

**ANGUS COUNCIL**

**SCRUTINY & AUDIT COMMITTEE – 22 NOVEMBER 2016**

**COMPLAINTS RAISED WITH SCOTTISH PUBLIC SERVICES OMBUDSMAN  
1 APRIL 2016 – 30 SEPTEMBER 2016**

**SHEONA C HUNTER, HEAD OF LEGAL AND DEMOCRATIC SERVICES**

**ABSTRACT**

This report provides information about complaints made to the Scottish Public Services Ombudsman (SPSO) in respect of Angus Council during the period 1 April 2016 – 30 September 2016.

**1. RECOMMENDATIONS**

It is recommended that the Committee:

- (i) notes the findings of the SPSO; and
- (ii) agrees that the actions taken in respect of the SPSO recommendations are appropriate.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN**

This report supports services in the delivery of all outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013 – 2016.

**3. INVESTIGATION REPORTS AND DECISION LETTERS – 1 APRIL – 30 SEPTEMBER 2016**

This report provides details of all complaints received by the SPSO in respect of Angus Council between 1 April 2016 and 30 September 2016. The SPSO has required the Council to comply with a national complaints handling procedure which was adopted by Angus Council in December 2012 (Report 703/12). The purpose behind a single procedure is to enable councils to compare the number and type of complaints with other local authorities but also to enable councils to learn from complaints and to use them to drive improvement within our service.

During the period 1 April 2016 to 30 September 2016 in total three letters of complaint were received by the SPSO in relation to Angus Council. All three complaints were not pursued and brief details of these complaints are detailed in **Appendix 1**. A separate report has been submitted to this Committee with the SPSO's annual review of all complaints across the local authority sector. This report informs members of the number of complaints made against each local authority according to listed services.

On 19 April 2016 Report No 163/16 detailed complaints from 1 October 2015 – 31 March 2016. At this time it was advised that there was one live complaint. This complaint has not been completed and will be reported back to this Committee at a later date. A brief description of this ongoing complaint is detailed in **Appendix 2** to this Report.

**4. RISKS**

This report does not require any specific risks to be addressed.

## **5. FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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Appendix 1 - Complaints Received 1 April 2016 to 30 September 2016

## COMPLAINTS RECEIVED 1 APRIL 2016 TO 30 SEPTEMBER 2016

<b>Complaint 1</b>	201507669
<b>Date Complaint Received</b>	4 May 2016
<b>Complaint</b>	Council's handling of a planning application made by their neighbour
<b>Date decision received</b>	4 May 2016
<b>Decision</b>	Complaint was closed as no further information was provided to the SPSO

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<b>Complaint 2</b>	201600027
<b>Date Complaint Received</b>	19 July 2016
<b>Complaint</b>	Various complaints regarding housing and council tax benefit; delay in Council responding, incorrect advice, poor communication and complaints handling
<b>Date decision received</b>	19 July 2016
<b>Decision</b>	Complaint has not gone through the Council's complaints process

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<b>Complaint 3</b>	201601563
<b>Date Complaint Received</b>	29 July 2016
<b>Complaint</b>	Complainant received large council tax bill as council tax was underpaid in 2014
<b>Date decision received</b>	29 July 2016
<b>Decision</b>	SPSO cannot investigate complaints where the requested outcome involves the write off of a debt.

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<b>Total Number of Complaints 1 April 2016 – 30 September 2016</b>	<b>3</b>
<b>NOT UPHELD</b>	<b>3</b>
<b>UPHELD</b>	<b>0</b>
<b>ONGOING</b>	<b>0</b>

## COMPLAINTS RECEIVED 1 OCTOBER 2015 – 31 MARCH 2016 - UPDATE

<b>Complaint 6</b>	Ref 201506082
<b>Date Complaint Received</b>	23 March 2016
<b>Complaint</b>	Council did not: <ul style="list-style-type: none"> <li>• respond reasonably or take reasonable action when complainant made phone calls and sent emails reporting neighbour nuisance;</li> <li>• take reasonable action in respect of same; and</li> <li>• respond reasonably to complaint.</li> </ul>
<b>Date decision received</b>	
<b>Decision</b>	Ongoing

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<b>Total Number of Complaints 1 October 2015 – 31 March 2016</b>	<b>6</b>
<b>NOT UPHELD</b>	<b>5</b>
<b>UPHELD</b>	<b>0</b>
<b>ONGOING</b>	<b>1</b>