CUSTOMER COMPLAINTS - COMMUNITIES DIRECTORATE (1 APRIL 2013 - 31 MARCH 2014)

LEARNING FROM COMPLAINTS

No.	Complaint Details	Complaint Resolution	Directorate	What did we learn from this Complaint	Have we changed anything as a result of this Complaint
39	Customer in receipt of notification of court action in relation to unpaid painting of property. Has sent in formal complaint as is unhappy with the service received over the past 5 years in relation to various problems with the property.	Partially upheld	Communities – Planning & Place	The Council attempted to do all it could to address the problems identified. It is acknowledged that the problems should have been identified, by council staff, at the time of the inspection.	Regular and timeous inspections should be carried out throughout projects and any issues accelerated as soon as apparent.
41	Complainer was unhappy with the manner in which he was spoken to in relation to homelessness.	Upheld	Communities – Planning & Place	Staff member involved has been reminded of their role and the council's customer care charter.	N/A
62	(a) Administration of the enforcement case (in respect of policy and the Council's Scheme of Delegation); and (b) The application of Development Plan Policy (specifically Policy L1 of the Angus Local Plan Review (ALPR)).	Not upheld	Communities – Planning & Place	Time taken to deal with matter was excessive.	No although we try and deal with matters expeditiously because of the complexity this is not always possible. If we are not in position to meet timescales, this should be highlighted to applicant and an indication given of when we hope to complete application.
81	Caller originally complained through Accessline about the unwilling attitude of a gentleman at a Recycling Centre not taking a small cardboard package from him to recycle as the centre was closed at the time for a skip changeover. His original complaint was passed onto Environmental Management but to date had not received a reply	Upheld	Communities – Environmental Management	The complaint was fully justified.	The Waste Management Team were instructed to review their procedures in relation to complaints handling. Training on the new complaints system is to be undertaken as a matter of urgency.

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	and now wants to escalate it to a Stage 2.				
83	The complaint is raised in relation to a planning enforcement case, and specifically the Council's handling and reporting of this matter. Several grounds of complaint are raised, separated in to the following areas: The Council's overall failings; the Council's failings in relation to Development Standards Committee Report 83/13; and other areas that were not addressed in the aforementioned Committee Report. As such, the complaint covers many categories and has been described as 'Other' for this reason.	Not upheld	Communities – Planning & Transport	That sometimes when it becomes apparent that an individual is in breach of planning control they make a complaint against the planning service	Staff involved in the planning process should have an awareness that this avenue may be embarked on by complainant as a reaction to the outcome of the planning enforcement.
87	Complaint/Appeal re refusal of Housing Exchange. Complaint about the length of time response has taken to her letter sent in December 2012 which was answered 5 months later on 10 May 2013.	Upheld	Communities – Planning & Place	Delay was due to office staff moving premises and considerable disruption.	When downtime for moves etc required, must forward planning to ensure limited disruption to operation issues.
89	Arbroath Library - Complaint about:- (a) the plan to transfer the Arbroath Library from the Common Good Fund, and (b) the approach of the Council towards the matter of the transfer of the Arbroath Library from the	Not upheld	Communities – Planning & Place	The information provided in Report 722/12 was clear and communicates the basis of the legal opinion.	N/A

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	Common Good Fund.				
96	Complainer was accusing Angus Council of dealing with people with mental health issues as 'irrelevant and third class'.	Partially upheld	Communities – Planning & Place	The housing officer failed to carry out a full assessment of the housing needs of the complainer. This should have happened before coming to a decision on the complainers housing priority.	Staff reminded of procedural steps.
97	Complaint made regarding a refuse collection lorry striking a garden wall and causing damage. The incident was witnessed by a neighbour. Apparently, this is the second incident of this kind as a similar event was reported last year, as a result of which the complainant phoned to report the incident, but did not receive a response. The complainant has requested that this matter be dealt with 'more seriously' given the further damage to the garden wall.	Partially upheld	Communities – Environmental Management	Acknowledged that should have been originally responded to.	Staff made aware of proper handling of enquiries/complaints and use of flare system.
100	Caller wishing to lodge formal complaint regarding damage to boundary fence caused by contractor carrying out installation work in Arbroath. Caller has made several calls to Angus Council and has had meetings with various staff members but still nothing is resolved. He has contacted his MSP who has advised that he must log a formal complaint with Angus Council before he can refer the matter to the Scottish	Upheld	Communities – Leisure	Complaints received during construction works may be addressed as a normal function of implementing such works, but where these are not resolved complaints should be brought to managers' attention earlier. This also acted as a reminder for more regular communication and contact with neighbouring landowners who are affected by our	Our staff have been briefed on the lessons learned, and in particular the need for improved regular communications with neighbouring landowners who are affected by construction works.

