


<p>Non-Executive Report of the: Standards Advisory Committee</p> <p>24 November 2015</p>	 TOWER HAMLETS
<p>Report of: Melanie Clay, Corporate Director – Law Probity and Governance</p>	<p>Classification: Unrestricted</p>
<p>Complaints and Information Annual Report</p>	

<p>Originating Officer(s)</p>	<p>Ruth Dowden, Complaints and Information Manager, Graham White, Interim Service Head – Legal Services</p>
<p>Wards affected</p>	<p>All wards</p>

Summary

- This report provides information regarding the Council’s handling of complaints and information requests in the year 2014/15.
- A summary of the key features of the report is contained in the introduction section starting at section 1.3 in the body of the report.

Recommendations:

The Standards Advisory Committee is recommended to:

1. Note the performance figures for 2014/2015 under the complaints procedures and for requests under the Freedom of Information Act and Data Protection Act.
2. Note the work of Council in relation to Information Governance matters.
3. Note that remedial action in respect of complaints and lessons learnt are will be drawn out further in the 6 month update report.

1. REASONS FOR THE DECISIONS

1.1 This report is for noting

2. ALTERNATIVE OPTIONS

2.1 This report is for noting

3. DETAILS OF REPORT

3.1 The requirement for an annual report on social care complaints is set out in the Children Act 1989 Representations Procedure (England) Regulations 2006 and statutory guidance.

3.2 An internal audit requirement in 1999 led to the service establishing an annual report on the council's handling of corporate complaints, and these complaints annual reports have been combined since 2006/07.

3.3 Following the merger of the Corporate Complaints team and the Information Governance team in 2011, the annual report also considers the Council's handling of requests under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Data Protection Act 1998 (subject access requests).

3.4 As provided for in the constitution, the Complaints Annual Report is presented for consideration at the Overview and Scrutiny Committee (section 3.3.2 and article 6.02) and Standards Committee (section 3.3.3 and article 9.03 (m)).

4. COMMENTS OF THE CHIEF FINANCE OFFICER

4.1 This report provides the annual complaints and information report for the period 1st April 2014 to 31st March 2015. There are no financial implications arising from this report. However In the event that the Council agrees further action in response to this report, then approval for any further resources will need to be requested using existing financial procedure rules.

5. LEGAL COMMENTS

5.1 The Council has statutory duties in respect of the handling of social care complaints as set out in the report. The proper handling of complaints and the consideration of information arising from a those complaints may also be consistent with good administration in the discharge of the Council's functions. It may contribute to improving the quality of services that the Council offers and hence to the Council's duty as a best value authority under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness".

Proper complaints handling and review may also contribute to the avoidance of maladministration within the meaning of the Local Government Act 1974.

- 5.2 In carrying out its functions, the Council must comply with the public sector equality duty set out in section 149 Equality Act 2010, namely it must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and to foster good relations between persons who share a protected characteristic and those who do not.

6. EQUAL OPPORTUNITIES/ ANTI-POVERTY/ ONE TOWER HAMLETS CONSIDERATION

6.1 The Complaints functions ensure a review mechanism by which any element of service and access can be reviewed, and efforts are made to ensure that individual issues and broader equality issues are considered.

6.2 Freedom of Information and Transparency promote access to data across the population. Subject Access Requests under the Data Protection Act offer ease of access for service users to their own data.

7. BEST VALUE (BV) IMPLICATIONS

7.1 Best Value is achieved through early resolution of complaints and the reduction in escalation rate is noted in the report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no specific implications.

9. RISK MANAGEMENT IMPLICATIONS

9.1 Risk implications are detailed in the report and the actions in maintaining a good standard of Information Governance practice as well as effective complaints handling mitigate risk to the organisation both in terms of financial penalty and reputation.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific implications.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 - Local Government Ombudsman Annual Report 2014/15.
- Appendix 2 – Corporate Complaints by Directorate charts
- Appendix 3 – Ombudsman’s Annual Letter

Local Government Act, 1972 Section 100D (As amended)**List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

- Ruth Dowden x4162