

# Public Document Pack



Hinckley & Bosworth  
Borough Council

**Bill Cullen** MBA (ISM), BA(Hons) MRTPI  
Chief Executive

**Date: 09 September 2024**

**To: Members of the Ethical Governance and  
Personnel Committee**

Cllr A Pendlebury (Chair)  
Cllr SL Bray (Vice-Chair)  
Cllr MB Cartwright  
Cllr MA Cook  
Cllr MJ Crooks

Cllr WJ Crooks  
Cllr CE Green  
Cllr C Harris  
Cllr KWP Lynch

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** in the De Montfort Suite, Hinckley Hub on **TUESDAY, 17 SEPTEMBER 2024** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen  
Democratic Services Manager

Hinckley Hub • Rugby Road • Hinckley • Leicestershire • LE10 0FR

Telephone 01455 238141 • MDX No 716429 • Fax 01455 251172 • [www.hinckley-bosworth.gov.uk](http://www.hinckley-bosworth.gov.uk)

## Fire Evacuation Procedures

- On hearing the fire alarm, leave the building **at once** quickly and calmly by the nearest escape route (indicated by green signs).
- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
- Proceed to **Willowbank Road car park**, accessed from Rugby Road then Willowbank Road.
- **Do not** use the lifts.
- **Do not** stop to collect belongings.

## Recording of meetings

At HBBC we are open and transparent about how we make decisions. We allow recording, filming and photography at all public meetings including Council, the Executive and Planning Committee as long as doing so does not disturb or disrupt the proceedings. There may occasionally be some reports that are discussed in private session where legislation requires this to happen, but this is infrequent.

We also allow the use of social media during meetings, which helps to bring the issues discussed to a wider audience.

Members of the public, members of the press and councillors are hereby informed that, in attending the meeting, you may be captured on film. If you have a particular problem with this, please contact us so we can discuss how we may accommodate you at the meeting.

## Use of mobile phones

To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you

**A G E N D A**

**1. APOLOGIES AND SUBSTITUTIONS**

**2. MINUTES OF PREVIOUS MEETING (Pages 1 - 4)**

To confirm the minutes of the previous meeting.

**3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES**

To be advised of any additional items of business which the Chair decides by reason of special circumstances shall be taken as matters of urgency at this meeting.

**4. DECLARATIONS OF INTEREST**

To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

**5. QUESTIONS**

To hear any questions received in accordance with Council Procedure Rule 12.

**6. ANNUAL COMPLAINTS PERFORMANCE AND SERVICE IMPROVEMENT REPORT 2023-24 (Pages 5 - 52)**

To present the annual complaints report and agree a response from the committee.

**7. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIR DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY**

As announced under item 3.

**8. MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED**

To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 10 of Schedule 12A of the 1972 Act.

**9. STATUTORY SAFETY COMMITTEE MINUTES (Pages 53 - 60)**

Minutes of the meetings held on 12 April and 9 July 2024.

**10. COMPLAINTS UPDATE**

To update on progress in relation to code of conduct complaints.

11. **COMPLAINT 2024/10 (Pages 61 - 90)**

Complaint about a parish councillor. This item was deferred at a previous meeting.

12. **COMPLAINT 2024/20 AND 2024/22 (Pages 91 - 164)**

Complaint about a parish councillor.

13. **COMPLAINT 2024/24 (Pages 165 - 174)**

Complaint about a borough councillor.

## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

### ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

13 AUGUST 2024 AT 5.30 PM

PRESENT: Cllr A Pendlebury - Chair  
Cllr SL Bray – Vice-Chair  
Cllr MB Cartwright, Cllr MA Cook, Cllr MJ Crooks, Cllr WJ Crooks, Cllr CE Green,  
Cllr C Harris and Cllr KWP Lynch

Also in attendance: Gordon Grimes, Independent Person and Gill Sinclair,  
Investigator

Officers in attendance: Julie Kenny and Rebecca Owen

#### 102. **Minutes of previous meeting**

It was moved by Councillor Bray, seconded by Councillor W Crooks and

RESOLVED – the minutes of the meeting held on 23 July be confirmed as a correct record.

#### 103. **Declarations of interest**

No interests were declared at this stage.

#### 104. **Matters from which the public may be excluded**

On the motion of Councillor Bray seconded by Councillor Cartwright, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 1 and 10 of Part I of Schedule 12A of that Act.

#### 105. **Complaint 2024/02**

The Ethical Governance & Personnel Committee considered the report of the independent investigator into a complaint about a parish councillor.

The investigator was present and had not called any witnesses. The subject member was not present and it was reported that they had previously indicated that they would not engage in the process as they didn't feel it was a matter for the committee. It was, therefore, moved by Councillor W Crooks, seconded by Councillor Bray and

RESOLVED – the hearing be allowed to continue in the absence of the subject member.

The investigator presented the report and members proceeded to ask questions of the investigator.

At this juncture, Councillor Green identified that she was named in one of the documents presented as part of the agenda so declared an interest and withdrew from the meeting at 6.10pm.

Members considered whether the subject member had been acting as a councillor at the time of the alleged incident. Given that the social media post that was being considered was on a village facebook page and brought into play information of which the subject member was aware as a member of the parish council, it was moved by Councillor Bray and seconded by Councillor Cartwright that the subject member had been acting in the capacity of a parish councillor. Upon being put to the vote, the motion was CARRIED.

The committee considered whether the actions of the subject member breached the Barwell Parish Council code of conduct by way of not treating others with respect. Members agreed that the subject member had failed to treat the complainant with respect and this could have an impact on the way the subject member accessed their elected representatives in future, which did not reflect well on the role or the parish council.

Members then considered whether the actions of the subject member constituted bullying and it was agreed that in this case, on the facts put before the committee, the test had not been met and the subject member's actions did not constitute bullying on this occasion.

