

## **STANDARDS COMMITTEE – 24<sup>TH</sup> JULY 2005**

### **REPORT OF ASSISTANT CHIEF EXECUTIVE (LEGAL & DEMOCRATIC SERVICES) AND MONITORING OFFICER**

#### **CORPORATE COMPLAINTS 2004/2005**

##### **PURPOSE**

To report on complaints received by Oldham Borough Council and First Choice Homes during the period 1<sup>st</sup> April 2004 to 31<sup>st</sup> March 2005

##### **BACKGROUND**

The need to record and review complaints corporately has been recognised by the Council as one of the primary indicators of the health of the organisation. It is also an essential element in providing evidence on the public perception of the Council. An improving council needs to learn from the concerns raised by the community it serves. In order to achieve this the Council recognised the need to be sufficiently confident and mature to allow procedures that provide an opportunity for genuine grievances to be heard and responded to. Only then can the Council demonstrate that it is an organisation that listens to its customers

In November 2003 a Corporate Computerised Data Recording System was introduced, which all departments now operate. This system allows corporate complaint officers within each department and First Choice Homes to record complaints and other feedback for analysis and performance monitoring purposes.

##### **COMPLAINTS SUMMARY**

The Council received 544 complaints, of these over 93% were dealt with at stage 1.

Appendix A shows the number received by each department along with a breakdown of the category of complaint.

Social Services complaints are dealt with under a statutory procedure as only non users of the service can use the corporate procedure.

Appendix B details the complaints received in 2003/2004.

##### **TRENDS**

The complaints show that people's main concern is about the quality of service, it is interesting to note that the percentage of complaints regarding staff conduct has fallen from 10% 2003/2004 to 7% 2004/2005.

## **OMBUDSMAN COMPLAINTS**

Attached at appendix C are details of the 61 complaints considered by the Ombudsman.

### **2005/2006**

Following the rationalisation of resources to produce budget savings in 2005/2006 and arising out of the Council-wide request for voluntary redundancies, the post of corporate complaints officer was deleted from the establishment.

There was a review of the corporate complaints procedures and the co-ordination of complaints became the responsibility of the Business Manager within Legal & Democratic services. Stage 3 complaints are co-ordinated by the Executive Support Officer in the Chief Executive's Department and dealt with by the Council's Second Tier Officers.

Ombudsman complaints are referred to the Heads of Legal and Constitutional Affairs.

## **RECOMMENDATIONS**

Members are asked to note the report and make any recommendations they deem appropriate.

**COMPLAINTS STATISTICS 2004/2005**

<b><u>DEPARTMENTS</u></b>	<b><u>STAGE 1</u></b>	<b><u>STAGE 2</u></b>	<b><u>STAGE 3</u></b>	<b><u>TOTAL</u></b>
Chief Executive's	42	3	2	47
Environmental Services	214	14	5	226
First Choice Homes	173	7	7	182
Education and Cultural Services	48	6	0	53
Regeneration	13	0	4	16
Exchequer	17	0	0	17
Social services			3	3
<b>Total</b>	<b>507</b>	<b>30</b>	<b>21</b>	<b>544</b>

<b><u>CATEGORIES OF COMPLAINTS</u></b>	<b><u>CHIEF EXECUTIVE</u></b>	<b><u>ENV SERVICES</u></b>	<b><u>FIRST CHOICE HOMES</u></b>	<b><u>EDUCATION AND CULTURAL SERVICES</u></b>	<b><u>REGEN</u></b>	<b><u>EXCHEQUER</u></b>	<b><u>SOCIAL SERVICES</u></b>
Disagree with policy or practice	4	70	11	8	1	1	
Discrimination – race	2	2	1	1			
Enquiry			2				

Failure to carry out service request	1	13	27			2	
Failure to follow policy	3	2	1		1		
Failure to follow procedures	2	2	6	10	2		
Failure to keep appointments	1	1	11				
Failure to meet timescales	4	1	8				
Failure to provide a service	10	42	29	2	1	3	
Failure to respond		14	9	1	2	1	
Not applicable		26	3			1	
Other	5	1	20	7	4	3	
Policy procedure		2					
Poor quality	2	24	13	3			
Service request		1	9				
Staff conduct	2	10	11	8	2	2	3
Statement		1	2				
Suggestion			1				
Unfair treatment	5	4	6	3		3	
Unfavourable decision	1	8	3	5			

**COMPLAINTS STATISTICS 2003/2004**

<b>(A) <u>DEPARTMENTS</u></b>	<b><u>STAGE 1</u></b>	<b><u>STAGE 2</u></b>	<b><u>STAGE 3</u></b>	<b><u>TOTAL</u></b>
Chief Executive's	21		2	23
Environmental Services	288	31	10	329
First Choice Homes	603	13	6	622
Education	4	11	0	15
*Regeneration	1	2	1	4
Social services	0	1	1	2
<b>Total</b>	<b>917</b>	<b>58</b>	<b>20</b>	<b>995</b>

<b>(B) <u>CATEGORIES OF COMPLAINTS</u></b>	<b><u>CHIEF EXECUTIVE</u></b>	<b><u>ENV SERVICES</u></b>	<b><u>FIRST CHOICE HOMES</u></b>	<b><u>EDUCATION AND CULTURAL SERVICES</u></b>	<b><u>EXCHEQUER</u></b>	<b><u>SOCIAL SERVICES</u></b>
Disagree with policy or practice						
Discrimination - disability						
Discrimination - race						
Failure to carry out service request						
Failure to follow procedures	1					
Failure to keep appointments						
Failure to meet timescales	2					
Failure to provide a service						
Failure to respond	1					
Not applicable		8				
Other	4	9				
Poor quality	12					

Staff conduct	3					
Unfair treatment						
Unfavourable decision						
<b>Total</b>	<b>23</b>	<b>329</b>	<b>622</b>	<b>15</b>	<b>4</b>	<b>2</b>

\*NB The Regeneration Department was established on 1<sup>st</sup> July 2003. Accordingly any complaints (prior to 1<sup>st</sup> July 2003) about Economic Development and the Regeneration Unit are included in the Chief Executive's Department figures and any complaints regarding Private Sector Housing, the Housing Renewal Fund and Environmental Programmes are included in the Environmental Services figures.

