

Appendix 5: Quarter 4 Report on Complaints and Freedom of Information and Environmental Information Regulations Enquiries

Complaints

Summary of Complaints in YTD	Q1	Q2	Q3	Q4	YTD	2019/20 Target
Number of Complaints Received in Quarter:	4	7	4	4	19	<20
Percentage of complaints dealt with in accordance with agreed deadline of 15 working days	100%	100%	100%	100%	100%	
Number of Complaints in Quarter regarding an Authority Member:	1	1	0	0	2	-

Complaint Ref, Date Made and Stage	Service and Reason for Complaint	Date Response Sent	Outcome	Any Change in Processes/Practices as a Result of Complaint Investigation
C474 Stage One 06/01/20	<p>Visitor Experience Development</p> <p>Stage One Complaint regarding lack of response to issues raised in relation to a cycle hire booking for a group of 6 persons including:</p> <ol style="list-style-type: none"> Wrong seat height and size of bike supplied for one person causing issues on ride Staff not interested in problem on return Bikes being pressure washed on return which Complainant alleges damages bikes Calliper brakes on one bike not adjusted correctly No mudguards on any bikes 	<p>21/01/20</p> <p>Within 15 working day deadline</p>	<p>Apologised that a response was not received to complaint made to cycle hire centre. The issues raised were investigated promptly by the Visitor Operations Manager – Cycle Hire and she tried to contact Complainant by telephone number provided but was unsuccessful. Explained the team is confident that there was no fault with the bikes. The hire fleet is maintained by professional qualified cycle technicians. The Assistant on duty had years of experience in bike fitting and was an experienced, qualified technician. The centre had every size of bike in stock but sometimes it can take a few minutes to identify and set up the correct bike for individuals in a party of six. The bikes were issued and checked using a set standard in line with procedures, on issue and on return. Each individual cycle has a detailed recorded service history. Trained staff, gently pressure washing specific areas of the bikes is the most effective way of keeping the fleet clean but acknowledge this is a contentious issue in the biking community. Assured Complainant that feedback on all of</p>	None required

			our services is taken seriously and has been discussed with staff but in this case cannot identify any further issue to address.	
C.475 15/01/20 Stage One	Development Management Service Complaint regarding Authority's failure to follow procedure in determining an application the Parish Council had objected to. Application was decided under delegated powers so Parish Council were denied presenting their views to the Planning Committee.	03/02/20 Within 15 working day deadline	At the point the report was written and finalised there were no representations on the system. The report was passed through to Head of Service for sign off after the consultation period had finished. However further representations were made in time and added to the system after the report was drafted but prior to signing off. The representations should have been taken into account in the making the decision and the Authority apologised for this oversight. Reviewed the decision and concluded that if the representations were taken into account the application would have had the same outcome and explained the reasons for this. Also explained the Authority's scheme of delegation allowed items to be determined under delegated authority contrary to the Parish Council's views where differences of view were solely on design issues. The number of representations did not prevent this application being determined under delegated powers and therefore the determination was made in an appropriate way following standing orders. Noted concern that the delegated report stated no representations but referred to last application having four letters of support. Stated it was not misleading but agreed that it was not of great relevance to current application however as no content was described it was not material in making the decision and no bias ensued.	None required
C.476 Stage One 18/03/20	Development Management Complaint regarding conflicting dates given for deadline for comments to be made on a planning application and lack of comments form available on website.	Response Due by 07/04/20		

C.477 Stage One 23/03/20	Engagement Complaint regarding behaviour of a Ranger towards Complainant, whilst out walking, and not acting within current Government guidelines regarding Coronavirus.	Response due by 15/04/20		

