiny.

4.0 Complaints received by the New Vision Homes since 27 November 2017

- 4.1 A table containing a summary of the complaints can be found at Appendix 2. Together with a graph illustrating trends.
- 4.2 In the period of 1 April 2017 to 27 November 2017 New Vision Homes received 88 complaints through its Complaints Procedure. New Vision Homes received a total of 82 complaints through its Complaints Procedure between 27 November 2017 and 1 July 2018.
- 4.3 The primary cause of a large number of complaints listed in the previous report was "uncategorised". I am pleased to say that every complaint listed in Appendix 2 to this report has been categorised. This will make it easier to identify any trends moving forward.
- 4.4 The number of complaints in respect of missed appointments and late attendance has decreased substantially from 39 to 11 complaints.
- 4.5 Again, as above, it should be noted that it would not be appropriate for the Committee to review the circumstances of, or decisions reached in respect of, individual complaints. The purpose of submitting this report is to assist the Committee in identifying possible topic areas for future scrutiny.

5.0 Complaints to Joint Waste Solutions

- 5.1 It is proposed to include Joint Waste Solution Complaints details in the next bi-annual report. To date two matters have been referred through their system to the review stage of the Council's procedure. One review has been determined and the other is still in progress.

6.0 Implications

Financial

None.

Human Resource/Training and Development

None.

Community Safety

None.

Risk Management

None.

Sustainability

None.

Equalities

None.

Safeguarding

None.

7.0 Conclusions

- 7.1 Submitting a six-monthly report to the Committee on complaints received will enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.

REPORT ENDS

WBC Complaints – APPENDIX 1

	Ref	Date Received	Officer	Nature of Complaint
1	416-2018	1.07.2018	David Ripley	Lack of communication from Housing Benefit Office or Tribunal Court.
2	417-2018	4.07.2018	Terry Stocks/David Ripley	Council Tax payment has not been taken when everything in place to pay and now has a notice to say he needs to pay additional costs of £87.30.
3	418-2018	09.07.2018	Tim Morris	Complaint believes he is due some money back from Council Tax but has not yet received this.
4	419-2018	11.07.2018	Joe Williams	Not happy with the way an issuing of a fine for dropping litter was given to her disabled son.
5	420-2018	14.07.2018	Environmental Health	Not happy with Fixed Penalty Notice given for dropping cigarette.
6	421-2018		DPO	She has not yet received a response for her FOI request sent in May.
7	422-2018	16.07.2018	Geoff McManus	Complaint about a parking officer who was considered passive aggressive whilst issuing a ticket.
8	423-2018	17.07.2018	Environmental Health	Travellers caravans & 2 x vehicles illegally squatting and blocking public footpath next to The Cricketers pub in Horsell Surrey
9	424-2018	18.07.2018	Ian Reynolds	Bad customer service.
10	425-2018	24.07.2018	Catherine Butler	Complaint regarding how her housing assistance request was handled, she has been deemed adequately housed from previous correspondence.

WBC Complaints – APPENDIX 1

11	426-2018	24.07.2018	Geoff McManus	Unhappy with how the new developments in Woking are disrupting Bus and Train services
12	427-2018	18.07.2018	Arran Henderson	Dangerous tree stumps left after bush cutting.
13	428-2018		DMO Joanne McIntosh	Wishes to appeal his complaint - see 395-2018
14	429-2018	27.07.2018	DPO	A complaint against her FOI response
15	430-2018	02.08.2018	Ian Reynolds	Complaint about parking attendant and the fact that he cannot appeal online as there is an error
16	431-2018	3.08.2018	Joanne McIntosh	Handling of plan app ref: PLAN/2018/0191 – Appeal
17	432-2018	30.07.2018	Tracey Haskins	Complaint regarding Officer conduct.
18	433-2018	08.08.2018	Stuart Clarke	Complaint in respect of illegally parked taxis that do not get tickets when civilian vehicles do when parked in the same bays - Car park off Locke Way in Addison Road.
19	434-2018	7.08.2018	Michele Dixon	Complaint in respect of the unhelpful service received when calling Housing Needs.
20	435-2018	13.08.18	Ian Reynolds	Complaint in respect of parking ticket that was issued 1 minute before complainant paid electronically.
21	436-2018	20.08.18	Geoff McManus	Complaint regarding trees that had been cleared on the Birchwood Road Conservation Area.
22	437-2018	29.08.18	Tracey Haskins	Complaint letter about tree roots damaging his artificial lawn after Serco removed Poplar trees nearby

