

Summary of Formal Complaints
Report by Chief Executive

Summary: This report summarises the formal complaints dealt with by the Authority during 2015/16 together with the outcome of these complaints.

Recommendation: That the report be noted.

1 Introduction

- 1.1 It is good practice for local authorities and other public bodies to ensure that effective, transparent and accessible arrangements are in place for dealing with complaints, that complaints procedures are adequately publicised and that processes are in place to enable the Authority to monitor responses and ensure that lessons are learnt from the outcome of such complaints.
- 1.2 This report sets out details of the complaints dealt with during the period April 2015 to March 2016, together with a summary of the Authority's responses to these complaints.

2 Broads Authority Complaints Procedure

- 2.1 The Authority has a formal Complaints Procedure which is advertised on its website and which has a number of stages:
 - In the first instance complainants are advised to contact the manager responsible for the area of work where they have a complaint or comment, in order that the matter can be dealt with informally and as near as possible to the point of contact.
 - If it proves impossible to resolve the complaint informally, the complainant may submit a formal complaint in writing. This complaint is investigated by the appropriate Director who has a responsibility to reconsider the matter objectively and professionally.
 - Finally, if the complainant is still dissatisfied as a result of the Director's response, they may ask for the matter to be reviewed by the Chief Executive. The Chief Executive is required to review the complaint in an impartial manner and may, if he sees fit, seek advice from other officers, such as the Solicitor and Monitoring Officer, or from independent consultants or advisers if he believes that an external view would be helpful. This is the final stage of the Authority's formal complaints procedure.

- 2.2 The Authority also has a Members Code of Conduct and the Authority's Complaints Procedure provides clarification of the conduct expected by members and a summary of how the Authority deals with Standards allegations. This is also available via the Authority's website.

3 Local Government Ombudsman

- 3.1 The Local Government Ombudsman investigates complaints by members of the public who consider that they have been caused injustice by the administrative actions (maladministration) of local authorities and other bodies within their jurisdiction (which includes the Broads Authority).
- 3.2 The Local Government Ombudsman provides a free, independent and impartial service, and will normally only agree to investigate a complaint if the internal complaints procedures of the appropriate body have been exhausted.
- 3.3 During 2015/16, the Local Government Ombudsman reviewed one complaint relating to the granting of planning permission for a neighbouring property. The complaint was dismissed, the detail of which is detailed in the Appendix below. As a comparison, two complaints were made through the Local Government Ombudsman in 2014/15, two complaints were made in 2013/14 and no complaints were made in 2012/13.

4 Formal Complaints 2015/16

- 4.1 As already indicated it is good practice for the Authority to monitor the number of complaints dealt with and their outcome. A summary of those dealt with during 2015/16 is therefore set out in the Appendix below, together with the responses made.
- 4.2 Members will note that eleven formal complaints were received during this period (compared to sixteen during 2014/15, ten during 2013/14 and four during 2012/13), although of course other complaints and issues were dealt with and resolved on an informal basis. The Authority does not record the number of complaint resolved informally.
- 4.3 The summary of the responses demonstrate that the Authority was found partially or fully at fault for two of the eleven complaints received, where apologies were duly made to the complainants. This demonstrates that the Authority does look to provide a remedy to complaints when it is found at fault.

5 Summary

- 5.1 Given the wide breadth and volume of the Authority's work, the number of complaints which were taken to and dealt with at the 'formal' stage is considered to be small. It is very encouraging that there were no findings of maladministration against the Authority.

5.2 Officers will continue to monitor and record details of complaints and seek where possible to learn lessons from these, especially should the actions of the Authority have fallen below expected standards.

Background papers: Nil

Author: Regina Green/ Essie Guds

Date of report: 26 April 2016

Broads Plan Objectives: None

Appendices: APPENDIX 1 - Formal Complaints 2015/16

Formal Complaints 2015/16

Summary of Complaint	Final Response Provided by	Summary of Response
1. Complaint relating to the inappropriate process of notification of a planning application	Director of Planning and Resources	The complainant was advised and provided with evidence that all statutory procedures had been followed.
2. Complaint relating to the granting of planning permission for a neighbouring property	Chief Executive	The complainant was advised and provided with evidence of how their objection had been taken into account in the determination of the application. Complaint also later dismissed by Ombudsman.
3. Complaint relating to alleged maladministration in respect of registering title to BA owned land and alleged incorrect handling of the Stage 2 complaint.	Chief Executive	Complainant was advised that all statutory procedures had been followed.
4. Complaint relating to a planning appeal by a third party	Chief Executive	Apology given for late notification and request made by the Authority on behalf of the complainant to PINS for an extension of time (which was subsequently granted).
5. Complaint made by third party in relation to a lack of enforcement and monitoring of conditions attached to a planning permission.	Director of Planning and Resources	Complainant advised as the remit and purpose of conditions and regular programme of monitoring of this site in relation to compliance with conditions.
6. Complaint relating to registration and toll payment for a static houseboat	Chief Executive	Complainant was advised and evidence was provided that guidance given was correct and

		that registration and toll payment for the houseboat was required.
7. Complaint made by applicant about handling of a planning application	Chief Executive	Complaint still live at Stage 3 response due end of April 2016.
8. Complaint relating to poor and discourteous communication	Head of Planning	The complainant was advised that the delays in response were unsatisfactory and an apology was given. The complainant was satisfied with this remedy.
9. Complaint regarding a member of staff	Director of Planning and Resources	Complaint dismissed – no evidence supplied to substantiate complaint.
10. Complaint regarding a member of staff	Vice Chairman of the Broads Authority	Complaint dismissed – no evidence supplied to substantiate complaint.
11. Complaint made by applicant about handling of a planning application	Director of Planning and Resources	Complaint still Live– Stage 1 Due date end of April 2016.