

DOVER DISTRICT COUNCIL

REPORT OF THE CORPORATE COMPLAINTS AND RESILIENCE OFFICER

STANDARDS COMMITTEE – 11 JANUARY 2017

COMPLAINTS REPORT FOR THE PERIOD 1 JULY 2016 TO 31 DECEMBER 2016

Recommendation

That the report be noted and the actions taken be endorsed.

Contact Officer: Sue Carr, extension 2322.

1. UPDATE OF COMPLAINTS RECEIVED BY THE DISTRICT COUNCIL

Reported below is an update of formal complaints investigated by the Corporate Services Team at stage two of the Council's complaints process for the period from 1 July 2016 to 31 December 2016. Eight complaints have been investigated one of which was upheld. There may be issues raised through the complaints process where the Corporate Support Section provides a written explanation of Council policy and procedures but which do not require an investigation. These are not included within this report but are included within the figures in the tables at Appendices A and C.

1.1 Complaint No. DEV200 – Eythorne & Shepherdswell (Closed)

This complaint related to a decision not to take enforcement planning action. The Corporate Complaints & Resilience Officer (CCRO) advised that the decision had been reviewed and legal advice sought. It was the Council's opinion that a condition attached to a planning permission does not come into force until work commences rather than the date of grant of planning permission. With regard to the decision not to take enforcement action the officer had considered the neighbouring residential amenity. The complaint was not upheld.

1.2 Complaint No. ENV048 – North Deal (Closed)

A complaint was received in respect of a visit carried out by officers from the Environmental Protection and Private Sector Housing teams. As a result of the visit the officers recommended that the landlord employ a pest control company to carry out an inspection and take any necessary action. The complainant was unhappy as he believed that the officers should have done more. The CCRO explained the process and advised that the officers had followed the correct procedures. The complaint was not upheld. The complainant referred the matter to the Local Government Ombudsman (LGO) and this is reported at 2.1.

1.3 Complaint No. BEN109 – Lydden & Temple Ewell

The complainant was unhappy that they had been requested to complete a benefit application form when they had already done so and supplied the information requested. The matter was investigated by the CCRO who found that the application had been cancelled as information requested had not been provided. The CCRO advised the complainant to make an appointment to meet a customer services

adviser who would assist with the completion of an application. There was no evidence of maladministration and the complaint was not upheld.

1.4 **Complaint No. HND067 – Ringwoud (Closed)**

The complainant, a Council tenant, alleged that the Council had failed to give appropriate medical priority to enable a house move. They also claimed that they were suffering from other issues that the Council were not taking into account. The CCRO explained that the medical assessment process had been followed correctly and there was no evidence of maladministration. However a multi agency meeting had taken place and a management move would be offered. The complaint was not upheld.

1.5 **Complaint No. PKG064 – Walmer (Closed)**

This complaint related to the issue of a penalty charge notice. The complainant was unhappy that they were issued with a PCN when they alleged that they had only parked in a bay for a short while as there was no room in the pick up area. They also claimed that the parking attendant had been dismissive and abusive. The CCRO explained that the video footage from the body camera had been reviewed and it showed that the civil enforcement officer had followed the correct procedure. They had not witnessed the complainant park or leave the vehicle and had observed the vehicle for up to five minutes to allow time for the driver to collect a ticket before issuing a penalty charge notice. The CCRO explained that the Officer had no discretion to cancel a ticket once they had begun the process. The CCRO confirmed that the Director had also reviewed the footage and would take no action against the Officer in view of the way in which they had been spoken to. This complaint was not upheld.

1.6 **Complaint No. PKG065 – North Deal (Closed)**

This complaint related to the charge for review and provision of CCTV footage following alleged damage to a vehicle in a Council car park. The CCRO explained that the charge reflected the amount of time taken to review the footage as the complainant had left the vehicle in the car park for seven days and did not know when the damage had occurred. The CCRO confirmed that the correct procedures had been followed although the Council's website would be amended to reflect that video footage can be reviewed for damage to vehicles not just vehicle collision. The complaint was not upheld.

1.7 **Complaint No. PSH023 – St Radigunds (Closed)**

The complainant was unhappy with the way in which an inspection had been carried out by Private Sector Housing Officers. The matter was reviewed by the CCRO who confirmed that the correct procedures had been followed and copy documentation was sent to the complainant as they claimed that they had not received any communication from the Private Sector Housing Team. The complaint was not upheld.

