

DERBYSHIRE COUNTY COUNCIL**STANDARDS COMMITTEE****16 April 2018****Report of the Director of Legal Services****ECONOMY, TRANSPORT AND ENVIRONMENT COMPLAINTS AND COMPLIMENTS****1. Purpose of the Report**

To present to the Committee information on the number of compliments and complaints received by the Economy, Transport and Environment Department during the last 12 months.

2. Information and Analysis

The terms of the Standards Committee provide that the Committee has an overview of the Council's complaints procedure. In order to inform Members of the procedure for complaints in the Economy, Transport and Environment Department, Angela Glithero (Assistant Director – Resources and Improvement Division) and David Massey (Performance and Engagement Manager) have been invited to attend the meeting to provide an overview of the compliments and complaints for the Department during the last 12 months.

A breakdown of the compliments and complaints received by the Department is attached at Appendix 1.

3. Other Considerations

In preparing this report the relevance of the following factors have also been considered: financial, legal and human rights, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

4. Background Papers

The file is held on behalf of the Strategic Director for Economy, Transport and Environment by the departmental Performance and Engagement Manager.

5. Officer's Recommendation

That the Committee notes the information provided on the number and detail of the Economy, Transport and Environment Compliments and Complaints received in the last 12 months, together with comparisons for previous years.

John McElvaney
Director of Legal Services

APPENDIX 1**ECONOMY, TRANSPORT AND ENVIRONMENT****COMPLIMENTS AND COMPLAINTS****1.0 Introduction**

This report provides information on the number of compliments and complaints received during the last 12 months with comparisons for previous years.

Feedback on the Department's work whether that is positive or negative is welcomed and the information is used to provide feedback to staff on a job well done or taken as an opportunity to seek further improvements to service delivery.

2.0 Information and Analysis

The Economy, Transport and Environment Department provides a wide range of services within the community which have a direct impact on the lives of Derbyshire people, as well as those people who visit or work within the County.

It employs over 890 staff and currently has an annual revenue budget of over £73 million.

Due to the complexity of the different services that are being delivered the Department is organised into four divisions, although these are currently under review:-

Economy and Regeneration

The Economy and Regeneration division is responsible for the delivery of economic growth across Derbyshire. A key role it undertakes is promoting Derbyshire as a place to live, work, visit and invest through supporting inward investment, international partnerships and tourism development.

The delivery of the Digital Derbyshire Programme, which will supply superfast broadband to 98% of properties by 2018, is one of the Councils headline measures in the Council Plan; unlocking economic growth and access to economic opportunities.

Commitment to improving the economy of Derbyshire through achievement of key objectives such as maximising external funding, offering support to local businesses and creating jobs for local people is supported through active membership of the Derbyshire Economic and Local Enterprise Partnerships.

The Council's Planning and Highways Development Control functions, including the draft Mineral and Waste Local Plans, are strategic areas of focus for this division.

Highways

The Highways division ensures the provision of a safe and reliable highway network for all users. The County's highway assets are currently valued at £8 billion and include 3,500 miles of road, 2,800 miles of footway, 1,000 bridges, 600 miles of retaining walls, 90,000 street lights and 7,700 illuminated traffic signs.

Coordination of roadworks, closures and diversions, along with managing parking enforcement and the provision of a winter service are all key activities to ensure that the County's highways remain as congestion free as possible. Other highway maintenance tasks, such as replacing worn out road markings, cleaning and replacing signs, tackling drainage works such as grips, ditches, culverts and trash screens, improving maintenance of bridges and retaining walls, cutting back vegetation and verge encroachment are all activities carried out by this division and work towards achieving the Council Plan priority to repair and improve the condition of Derbyshire roads. The Emergency Planning Section also sits within this Division, working with the emergency services, health services and other agencies emergency planning ensure the Council is as ready as it can be in the event of an emergency or major incident.

Transport and Environment

The Transport and Environment division coordinates a wide range of functions which contribute to the Council Plan priorities to improve accessibility in vulnerable and rural communities and in protecting and enhancing the natural environment. Key activities include the provision of nine household waste recycling centres and two composting facilities which together manage around 379,000 tonnes of household waste per year.