Update on Complaints Reported in Previous Quarters

Complaint Ref, Date Made and Stage	Service and Reason for Complaint	Date Response Sent	Outcome	Any Change in Processes/Practices as a Result of Complaint Investigation
<p>C459 24/09/19 Ombudsman (receipt reported in Q2)</p> <p>(Stage One and Stage Two complaints reported in Q1)</p>	<p>Engagement and Information Management</p> <p>Complaint regarding only being able to book a PDNPA event on-line and no alternative way of booking for those without access to a computer.</p>	<p>25/11/19</p> <p>Within Ombudsman deadline.</p>	<p>The Ombudsman found the Authority was at fault and made the following recommendations, which the Authority accepted:</p> <ul style="list-style-type: none"> a) Within one month of the date of this decision, the Authority will write to the Complainant and apologise to him for the inconvenience caused. It will offer him and a companion two free places on a guided walk of their choice. b) Within two months, the Authority will carry out an Equality Impact Assessment; c) Within three months, the Authority will: <ul style="list-style-type: none"> 1. consider the best way to amend its policy of not accepting bookings and payments by phone and find the most cost-effective way to make this possible for exceptional circumstances; and 2. Write to the Ombudsman to explain what steps it has taken to remedy the fault found <p>The above actions have been completed and the Ombudsman has confirmed that the remedy is “complete and satisfied”</p>	<ul style="list-style-type: none"> 1. Carry out an Equality Impact Assessment. 2. Consider the best way to amend policy of not accepting bookings and payments by phone and find the most cost-effective way to make this possible for exceptional circumstances.
<p>C.464 24/02/20 Ombudsman</p>	<p>Development Management</p> <p>Complaint about the Council’s handling of planning matters</p>	<p>Response to initial enquiry sent 23/03/20</p>	<p>Response sent to Ombudsman’s initial enquiries and included explanation of current situation regarding Complainant’s planning application. Explained that the current application to vary conditions on the permission was</p>	

	related to Complainant's planning application.	Within Ombudsman's deadline.	considered at the Planning Committee meeting on 6 March. Members agreed that they support the officer recommendation but deferred consideration to allow officers to meet with the Complainant to find a way forward. Officers have met with the Complainant and are now intending to recommend approval. The matter would normally revert to Planning Committee but alternative processes are in place during the Coronavirus outbreak. Waiting for Ombudsman to confirm whether or not they will be investigating compliant.	
C467 06/02/20 Ombudsman (Stage One reported in Q2 and Stage Two reported in Q3)	Development Management Complaint regarding lack of response and action with regard to enforcement complaints relating to a public house including: <ol style="list-style-type: none"> 1) Erection of stainless steel extractor fan 2) Erection of flag pole 3) Erection of marquee and associated noise and disturbance in a conservation area 4) Parking of a HGV on site Complainant also requested clear clarification of whether or not the marquee required planning permission.	Response to initial enquiry sent 07/02/20 Within Ombudsman deadline	Ombudsman confirmed complaint was being passed for investigation but still waiting for Investigator to be assigned.	

Complaints Review

Since 2015, at Members' request, we have included a review and update on trends in complaints over the past 3 years in the Quarter 4 report.

Numbers of Complaints Received Over Last 3 Years												
Year	No of Total Complaints					No of Stage 1 Complaints		No of Stage 2 Complaints		No of Ombudsman Complaints		
Period 1 April to 31 March	Received	Withdrawn	Against Development Management (Previously Planning Service)	Against Other Services	Against Members	Development Management (Previously Planning Service)	Other Services	Development Management (Previously Planning Service)	Other Services	Development Management (Previously Planning Service)	Other Services	Members
2017/18	14	0	9	5	0	9	5	4	0	2	0	0
2018/19	13	0	9	4	1	9	4	2	2	3	0	0
2019/20	19	0	11	6	2	11	6	8	3	2	1	0

The following trends in complaints have been identified:

2017/18 – Development Management Service: handling of planning applications and actions of officers.
Other Services: Actions of officers.

2018/19 – Development Management Service: handling of planning applications lack of responses and actions of officers.
Other Services: Actions of officers.

2019/20 – Development Management Service: handling of planning applications and enforcement issues.
Other Services: No trends identified.

The number of complaints received overall has increased this year, as shown in the table above, but is still in line with our annual target of receiving less than 20 complaints per year. Of those complaints which were pursued to the Local Government Ombudsman, there has been only one upheld complaint which found fault and injustice. We have since received confirmation from the Ombudsman that the remedy has been completed and satisfied.

Quarter 4 report on Freedom of Information (FOI) and Environment Information Regulation Enquiries (EIR)

Quarter	No. of FOI Enquiries dealt with	No. of EIR Enquiries dealt with	No. of Enquiries dealt within time (20 days)	No. of late Enquiry responses	No. of Enquiries still being processed	No. of referrals to the Information Commissioner
Q1	6	6	12	0	2	0
Q2	3	14	17	0	0	0
Q3	4	3	6	1	3	0
Q4	13	2	14	1	3	0
Year end (cumulative)	26	25	49	2	3	0