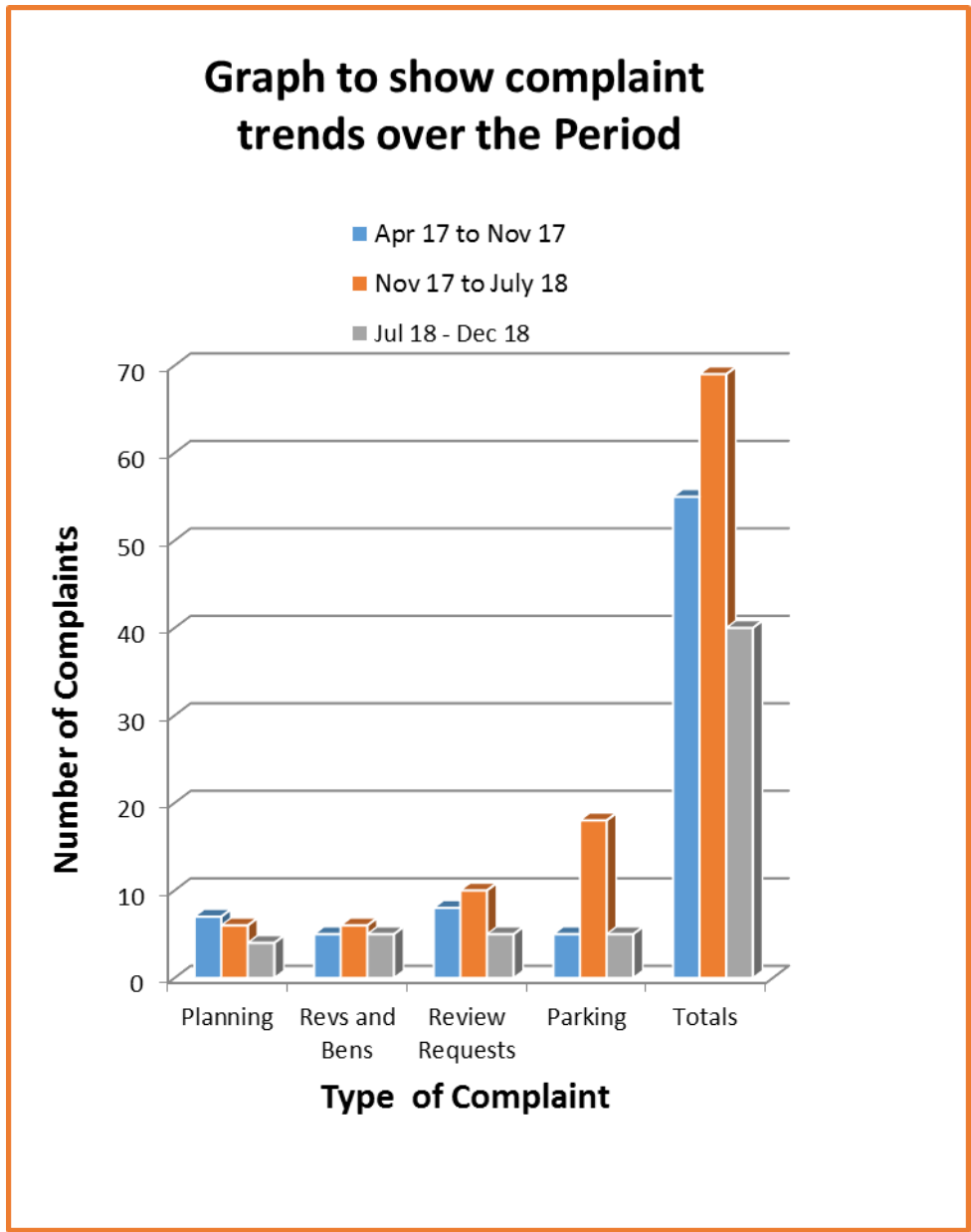
WBC Complaints – APPENDIX 1

23	438-2018	1.10.18	Geoff McManus	Complaint regarding the condition of Woking Skate Park where the complainants son was injured.
24	439-2018	15.09.18	Chris Norrington	Complaint about nuisance noise.
25	440-2018	19.09.18	Daniel Freeland	Complaint about how a refusal of a Planning application was undertaken.
26	441-2018	27.07.18	DPO	FOI Response.
27	442-2018	28.09.18	Daniel Freeland	Handling of a Planning Application.
28	443-2018	29.09.18	Neil Allen	A complaint about the poor customer service received at the Civic Offices enquiries desk and miss-communication of what correct documentation should be supplied.
29	444-2018	2.10.18	Joanne McIntosh	Complaint about the time it has taken to respond to FOIA request.
30	445-2018	1.10.08	Hazel Craig-Waller	Complaint about the Litter accumulating around Bunyard Drive due to the increasing number of vacant homes.
31	446-2018	9.10.18	Catherine Butler	Complaint in respect of housing situation.
32	447-2018	4.10.18	Geoff McManus	Complaint in regards to alleged damage to his vehicle from an Amey waste collection truck and the fact that he has not received any insurance details or heard back from Amey in regards to his complaint.
33	448-2018	4.10.18	Daniel Freeland	Complaint about the handling of a planning application.

WBC Complaints – APPENDIX 1

34	449-2018	22.10.18	Neil Allen	Complaint about the treatment of applicant and delay in response to concerns about a benefit claim