In discussing possible sanctions, members expressed concern that they had imposed sanctions on the same member previously but the behaviour had continued. It was, however, moved by Councillor Bray and seconded by Councillor Lynch that a written apology, approved by the Monitoring Officer and chair of the Ethical Governance & Personnel Committee, be issued to the complainant by the subject member; that the parish council be recommended to provide training to the member about the application of the code of conduct, standards of behaviour expected and use of social media (to be considered at a meeting of the parish council); and that the findings be published by way of a decision notice and press release. Upon being put to the vote, the motion was CARRIED. It was therefore

RESOLVED –

- (i) The member had been acting in the capacity of parish councillor at the time of the incident;
- (ii) The subject member's actions in terms of respect did constitute a breach of the code of conduct;
- (iii) The subject member's actions did not constitute bullying on this occasion;
- (iv) Sanctions be imposed by way of:

- a. Requesting the subject member issues an apology to the complainant, to be approved by the Monitoring Officer and chair of the Ethical Governance & Personnel Committee;
- b. Recommending to the parish council that training on the application of the code of conduct, standards of behaviour expected and use of social media be provided to the subject member;
- c. The findings of the investigation and hearing be published by way of a decision notice and press release.

(The Meeting closed at 6.36 pm)

---

CHAIR

This page is intentionally left blank





## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Ethical Governance & Personnel Committee 17 September 2024

Wards affected: All wards

---

### **Annual complaints performance and service improvement report 2023-24**

---

Report of Director (Corporate and Street Scene Services)

#### **1. Purpose of report**

1.1 To present the annual complaints report.

#### **2. Recommendation**

2.1 The annual complaints report be approved.

2.2 The Local Government & Social Care Ombudsman annual letter be noted.

2.3 The positive position be acknowledged.

2.4 The Housing Ombudsman self-assessment be endorsed for publication.

2.5 A response to the report from the committee be agreed.

#### **3. Background to the report**

3.1 The council operates a two-stage complaints procedure which deals with complaints about council services (including those carried out on behalf of the council by contractors or partners) and actions or lack of action by the authority or its officers.

3.2 At the first stage, a complaint will be acknowledged, a definition will be produced, and it will be sent to the relevant manager for a response within ten working days. The response will state whether or not the complaint is upheld, give reasons for the decision and any remedies of relevant.

- 3.3 If a complainant is not satisfied with the response received to their complaint at stage 1, they may request a review. The complaint is then reviewed by an officer more senior to or independent from the officer who responded at stage 1.
- 3.4 Should the complainant remain dissatisfied after the stage 2 response, they may refer their complaint to the Local Government & Social Care Ombudsman or the Housing Ombudsman.
- 3.5 In April 2024, the Housing Ombudsman introduced a new statutory complaint handling code for complaints about the council as landlord which contained strict requirements for complaints processes, reporting complaints and learning from them. In order to comply, the Ethical Governance & Personnel Committee approved a new complaints policy in May 2024 which covered all complaints, despite the new complaint handling code for non-landlord complaints not yet being in force.
- 3.6 The complaints process is managed by Democratic Services, with this team also being the link for both ombudsmen. Under the new Housing Ombudsman complaint handling code, appointment of a Member Responsible for Complaints was required, and the Ethical Governance & Personnel Committee has agreed this to be the Executive member for Corporate Services.
- 3.7 The attached report considers complaint handling performance, analysis of complaints upheld, service improvements as a result of complaints, any compensation paid, findings of the ombudsmen and compliments received. A self-assessment against the Housing Ombudsman's complaint handling code is appended to the report, along with the Local Government & Social Care Ombudsman's annual letter. The Housing Ombudsman's annual letter has not yet been received.
- 3.8 In accordance with the Housing Ombudsman's complaint handling code, the Ethical Governance & Personnel Committee as the body with responsibility for complaints must produce a response to the annual complaints report which must be published on the council's website. The committee is therefore requested to agree its response.

#### **4. Exemptions in accordance with the Access to Information procedure rules**

- 4.1 To be taken in open session.

#### **5. Financial implications (IB)**

- 5.1 Compensation payments were funded from existing resources.

#### **6. Legal implications (ST)**

- 6.1 None.

**7. Corporate Plan implications**

7.1 This report has no direct implications on delivery of the corporate plan, however it relates to all service areas that have received complaints.

**8. Consultation**

8.1 None.

**9. Risk implications**

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) risks

Risk description	Mitigating actions	Owner
Failure to comply with the Housing Ombudsman's complaint handling code	Ensure all required information is agreed by the committee and published	R Owen

**10. Knowing your community – equality and rural implications**

10.1 The contents of this report do not impact any particular community, parish or group. The complaints policy and the way complaints are handled are inclusive and accessible to all. Complaints can be submitted in the most suitable way for the individual.

**11. Climate implications**

11.1 This report does not have any direct climate implications.

**12. Corporate implications**

12.1 By submitting this report, the report author has taken the following into account:

- Community safety implications
- Environmental implications
- ICT implications
- Asset management implications

- Procurement implications
  - Human resources implications
  - Planning implications
  - Data protection implications
  - Voluntary sector
- 

Background papers: [Complaints policy](#)

Contact officer: Rebecca Owen – [Rebecca.owen@hinckley-bosworth.gov.uk](mailto:Rebecca.owen@hinckley-bosworth.gov.uk)

Executive member: Councillor SL Bray



# Hinckley & Bosworth Borough Council

## **Annual complaints performance and service improvement report 2023-24**

## **Foreword from the Member Responsible for Complaints**

Hinckley & Bosworth Borough Council prides itself on excellent customer service, and this is never more important than the way in which we deal with complaints. This council welcomes feedback and complaints and strives to resolve issues raised by tenants, residents and those visiting or working in the borough. We are keen to learn from complaints and to continuously improve services as a result of them. The complaints process and a positive complaint handling culture is embedded in the work of the authority, with staff being aware of the importance of being open to feedback.

