

## **9. ANNUAL COMPLAINT PERFORMANCE & SERVICE IMPROVEMENT REPORT**

### **1. Purpose**

This report provides Members with information about complaints, statutory information requests and data handling for the period 1 April 2023 to 31 March 2024.

### **2. Context**

**2.1** Reviewing complaints and analysing trends over time enables the Authority to identify and address any potential systemic issues and risks by introducing improvements to service delivery.

**2.2** The Authority has a positive complaint handling culture, encouraging feedback and complaints from service users, recognising that they have the potential to improve service standards and reputation. The Authority operates a two-stage complaints procedure allowing for escalation to a more senior Manager at Stage 2 if the complainant is not satisfied with the response at Stage 1. Where a complainant does not feel that the Authority has adequately addressed their complaint through the complaints procedure, they may further complain to the Local Government and Social Care Ombudsman (LGSCO), who will determine any fault and make recommendations to put the complainant back in the position they would have been in had the fault not occurred.

**2.3** Annually, the LGSCO provides statistics summarising the complaints they have received against the Authority to allow effective oversight of complaints and the opportunity to address any issues. In the event that maladministration is found, the Monitoring Officer has a statutory duty to report to the Authority in respect of the causative proposal, decision or omission to enable improvements to be put in place as appropriate.

**2.4** In relation to Members, the Authority has a statutory duty to promote and maintain high standards of conduct. All Members are aware of the Code of Conduct and that any complaints about Members are dealt with by the Monitoring Officer in line with agreed arrangements.

**2.5** With regard to information requests and the handling of data, the Authority has various statutory duties to handle data appropriately and disclose information when requested by members of the public. Where an applicant considers their data has been mishandled or their request has not been dealt with correctly, they may complain to the Information Commissioner who can take regulatory action against the Authority if the appeal is upheld.

### **3. Proposals**

**3.1** The statistics in relation to the above categories for the period 1 April 2023 to 31 March 2024 are included in the appendices to this report as detailed below. Members are asked to consider the data and make any suggestions appropriate to improve the Authority's processes.

**3.2 Member Code of Conduct Complaints – Appendix 1**  
One formal complaint was received against a Member during this period. Following initial assessment, the Monitoring Officer decided to take no further action in relation to the complaint on the basis that it was not in the public interest to do so. However, a training gap was identified as a result of the complaint; accordingly, additional training was provided to the Member by the Monitoring Officer.

**3.3 Formal Complaints Procedure – Appendix 2**  
A total of 21 formal complaints were received during this period, which is 16 less than

received in the previous year. Of the 21 complaints, 1 was withdrawn, 11 related to the Planning Service and 9 to other Services; 13 of these complaints ended after Stage One of our complaints process and only 7 complaints progressed to Stage Two. Of the 11 complaints against the Planning Service 2 were referred to the Ombudsman but not upheld – see paragraph 3.4 below. Details of all the complaints are provided in Appendix 2 of this report and the appendix also shows the Authority was required to make changes in response to only 5 of the complaints. The Appendix also provides a comparison with complaints received in the previous 2 years and shows that continuing trends for complaints are the handling of planning applications and actions taken by officers.

### **3.4 LGSCO Annual Review Letter 2023-24 – Appendix 3**

Three complaints were referred to the LGSCO during this period. Two of which were closed after initial enquiries and one was referred back to the Authority for local resolution due to it being premature. Consequently, no complaints were upheld, no investigations were carried out and no recommendations were made by the LGSCO.

### **3.5 Statutory Information Requests and Data Handling – Appendix 4**

There have been 29 requests for information made under FOIA and 45 requests handled under EIR. A total of 4 requests for copies of personal data have been made under Article 15 of the UK GDPR (Subject Access Request). During this period 3 requests proceeded to internal review and were handled by the Head of Resources; the original decision was upheld in 2 of the cases, and in the case of the third, additional information was provided in response to the original request. No appeals have been made to the ICO.

There have been 8 reports of potential data/security incidents. None have been deemed as meeting the threshold for reporting to the ICO. These have been recorded on the Security Incident log and resolved internally.

## **4. Recommendations**

- 1. That the complaint, information request and data handling statistics detailed within this report and the appendices be noted.**

## **5. Corporate Implications**

### **a. Legal**

Pursuant to section 5 of the Local Government and Housing Act 1989, the Monitoring Officer has a statutory duty to report any maladministration to the Authority.

Pursuant to sections 27 and 28 of the Localism Act 2011, the Authority must promote and maintain high standards of conduct by Members and, in furthering that duty, must adopt a code and put arrangements in place to dealing with Member conduct.

The Authority has statutory duties under the Freedom of Information Act 2000, Environmental Information Regulations 2004, UK General Data Protection Regulation and the Data Protection Act 2018 to disclose information when requested and deal with personal data in an appropriate way.

### **b. Financial**

There are no direct financial implications arising from the report. However, in the event of a breach of the statutory duties detailed above, a fine or compensation may become payable by the Authority.

- c. National Park Management Plan and Authority Plan  
Operating appropriate systems and oversight of complaints, information requests and data handling will ensure best practice governance arrangements are in place in line with Objective F (Governance) of the Authority Plan.
- d. Risk Management  
Monitoring of these statistics will enable the Authority to identify any areas of risk and to take appropriate action to negate or minimise that risk.
- e. Net Zero  
There are no direct implications arising from the report.

**6. Background papers (not previously published)**

None

**7. Appendices**

- Appendix 1 – Member Code of Conduct Complaints - 1 April 2023 to 31 March 2024
- Appendix 2 – Formal Complaints – 1 April 2023 to 31 March 2024
- Appendix 3 – LGSCO Annual Review Letter – 1 April 2023 to 31 March 2024
- Appendix 4 – Information Requests & Data Handling – 1 April 2023 to 31 March 2024

**Report Author, Job Title and Publication Date**

Angela Edwards, Monitoring Officer, 19<sup>th</sup> September 2024

**Responsible Officer, Job Title**

Angela Edwards, Monitoring Officer