



## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Ethical Governance & Personnel Committee 1 October 2020

Wards affected: All wards

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### Corporate complaints 2019-2020

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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 the number of complaints.
- 2.3 Members note that there was no fault found by the Local Government & Social Care Ombudsman for any complaint during 2019/20.

#### **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 2019/20

- 3.7 During the period 1 April 2019 – 31 March 2020 a total of 163 complaints were processed under the formal complaints procedure.

The number of complaints in 27 service categories is as below:

ASB & Tenancy Management	6
Benefits	4
Benefits & Customer Services	1
Car Parks	1
Communications	1
Communications & Refuse & Recycling	1
Customer Services	1
Democratic Services	1
Elections	6
Environmental Health	4
Estates & Assets	2
Finance	1
Green Spaces	5
Housing Allocations	9
Housing Options	11
Housing Repairs	40
Housing Repairs & Green Spaces	1
Neighbourhood Wardens	1
Planning	11
Refuse & Recycling	28
Revenues	20

Revenues & Refuse & Recycling	1
Street Cleaning	1
Streetscene & Customer Services	1
Tenancy management	4
Tenancy management / Housing Repairs	1
Total complaints	163

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

2019/20	163	2012/13	54
2018/19	177	2011/12	39
2017/18	181	2010/11	39
2016/17	174	2009/10	37
2015/16	107	2008/09	31
2014/15	96	2007/08	28
2013/14	74	2006/07	27

Despite the national trend of an increase in complaints, complaints to this authority have decreased for the second year in a row. 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 163 complaints processed, the following outcomes were recorded:

Complaint upheld	54
Complaint upheld in part	18
Complaint not upheld	90
Other:	1

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:

ASB & Tenancy Management	2
Benefits	2
Benefits & Customer Services	1
Customer Services	1
Democratic Services	1
Environmental Health	1
Estates & Assets	1
Finance	1
Green Spaces	2
Housing Allocations	3
Housing Repairs	24
Housing Repairs / Green Spaces	1

Neighbourhood Wardens	1
Refuse & Recycling	18
Revenues	11
Street Cleaning	1
Streetscene / Customer Services	1
Total upheld or upheld in part	72

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

- ❖ Housing repairs: Issues with work of contractors, time taken to carry out work and issues with individual staff.
- ❖ Refuse & recycling: Bins not collected or replaced incorrectly and attitude of workers.
- ❖ Revenues: No main themes but complaints included issues around lack of information or incorrect information given and being unhappy with treatment.
- ❖ Housing Options: No main themes mainly unhappy at not receiving help or being treated unfairly.
- ❖ Planning: Majority unhappy that enforcement action was not taken.

3.12 No compensation was paid during 2019/20 as a result of a stage 1 complaint.

3.13 Of the 163 complaints received, 139 went no further than stage 1, suggesting that the complainant was satisfied with the response, and 24 were reviewed at stage 2. These stage 2 complaints related to the following service areas:

Anti-Social Behaviour (ASB)	2
Environmental Health	1
Housing Allocations	1
Housing Options	2
Housing Repairs	7
Housing Repairs / Green Spaces	1
Planning	5
Revenues	3
Tenancy Management	1
Tenancy management / Housing Repairs	1

Local Government and Social Care Ombudsman (LGSCO) complaints

3.14 During 2019/20 ten 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 two more than in 2018/19.

3.15 The outcome of the ten complaints was as follows:

- ❖ Three were not investigated as there was insufficient evidence of fault
- ❖ Two were not investigated as alternative avenues of action were available
- ❖ One was not investigated as the alleged fault had not caused injustice
- ❖ One was not investigated as the events were too long ago and would not achieve the outcome the complainant sought
- ❖ Two were investigated and no fault was found
- ❖ One is currently awaiting a final decision but the provisional decision is one of no fault.

3.16 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 within the figures.

Housing Ombudsman complaints

3.17 No complaint was lodged with the Housing Ombudsman during 2019/20.

Persistent and unreasonable complainant behaviour policy

3.18 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.

3.19 The policy has not been applied to any individual in 2019/20.

#### **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 (MR)**

6.1 None.

#### **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. Climate implications

11.1 This report is not proposing a new policy or service and therefore has no impact on climate change.

## 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
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Background papers: Previous years' complaints reports

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