Promotion of the Derwent Valley Mills World Heritage Site, management of 150 countryside sites including: 3 destination sites, 4 country parks, 5 visitors centres, 3,200 miles of Rights of Way, 5 reservoirs, over 9 miles of canals, 8 sites of special scientific interest, 10 nature reserves and 1,000 hectares of woodland all contribute to helping the Council protect the environment for future generations to use and enjoy.

The division is responsible for the provision of a network of school buses for 7,000 students, transport for 1,500 children with special needs and 1,000 adult care passengers as well as providing assistance at 125 School Crossing sites across the County.

The division also has responsibility for Flood Risk Management, undertaking approval of changes to 21,000 water courses per year.

As the primary supplier of vehicles to the Council and a number of external organisations, the division is responsible for the purchase, maintenance and disposal of a comprehensive fleet; currently the Council alone has 500 vehicles. Having a well maintained and dependable fleet ensures that the Council is operational 24/7.

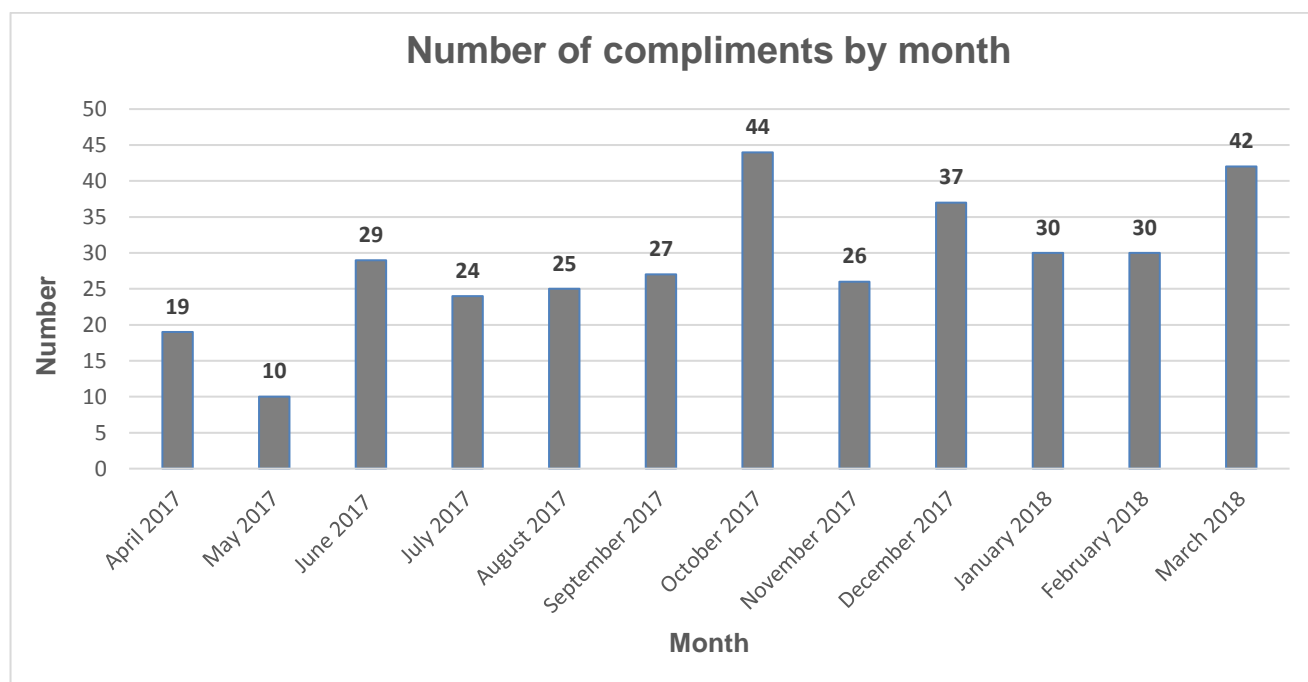
Resources and Improvement

The Resources and Improvement division supports the Department in delivering the Council Plan pledges through developing innovative improvements and providing efficient and effective support through back office and front line customer services ensuring that resources are maximised.