Whilst this report focusses on the 2023-2023 year, it is important to acknowledge the new complaint handling codes from the Housing Ombudsman and Local Government & Social Care Ombudsman which were published earlier this year. The Housing Ombudsman's statutory code which relates to complaints about the council as landlord came into force on 1 April 2024 and the Local Government & Social Care Ombudsman's code, which serves as guidance to which we must have regard, is due to come into force in April 2026. These codes have given us the opportunity to review our processes and to approve a new complaints policy which complies with both codes, demonstrating the importance the council attaches to its complaint handling.

A large amount of work is being undertaken, particularly in the Housing service in response to the Social Housing (Regulation) Act 2024, to support people to make complaints, improve the process for complainants, improve monitoring of complaints and outcomes and to be more transparent in the information we publish about complaints.

As Member Responsible for Complaints, I look forward to working with officers to ensure the complaints process remains accessible to those wishing to make complaints, the process and outcomes receive member oversight and that the relevant committees receive appropriate information relating to complaints.

Councillor Stuart Bray  
Leader of the Council and Executive Member for Corporate Services

## **Contents**

1. Introduction
2. Complaint handling performance
3. Analysis of complaints upheld or upheld in part
4. Service improvements as a result of complaints
5. Compensation paid
6. Findings of the Ombudsmen
7. Compliments
8. Complaint handling codes
9. Self-assessment
10. Future actions

## 1. Introduction

- 1.1 The council has a positive complaints culture and recognises that complaints are a valuable way of gaining feedback and driving service improvements.
- 1.2 Corporate complaints are managed by Democratic Services. References within this report to the complaints team are references to the Democratic Services team. The team manages and co-ordinates corporate complaints and complaints about the council as landlord and manages complaints referred to the Local Government & Social Care Ombudsman and the Housing Ombudsman.
- 1.3 The council has a two-stage complaints process. Stage 1 complaints are usually investigated by the line manager of the officer who has been handling the case or is the subject of the complaint. At stage 2, complaints are investigated by an officer senior to or independent from the officer who completed the stage 1 investigation. As part of the stage 2 response, complainants are provided with the contact details for the relevant ombudsman, should they remain dissatisfied.
- 1.4 Complaints are invited via any method to ensure the process is accessible. For those accessing the information on the council's website, the website meets accessibility requirements, being consistently rated one of the top in the country by Silktide.

## 2. Qualitative and quantitative analysis of our complaint handling performance

### 2.1 Summary of all complaints received in 2023/24

In total, the complaints team received and processed 176 complaints in 2023/24. This is lower than 2022/23 and marks a return to numbers seen prior to 2021/22.

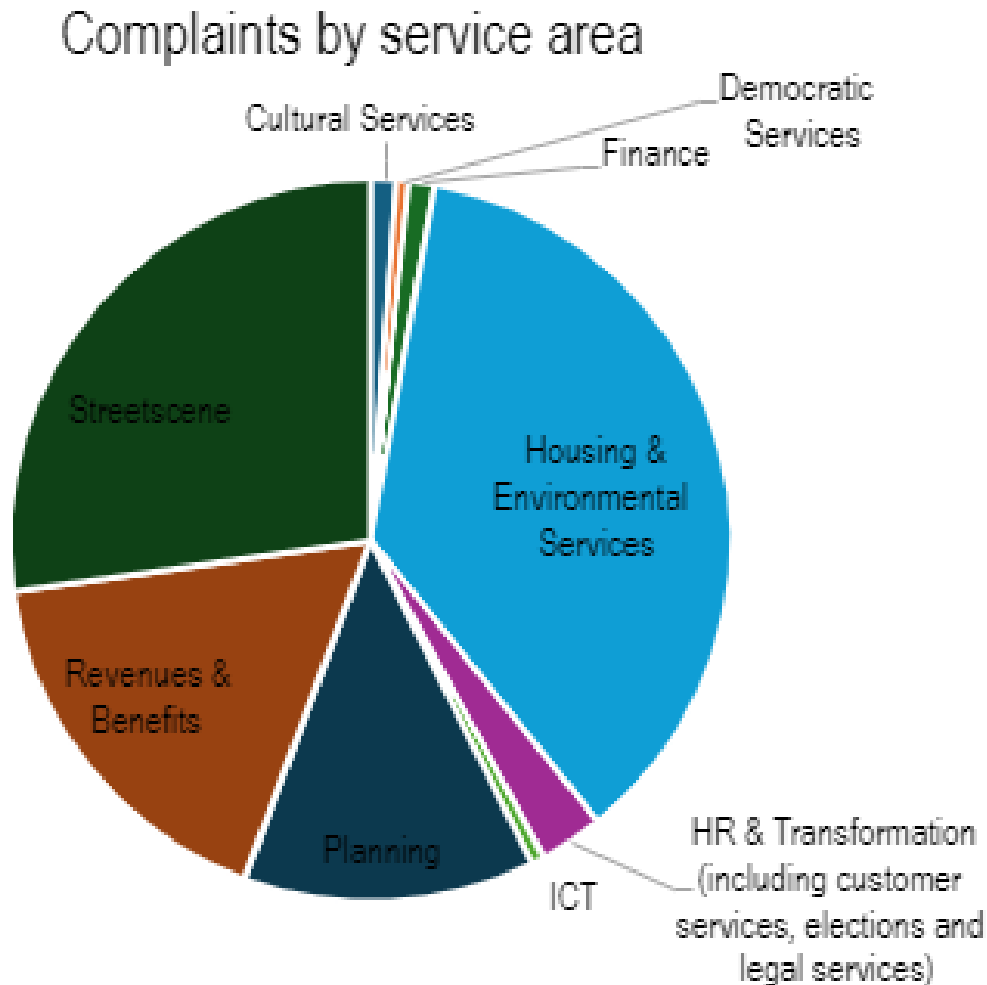
*Table 1: number of complaints per year for the last six years*





## 2.2 Complaints by service area

Table 2: complaints by service area



## 2.3 Complaints about the council as landlord

In 2023/24, the council as landlord received 34 complaints (of the 64 for Housing & Environmental Services shown in table 2). These complaints can be broken down as follows:

Housing repairs: 25  
Tenancy management: 9.