## Appendix C

NO	DEPT	COMPLAINT	DECISION
722	ES	Condition of Failsworth cemetery	Premature complaint
723	ES	Failed to consult on amendment to planning application	No maladministration
724	FCHO	Handling of re-housing application	Ombudsman discretion
725	ES	Lack of consideration over neighbours rear extension	Premature complaint
726	FCHO	Failed to take action with regard to complaint of nuisance neighbours	
727	FCHO	Delay in allocating adapted property, then let in unreasonable condition	Local settlement
728	FCHO	Re-housed tenant with known history of neighbour nuisance	
729	FCHO	Request for single occupier discount	Local Settlement
730	ES	Failure to maintain road & take responsibility for damaged vehicle	Outside jurisdiction
731	FCHO	Failed to properly consider the application for a grant to repair roof	No or insufficient evidence of maladministration
732	FCHO	As above	As above
733	ES	Failsworth cemetery regarding unsafe headstones	No or insufficient evidence of maladministration
734	ES	The officers attitude in dealing with complainant & inability to deal with traffic on A62	No or insufficient evidence of maladministration
735	FCHO	Lack of help with re-housing & length of waiting time	Premature complaint
736	FCHO	Complaint about failure to finalize their right to buy	Premature complaint
737	SOC	Council did not advise of circumstances leading to mother's admission to hospital	Ombudsman discretion
738	ES	Council failed to enforce conditions relating to application AA/38798/99	
739	FCHO	Wrongly awarded housing priority points & wrongly designated need for 3 bedroom house, therefore losing opportunity of being rehoused in Saddleworth	No or insufficient evidence of maladministration
740	FCHO	Instructed bailiffs to pursue alleged debt without communicating with him direct	Premature complaint
741	FCHO	Quality of work carried out during upgrade was below standard	Local Settlement
742	ES	Extension being built without planning permission & no action being taken	Premature complaint
743	FCHO	Asking for a different amount of money to have a level access shower	Premature complaint
744	ES	Reinstate gravestones Failsworth cemetery	No Maladministration

745		Disciplinary action against employee	Outside jurisdiction
746	FCHO	Council tax arrears	Ombudsmans discretion
747	ES	Three adjacent grave plots/ burial allowed to proceed in one of them	Local settlement
748		Ended employment by withdrawing contract with NW Initiatives	Outside jurisdiction
749	FCHO	Failure to comply with its responsibilities under the RTB Leg. To offer the best title to land	No maladministration
750	FCHO	Not dealt with his application for re-housing properly	Local Settlement
751	FCHO	Council's refusal to pay housing or council tax benefit	Outside jurisdiction
752	FCHO	Council failed to give proper consideration to their requests for double glazing	No or insufficient evidence of maladministration
753	FCHO	Failure to make a home loss payment in respect of 33 Hillside Farm Close	Premature complaint
754	FCHO	Threatened with court action over housing benefit overpayment	Local Settlement
755	FCHO	Decision to only consider her for unrestricted availability accommodation	
756	CE	Non response to request for information from certain cabinet and council	Premature complaint
757	FCHO	Failed to calculate her contribution towards a disabled facilities grant	No maladministration
758	FCHO	Inadequate drainage to the garden	No maladministration
759	FCHO	Re-housing, registered homeless in Oct. 2003	Premature complaint
760	FCHO	Overcrowding grant was not awarded	Outside jurisdiction
761	FCHO	Safety issue – re lorry hitting his house	
762	ES	Local press issue, Hope playing fields Glodwick	Premature complaint, Ombudsmans discretion
763	FCHO	Accommodation re housing issue	No maladministration
764	SOCS	Lack of action by Soc. Serv. Learning difficulties	
765	ES	Dispute- Licence fees Sunday markets	Outside jurisdiction
766	FCHO	Harassment by some local youths	No or insufficient evidence of maladministration
767	REG	Misleading manner in which Reg team deliver service in respect of	Premature complaint

		issuing CPO	
768	FCHO	Council failed to consider accommodation suitable to requirements	Ombudsman discretion
769	ES	Planning application, feels victimised by some bodies in council	Ombudsman discretion
770	CE	Council failed to comply with data protection act 1998	Ombudsman discretion
771	EDS	LEA-ongoing complaint regarding tuition fees for son at university	No or insufficient evidence of maladministration
772	FCHO	Reported noise in flat. Nothing has been done about it	Premature complaint
773		Failure to inform him of pension rights on termination of contract	Outside jurisdiction
774	FCHO	Summons for non payment of council tax, dissatisfied with the way handled	No or insufficient
775	FCHO	Dispute regarding valuation of property for demolition	No or insufficient evidence of maladministration
776	ES	Water going into cellar after work done to pavement, council say not their responsibility	Premature complaint
777	FCHO	Council destroyed building without safeguarding items or finding other accommodation	No maladministration
778	FCHO	Dispute regarding valuation of house re demolishing	No or insufficient evidence of maladministration
779	FCHO	Council unable to secure accommodation for the family in the near future	
780	FCHO	Neighbours behaving in an antisocial manner	Premature complaint
781	FCHO	Council failed to consider needs of residents when refurbishment and change of landlord planned	
782	ES	Council accepted objections to planning application outside time limit	Premature complaint