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	Government.			operations.	·
107	Noise Investigation Complaint (re electromagnetic frequencies) Data Protection act 1998 - to Access Information Freedom of Information Act to	Not upheld	Communities – Environmental Management	Complainer dissatisfied with the findings.	No further action – complaint entirely unsubstantiated.
108	Access Information. Complaint of anti-social behaviour and noise levels coming from flats at the top of xxxxxxxxxxx.	Upheld	Communities – Planning & Place	Community Housing Team aware of the issue.	Incidents sheets supplied to complainer to keep a note of any future incidents.
109	Complaint regarding allocation of new build houses. Complainant received a letter inviting him to apply for a new build (dated 30/02/13) only to apply and be told that all houses had already been allocated.	Partially Upheld	Communities – Planning & Place	The letter issued prior to the allocation process seeking to inform local residents of the new homes and the allocation process raised expectations. It was designed to ensure everyone locally knew of the new homes and to elicit applications for housing from local people in housing need.	We have reviewed the purpose of such a letter and will ensure that in the future, any further letters of this kind do not raise expectations amongst local residents of an automatic allocation of a new build property.
122	Section 75 Complaint (1) "Chief Executive Stage 2" containing a brief introduction to the escalation of complaint (2) "Complaint to the Council" being his original complaint with the addition of one new point 'A.7" He has listed in detail his response to comments following the Development Standards Committee. Complainer is of the	Partially upheld	Communities – Planning & Transport	Not a complaint as a statutory right of appeal exists.	N/A.

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	opinion that officer has not addressed all of the issues which he has raised in the rewriting of his complaint. A.7 'The Council failed to follow the timescales laid down under Stage 1 of procedures. The Council also failed to adhere to its own extended timescale. These days of waiting are very significant to the stressed families involved'.				
128	Complaint received regarding the administration of the Blue Badge system	Partially upheld	Communities – ACCESS	Clarified any confusion regarding signatures on application form related to data protection guidelines. The so called delay was while the staff dealt with investigation as to why the complainant had a second application into Edinburgh Council for Blue Badge when you can only apply under your main residence.	Investigation concluded that no change required to procedures and staff are competent and well trained.
130	This complaint consisted of five parts: (1) They state that the Notice to Quit (NTQ) was unlawful (2) They state that the officer had acted illegally and breached data protection (3) They state that they did not receive an appeals leaflet with their determination letter.	Partially upheld	Communities – Housing	Reminder to Housing options staff that they cannot work in isolation and need to consult other parts of council to ensure a seamless process for the applicant.	The staff involved in these processes have been reminder of their roles and responsibilities.

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	(4) They state that they got Shelter involved as they were being made homeless and that the attitude of the officer and the Housing options team were disrespectful and rude regarding the children's welfare. (5) They state the assessment by the Environmental Health was not taken into account.				
146	Complaint received regarding access to Council House prior to taking up tenancy and attitude of member of staff.	Partially upheld	Communities – Planning & Place	To improve communications with customer.	Staff reminded that property keys cannot be handed to prospective tenants (or confirmed tenants) until signed paperwork in place and the relevant Housing officer has finalised allocation process. Keys should only be handed directly to contracts to carryout maintenance works if works order issued for said works. (ACCESS staff can check system for this to confirm)
147	Complaint received regarding the positioning of a wheelie bin.	Partially upheld	Communities – Planning & Place	To improve communications with customer over issues such as this.	No, it was decided that bin was in most appropriate location.
152	Complaint regarding the non delivery of wheelie - bin. Also complaining about large skips located at Recycling Centre at Monifieith, small step at skip being removed. Requesting information re Recycling Centre, Monifieth	Not upheld	Communities – Environmental Management	That communications with customer could have been better. Issue with bin delivery down to human error.	Smaller skips now installed at Monifieth RC, but this was already in motion before complaint was received.
155	Complaint received regarding foul smelling drain outside home.	Partially upheld	Communities – Roads	Need for better focus and take quicker action on customers complaints.	None.