Each year, officers respond to over 95,700 highways related service enquiries, 1,000 highway insurance claims, 10,000 highway searches and coordinate over 30,000 work activities in the highway in accordance with the Derbyshire Permit Scheme. Key activities include the provision of leadership and support to the Department with regard to finance, human resources, performance and quality management, customer service and engagement, ICT business relationship management and business services.

3.0 Compliments

343 compliments were recorded by the department during the period 1 April 2017 to 31 March 2018 as shown below

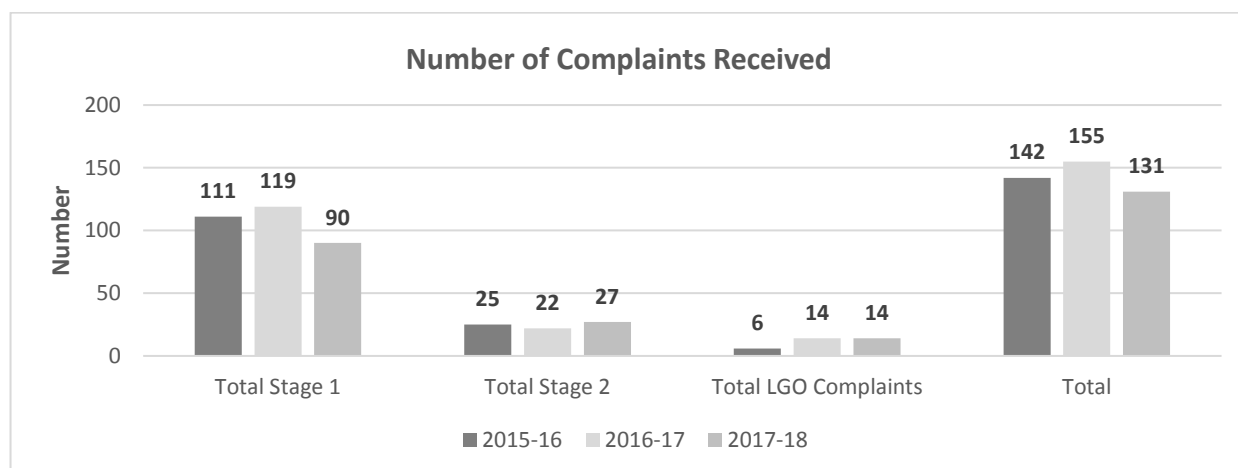


Compliments information is shared in poster format via email to all staff within the Department. For those staff not included on the email system, the posters are

displayed in the various offices and depots around the County. An example of this information is provided in **Appendix 2**. A further example of the winter service compliments will be available at the meeting.

4.0 Complaints

428 complaints were handled either at Stage 1, Stage 2 or as part of a Local Government Ombudsman investigation during the three year period 2015-2018. A breakdown of complaint category is shown below:



In line with previous years' reporting, the majority of complaints received during the three year period 2015-18 relate to highway services (74%) of which just under half (44%) were either upheld or partially upheld.

Out of the total number of complaints received by the Department during this period just under half (43%) were upheld or partially upheld.

		Economy and Regeneration	Environment and Transport	Highways	Resources and Improvement	Other	Totals
2015-16	No of Complaints received	2	15	112	4	3	136
	No upheld/partially upheld	0	6	64	3		73
	Percentage upheld/partially upheld	0.0	40.0	57.1	75.0		
2016-17	No of Complaints received	4	14	106	10	7	141
	No upheld/partially upheld	0	5	45	9		59
	Percentage upheld/partially upheld	0.0	35.7	42.5	90.0		
2017-18	No of Complaints received	3	30	73	5	6	117
	No upheld/partially upheld	1	13	18	4		36
	Percentage upheld/partially upheld	33.3	43.3	24.7	80.0		
2015-18	Total number of complaints	9	59	291	19	16	394
	Total No upheld/partially upheld	1	24	127	16		168
	Percentage of total upheld/partially upheld	11.1	40.7	43.6	84.2		

Complaints are recorded using the following categories:

Driving incident: any type of driving incident i.e. speeding, parking, use of mobile phone

Lack of action: work not undertaken, repairs not carried out or no progress on a complaint or enquiry

Lack of response: incidents where officers have failed to respond to an enquiry or complaint in accordance with customer care policy

Policy/procedure: covers complaints relating to, for example, the Council's policy on the provision of a dropped crossing or gritting route

Quality of work: work that is substandard and does not meet the customer's expectations

Staff attitude/action: incidents of poor staff attitude or behaviour when dealing with members of the public.