## 2.4 Stage 2 complaints

31 complaints (of the total 176) were escalated to stage 2. Of the 33 complaints about the council as landlord, seven were escalated to stage 2.

## 2.5 Performance in relation to complaint handling

Of the 176 complaints, one was dealt with informally and two were withdrawn. 88.4% of the remaining stage 1 complaints and 74.2% of stage 2 complaints received a response within the stated ten working days. One stage 1 complaint and one stage 2 complaint did not receive a response.

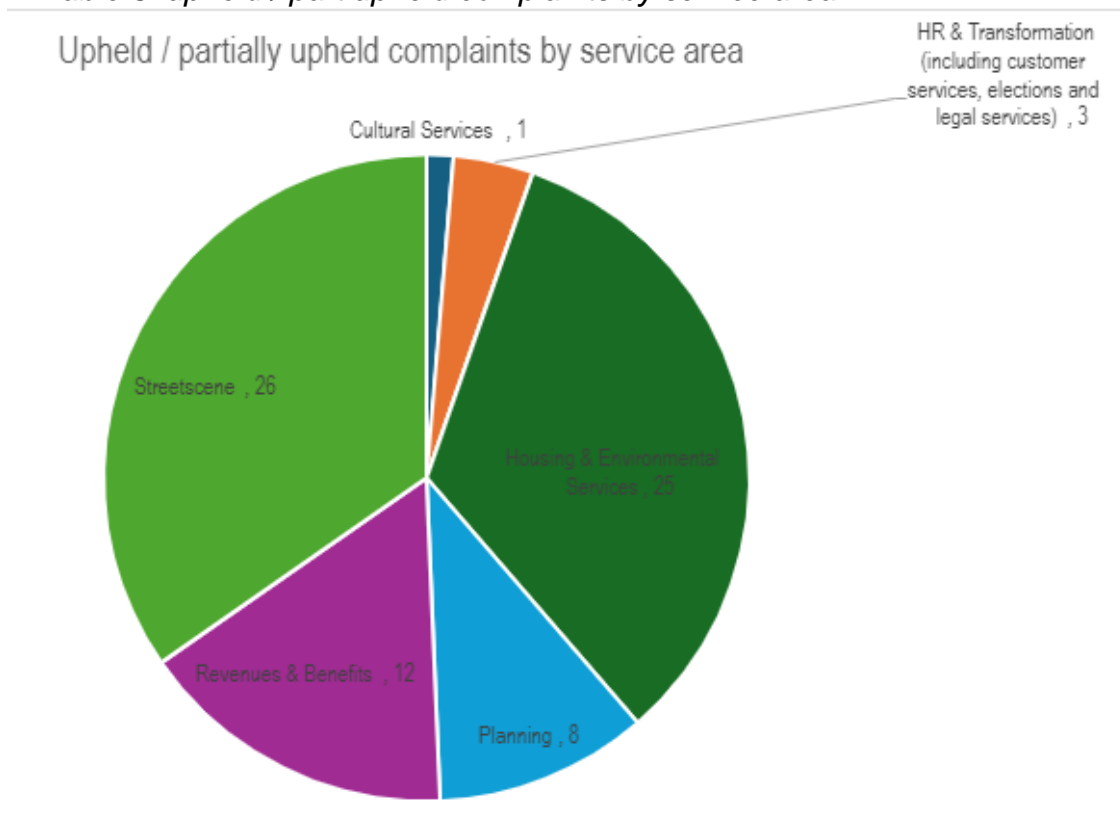
In relation to complaints about the council as landlord, 93.9% of stage 1 complaints and 85.7% of stage 2 complaints received a response within the stated ten working days.

## 3. Analysis of complaints upheld or upheld in part

### 3.1 All complaints

Of the 176 complaints, 75 were upheld or upheld in part at stage 1 and / or stage 2. This equates to 43% and is a decrease on the 46% upheld/upheld in part in 2022/23. This shows that the council is keen to acknowledge where services could be improved and to use learning from complaints to drive service improvements.

*Table 3: upheld / part upheld complaints by service area:*



3.2 Of the 25 complaints upheld / upheld in part for Housing & Environmental Services, 17 were complaints about the council as landlord. These are addressed separately in paragraph 3.3. Of the remaining 58 corporate complaints upheld or upheld in part, the following general themes have arisen (although this isn't necessarily the aspect for which fault was accepted):

- Unhappy with a decision (five complaints – Housing & Environmental Services, Planning, Streetscene)
- Delays in processing (seven complaints – HR & Transformation, Planning, Revenues & Benefits)
- Errors made (28 complaints – Housing & Environmental Services, Planning, Revenues & Benefits, Streetscene)
- Lack of communication or poor case management (20 complaints – Housing & Environmental Services, HR & Transformation, Planning, Revenues & Benefits, Streetscene).

The majority of complaints of a mistake being made that were upheld / upheld in part relate to the refuse & recycling service and can be broken down as follows:

Garden waste payment error / not receiving sticker: 2  
Missed bin (reported on more than one occasion): 9  
Bin not completely emptied: 1  
Assisted collections not carried out / returned as left: 2  
Bin not returned to collection point: 3  
Behaviour of operatives: 1  
Special collection: 1.

Of the 20 complaints defined as "lack of communication or poor case management", 14 complained of a lack of response to communication. This is an area of concern which requires further investigation.