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157	Complaint regarding dissatisfaction with Council House waiting list policy	Partially upheld	Communities – Planning & Place	With the introduction of the revised Allocation Policy, it is clearer for applicants as to the stages of process that staff will follow in dealing with their applications.	Staff roles and responsibilities discussed and staff also reminded of importance of dealing with complaints quickly and ensuring that results are communicated as soon as possible.
161	Health & Safety issues at Monifieth Re-cycling Centre	Not upheld	Communities – Environmental Management	See complaint 152.	See complaint 152.
164	 Time taken to be given outcome of housing assessment No response to access to personal records Correct process for dealing with factual omissions sought. 	Partially upheld	Communities – Housing	Staff within Housing Options team have been reminded of the procedures associated with request such as this, and the subsequent appeals that can result from these.	Staff reminded of their roles and responsibilities. Also require to ensure customers/applicants are communicated with so they know that their personal housing needs are being addressed.
168	Complainer making several complaints which are listed below: 1. Complaining that new bin delivered to her home is second hand and requesting a new undamaged bin. Also complaining she has not received a copy of the text of her original complaint. 2. Complaining of the Council's failure to meet the timescales as outlined in the complaints procedure leaflet. 3. Actions to stage 1 resolution not addressed re	Not upheld	Communities – Environmental Management	See complaint 152.	See complaint 152.

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	the provision of smaller skips at Monifieth as agreed by XXXXX 4. Small step/platform has been removed from front of skips at Monifieth. 5. Staff have discussed her complaints with a Councillor. Complainer is unhappy about this as she did not give her consent to her situation being discussed. 6. Requesting info re number of times/dates that Cllr has visited Monifieth recycling centre over the last 6 months and the date of his last visit, or any other staff member. 7. Please advise of the number of times and duration the green waste skip at Monifieth was closed over the last 3 months in comparison to the same period last year of green waste at Arbroath and Forfar recycling centres, to compare with the information reported in the article on Monifieth Recycling Centre dated 8 July 2013.				
213	Complainer unhappy at reallocation arrangements	Not upheld	Communities – Housing	Officer met with the complainer and explained the policy, but this could have been done at an earlier stage.	Situations as detailed in this complaint are extremely rare but council staff should have been more sympathetic to the circumstances surrounding the proposed move. The tenant was anxious as to fulfilment of future housing needs and needed to

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					be reassured that the council was doing all, in their powers, to meet these.
216	Complaint regarding lack of response to initial complaint and lack of clarity on current status on the Council House register.	Upheld	Communities – Housing	The initial complaint could have been dealt with sooner or, contact should have been made to update the complainer and confirm the length of time it would take to complete the investigation and the officers should have contacted directly to clarify the follow up meeting was to action the recommendations set out in the letter to him of 23rd August instead of issuing a standard appointment letter.	Reinforcement of the standards expected.
220	Complaint regarding developers having failed to carry out the original construction and upgrade of the access road as per the original planning consent for the site. Complainer claims that Angus planning department have apparently failed to enforce this obligation upon the developer.	Partially upheld	Communities – Planning & Transport	Following investigation it was concluded that the development had not been undertaken in accordance with the planning conditions in respect of the access road between the application site and the public road. In particular he found that no record of approval was given by the planning authority in respect of the requirements of condition 3 in relation to Plots 4, 5 and 6. It should be noted that with respect to Plot 6, these works do not require to be completed in accordance with the approved plans prior to the occupation of the dwellinghouse.	has taken place in that the planning conditions in relation to the improvement to the access