The table below shows the breakdown by year of upheld/partially upheld complaints by category compared to the number of complaints received.

Number of upheld complaints by Category		Driving incident	Lack of action	Lack of response	Not Assessed	Other	Policy/procedure issue	Quality of work	Staff Attitude/action	Grand Total	% of complaints upheld
2015-16	No of Complaints	12	39	19	3	3	18	13	29	136	53.7
	No upheld	11	19	14	0	1	8	6	14	73	
2016-17	No of Complaints	4	50	24	9	2	19	8	25	141	41.8
	No upheld	2	24	19	0	1	3	1	9	59	
2017-18	No of Complaints	7	37	15	6	15	20	4	13	117	30.8
	No upheld	1	14	10	0	1	5	0	5	36	

As is indicated from the table above, the overall number of complaints received by the department has decreased together with the total number of complaints upheld.

Appendix 3 shows examples of complaints received under the categories listed above.

5.0 Service Improvements

Departmental Management Team considers complaints at quarterly Performance Clinics. In addition, highways and fleet management related complaints are reported as part of the Department's Quality Management Systems every six months.

Opportunities for service improvement are always a key focus of these discussions and where a complaint falls within scope of the Quality Management Systems, a Corrective Action Report is raised. A Corrective Action Report identifies where an action or change to a process is implemented to prevent similar complaints being raised in the future.

Please see below actions undertaken as a result of partially upheld/upheld complaints during 2017-18:

Lack of Action: 38% of complaints regarding lack of action were upheld/partially upheld. The majority of these complaints concerned delays in street lighting repairs where contractual services were utilised. Staff have been reminded of their responsibility to follow due process for the issuing of work to contractors; this will result in a reduction in the time taken for repair.

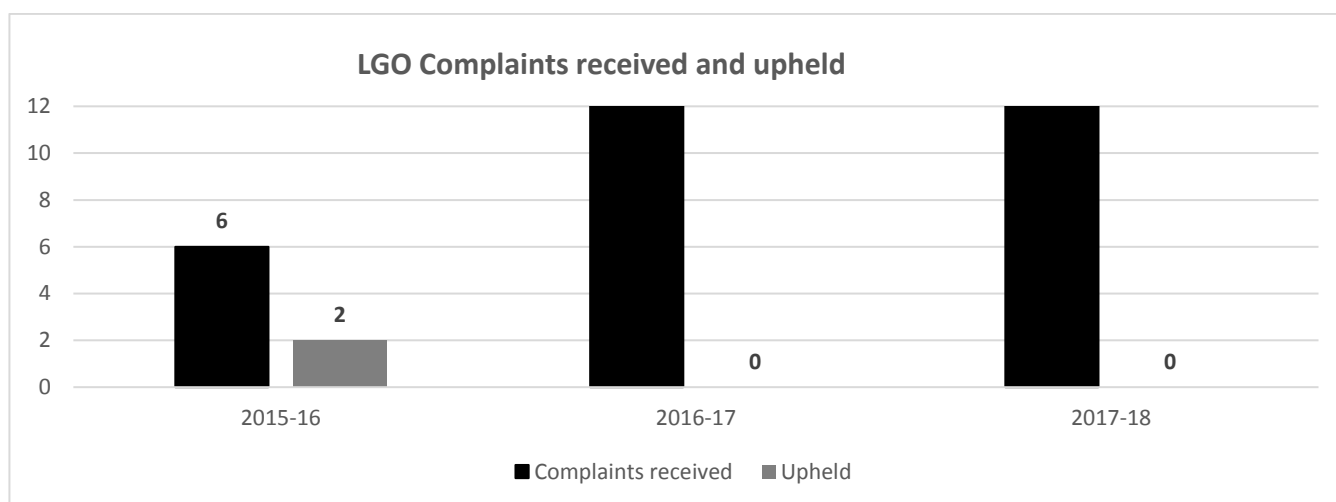
Lack of Response: 67% of upheld/partially upheld complaints were due to lack of response. The implementation of the Highways Hub and the introduction of the Portrait Dialogue software means that customers are updated more frequently through automated emails when jobs are completed which has helped to keep customers updated.