35	450-2018	22.10.18	Douglas Spinks	Complaint regarding the proposed changes to Victoria Arch and Guildford Road * Objection to Planning Permission
36	451-2018	23.10.18	Douglas Spinks	Complaint regarding the proposed changes to Victoria Arch and Guildford Road. *Objection to Planning Permission
37	452-2018	24.10.18	David Edwards	Complaint regarding a Council's Building Inspector who allegedly failed to recognise a fault in the brickwork
38	453-2018	29.10.18	DPO	Not happy with the response to his FOI, he believes the information has been incorrectly refused, and has requested a review.
39	454-2018	3.11.18	Geoff McManus	Overcrowding at the Woking Fireworks
40	455-2018	11.10.18	Catherine Butler	Unhappy by the treatment from the Council in that they have been bidding for social housing but only found out in July that they no longer qualify due to their income
41	456-2018	08.11.18	Emma Bourne	Complainant dropped a muffin for the pigeons and received a FPN for littering. The Complainant is arguing that this is not littering but bird feeding.

42	457-2018	14.11.18	Chris Dale	Complaint in respect of handling of a planning application.
43	458-2018	21.11.18	Leigh Clarke	Complaint that a phone called was received from the Council during a funeral.
44	459-2018	14.12.18	Catherine Butler	Complainant believes she has been placed in the wrong band and is unhappy with her current housing situation.