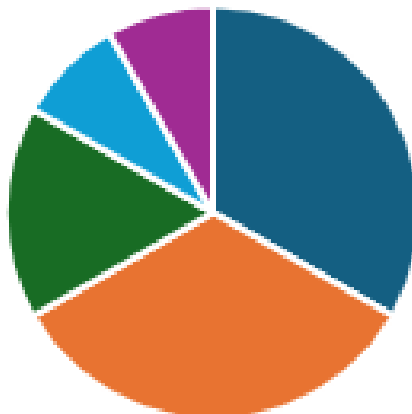
3.3 Complaints about the council as landlord

There were 17 complaints about the council as landlord that were upheld or upheld in part. 12 related to repairs and five to tenancy management. A breakdown of housing repairs complaints can be seen in table 4.

Table 4: housing repairs complaints upheld / upheld in part

---

## Housing repairs complaints



- 
- |                                 |                           |
|---------------------------------|---------------------------|
| ■ Works outstanding (long term) | ■ Delays to repairs       |
| ■ Missed appointment            | ■ Operatives causing mess |
| ■ Quality of repairs            |                           |

### 4. Service improvements as a result of complaints

4.1 The following service improvements have been made as a result of complaints:

- Review of procedures when letting temporary accommodation to ensure it is furnished with white goods and in good condition
- Review of processes when there's an error with a ticket machine in a car park and holding of a small amount of cash to reimburse
- Change of procedure should an operative be unable to gain access to a council property following an out of hours call out
- Review of procedure to remind staff to check all council tax payments received before issuing a refund.

### 5. Compensation

5.1 Where fault and injustice are found and this can be quantified, compensation may be offered as a result of a stage 1 or 2 complaint. This section lists where compensation has been offered.

5.2 £200 compensation was paid to a tenant who had been without a cooker or water in his kitchen during a kitchen refurbishment which had taken 12 weeks at the

point of submitting their complaint. The contractor had also made a mess of the tenant's garden. The council had already decided to terminate the contract with the contractor due to their poor performance. The compensation was paid in recognition of the inconvenience.

- 5.2 A resident complained that their garden waste bin had not been emptied and they had been told it was because there was soil in the bin, which was incorrect. The council acknowledged that there had been no soil and, in recognition of the inconvenience for reasons detailed within the complaint, a goodwill gesture of £10 was refunded.
- 5.3 Following a complaint from a tenant that they had arranged a removal company to move into temporary accommodation which, on arrival, was not in a suitable condition, resulting in them being unable to move in and having to arrange removals again at a later date, the council offered to reimburse the cost of the removal company on the second occasion.
- 5.4 A system error resulted in a resident not receiving a sticker for their garden waste bin and their garden waste was not collected for a considerable length of time. The garden waste charge was refunded.
- 5.5 Following a printing error with a car park ticket machine which resulted in a resident paying for two tickets, a refund of £1.20 for the second ticket was offered.
- 5.6 A tenant complained about a roof that had leaked over several years and whilst work had been carried out a few times and the roof had been replaced, officers had discovered the leak was as a result of the roof of the neighbouring privately owned property. The issues, which were largely outside of the control of the council, had eventually been resolved and a £150 voucher was issued to assist with redecorating which was necessary as a result of the leaks, in recognition of the length of time it had taken to fully resolve the problem.
- 5.7 As a result of council tax being refunded incorrectly, £277 was written off by the revenues & benefits service.

## **6. Findings of the Ombudsmen**

### **6.1 Local Government & Social Care Ombudsman**

During 2023/24, we were contacted by the Local Government & Social Care Ombudsman in relation to six complaints. One is still outstanding and the final decision is awaited. Two complaints were dismissed and not investigated. Fault was found in relation to three of the complaints – more detail is provided in the following paragraphs.

Complaint 22 000 252: This was a complaint about the way a planning decision was made for development on land near the complainant's home. The Ombudsman found faults that caused injustice, though they could not determine whether the planning decision would have been different had the errors not been made. The council apologised to the complainant and carried out a review to ensure its working practices and procedures were robust and fit for purpose to avoid recurrence of the faults.

Complaint 23 002 637: This was a complaint about the council overlooking a councillor's request to call in a planning application for a decision by the Planning Committee, instead making a decision under delegated powers. The Ombudsman found the fault caused injustice because the complainants were denied the opportunity to speak in objection to the application at Planning Committee. The complaint contained other matters which were either out of time or there was no evidence of fault. In relation to the fault found, the investigator felt there was no meaningful remedy to put the complainants back in the position they would have been in without the error.

Complaint 23 007 060: This complaint was about the way the council dealt with a planning application for development next to the complainant's businesses. No evidence of fault was found in the way the council considered the planning application nor assessed the impact of the development on the complainant's business, but the council accepted fault by failing to recommend to committee a condition to mitigate noise from the complainant's business. The permission had, however, not yet been issued so the condition was added and the Ombudsman was satisfied with the remedy and concluded the investigation.

6.2 The annual report of the Local Government & Social Care Ombudsman is attached.

6.3 Housing Ombudsman

No complaints have been investigated by the Housing Ombudsman in 2023/24. No findings of non-compliance have been issued and no relevant reports or publications have been produced by the Housing Ombudsman in relation to our work. The annual report from the Housing Ombudsman has not yet been received.

## **7. Compliments**

7.1 No compliments were recorded in 2023/24.

## **8. Complaint handling codes**

8.1 In February 2024 the Local Government & Social Care Ombudsman and the Housing Ombudsman issued new complaint handling codes. Whilst separate, the

two codes follow the same principles. The Housing Ombudsman's code applies to any complaint about the council as landlord, it is statutory and came into force on 1 April 2024, whereas the Local Government & Social Care Ombudsman's code is guidance to which we must have regard, and complaints will be considered against the code from April 2026.

