

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 17th NOVEMBER 2015**

Question

With regard to each States Department (breaking the Chief Minister's Department down into its relevant sections and Home Affairs into Police and Customs), will the Chief Minister advise:

- (a) how many complaints have been received in respect of each department each year since 1st January 2010;
- (b) how many complaints have been received since 1st January 2015;
- (c) how many of the complaints in (a) and (b) remain ongoing;
- (d) how many of the complaints resulted in:
 - (i) threats of legal action;
 - (ii) actual legal action being taken against the department, detailing how many of those were dropped, are ongoing or have been settled.
- (e) the actual or estimated cost of the Law Officers' Department's time in considering the complaints made against each department or in defending them in the Courts, and, if these costs are not known, why they are not known?

(a) and (b)						(c)	(d)	(e)
How many complaints have been received in respect of each department each year since 1 st January 2010						How many of the complaints in (a) and (b) remain ongoing	How many of the complaints resulted in (i) Threats of legal action (ii) Actual legal action being taken against the department, detailing how many of those were dropped, are ongoing or have been settled	The actual or estimated cost of the Law Officers' Department's time in considering the complaints made against each department or in defending them in the Courts, and, if these costs are not known, why they are not known
How many complaints have been received since 1 st January 2015								
2010	2011	2012	2013	2014	2015			
CHIEF MINISTERS DEPARTMENT								
The Chief Ministers Office receives a great deal of communication (addressed to the Chief Minister, Assistant Ministers, Chief Executive and departmental officers) from members of the public and Island businesses, giving opinions about policy rather than complaints against the department.								
Correspondence is not recorded in a specific log. All correspondence is investigated by a department senior manager and a response is provided. If the recipient is not satisfied with the outcome, s/he has the right to raise a complaint with the States of Jersey Complaints Board.								
HUMAN RESOURCES								
0	0	1	0	0	1	Nil	Nil	n/a
ECONOMIC DEVELOPMENT DEPARTMENT								
The Economic Development Department receives a great deal of communication (addressed to the Minister, Assistant Ministers, Chief Officer and departmental officers) from members of the public and Island businesses, giving opinions about policy rather than complaints against the department. Correspondence is not recorded in a specific log. All correspondence is investigated by a department senior manager and a response is provided. If the recipient is not satisfied with the outcome, s/he has the right to raise a complaint with the States of Jersey Complaints Board.								
The Economic Development Department had one complaint that progressed to the formal complaints panel and this is captured in the figures supplied by the States Greffe.								
0	0	0	0	1	0	0	None	None
EDUCATION DEPARTMENT								
0	4	5	2	5	20	3	None	None
ENVIRONMENT DEPARTMENT								
The Department of the Environment receives both informal and formal comments and complaints and has a Customer Feedback Policy that sets out how customer comments, complaints and compliments are dealt with. This policy is available from the department and on the States website. All formal complaints are recorded and investigated.								
Note: Comments made in relation to Planning Applications and appeals against planning decisions are excluded as these are not treated as complaints against the department and are progressed in accordance with the Planning and Building (Jersey) Law 2002.								
12	7	13	12	20	7	All complaints received within (a) and (b) above have been investigated and responded to	None of the complaints made since 2010 entered the Court system	None of the complaints made since 2010 entered the Court system.

(b) and (b)						(c)	(d)	(e)
How many complaints have been received in respect of each department each year since 1 st January 2010						How many of the complaints in (a) and (b) remain ongoing	How many of the complaints resulted in (iii) Threats of legal action (iv) Actual legal action being taken against the department, detailing how many of those were dropped, are ongoing or have been settled	The actual or estimated cost of the Law Officers' Department's time in considering the complaints made against each department or in defending them in the Courts, and, if these costs are not known, why they are not known
How many complaints have been received since 1 st January 2015								
2010	2011	2012	2013	2014	2015			

HEALTH & SOCIAL SERVICES DEPARTMENT

HSSD always tries to resolve any issues or complaints informally first. However, where this is not successful, there is a formal complaints procedure – available on gov.je – which is similar to NHS procedures. All formal complaints are acknowledged and investigated. If someone is not satisfied with the response to their complaint, there is the opportunity to appeal including, ultimately, the option to have the complaint referred to Independent Review.

HSSD has hundreds of thousands of interactions with islanders each year and the number of complaints represents a very small fraction of those interactions. The department is always seeking to improve its services and to learn from the occasions when it could have done better.