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228	Complaint against Angus Council in failure to reply in writing concerning specific request. Original complaint was regarding black mould on inside of walls caused by the resurfacing of a footpath at the front of cottage. Failure to supply a written report which would give clear view of the Council's acceptance or non-acceptance of their responsibility to the cause of on-going water damage to premises.	Partially Upheld	Communities – Roads	Reminder to respond to complaints correspondence with updates on progress on investigation and report preparation.	No – compliant is a specific, historic problem.
233	Complaint regarding lack of response to original complaint and advising that complainer considering raising a civil action against Angus Council for reimbursement of the cost of rebuilding my wall and compensation for the distress this issue has caused me.	Partially upheld	Communities – Roads	Lack of communication between council's insurers and complainant. Progress was slow due to back log at Zurich Municipal. For this the Council apologised.	Complaint was regarding time taken by insurers – no action for council.
255	The length of time taken to resolve the planning application Alleged bias toward improving the application Failure of the planning department to take account of residents' complaints Failure to take enforcement action over an extended period in face of considerable evidence of planning	Partially upheld	Communities – Planning & Place	Enforcement Action is a very lengthy process and the Planning service endeavour to act as quickly as legally possible. Formal action needs to be speedier where possible.	No although we try and deal with matters expeditiously.

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	contraventions and the applicant's history of ignoring planning requirements.				
260	Complaint regarding lack of response to previous complaint. Complaint 100 refers	Partially upheld	Communities - Roads	Need for better focus and take quicker action on customers complaints.	None.
263	Complaint received regarding no heating or hot water for a whole weekend. Dissatisfaction at service	Upheld	Communities – Housing	If officers are on call then every attempt should be made to ensure telephone is charged as there can be no reduction in service to tenants.	Officers reminded of the roles and responsibilities.
264	FOI request which is being dealt with but in addition a formal complaint about the way in which a member of staff has contacted his wife was made.	Not upheld	Communities – Planning & Place	Staff required to be reminded of Data Protection guidelines on information sharing.	This has now been actioned.
265	Complainer has applied for a new specially adapted property as she considers that the house she was allocated for her medical condition was not properly vetted by the Occupational Therapy Department and cannot be adapted to meet her special needs. She is also requesting to be reimbursed for removal costs, etc.	Upheld	Communities – Housing	Due to an administrative error the OT was not consulted prior to the offer of housing.	Ensure that correct procedures are followed, in chronological order.
266	Complaint received regarding parking in Kirriemuir. Lack of response from Angus Council after three weeks.	Upheld	Communities – Planning & Transport	Staff reminded of AC Customer Care Standards.	Managers to be reminded of the Complaint stages/processes and their roles.
268	Complainer upset that information submitted in respect of a planning application remains on Angus Council web-site despite re-assurance from officer	Partially upheld	Communities – Planning & Place	The Council gave a reassurance that the letter of representation would be removed from the web site but this failed to happen.	The software that is use in association with the public access system was recently upgraded and it was not appreciated that removing a

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	that objections would be removed.				document from one section of the website would not also remove it from another. This situation has now been rectified. Should a similar situation arise then staff are aware that document requires to be removed on both the council site and public access site.
276	Complaint with regard to the Council's Planning Department and its handling of a retrospective planning application. The council has shown an undeserved and undue bias toward the applicant in approving this application.	Partially upheld	Communities – Planning & Transport	Enforcement action is a very lengthy process and the Planning Service endeavour to act as quickly as legally possible. Formal action needs to be speedier, where possible.	No, although we try and deal with matters expeditiously.
277	Complaint regarding planning department and the construction of a footpath constructed by a developer without planning consent and the lack of action by Angus Council when notified.	Partially upheld	Communities – Planning & Transport	Meeting third parties to discuss issues and explain the limitations of planning enforcement or why it is important for them to provide information/evidence to substantiate complaints is useful. It is important for other service areas to consult Planning on relation to projects or grant applications that they are involved in so that potential planning applications can be identified at an early date.	Suggested to Economic Development that they consult with Planning at an early date in order to identify potential/relevant issues.
281	Dissatisfaction at planning consent granted at Development Standards Committee.	Not upheld	Communities – Planning & Transport	That planning matters are often contentious and it is not possible to satisfy all parties.	None.
282	A number of complaints about the way Angus council housing operates. Also lack of understanding of people with	Partially upheld	Communities – Housing	Staff have to be clear when dealing with multi complaints such as this, to deal with the individual strands rather than	Staff reminded of roles and responsibilities.

