

<b>Committee:</b> Overview and Scrutiny Committee	<b>Date:</b> 4 November 2014	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b>  David Galpin, Service Head Legal Services  <b>Originating officer(s)</b> Ruth Dowden, Complaints and Information Manager		<b>Title:</b> Complaints and Information Governance Annual Report 2013/2014  <b>Wards Affected:</b> All	

## 1. SUMMARY

1.1. This report addresses the volume of complaints, and information requests received by the Council in the period 1 April 2013 to 31 March 2014, the outcomes and the standard of performance in dealing with them. The Local Government Ombudsman's Annual Letter 2013/14 reflects complaints they have considered in relation to Tower Hamlets.

## 2. RECOMMENDATIONS

The Overview and Scrutiny Committee is recommended to:-

- 2.1. Consider and comment on the contents of the report.
- 2.2. Note that the report will be considered by the Standards Advisory Committee in accordance with the Council's Constitution.

## 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.
- 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)).

3.5 Some key features of the report are as follows –

- The number of FOI and EIR requests dealt with by the Council increased by 15% to 1926.
- Responses within the 20 working day statutory deadline increased to 85% (from 82%) but still need to be improved and the Council is now being monitored by the Information Commissioner's Office in respect of this.
- Performance in respect of subject access requests fell to 61% on time (from 71%) and is unacceptable.
- The Information Commissioner determined only two complaints in relation to the Council, neither of which was upheld.
- Overall the number of corporate complaints was 11% higher at 3006
- Performance at stages 1 and 3 of the complaints process exceeded the corporate target, with stage 3 being particularly strong with 94% in time. Stage 2 needs improvement as only 82% were on time (below the corporate standard of 87%)
- The Local Government Ombudsman and the Housing Ombudsman made no reports against the Council for over five years.

3.6 Amendments made since the report to MAB on 8 October 2014 are

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

4.1 This report provides the annual complaints and information report for the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014. 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. LEGAL COMMENTS**

5.1 The legal comments are contained within the body of the report.

#### **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

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### **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