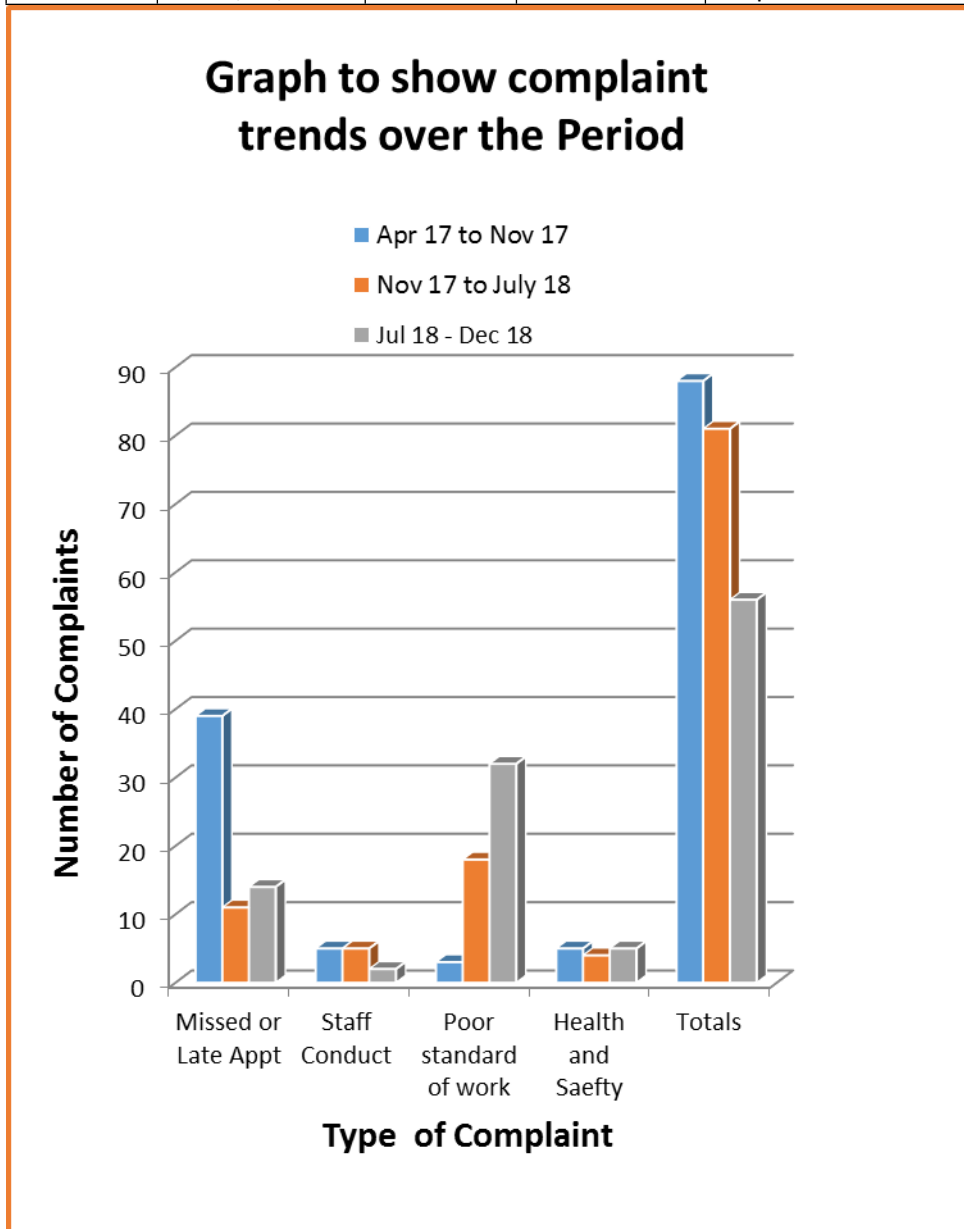


NVH Complaints – APPENDIX 2

Reference	Date	Stage	Type	Reason
2850	03/07/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2857	17/07/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2861	19/07/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2860	19/07/2018	STAGE 1	REPAIRS	Poor standard of work
2858	18/07/2018	STAGE 1	REPAIRS	Poor standard of work
2862	23/07/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2863	24/07/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2868	27/07/2018	STAGE 1	REPAIRS	Poor standard of work
2852	04/07/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2874	06/08/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2872	02/08/2018	STAGE 1	ASSET MAN	Staff conduct
2873	03/08/2018	STAGE 1	General	Staff conduct
2881	14/08/2018	STAGE 1	REPAIRS	Health & Safety issue
2890	21/08/2018	STAGE 1	REPAIRS	Poor standard of work
2889	20/08/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2892	23/08/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2883	15/08/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2886	16/08/2018	STAGE 1	ASSET MAN	Health & Safety issue
2878	10/08/2018	STAGE 2	REPAIRS	Poor standard of work
2891	23/08/2018	STAGE 1	REPAIRS	No heating / hot water
2898	31/08/2018	STAGE 1	REPAIRS	Poor standard of work
2902	10/09/2018	STAGE 1	REPAIRS	Poor standard of work
2904	12/09/2018	STAGE 1	REPAIRS	Poor standard of work
2901	10/09/2018	STAGE 1	REPAIRS	Poor standard of work
2905	13/09/2018	STAGE 1	ASSET MAN	Poor standard of work
2906	14/09/2018	STAGE 2	REPAIRS	No heating / hot water
2926	04/10/2018	STAGE 1	General	Poor standard of work
2919	28/09/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2917	28/09/2018	STAGE 1	REPAIRS	Poor standard of work
2912	25/09/2018	STAGE 1	REPAIRS	No heating / hot water
2934	09/10/2018	STAGE 1	REPAIRS	Poor standard of work
2933	09/10/2018	STAGE 1	REPAIRS	Poor standard of work
2918	28/09/2018	STAGE 1	REPAIRS	Poor standard of work
2940	11/10/2018	STAGE 1	REPAIRS	Poor standard of work
2938	11/10/2018	STAGE 1	REPAIRS	Poor standard of work
2930	09/10/2018	STAGE 1	ASSET MAN	Poor standard of work
2942	15/10/2018	STAGE 1	REPAIRS	Poor standard of work
2945	17/10/2018	STAGE 1	REPAIRS	Poor standard of work
2949	23/10/2018	STAGE 1	REPAIRS	Missed appointment / late attendance
2952	24/10/2018	STAGE 1	REPAIRS	Missed appointment /