- 8.2 In pursuance of the new codes, the Ethical Governance & Personnel Committee approved a new complaints policy on 20 May 2024. In order to comply with the implementation date of 1 April for the Housing Ombudsman's complaint handling code, the council implemented those changes that were possible without having approved a new policy prior to 1 April. It is our view that we were compliant with the complaint handling code from 1 April and all complaints were dealt with in accordance with the new code.
- 8.3 The council did not comply with the requirement to have a policy in place by 1 April which contained the required information, however this did not impact tenants / complainants in the way we dealt with complaints. The council has also been unable to comply with publishing an annual report and self-assessment by the end of June 2024 due to lack of suitably timed meetings.
- 8.4 It should be noted that this report covers the 2023/24 year, prior to implementation of the new code at the start of 2024/25, therefore some of the data referred to in the code and in our policy was not captured and does not feature in this report.

## **9. Self-assessment**

- 9.1 Self-assessment is a requirement of the complaint handling codes. Our self-assessment against the Housing Ombudsman's code is appended to this report. A self-assessment against the Local Government & Social Care Ombudsman's code will be included when this becomes a requirement and a template is available.

## **10. Future actions**

- 10.1 In order to comply with the new code and the council's new policy, additional data will be captured in future reports. This includes information on types of complaints refused.
- 10.2 In future, all decisions of the Ombudsmen where fault is found will be brought to the Ethical Governance & Personnel Committee.
- 10.3 In compliance with the Housing Ombudsman's requirements, a Member Responsible for Complaints (MRC) was appointed by the Ethical Governance & Personnel Committee on 20 May. The MRC will be kept updated on complaint

handling performance and decisions of the Ombudsmen and will ensure the Ethical Governance & Personnel Committee has any necessary information.

- 10.4 Refreshed complaint handling training has been arranged for all staff who deal with stage 1 or 2 complaints. Training for frontline staff who may take calls from complainants will also be arranged.

Appendices:

Local Government & Social Care Ombudsman's annual letter (appendix A)

Self-assessment against the Housing Ombudsman's complaint handling code (appendix B)



17 July 2024

*By email*

Mr Cullen  
Chief Executive  
Hinckley & Bosworth Borough Council

Dear Mr Cullen

### **Annual Review letter 2023-24**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2024. The information offers valuable insight about your organisation's approach to complaints, and I know you will consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to ensure effective ownership and oversight of complaint outcomes, which offer valuable opportunities to learn and improve. In addition, this year, we have encouraged Monitoring Officers to register to receive the letter directly, supporting their role to report the decisions we uphold to their council.

For most of the reporting year, Paul Najsarek steered the organisation during his tenure as interim Ombudsman, and I was delighted to take up the role of Ombudsman in February 2024. I look forward to working with you and colleagues across the local government sector to ensure we continue to harness the value of individual complaints and drive and promote systemic change and improvement across the local government landscape.

While I know this ambition will align with your own, I am aware of the difficult financial circumstances and service demands that make continuous improvement a challenging focus for the sector. However, we will continue to hold organisations to account through our investigations and recommend proportionate actions to remedy injustice. Despite the challenges, I have great confidence that you recognise the valuable contribution and insight complaints, and their swift resolution, offer to improve services for the public.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic. This year, we also provide the number of upheld complaints per 100,000 population.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and give credit to organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 24 July 2024. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

In February, following a period of consultation, we launched the [Complaint Handling Code](#) for councils, setting out a clear process for responding to complaints effectively and fairly. It is aligned with the Code issued to housing authorities and landlords by the Housing Ombudsman Service and we encourage you to adopt the Code without undue delay. Twenty councils have volunteered to take part in an implementation pilot over the next two years that will develop further guidance and best practice.

The Code is issued to councils under our powers to provide guidance about good administrative practice. We expect councils to carefully consider the Code when developing policies and procedures and will begin considering it as part of our processes from April 2026 at the earliest.

The Code is considered good practice for all organisations we investigate (except where there are statutory complaint handling processes in place), and we may decide to issue it as guidance to other organisations in future.

Our successful complaint handling training programme continues to develop with new modules in Adult Social Care and Children's Services complaint handling available soon. All our courses include practical interactive workshops that help participants develop their complaint handling skills. We delivered 126 online workshops during the year, reaching more than 1,700 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training) or get in touch at [training@lgo.org.uk](mailto:training@lgo.org.uk).

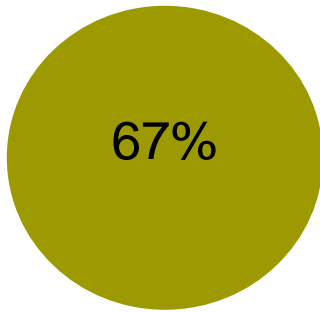
Returning to the theme of continuous improvement, we recognise the importance of reflecting on our own performance. With that in mind I encourage you to share your view of our organisation via this survey: <https://www.smartsurvey.co.uk/s/ombudsman/>. Your responses will help us to assess our impact and improve our offer to you. We want to gather a range of views and welcome multiple responses from organisations, so please do share the link with relevant colleagues.

Yours sincerely,



Amerdeep Somal  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

### Complaints upheld



**67%** of complaints we investigated were upheld.

This compares to an average of **63%** in similar organisations.

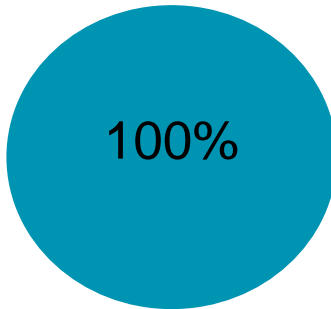
**2**  
upheld decisions

This is 1.7 upheld decisions per 100,000 residents.

The average for authorities of this type is 1.2 upheld decisions per 100,000 residents.

Statistics are based on a total of **3** investigations for the period between 1 April 2023 to 31 March 2024

### Compliance with Ombudsman recommendations



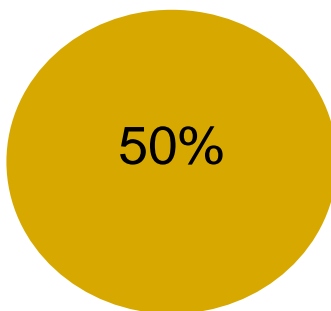
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **99%** in similar organisations.