Staff attitude: 38% of upheld/partially upheld complaints related to staff attitude or action. Staff have also been reminded of the County Council's Customer Care Charter and what is expected of them regarding their conduct when carrying out duties on behalf of the County Council.

Driving Incidents: 86% of upheld/partially upheld complaints in relation to driving incidents resulted in staff being reminded of expectations of conduct whilst using a works vehicle.

6.0 Local Government Ombudsman (LGO) Complaints

The graph below provides details of the number of complaints received by the LGO and the number that have been upheld over the three year period 2015-18.



Of the two cases upheld during 2015/16 one related to a poor bus service; the local bus did not turn up on at least 8 occasions in a six month period and the second where the council had wrongly advised the complainant there was a footpath running across her property. The Ombudsman has not found against the Council during the previous two years.

7.0 Acknowledgement and response times

In line with the Corporate Complaints Procedure, all complaints should be acknowledged within 5 working days; during 2017-18, 100% of the 117 complaints received by the department were acknowledged within this allocated timescale. 98% of complaints received were responded to within the set timeframe or an agreed extension for Stage 1 and Stage 2 complaints.

Of those complaints that were not responded to within the given timeframe, the reasons for the delay were due to staff not responding to requests within the time allocated.

8.0 Conclusion

Feedback on the Department's work whether that is positive or negative is welcomed and the information is used to provide feedback to staff on a job well done or taken as an opportunity to seek further improvements to service delivery.



APPENDIX 2

Compliments Received January – May 2017

All Roads and Countryside Service

"Nice bit of resurfacing on the Sett Valley Trail around High Hill Road, and some new hedge-laying on Station Road, Birch Vale. Thank you, DCC/Ranger service for your continued labours, in the most difficult of financial climates."

Highways Maintenance and Street Lighting

"Please pass on my appreciation for the work carried out in Creswell. Firstly the re-surfacing of the pavement at the top of Rogers Avenue, plus all the other work carried out on the potholes reported, and secondly the repairs carried out on the two lighting columns on Church Street. Thank you. "

Highways Maintenance and Countryside Service

"During storm Doris a tree fell on my wife's car, she was okay but the car was a write off. The highways team came out and dealt with this quickly, the tree engineers who helped my wife were fantastic and checked she was okay. I was really impressed and would like to say a thank you to Derbyshire County Council."

Transport and Environment

Conservation, Heritage and Design Service

"A massive thank you on behalf of Year 5 at St. John's. We all thoroughly enjoyed the presentation on the World Heritage Site. The children voluntarily came and sang your praises – they were wowed by your knowledge and mentioned that they could have listened to you talking all day! Thank you for a fantastic start to our project and we look forward to working with you again!"

"I like the way Belper has highlighted WW1. I found the printed bios fixed to the wall of the Memorial Gardens fascinating and deeply moving. It brought home the individual suffering behind the names carved onto the stone memorial. It made me fume! What a waste! This imaginative way of bringing home the tragedy of WW1 - the ordinary lives ruined - is new to me. Belper has made the memory alive and relevant. Almost personal. "- regarding the WWI work the WHS team is doing in conjunction with the Belper World War One Commemorations Group

"Everyone was really positive and people have already been putting some of the ideas into place. It was a great day and the buzz for Learning outside the classroom is high." - re Outdoor Learning at The Elms nursery school

