



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

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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

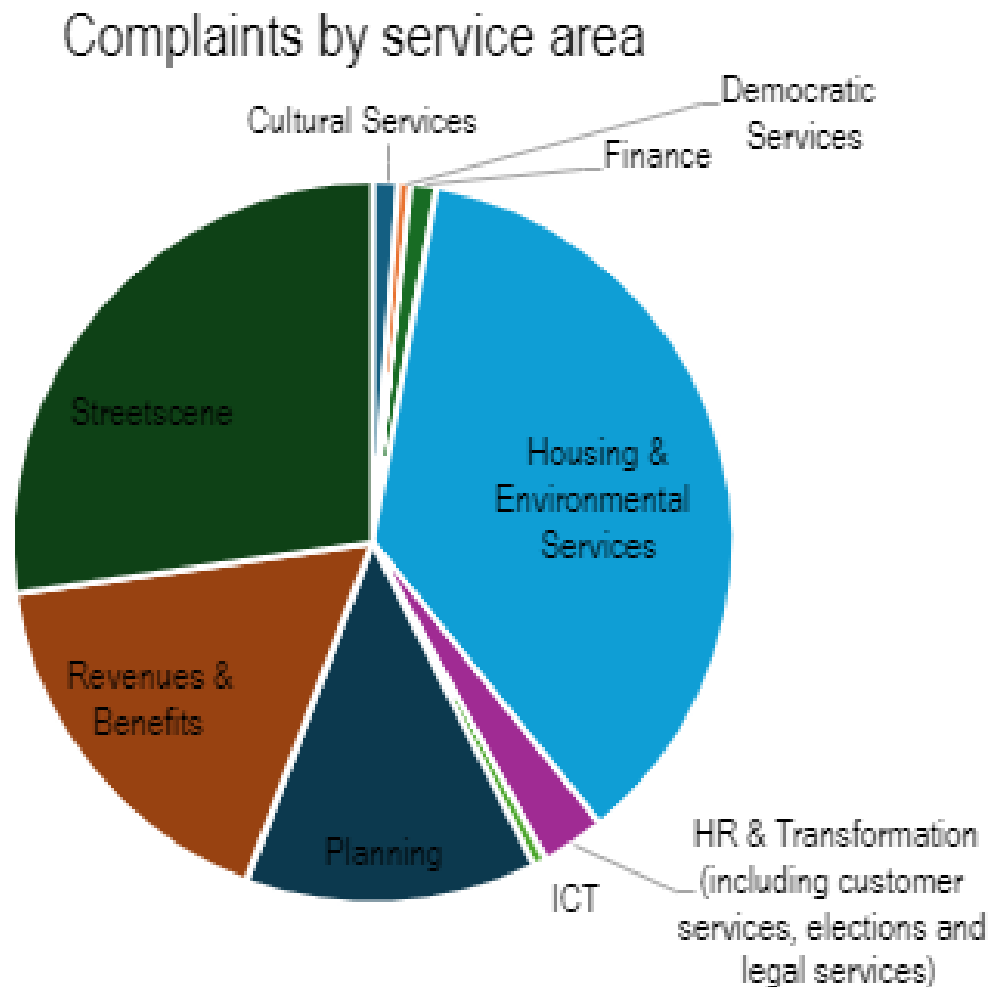
In total, the complaints team received and processed 176 complaints in 2023/24. This is lower than 2022/23 and marks a return to numbers seen prior to 2021/22.

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.

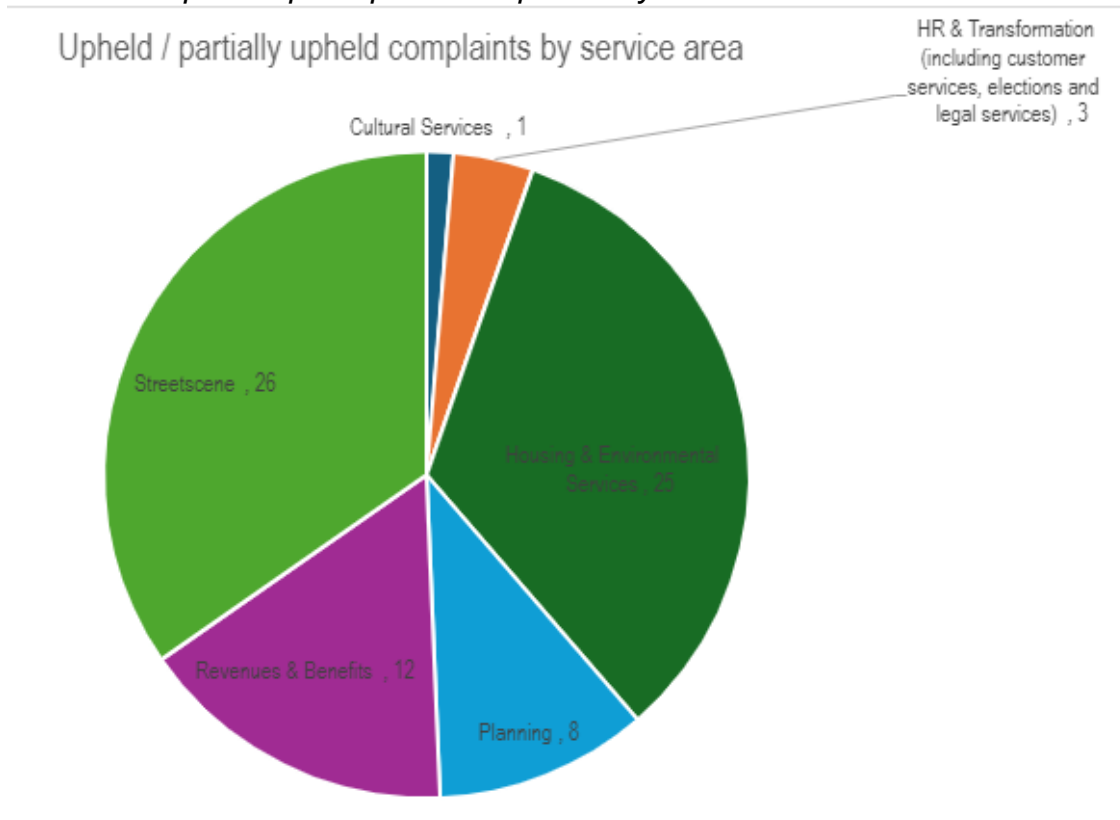
In relation to complaints about the council as landlord, 93.9% of stage 1 complaints and 85.7% of stage 2 complaints received a response within the stated ten working days.

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)