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	mental health issues.			allow them to run into one.	
	see complaint 96			Dialogue with the complainant is paramount and must be continuous.	
301	Complaint received regarding rent and council tax rebates	Partially upheld	Communities – Housing	This was a genuine human error in the operation of the direct debit extract at Arbroath CHT. Staff have been reminded of the consequences if they fail to follow procedures. They must check work thoroughly.	Checking process to be introduced.
304	Complainer has contacted the SPSO who has advised him to make a formal Stage 2 investigation through the Council's official arrangements. Complaints relate to:- • Failure to perform the duties promised • Conveying incorrect and misleading information to outside parties • Unjustified criticism of certain members of the public However, Mr XXXX is of the belief that the above three issues can be overcome by (1) a review of the project by an outside independent assessor and (2) a written letter of apology to the	Not upheld	Communities – Cultural	Currently with Director for other reason. This is a historic issue over the project and has been covered previously by numerous FOli requests and letters to Chief Executive.	TBC.

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	people concerned.				
305	Complaint in two parts: (1) Mr XXXX complaining that he received a poor standard of service and a failure to provide service in dealing with the building standards department and that everything that happened after the submission of his stage one complaint showed that his complaint was entirely justified and should not have been rejected.	Not upheld	Communities – Planning & Transport	Whilst we endeavour to help the complainant we should have sought to inform the complainant at the outset of our role and responsibilities and not have inadvertently raised his expectations.	Staff reminded of roles and responsibilities. Introduced standardised completion certificate checklist to try and ensure consistency of approach by staff to dealing with completion certificate submissions.
	(2) He states that although Angus Council Building Standards Department and Planning & Place Department are now aware that the developer of the project has submitted a completion certificate to Angus Council when in fact the works were not complete in accordance with the approved drawings, Mr XXXX maintaining that these departments simply wish to wash their hands of the whole affair!.			As above, we should have at the outset informed the complainant of our role and responsibilities.	Introduced standardised completion certificate checklist to try and ensure consistency of approach by staff to dealing with completion certificate submissions.
315	Complaint received regarding a speeding refuse lorry and almost causing a collision with another vehicle. Also complaining about lack of response from ACCESSline when called to report incident.	Not upheld	Communities – Environmental Management	The Waste Service has tight procedures on the completion of Near Miss documentation, covering scenarios such as this. These are always followed up by the Oprations Manager to ensure drivers are spoken to at the earliest possible time.	None.

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				Any re-occurrences, by same drivers, are dealt with under the council's disciplinary procedures.	
				Can only assume that ACCESSLine was busy during the period caller attempted to get through. Abandoned call rates are continuously monitored as we strive to deal with enquiries within set targets.	None.
326	Mr XXXX is complaining about the attitude and rudeness of a member of staff in the Housing section.	Not upheld	Communities – Housing	No further action, not substantiated.	None.
328	Complainer unhappy at differing charges for special uplift from property. Two staff members quoted different costs. Complainer also had to move goods from drive and advised ACCESSline accordingly. However, message did not get to driver and collection was missed.	Partially upheld	Communities – Environmental Management	Need for clear communication with customer.	No significant change but incident discussed with relevant staff.
332	Treatment or attitude of a staff member - No complaint details inserted in	Not upheld	Communities – Housing	No further action.	None.
342	the complaint form??? Mr XXXX complained with regard to the ongoing issue of the bus stop outside the old Charleston Village pub. it has been ongoing for 2-3 years and has still not been	Upheld	Communities – Roads	Transport Team had made it clear that the bus stop would remain at this point on the public road as site visits had confirmed that it was the only	

