

Appeals and Complaints Committee Monitoring Report 2015/16

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Date: 5 April 2016

1.0 Summary / Purpose of Report

The report is intended to provide Members of the Appeals and Complaints Committee with an overview of the cases considered by the committee during 2015/16 municipal year and to give an update on any action taken by the service in response to the recommendations of the Committee.

2.0 Recommendations

The Committee is recommended to note the report.

3.0 Information

Council appoints the Appeals and Complaints Committee to: -

1. To consider and determine appeals lodged in relation to those matters referred to it by the Council as set out below:
 - a) appeals by employees of the Council in accordance with local agreements; and
 - b) appeals against decisions by the Appointments and Disciplinary Committee in relation to the Chief Executive and other relevant Officers pursuant to the application of the Local Authorities (Standing Orders) Regulations 2001 and the Joint Negotiating Committee National Salary Framework and Conditions of Service for Local Authority Chief Executives.
2. To consider and determine the Council's final response to all complaints referred to stage 3 of the Council's Corporate Complaints procedure.
3. To monitor complaints received by the Council in respect of the Council's Corporate Complaints procedures and from the Local Government Ombudsman.
4. To make payments over £5,000 or provide other benefits in cases of maladministration under section 92 of the Local Government Act 2000.

3.1 During the period of May 2015 until March 2016, the committee met on 7 occasions and made determinations in relation to:-

2 Corporate Complaints
5 Dismissal/Capability Appeals

3.2 Appeal Against Dismissal/Capability

The Council's local corrective and disciplinary procedure for employees allows employees to lodge an appeal against disciplinary action to an appeals body. Any employee dismissed may appeal to the Council's Appeals and Complaints Committee. The Committee has delegated powers to confirm, amend or reject the disciplinary action.

The Committee considered five appeals where four were rejected and one appeal upheld with the sanction amended.

3.3 Corporate Complaints

The Council has a corporate complaints system in place to deal with complaints about the services it delivers. This procedure is split in to three separate stages with the final stage being considered by Elected Members.

The Committee considered two corporate complaints where one was upheld and dismissed.

4.0 Decisions made by Committee

To assist members in monitoring the outcome of meetings of the Appeals and Complaints Committee, set out below are details of the decisions of the committee where specific recommendations were made together with details of the action taken as a result of those recommendations.

4.1 **4 September 2015 – Corporate Complaint against North Tyneside Homes**

This complaint which related to a resident's dissatisfaction in relation with his perception that officers did not take his complaints seriously and the procedures followed were unfair toward him and his family.

RESOLVED that (1) the complaint from Mr M be upheld; (2) a review of the systems to respond to residents concerns be undertaken, that officers be reminded to document all issues and carry out any necessary actions within reasonable timescales; and (3) offer of £100 good will payment be made to Mr M for the time taken to progress his concerns.

4.2 **14 September 2015 - Corporate Complaint against North Tyneside Homes**

This complaint which related to a resident's dissatisfaction in relation in relation with the procedures followed and that officers did not take his complaints seriously and fairly when he reported incident of Anti Social Behaviour.

RESOLVED that the complaint from Mr D be dismissed;

Background Information

- North Tyneside Council Constitution
- Minutes of Appeals and Complaints Committee