180	176	242	238	254	170	25 complaints remain ongoing.	<p>The question has been responded to in respect of civil claims of medical negligence only, which resulted from formal complaints under the complaints policy.</p> <p>Threats of Legal Action: where a patient has stated as part of their complaint that they feel the Department to be negligent and/or demand compensation.</p> <p>2010 2 2011 2 2012 7 2013 10 2014 11 2015 10</p> <p>Actual Legal Action: where the Department receives written confirmation of intent to bring and/or investigate a claim; a Letter of Claim has not been received in all cases and a matter may not proceed past the investigation stage. Claims are generally settled before Court Proceedings are issued.</p> <p>2010 2 claims; 2 dropped/denied ; 0 settled 2011 8 claims; 4 dropped/denied ; 4 settled 2012 6 claims; 2 dropped/denied ; 3 settled; 1 ongoing 2013 4 claims; 1 dropped/denied ; 1 settled; 2 ongoing</p>	The Law Officers' Department is not involved in defending civil claims or complaints on behalf of the Department. This is undertaken by third-party lawyers, on instruction by the insurer, medical defence organisation or HSSD, as appropriate.
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(d) and (b)						(c)	(d)	(e)
How many complaints have been received in respect of each department each year since 1 st January 2010						How many of the complaints in (a) and (b) remain ongoing	How many of the complaints resulted in (vii) Threats of legal action (viii) Actual legal action being taken against the department, detailing how many of those were dropped, are ongoing or have been settled	The actual or estimated cost of the Law Officers' Department's time in considering the complaints made against each department or in defending them in the Courts, and, if these costs are not known, why they are not known
How many complaints have been received since 1 st January 2015								
2010	2011	2012	2013	2014	2015			
SOCIAL SECURITY DEPARTMENT								
The Social Security Department receives both informal and formal comments and complaints and has a Customer Feedback Policy that sets out how customer comments, complaints and compliments are dealt with. This policy is available from the department and on the States website. All formal complaints are recorded and investigated.								
29	25	27	31	37	22 YTD	There is 1 complaint pending which was received on 04/11/15.	None of the complaints made since 2010 entered the Court system	None of the complaints made since 2010 entered the Court system.
TRANSPORT & TECHNICAL SERVICES								
TTS receive numerous communications from the public into all areas of the Department on a regular basis. Most of these could be categorised as notifications or concerns or business as normal e.g. Traffic lights not working, appeals against parking fines etc, are responded to in routine daily business fashion and are not retained in a specific log. The information provided relates to threatened Court action or Official complaints such as detailed within the work of the Public Administrations Complaints Review Board or other specific regulator.								
1	0	1	3	0	0	(a) 5 (b) 1	i) 1 ii) 1 settled	The information sought is not available as requests for advice which are received by the Law Officers' Department are not categorised in terms of whether or not they are 'complaints' against States Departments.
TREASURY & RESOURCES DEPARTMENT								
1	0	1	3	0	4	1	None	None

Complaints received and processed by the States Greffe under the Administrative Decisions (Review) (Jersey) Law 1982

2010		<i>Request for hearing refused/withdrawn</i>	<i>Hearings held</i>	<i>Ministers' decisions upheld</i>	<i>Complaint upheld</i>	<i>Report to the States</i>	<i>Complaints carried forward</i>
<i>Total Complaints 2010</i>	12	4	1	1	0	1	7
<i>Complaints carried forward from 2009</i>	3	1	2	1	1	2	0

11 of the new complaints in 2010 related to Planning and 1 to Home Affairs matters.

One of the three hearings related to the States Employment Board and the other two were Planning matters.

2011		<i>Request for hearing refused/withdrawn</i>	<i>Hearings held</i>	<i>Ministers' decisions upheld</i>	<i>Complaint upheld</i>	<i>Report to the States</i>	<i>Complaints carried forward</i>
<i>Total Complaints 2011</i>	8	4	3	3		3	1
<i>Complaints carried forward from 2010</i>	5	4	1	1		1	0

In 2011 there was 1 general complaint, 5 relating to Planning, 1 to Economic Development and 1 Housing matter.

All 4 hearings related to Planning matters.

2012		<i>Request for hearing refused/withdrawn</i>	<i>Hearings held</i>	<i>Ministers' decisions upheld</i>	<i>Complaint upheld</i>	<i>Informal Resolution</i>	<i>Reports to States</i>	<i>Complaints Carried forward</i>
<i>Complaints received 2012</i>	7	4	1	0	1	2	1	1
<i>Complaints carried forward from 2011</i>	1					1		

In 2012 3 related to Planning, 2 to Social Security, 1 to Transport and Technical Services, 1 to Education, Sport & Culture.

The one hearing related to a complaint against Education, Sport and Culture.

2013		<i>Hearing held</i>	<i>Request for hearing refused/withdrawn/matter not pursued</i>	<i>Complaint upheld</i>	<i>Informal Resolution</i>	<i>Complaints Carried forward (some of which may be resolved informally)</i>
<i>Complaints received 2013 (including one carried forward from 2012)</i>	17	4	5	4	1	7
<i>Complaints received 2012</i>	7	1	4	1	1	1

In 2013 there were 6 Planning, 3 Transport and Technical Services, 2 Housing, 2 Social Security, 1 Education, Sport and Culture, 1 Treasury and Resources, 1 States Employment Board and one complaint in respect of the States of Jersey Police (staffing matter).

The hearings in 2013 related to Planning, Transport and Technical Services, Social Security and States of Jersey Police staffing matters.

2014		<i>Hearing held</i>	<i>Request for hearing refused/withdrawn/matter not pursued</i>	<i>Complaint upheld</i>	<i>Informal Resolution</i>	<i>Complaints Carried forward (some of which may be resolved informally)</i>
<i>Complaints received 2014 (including 7 carried forward from 2013)</i>	20	1	11	0	4	5
<i>Complaints received 2013</i>	17	4	5	4	1	7

In 2014 there were 3 Planning, 2 Transport and Technical Services, 2 Social Security, 2 States of Jersey Police (staffing matters), 1 Population Office, 1 Chief Minister, 1 Economic Development and 1 Home Affairs complaint.

The only hearing which took place in 2014 related to a Treasury matter carried over from 2013.

2015		<i>Hearing held</i>	<i>Request for hearing refused/withdrawn/matter not pursued</i>	<i>Complaint upheld</i>	<i>Informal Resolution</i>	<i>Ongoing</i>
<i>Complaints received 2015 to date (including 5 carried forward from 2014)</i>	14	1	4	1		8

To date in 2015 we have received 3 Planning, 2 Education, Sport and Culture, 2 Social Security, 1 Environmental Health and 1 Property Holdings complaints.

Of these 4 have not been pursued and 5 are ongoing.

Currently three complaints are ongoing from previous years (Planning, States Employment Board and Transport and Technical Services).

One hearing has been convened in 2015 in relation to an Economic Development matter.