APPENDIX 3**Sample of complaints received by category**

Category	Complaint Detail
Driving Incident	<p>Enquiry ref: 8202001</p> <p>The complainant was travelling along Derby Road, Wingerworth at 50 miles an hour when one of our drivers allegedly cut in front of them and pulled into Longedge Lane. The complainant followed the driver back to the depot. The driver apologised but the complainant is very angry and isn't satisfied with this as they feel the manoeuvre was very dangerous.</p>
Lack of Action	<p>Enquiry ref: 8207751</p> <p>I would like to complain about the street light across the road from me and just to the left.</p> <p>I have been complaining about this for weeks and weeks - my daughter has complained about this also and so has my neighbour across the road</p> <p>I saw a man come this morning and fix the light that was out on higher barn road but not the one that is the most important.</p> <p>We had an incident with teens messing about with people's cars because it is so pitch black. My daughter rang the local police and it was marked as an incident. It is so very dangerous and promotes crime.</p> <p>I saw the man look at the street light opposite but he did not fix it at all??</p> <p>I would now like to take it to the next level as a complaint, and I await your reply regarding this ongoing very dangerous problem.</p>
Lack of Response	<p>Enquiry ref: 8206813</p> <p>This is a formal complaint about Derbyshire County Council's failure to follow correct planning procedure in the case of planning decision CD9/1216/77, and subsequent failure to respond to e-mails expressing concern about this issue, In dealing with the above planning application for a new classroom at Aston-on-Trent primary school, the council failed to follow the correct planning procedure. Even though my property directly overlooks the location of the new build and is one of the closest properties, I received no notification of the application, either by direct mail or by the display of public notices in the vicinity. This is</p>

Category	Complaint Detail
	<p>a clear breach of planning regulations and should not have been allowed. Furthermore I sent an e-mail to "development.management@derbyshire.co.uk" on 15th September 2017 to complain about this failure and except for a brief acknowledgement have never received a reply. A follow-up e-mail on 22nd September was completely ignored. I believe that this conduct by the council is totally unacceptable and I expect this complaint to be dealt with in accordance with your formal complaints procedure.</p>
<p>Staff Attitude/Action</p>	<p>Enquiry ref: 8209656</p> <p>I would like to make a complaint regarding the worker or workers of Derbyshire county council highways department. The resident at number 47 decided to get a member of the public on benefits to amend her dropped kerb. Without notice to Derbyshire county council highways department. My neighbours decided to report this as the resident thinks they can do things like this underhanded without notice. The worker from Derbyshire council highways came out to assess the dropped kerb. One of my neighbours shouted him over to discuss this. He did say he had reported the resident for this and numerous other neighbours. The worker then went to no 47 and started to spray where dropped kerb was going. I stood in the window and could see him and the resident laughing and pointing to neighbours houses.</p> <p>A few days after we got accused by the resident and her daughter for GRASSING on them for the kerb. I denied this. They said it's come straight from the horse's mouth. The worker said we are SCUM and haven't got anything on us. People like them make me sick. Now when we complained this should have been confidential. No matter if one of my neighbours told him he had complained this shouldn't have gone any further.</p> <p>I suffer from anxiety, depression, borderline personality disorder, schizophrenia. I cannot do with being accused of these things. Somebody somewhere has leaked this information and I want you to find out how. I don't like being called SCUM thank you. Me and my husband work hard to get what we have so I don't class us as being SCUM. We work for a living unlike our neighbour which thinks life owes her something.</p> <p>I want you to resolve this situation or I've been advised to go to my solicitor this is slander.</p>

Category	Complaint Detail
Policy/Procedure	<p>Enquiry ref: 8204974</p> <p>I wish to complain about the handling of my informal appeal against a PCN.</p> <p>As a direct result of an error made by your service providers "Park Smarter" my family's personal details were potentially shared with an unconnected third party.</p> <p>I consider this to be a breach of the Data Protection Act and I am investigating possible avenues of complaint.</p> <p>But I also believe it shows that the authority's service in the area is not fit for purpose and its actions have directly led to maladministration causing me injustice.</p> <p>Further details are clear in the email trail below. Please advise on how this can be escalated further.</p>