1.8 **Complaint No. WST183 – Sandwich (Closed)**

This matter related to collection of waste following events held in Sandwich. The CCRO explained that commercial waste has to be removed by the event organiser or the company producing the waste as the Council's contractor does not have a licence to carry or dispose of this type of waste. Procedures had been put in place

for any litter collected by the event organiser to be removed by Veolia. This had worked well in August but unfortunately not in November due to a change in staff at Veolia and a breakdown in communication. A further meeting and checks will take place prior to and after the next large event to ensure that this does not happen again. The complaint was upheld.

2. **COMPLAINT DECISIONS ISSUED BY THE LOCAL GOVERNMENT OMBUDSMAN BETWEEN 1 JULY 2016 AND 31 DECEMBER 2016**

- 2.1 **ENV048** – This complaint related to a site visit carried out by officer as per 1.2 above. The LGO reviewed the actions taken by the Officers but following initial enquiries stated that the matter would not be investigated because there was insufficient evidence of fault by the Council and it was not the Officers' role to carry out a full pest control inspection. The decision was classed as "Closed after initial enquiries – no further action".

3. **COMPLAINT STATISTICS**

Appendix A shows the number of complaints received per Ward for the current financial year compared to 2015/16. Appendix B details the compliments received by Section for the period 1 July 2016 to 31 December 2016. Appendix C details the complaints received by the District Council and EK Services for the period 1 April to 31 December 2016. Appendix D lists the Lessons Learnt from complaints from 1 January to 31 December 2016 and Appendix E provides information from the Local Government Ombudsman's Annual Report.

Background Papers

File C23/5 – Complaints.

Resource Implications

None.

Impact on Corporate Objectives

An effective complaints system supports the delivery of the Council's corporate objectives set out within the Corporate Plan 2008-2020.

Comment from the Solicitor to the Council

The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

Attachments

- Appendix A – Ward Statistics
- Appendix B – Breakdown of compliments by Section
- Appendix C – Breakdown of complaints by Section
- Appendix D – Actions Taken/Procedural Changes as a result of complaints received
- Appendix E – Local Government Ombudsman Annual Review

SUE CARR

Corporate Complaints & Resilience Officer

The officer to whom reference should be made concerning inspection of the background papers is the Corporate Complaints & Resilience Officer, White Cliffs Business Park, Dover, Kent CT16 3PJ. Telephone: (01304) 872322.

Number of Complaints Received Per Ward and processed through the Complaints System

| Ward | No of Complaints | |
|----------------------------|-------------------|--------------------|
| | 1.4.15 to 31.3.16 | 1.4.16 to 31.12.16 |
| | DDC | DDC |
| Aylesham | 4 | |
| Buckland | 5 | 2 |
| Capel-le-Ferne | 3 | 1 |
| Castle | 10 | 4 |
| Eastry | 3 | 2 |
| Eythorne & Shepherdswell | 2 | 1 |
| Little Stour & Ashstone | 9 | 3 |
| Lydden & Temple Ewell | 1 | 1 |
| Maxton, Elms Vale & Priory | 5 | 1 |
| Middle Deal & Sholden | 6 | 3 |
| Mill Hill | 6 | 6 |
| North Deal | 8 | 6 |
| Outside District or N/A | 7 | 3 |
| Ringwould | 2 | 3 |
| River | 4 | 3 |
| Sandwich | 3 | 5 |
| St Margaret's-at-Cliffe | 3 | 2 |
| St Radigunds | 4 | 8 |
| Tower Hamlets | 4 | 2 |
| Town & Pier | - | 1 |
| Unknown | 9 | 11 |
| Walmer | 3 | 4 |
| Whitfield | 5 | 1 |
| Total | 106 | 73 |