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	resolved. When the buses stop there no-one can get passed and it is causing an obstruction. Would appreciate it if this long standing issue could be resolved.			suitable location for the bus stop in the village. It was part of the planning consent for the redevelopment of the former Charleston Inn that a footpath and bus stop would be provided at this point.	down passengers. This was not deemed to be an issue by Roads colleagues or Police Scotland.
344	Complaint against XXXX entering his property without consent to repair window in kitchen.	Partially upheld	Communities – Housing	Staff reminded of procedures covering this.	None.
351	Complaint regarding the waste collection in my area and speeding recycling lorry. The lorry was not only in my opinion travelling at excessive speed for our small street but I had to literally step out to flag down the driver in order to ask if the bins could be emptied. Attitude of Waste operative also to be investigated.	Partially upheld	Communities – Environmental Management	Importance of customer service for frontline staff.	No change but customer service standards discussed with staff involved.
360	Complaint regarding two members of staff who work at Guthrie Hill's Homeless	Not upheld	Communities – Housing	No further action was taken.	None.
362	Complainer cancelled his membership by letter on medical grounds as he was not able to use the gym. Angus Council continued to charge the complainer until January 2013.	Partially upheld	Communities – Leisure	Ensure that accurate communication details on members are held and that the staff are fully aware of all procedures with regards freezing and cancellation of memberships.	Staff reminded of current procedures.
369	Complainants received a letter from Council office in Montrose asking them to contact an	Upheld	Communities – Housing	Unacceptable that clear contact details not kept to. Staff reminded of the	None.

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	adviser within 10 working days which they did and arranged an appointment for 7th January. Council office then called to reschedule the meeting for 17th January and on 16th January received another phone asking them to reschedule to 27th January at 9.00 am. To their disappointment no council officer appeared to meet with them on the morning of 27th January. The Council office said someone had been at the door that morning.			obligation to ensure we meet meeting times in as many cases as possible and if fail to carryout visit contact made immediately to inform tenant of reasons and set further appointment.	
381	Complaint received from an incoming landlord, for a property in Montrose called to complain about a wheelie bin that has been left by a previous tenant, The wheelie bin was full to the brim with dog faeces. He has complained to the Council's waste department but they have said that it is not their responsibility to remove the bin. Complainer does not feel it is his place either to move the bin as there is an environmental/health hazard if he were to do so.	Not upheld	Communities – Environmental Management	Not applicable – issue that already ware of.	No changes.
391	Complaint regarding the booking of the Reid Hall, Forfar in May of this year due to the Euro Elections. Despite making the booking in May of last year they were not notified until January of this year that the booking could not go ahead.	Not upheld	Communities – Leisure	Importance of keeping up communication with complainer of upmost importance.	The introduction of Angus Lets, joint booking for all council halls/leisure facilities and educational premises will allow alternative premises to be offered. The project has been identified and initial planning stages have commenced.

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393	Complaint regarding time taken to undertake Council House repairs and lack of communication.	Partially upheld	Communities – Housing	Issues such as this, although complex, must be dealt with timeously and the investigating officer must keep up dialogue with complainer.	Need for better focus and take quicker action on customers complaints.
398	Complaint regarding lack of time taken to fix leaking garage roof and lack of communication.	Upheld	Communities – Housing	Issues such as this, although involving external parties, must be dealt with timeously and the investigating officer must keep up dialogue with complainer.	Need for better focus and take quicker action on customers complaints.
400	Complaint received regarding planning publishing letter on the planning portal and publishing personal information.	Upheld	Communities – Planning & Transport	An administrative error occurred resulting in information of a sensitive nature being posted on the internet.	Additional training has been provided in respect of data protection to try and ensure that a similar situation does not occur.
412	Complaint received regarding advertising costs associated with a road closure for a football match.	Not upheld	Communities – Roads	No. Traffic restrictions on public roads associated with public events are generally required by Police Scotland for enforcement purposes. Costs incurred by the council are recoverable.	Angus Council is looking at the legal processes relating to temporary traffic orders to try to develop Orders which can reduce the costs for AC in promoting these restrictions and which can then be passed on to the event organisers.
416	Complaint received regarding allocation of a Council House and the need for upgrading which did not happen timeously.	Partially upheld	Communities - Housing	Should have been dealt with at first service complaint, not after third report. Again, this emphasises the importance of keeping channels of communication open to allow complainer know what actions are being taken to investigate these claims.	None.