Statistics are based on a total of **1** compliance outcome for the period between 1 April 2023 to 31 March 2024

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the organisation



In **50%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **21%** in similar organisations.

**1**  
satisfactory remedy decision

Statistics are based on a total of **2** upheld decisions for the period between 1 April 2023 to 31 March 2024

This page is intentionally left blank

Reference	Authority	Category	Received
23000252	Hinckley & Bosworth Borough Council	Planning & Development	13/04/2023
23001580	Hinckley & Bosworth Borough Council	Environmental Services & Public Protection & Regulation	10/05/2023
23001970	Hinckley & Bosworth Borough Council	Corporate & Other Services	16/05/2023
23002332	Hinckley & Bosworth Borough Council	Planning & Development	23/05/2023
23002637	Hinckley & Bosworth Borough Council	Planning & Development	31/05/2023
23005933	Hinckley & Bosworth Borough Council	Benefits & Tax	26/07/2023
23007060	Hinckley & Bosworth Borough Council	Planning & Development	11/08/2023
23007576	Hinckley & Bosworth Borough Council	Planning & Development	21/08/2023
23009506	Hinckley & Bosworth Borough Council	Benefits & Tax	27/09/2023
23009862	Hinckley & Bosworth Borough Council	Planning & Development	04/10/2023
23014941	Hinckley & Bosworth Borough Council	Benefits & Tax	19/12/2023
23015041	Hinckley & Bosworth Borough Council	Other	20/12/2023
23020481	Hinckley & Bosworth Borough Council	Planning & Development	21/03/2024

Reference	Category	Decided	Decision	Decision Reason	Remedy	Service improvement recommendations
23000252	Planning & Development	28/07/2023	Upheld	fault & inj	Apology, procedure or policy change/review	There was fault in the way the Council dealt with a planning application, because of which the complainant did not receive a notification letter, the case officer report said there were no objections but there were some, and the case officer report was not uploaded to the Council's website. The Council agreed to review its decision making, record keeping and administrative processes to avoid recurrence of the faults. It will inform the relevant scrutiny committee and the Ombudsman of the outcome of the review, including any changes to policy, practice and procedure.
23001580	Environmental Services & Public Protection & Regulation	10/05/2023	Referred back for local resolution	Premature Decision - advice given		
23001970	Corporate & Other Services	05/06/2023	Closed after initial enquiries	Not warranted by alleged fault		
23002332	Planning & Development	05/06/2023	Incomplete/Invalid	Insufficient information to proceed and PA advised		
23002637	Planning & Development	07/12/2023	Upheld	fault & inj - no further action organisation already remedied		
23005933	Benefits & Tax	26/07/2023	Referred back for local resolution	Premature Decision - advice given		
23007060	Planning & Development	22/11/2023	Not Upheld	no fault		
23007576	Planning & Development	21/08/2023	Incomplete/Invalid	Insufficient information to proceed and PA advised		
23009506	Benefits & Tax	24/10/2023	Closed after initial enquiries	Sch 5.1 court proceedings		
23014941	Benefits & Tax	19/12/2023	Referred back for local resolution	Premature Decision - advice given		
23015041	Other	20/12/2023	Incomplete/Invalid	Insufficient information to proceed and PA advised		

Reference	Category	Decided	Remedy	Remedy Target Date	Remedy Achieved Date	Satisfaction with Compliance
23000252	Planning & Development	27/07/2023	Apology Procedure or policy change/review	28/11/2023	18/12/2023	Remedy complete and satisfied

## Explanatory notes

### Cases received

Cases with a recorded received date between 1 April 2023 and 31 March 2024. Status as of 9 April 2024.

### Cases decided

Cases with a recorded decision date between 1 April 2023 and 31 March 2024. Status as of 9 April 2024. Some cases may have been reopened since that date, with either a decision outcome pending or a new decision outcome recorded.

We report our decisions by the following outcomes:

**Invalid or incomplete:** We were not given enough information to consider the issue.

**Advice given:** We provided early advice or explained where to go for the right help.

**Referred back for local resolution:** We found the complaint was brought to us too early because the organisation involved was not given the chance to consider it first.

**Closed after initial enquiries:** We assessed the complaint but decided against completing an investigation. This might be because the law says we're not allowed to investigate it, or because it would not be an effective use of public funds if we did.

**Upheld:** We completed an investigation and found evidence of fault, or we found the organisation accepted fault early on.

**Not upheld:** We completed an investigation but did not find evidence of fault.

### Compliance outcomes

Cases with a recorded remedy achieved date between 1 April 2023 and 31 March 2024. Status as of 15 May 2024. The relevant date is the date of compliance with the recommendations (for example, the date on an apology letter) rather than the date the evidence is provided to us. If we were notified after 15 May 2024 of a remedy achieved before 31 March 2024, this will not be included here.

Some cases may be marked as 'Remedy completed late' even when the remedy achieved date is before the remedy target date. This happens because the target date covers all remedies (service improvements and personal remedies). As service improvements often have a longer timescale for completion, we will mark a case as 'completed late' where this longer timescale is met, but the personal remedy was provided late.



## Appendix A: Self-assessment form

This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.

Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body's response to the report must be published alongside this.

Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.

