



**Hinckley & Bosworth
Borough Council**

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

ETHICAL GOVERNANCE & PERSONNEL COMMITTEE 30 JANUARY 2020

WARDS AFFECTED: ALL WARDS

CORPORATE COMPLAINTS 2018-19

Report of the Monitoring Officer

1. PURPOSE OF REPORT

- 1.1 To inform members of complaints received under the council's two-stage complaints process and the outcome of these, and complaints received via the Local Government and Social Care Ombudsman and Housing Ombudsman.

2. RECOMMENDATION

- 2.1 The report be endorsed.
- 2.2 Members note the reduction in complaints.
- 2.3 Members note that there was no fault found by the Local Government & Social Care Ombudsman for any complaint during 2018/19.

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 actions by the authority or its officers.
- 3.2 At the first stage a complaint will be sent to the relevant manager for a response, which should be provided within ten working days (as recommended by Internal Audit in 2011). The response should usually state whether or not the complaint is upheld and give reasons for the decision. If, due to the level of investigation required, it is not possible to respond within this timescale, the responding officer must contact the complainant to explain the reasons for this and to let them know when they may expect a response.
- 3.3 If a complainant is not satisfied with the response received to their complaint at stage 1, they may request a review of the matter. The review ("stage 2") is reviewed by a

more senior officer or an officer from a different service area who has not been involved in the case.

- 3.4 Should the complainant remain dissatisfied after stage 2 of the process, they have the opportunity to put their complaint to the Local Government and Social Care Ombudsman or the Housing Ombudsman, who will usually contact us to ask for further details of the case, copies of correspondence and later in the process, a response from officers.
- 3.5 The complaints and Ombudsman process is administered by Democratic Services, and a record is kept which includes a summary of the complaint and the outcome in order to monitor patterns and learn from the information.
- 3.6 Under the constitution, monitoring of the complaints process is the responsibility of the Ethical Governance & Personnel Committee, and as such these reports are brought to the committee annually.

Breakdown of complaints received 2018/19

- 3.7 During the period 1 April 2018 – 31 March 2019 a total of 177 complaints were processed under the formal complaints procedure. In addition three complaints were withdrawn and one was a stage 2 complaint where the stage 1 complaint had been taken the previous year.

The number of complaints in 22 service categories are below:

Anti-Social Behaviour (ASB)	2
Benefits	8
Benefits / Customer Services	1
Clean Neighbourhoods	2
Communications	1
Customer Services	1
Democratic Services / Planning	1
Elections	2
Environmental Health	6
Estates	4
Green Spaces	3
Housing	23
Housing Repairs	33
Housing Repairs / Green Spaces	1
Legal	7
Monitoring Officer	1
Neighbourhood Wardens	1
Planning	21
Private Sector Housing	3
Refuse & Recycling	37
Revenues	17
Street Scene	2
Total complaints	177

3.8 The number of complaints received compares with the previous years as follows:

2017/18	181	2011/12	39
2016/17	174	2010/11	39
2015/16	107	2009/10	37
2014/15	96	2008/09	31
2013/14	74	2007/08	28
2012/13	54	2006/07	27

Despite the national trend of an increase in complaints, HBBC's have decreased slightly from last year. However in previous years complaints increased in part due to the introduction of an online complaints form, which made it easier for customers to make a complaint. This led to an increase in complaints that would previously have been dealt with in the course of business following a phone call to Customer Services or the relevant team.

3.9 Of the 177 complaints processed, the following outcomes were recorded:

Complaint upheld:	60
Complaint upheld in part:	13
Complaint not upheld:	102

Other:	2
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3.10 In order to learn from complaints and, more importantly, the instances where complaints have been upheld or upheld in part, these can be broken down as follows:

Benefits	4
Benefits / Customer Services	1
Clean Neighbourhoods	1
Communications	1
Customer Services	1
Elections	2
Environmental Health	1
Estates	1
Green Spaces	3
Housing	4
Housing Repairs	21
Legal	1
Planning	1
Refuse & Recycling	20
Revenues	9
Street Scene	2
Total upheld or upheld in part	73

3.11 The service areas with high numbers of complaints have been examined to look for common themes. The following themes have been identified:

- Refuse & recycling: brown bin payment issues, complaints about operatives not replacing bins in correct place, repeated missed bins and mess left behind.
- Housing repairs: complaints about incorrect information given, lack of communication and boiler breakdown.

- Housing: complainants claiming to have been placed in the wrong band and given incorrect information.
- Planning: unhappy with decisions, the way applications dealt with and issues with communication.
- Revenues: no trend.

3.12 No compensation was paid during 2018/19 as a result of a stage 1 complaint.

3.13 Of the 177 complaints received, 141 went no further than stage 1, suggesting that the complainant was satisfied with the response. 36 were reviewed at stage two, these stage two complaints related to the following service areas:

Anti-Social Behaviour (ASB)	1
Environmental Health	2
Estates	2
Housing	5
Housing Repairs	5
Legal	2
Planning	11
Private Sector Housing	1
Refuse & Recycling	6
Revenues	1

Local Government and Social Care Ombudsman (LGSCO) complaints

3.16 During 2018/19, eight complaints about this authority were lodged with the LGSCO (not including complaints received by the Ombudsman but dismissed at an early stage without asking us for information). This was four fewer than in 2017/18.

3.17 The breakdown of the eight complaints lodged was as follows:

- two were not investigated as legal action could be taken
- one was not investigated as it was appealed to the valuation tribunal
- one was not investigated as it was appealed to the Planning Inspector
- one was not investigated as was unlikely to find fault causing injustice
- three were investigated and found no evidence of fault.

No compensation was paid during 2018/19 as a result of an Ombudsman recommendation.

3.18 The annual review letter from the LGSCO is attached as an appendix. The data may not align with our own records due to the number of complaints dismissed without having contacted us for any information and the conclusion of complaints from the previous year in the 2018/19 year.

Housing Ombudsman complaints

3.19 One complaint was lodged with the Housing Ombudsman during 2018/19. No maladministration was found.

Persistent and unreasonable complainant behaviour policy

3.20 The Persistent and unreasonable complainant behaviour policy is in place to address unreasonable behaviour where the frequency or nature of a complainant's contact with the council takes up unjustifiable officer time and resources, making it hard for

officers to handle their complaint and/or those of other people, or where their behaviour is offensive or abusive.

3.21 The policy has not been applied to any individuals during 2018/19.

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

4.1 This report is to be taken in open session.

5. FINANCIAL IMPLICATIONS (IB)

5.1 None.

6. LEGAL IMPLICATIONS (FA)

6.1 None arising directly from this report.

7. CORPORATE PLAN IMPLICATIONS

7.1 This report supports all aims and objectives by ensuring the public and external organisations have the opportunity to raise issues with the authority which assist in improving services to the public.

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 provide satisfactory services or service improvements	Ensure service areas learn from complaints	Service managers

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 The complaints process about which this report is written is in place to ensure equality in service provision and to protect the rights of the individual. The process is available and accessible to all customers.

10.2 Assistance is offered and provided to support complainants in completing the form and in providing all relevant information, and complaints are accepted in the format that is most appropriate for the individual.

10.3 Where there is a proposed new service, change of service, or a new or reviewed policy, an Equality Impact Assessment is required and has been undertaken and can be viewed here: None required – this is not a new service or a review of policy.

11. CORPORATE IMPLICATIONS

11.1 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: Previous years' complaints reports

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