Details of Compliments Received Per Section From 1 July 2016 – 31 December 2016

| Section | Compliment |
|------------------------------------|---|
| Building Control | Appreciation for the time taken by officers to discuss the overall approach of the building control regulation process and providing advice |
| Building Control | Thank you for time spent on site clarifying details with the owner |
| Building Control | Thank you for efficient service |
| Communication & Engagement | Well done for graphics on the Merry Christmas video |
| Communication & Engagement | Thank you for DDC email alerts “more informing than a local newspaper” |
| Communication & Engagement | Thank you for support for a community fundraising event |
| Community Safety | Thank you for work carried out by CCTV during an incident in Deal |
| Customer Services | Appreciation for the area office in Deal and excellent services provided |
| Environmental Protection | Appreciation for water quality email service |
| Housing Benefits & Housing Options | Thanks for assistance with move to a new property and how quick the council were to help with the process. |
| Property Services | Thank you for prompt response by Horticulture |
| Property Services | Thank you to pier attendant for quick thinking in responding to an incident with a member of the public in the water |
| Property Services | Thank you for advice regarding energy efficiency |
| Waste Services | Thank you to Waste Services & Veolia for work carried out in Deal as this had an impact on the Britain in Bloom competition |
| Waste Services | Thank you to waste services officer for arranging a trial of the seagull proof waste bags – the first time since 2013 that rubbish has not been strewn across the street by the gulls |
| Waste Services | Excellent work carried out by Veolia operative in the Walmer area – since he has taken over the area there has been a transformation |
| Waste Services | Thank you to one of the Veolia operatives in the Dover – they are very conscientious |
| Waste Services | Thank you to Veolia – the London Road and Branch Street area of Dover is looking much tidier. |
| Waste Services | Fast response to report of rubbish – “contractor carried out a first class job” |
| Waste Services | Thank you for good work carried out cleaning the Coombe Valley area |

Complaints by Section from 1 April 2016 to 31 December 2016

| Complaint Type | Reason for Complaint | Number |
|--------------------------------|-----------------------------------|--------|
| Building Control - DDC | No Response | 1 |
| Community - DDC | Event management | 1 |
| Council Tax - EKS | Administration | 4 |
| Council Tax - EKS | Recovery | 13 |
| Customer Services - EKS | Telephone Service | 1 |
| Customer Services - EKS | Staff attitude | 2 |
| Environmental Protection - DDC | Action taken by Officer | 2 |
| Planning enforcement - DDC | Merits of decision | 1 |
| Development Control - DDC | Administration and procedures | 4 |
| Development Control - DDC | Merits of decision | 2 |
| Housing benefits - EKS | Claim processing and decision | 3 |
| Housing benefits - EKS | Recovery | 1 |
| Housing Needs - DDC | Processing of housing application | 1 |
| Housing Needs - DDC | Administration | 1 |
| Horticulture - DDC | Merits of decision | 3 |
| Licensing - DDC | Processing of complaint enquiry | 1 |
| Licensing - DDC | Licensing conditions | 1 |
| NNDR - EKS | Administration | 1 |
| Parking Services - DDC | Action taken by Officer | 1 |
| Parking Services - DDC | Merits of decision | 8 |
| Parking Services - DDC | Administration | 1 |
| Private Sector Housing - DDC | Action taken by officer | 1 |
| Property Services - DDC | Administration | 2 |
| Property Services - DDC | Officer's decision | 1 |
| Property Services - DDC | Action taken by contractor | 1 |
| Property Services - DDC | Land ownership dispute | 1 |
| Revenues - DDC | On-line payment system | 2 |
| Waste Services - DDC | Missed collection | 8 |
| Waste Services - DDC | Lack of action | 1 |
| Waste Services - DDC | Service provision | 3 |

**Actions Taken and/or Procedural Changes as a result of
Complaints received between
1 July 2016 and 31 December 2016**

| Section | Complaint | Actions Taken/Procedural Changes |
|---------------------------------------|--|---|
| Council Tax – EKS | Telephone call back service. | Message regarding council tax is now accurate. |
| Council Tax – EKS | Council tried to recover a sum for a previous period when it had already been queried by the customer and they were told there was nothing outstanding | No bills with considerable backdated charges to be issued without a letter of explanation and approval by a senior officer. |
| Customer Services – EKS | Member of the public advised to put a complaint in writing regarding a decision to suspend benefit while additional information is processed. | Staff training to be carried out as this is not necessary in these circumstances. |
| Customer Services – EKS | Officer unprofessional and unhelpful. | Training given to the officer in how to deal with this particular type of enquiry. |
| Customer Services – EKS | Complaint regarding wait time for a bulky waste collection. | EKS to work with DDC Waste Services as the promotion of the bulky waste scheme was at the same time as the garden waste renewals and caused an increase in the number of calls which were difficult to deal with. |
| Parking Services - DDC | High charge for reviewing CCTV footage | Review of provision of CCTV footage to be undertaken in January 2017 when consideration will be given to limiting the time period for which footage can be requested. |
| Property Services / Accountancy – DDC | Children inadvertently locked in a play area | Note on the play area gate to be changed and the out-of-hours message to be altered to ensure that residents are aware that they can report an emergency to the Council. |
| Waste Services – DDC | A number of calls received regarding missed bins. | The monitoring of missed collections is to be reviewed. |
| Waste Services – DDC | Waste left for Contractor following an event. | Event waste to be monitored and regular contact with event organiser to remind them of their obligations. |