

# Broads Authority

30 April 2021

Agenda item number 14

## Annual summary of formal complaints – 2020/21

Report by Governance Officer

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### Purpose

This report summarises the formal complaints received by the Broads Authority in 2020/21, together with the outcome of those complaints.

### Recommended decision

To note the report.

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## 1. Introduction

- 1.1. It is considered good practice for public bodies such as the Broads Authority to have effective, transparent and accessible arrangements in place to deal with complaints, to adequately publicise their complaints procedures, to monitor responses and to make sure lessons are learnt from the outcome of complaints.
- 1.2. The formal complaints summarised in this report are those made by members of the public and service users during the period 1 April 2020 to 31 March 2021, together with a summary of the Authority's responses.

## 2. Broads Authority complaints procedure

- 2.1. The Authority's formal complaints procedure is published on its website at [How to complain \(broads-authority.gov.uk\)](https://www.broads-authority.gov.uk/how-to-complain). The procedure 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, so that the matter can be dealt with informally and as near as possible to the point of contact.
  - If it is not possible 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. The complainant will receive a detailed reply in writing identifying whether their complaint is upheld or not. The reply will also explain how to take the matter forward should the complainant remain dissatisfied.
  - 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/she sees fit, seek advice from other officers such as the Monitoring Officer, and any also seek direction from the appropriate committee, or from independent consultants or advisers if he/she believes that an external view would be helpful. If the formal complaint concerns action that the Chief Executive has taken, it will be reviewed by the Chairman of the Authority. This is the final stage of the Authority's formal complaints procedure.

- 2.2. The Authority seeks to provide a remedy to complaints when it is found at fault.
- 2.3. The Authority has a separate [Members Code of Conduct and complaints procedure](#), which clarifies the conduct expected by members and summarises how the Authority deals with such complaints.

### 3. Local Government Ombudsman

- 3.1. The Local Government Ombudsman (LGO) 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 LGO 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.

### 4. Formal complaints 2020/21

- 4.1. Five formal complaints were made to the Authority in 2020/21. The subject matter and outcome of those complaints is set out in Appendix 1. Other complaints and issues resolved on an informal basis are not recorded.

### 5. Comparison with previous years

- 5.1. The summary of formal complaints reports to the Authority recorded four complaints in 2019/20, six in 2018/19 and 15 in 2017/18. In terms of complaints to the LGO, one complaint was made in 2019/20, one complaint in 2018/19 and none in 2017/18.

### 6. Conclusion

- 6.1. Given the breadth and volume of the Authority's work, the number of formal complaints received in 2020/21 is considered to be small. Officers will continue to record and monitor formal complaints and seek to learn lessons from them, especially if the Authority's actions have fallen below expected standards.

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Date of report: 16 April 2021

Appendix 1 – Formal complaints 2020/2021

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Summary of complaint	Final response provided by	Stage reached and summary of response
The complainant disagreed that the information requested regarding the allocation of a BA 24-hour mooring at How Hill for exclusive use by a local resident was a breach of GDPR, and therefore asked to receive a full response.	Director of Operations	Stage 2 - To resolve the situation, the Data Subject gave permission for the requested information to be shared.
Planning breaches at Broadholme, Caldecott, Oulton Broad raising a number of issues including health and safety, working hours and breach of conditions; exchange of correspondence between 9 April and 15 July 2020.	Director of Strategic Services	Stage 2 - A detailed response was provided to each of the points raised by the complainant. It was concluded that the Authority had taken appropriate steps to respond to concerns raised over the previous 3 months.
Use of the premises and possible contravention of planning conditions at The Old Tannery in Bungay, and alleged failure by staff to take action.	Director of Strategic Services	Stage 2 - A detailed response was provided to each of the points raised by the complainant. It was concluded that the Authority had taken appropriate steps to respond to concerns raised over the previous 6 months and, for those which were not planning related, the complainant was advised which service they should contact.
Beauchamp Arms – conduct of BA officer at site visit.	Director of Strategic Services	Straight to Stage 2 (as complaint related to a staff member). The case was closed, as the complainant did not supply additional information as requested,

Summary of complaint	Final response provided by	Stage reached and summary of response
		despite being given a 2 week extension to the deadline.
Planning application and associated tree works application in Oulton – multiple correspondence between 16 February and 3 March 2021, raising a number of issues.	Director of Strategic Services	Stage 2 – A detailed response was provided. It was concluded that the Authority had taken appropriate steps to respond to the complainant’s concerns raised. However, some elements were deemed to fall within the policy on unreasonable complainant behaviour and the complainant was advised that no further enquiries about the same matters would be processed.