


<p>Non-Executive Report of the: Overview and Scrutiny Committee</p> <p>25 February 2019</p>	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director - Governance	<b>Classification:</b> Unrestricted
The Complaints and Information Annual Report 2017/18	

Originating Officer(s)	Ruth Dowden, Head of Information Governance
Wards affected	All wards

## Summary

The Complaints and Information Annual Report 2017/18 sets out the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

## Recommendations

The Overview and Scrutiny Committee is recommended to note priorities for action to improve performance and consider priorities for developments in practice for both information governance and complaints handling

### 1. INTRODUCTION/SUMMARY

- 1.1 The Complaints and Information Annual Report 2017/18 sets out the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

### 2. FOR MAYOR'S ADVISORY BOARD TO CONSIDER

- 2.1 MAB is recommended to note priorities for action to improve performance and consider priorities for developments in practice for both information governance and complaints handling.
- 2.2 This report is subsequently considered by Overview and Scrutiny Committee.

### 3. BACKGROUND

- 3.1 The Council receives an annual report on its complaints handling and information requests. This report accounts for the period 1 April 2017 to 31 March 2018.

- 3.2 The report's Introduction and Summary (section 1) sets out the key performance and activity points from the year.
- 3.3 Whilst the Council's escalation to internal process and to external regulators including the Information Commissioner and the Local Government and Housing Ombudsman are low, response rates could be improved in all areas of complaints and information requests.
- 3.4 The Corporate Complaints Procedure and Statutory Social Care Procedures seek to ensure that all people receiving or seeking to receive a service are treated in accordance with service standards and have an opportunity to address any concerns. The procedures are accessible to the community and can be accessed in a range of formats.
- 3.5 Responding to Information Requests and providing Council data through the Transparency and Open Data work stream promotes ease of access for the community to decision making processes and the activities of the Council.
- 3.6 The Complaints policies also address risk and provide the Council with a mechanism to identify issues that might otherwise lead to legal, reputational and other damage. This is enhanced by the policy on Compensation and Redress whereby a suitable settlement can be achieved commensurate with difficulties experienced.

## **1. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 This report provides the annual complaints and information report for the period 1st April 2017 to 31st March 2018. 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 approved using existing financial procedure rules before any commitments can be made.

## **2. LEGAL COMMENTS**

- 5.1 The Council has a number of statutory duties regarding handling of information requests, including the time required to give responses. Sections 3 and 4 of the Complaints and Information Annual Report sets out the Council's performance against those required time limits.
- 5.2 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.
- 5.3 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. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 The report sets out the Council's commitment to deal with all complaints, and information requests fairly and equally with the procedures themselves contributing to the positive opportunity for all residents and interested parties to raise concerns with service provision and gain a more detailed understanding of the Council's work.

**7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 The Council seeks to secure continuous improvement in service provision and effective complaints resolution is a key tool in this process.

**8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 There are no specific implications in this report.

**9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 The complaints procedure provides a means of identifying issue and mitigating risk from errors and omissions in service delivery. Effective Information Governance policies and processes also enable the organisation to monitor the effectiveness of its approach in mitigating information governance related risks.

**10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 There are no specific issues.