NVH Complaints – APPENDIX 2

				late attendance
2939	25/10/2018	STAGE 2	REPAIRS	Missed appointment / late attendance
2947	19/10/2018	STAGE 1	REPAIRS	Poor standard of work
2950	23/10/2018	STAGE 1	REPAIRS	Poor standard of work
2953	24/10/2018	STAGE 1	REPAIRS	Poor standard of work
2961	02/11/2018	STAGE 1	REPAIRS	Poor standard of work
2958	31/10/2018	STAGE 1	REPAIRS	Poor standard of work
2963	05/11/2018	STAGE 1	REPAIRS	Poor standard of work
2968	08/11/2018	STAGE 1	REPAIRS	Poor standard of work
2977	14/11/2018	STAGE 1	HOUSING	ASB
2974	13/11/2018	STAGE 1	REPAIRS	Poor standard of work
2955	29/10/2018	STAGE 2	REPAIRS	Health & Safety issue
2959	01/11/2018	STAGE 2	REPAIRS	Poor standard of work
2939	25/10/2018	STAGE 2	REPAIRS	Poor standard of work
2965	05/11/2018	STAGE 2	REPAIRS	Poor standard of work
2981	19/11/2018	STAGE 2	REPAIRS	Poor standard of work
2976	13/11/2018	STAGE 2	ASSET MAN	Unsatisfactory Stage 1 response



OVERVIEW AND SCRUTINY COMMITTEE – 21 JANUARY 2019

FOI COMPLAINTS REPORT

Executive Summary

The Council has implemented a new system for handling FOIA requests. It is fully auditable and managed by Democratic Services. Should the Committee so wish, a bi-annual report, can be produced to inform the Committee of the requests received.

Recommendations

The Committee is requested to:

RESOLVE That

- (i) The report be noted

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: None.

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1.0 Introduction

1.1 The Freedom of Information Act 2000 (FOIA) provides public access to information held by public authorities.

It does this in two ways:

- public authorities are obliged to publish certain information about their activities; and
 - members of the public are entitled to request information from public authorities.
- 1.2 The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002.
- 1.3 Public authorities include government departments, local authorities, the NHS, state schools and police forces. However, the Act does not necessarily cover every organisation that receives public money. For example, it does not cover some charities that receive grants and certain private sector organisations that perform public functions.
- 1.4 Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. The Act does not give people access to their own personal data (information about themselves) such as their health records or credit reference file. If a member of the public wants to see information that a public authority holds about them, they should make a subject access request under the Data Protection Act 1998.
- 1.5 The Council introduced a new system for managing requests for information under the Freedom of Information Act 2000 (FOIA).
- 1.6 The system has been developed by the Council's ICT department and is being managed by the Council's Democratic Services team. This ensures that all FOIA requests are recorded centrally and allocated to the correct team to respond. The system is fully auditable and has built in reminders to ensure that all FOIA requests receive a response within the statutory timeframes. Monthly reports are presented to the Corporate Management Team for their information and action if appropriate.
- 1.7 Should a person not be happy with the response that they receive then they are entitled to request a review of their response. This review is undertaken by the Data Protection Officer or his nominee. Since the new system has been introduced one person has exercised this right. The review into the request concluded that the request had been handled correctly and the information should not be released.
- 1.8 It is proposed that a bi-annual report into the number of FOIA requests received and requests for review are reported to the Overview and Scrutiny Committee alongside the bi-annual complaints report. Should Councillors wish to view the new system then this can be arranged with Democratic Services.
- 1.9 Information in respect of the FOIA and guidance in respect of the same can be found on the ICO's website.

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>

2.0 Implications

Financial

2.1 None

Human Resource/Training and Development

2.2 Training has been undertaken by employees in respect of how to use the new system and further training in respect of the FOIA has been arranged.

Community Safety

2.3 None

Risk Management

2.4 Ensures compliance with the law.

Sustainability

2.5 None

Equalities

2.6 None

Safeguarding

2.7 None

3.0 Conclusion.

3.1 The Council has implemented a new system for handling FOIA requests. It is fully auditable and managed by Democratic Services. Should the Committee so wish, a bi-annual report, can be produced to inform the Committee of the requests received.

REPORT ENDS

