

COMMITTEE: Overview and Scrutiny	DATE: 5 November 2013	CLASSIFICATION: Unrestricted	REPORT NO.	AGENDA ITEM NO.
REPORT OF: David Galpin, Head of Legal Services - Community		TITLE: Complaints and Information Governance Annual Report 2012/2013		
ORIGINATING OFFICER(S): Ruth Dowden, Complaints and Information Manager		Wards Affected: ALL		

1. INTRODUCTION/SUMMARY

- 1.1 This report addresses the volume of complaints, and information requests received by the Council in the period 1 April 2012 to 31 March 2013, the outcomes and the standard of performance in dealing with them. The Local Government Ombudsman's Annual letter 2012/13 reflects complaints they have considered in relation to Tower Hamlets.

2. FOR OVERVIEW AND SCRUTINY COMMITTEE TO CONSIDER

- 2.2 The Committee is asked to consider and comment on the content of the annual report.

3. BACKGROUND

- 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. 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 2012 to 31st March 2013 to be considered by the Standards Advisory Committee. 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 officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

5. COMMENTS OF THE CHIEF LEGAL OFFICER

- 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.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The annual report provides equality information which the committee should have regard to when considering the report.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 There are no sustainable actions for a greener environment emerging from this report.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The consideration of complaints information is an important means of assessing service delivery and identifying risks.
- 8.2 There are risks associated with information handling and considering an annual report on information governance matters helps to manage this.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no immediate crime and disorder implications from this report.

10. EFFICIENCY STATEMENT

- 10.1 There are no efficiency implications emerging from this report. However, matters arising in the annual report may be used to inform future delivery.

11. **APPENDICES**

Appendix 1 – Complaints and Information Governance Annual Report

Appendix 2 – Ombudsman’s letter

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

Brief description of “background papers”

None