We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

## Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
1.2	A complaint must be defined as: <i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'</i>	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 1, point 3 contains the definition
1.3	A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with the landlord's complaints policy.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 1, point 4
1.4	Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 1, point 5

	recorded, monitored and reviewed regularly.			
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 1, point 6
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 1, point 7

## Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 2: Exclusions
2.2	<p>A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> <li>The issue giving rise to the complaint occurred over twelve months ago.</li> <li>Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.</li> </ul>	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 2: Exclusions

	<ul style="list-style-type: none"> <li>Matters that have previously been considered under the complaints policy.</li> </ul>			
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 2, point 1: Exclusions
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 2, point 2
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 2, point 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 3, point 1 (making a complaint via the most appropriate channel)  Section 4, point 6 (reasonable adjustments)
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 3, point 1. A briefing note has been provided for all frontline staff who may need to take a complaint
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	Yes		History of encouraging and welcoming complaints. Numbers of complaints will be published in the annual report
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	

	must also be published on the landlord's website.			
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 3, point 2 (details of policy) Section 5, point 22 (information about the Ombudsman) Section 6, point 1 (reference to code)
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 3, point 3
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 22. This information is also provided as part of the stage 2 response, on request throughout the process, and when informing a resident of being unable to respond within the timescale

## Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 2
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes	Structure chart: <a href="#">Senior management structure   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	As per the policy, the Democratic Services Manager is the officer responsible for complaints and works closely with the Leader of the Council who is also the MRC. The structure chart shows the position in the authority of the officer as evidence of autonomy
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a	Yes		Internal training on the new codes and the new policy has been provided to officers who are likely to respond to complaints. External training is regularly



	core service and must be resourced to handle complaints effectively			provided (arranged for October 2024)
--	---	--	--	--------------------------------------

### Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Clear that there are two stages. All officers have been instructed that they must not deal with complaints informally as part of the internal training on the new codes / policy
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Policy outlines a two-stage process
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 1

	expected to go through two complaints processes.			
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 1
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 2
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 3
5.8	At each stage of the complaints process, complaint handlers must: <ul style="list-style-type: none"> <li>a. deal with complaints on their merits, act independently, and have an open mind;</li> <li>b. give the resident a fair chance to set out their position;</li> </ul>	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 4

	<p>c. take measures to address any actual or perceived conflict of interest; and</p> <p>d. consider all relevant information and evidence carefully.</p>			
5.9	Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 5
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 6
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 7

5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Yes		This is our practice although not publicly evidenced, our files act as evidence
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 4, point 8
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a> Persistent & unreasonable complainant behaviour policy is linked from the complaints policy	Section 4, point 10
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Yes	Persistent & unreasonable complainant behaviour policy is linked from the complaints policy	

Section 6: Complaints Stages

Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident.	Yes		This is our standard practice
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <b><u>within five working days of the complaint being received.</u></b>	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 1
6.3	Landlords must issue a full response to stage 1 complaints <b><u>within 10 working days</u></b> of the complaint being acknowledged.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 3
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 4

	Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.			
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 5
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 6
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 7
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 8

	delay the response, the new issues must be logged as a new complaint.			
6.9	Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: <ul style="list-style-type: none"> <li>a. the complaint stage;</li> <li>b. the complaint definition;</li> <li>c. the decision on the complaint;</li> <li>d. the reasons for any decisions made;</li> <li>e. the details of any remedy offered to put things right;</li> <li>f. details of any outstanding actions; and</li> <li>g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.</li> </ul>	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 9

### Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 10
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp;</a>	Section 5, point 11

	within five working days of the escalation request being received.		<a href="http://hinckley-bosworth.gov.uk">Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 12
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 13
6.14	Landlords must issue a final response to the stage 2 <b>within 20 working days</b> of the complaint being acknowledged.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 14
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 15
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp;</a>	Section 5, point 16



			<a href="http://hinckley-bosworth.gov.uk">Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Complaints policy: <a href="http://hinckley-bosworth.gov.uk">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 17
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Complaints policy: <a href="http://hinckley-bosworth.gov.uk">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 18
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: <ul style="list-style-type: none"> <li>a. the complaint stage;</li> <li>b. the complaint definition;</li> <li>c. the decision on the complaint;</li> <li>d. the reasons for any decisions made;</li> <li>e. the details of any remedy offered to put things right;</li> <li>f. details of any outstanding actions; and</li> <li>g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.</li> </ul>	Yes	Complaints policy: <a href="http://hinckley-bosworth.gov.uk">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 19

6.20	Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 5, point 20
------	---	-----	---	---------------------

### Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
7.1	<p>Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:</p> <ul style="list-style-type: none"> <li>• Apologising;</li> <li>• Acknowledging where things have gone wrong;</li> <li>• Providing an explanation, assistance or reasons;</li> <li>• Taking action if there has been delay;</li> <li>• Reconsidering or changing a decision;</li> <li>• Amending a record or adding a correction or addendum;</li> <li>• Providing a financial remedy;</li> <li>• Changing policies, procedures or practices.</li> </ul>	Yes		Normal practice

7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes		Normal practice
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes		Normal practice
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes		Normal practice

## Section 8: Self-assessment, reporting and compliance

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	<p>Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include:</p> <ul style="list-style-type: none"> <li>a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements.</li> <li>b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept;</li> <li>c. any findings of non-compliance with this Code by the Ombudsman;</li> <li>d. the service improvements made as a result of the learning from complaints;</li> <li>e. any annual report about the landlord's performance from the Ombudsman; and</li> <li>f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.</li> </ul>	Yes	<p>Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a></p>	<p>Section 6, point 1 2023/24 report delayed due to cancellation of meetings because of elections</p>

8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 6, point 2 2023/24 report delayed due to cancellation of meetings because of elections
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes		Not evidenced in policy, but officers are aware of the requirement
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes		Not evidenced in policy, but officers are aware of the requirement
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 6, point 3

## Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Yes	Previous annual reports to the Ethical Governance & Personnel Committee	Evidence of service improvements resulting from complaints
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 1
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 3 & 4
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 2

9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 3 (the Executive member for Corporate Services has been appointed MRC by the Ethical Governance & Personnel Committee)
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 3
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and	Yes	Complaints policy: <a href="#">Complaints policy   How to make a complaint or compliment   Hinckley &amp; Bosworth Borough Council (hinckley-bosworth.gov.uk)</a>	Section 7, point 4

	d. annual complaints performance and service improvement report.			
9.8	<p>Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to:</p> <p>a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;</p> <p>b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and</p> <p>c. act within the professional standards for engaging with complaints as set by any relevant professional body.</p>	Yes		This is our normal practice / culture



By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank