



WARDS AFFECTED: ALL WARDS

1. **PURPOSE OF REPORT**

- 1.1 To inform members of numbers of complaints received under the Council's two-stage complaints process and the outcome of these, and complaints received via the Local Government Ombudsman. Reports on complaint statistics were submitted regularly to the Standards Committee, and under the Constitution the review of complaints is the responsibility of the Ethical Governance and Personnel Committee.

2. **RECOMMENDATION**

- 2.1 The report be noted.
- 2.2 Reports on complaints be brought to the committee annually, with future reports to include benchmarking against other districts.

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 must be provided within ten working days (as recommended by Internal Audit in 2011). The response must 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. When this request for a review (stage 2) is received the matter is reviewed by a more senior officer.
- 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 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 We have recently signed up to include complaints in the benchmarking statistics so future reports will include this information. It is anticipated that this will demonstrate that the increase in our complaints follows a national trend.

Breakdown of complaints received under the Council's complaints process – 2013/2014

3.7 During the period 1 April 2013 to 31 March 2014, a total of 74 complaints were received under the formal complaints procedure. 63 of these were processed. The further ten did not proceed due to being outside of the remit of the authority, the complainant withdrawing the complaint, the matter being dealt with in the course of business (as a request for a service), or risk of prejudicing other action currently being taken. The number of processed complaints categorised by service is as follows:

Community Safety:	1
Customer Services:	1
Electoral Services:	1
Environmental Health:	3
Estates:	1
Housing (advice):	1
Housing Repairs:	8
Human Resources:	1
Legal:	1
Planning:	17
Revenues & Benefits:	17 (Benefits: 3; Revenues: 14)
Streetscene Services:	11 (Green spaces: 1; Refuse & recycling: 7; Street cleaning: 1; other: 2)

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

2013/14	74
2012/13	54
2011/12	39
2010/11	39
2009/10	37
2008/09	31
2007/08	28
2006/07	27

3.9 Of the 63 complaints processed as listed above, 48 went no further than stage 1 and 14 were reviewed at stage 2. One complaint is ongoing (at stage 1).

3.10 Of the 62 stage 1 complaints processed and completed, the following outcomes were recorded:

Complaint upheld:	14
Complaint upheld in part:	5
Complaint not upheld:	41
Other:	2 (further information requested but not supplied / referred for action under another process)

3.11 Of those complaints not upheld or upheld only in part, eight of them resulted in offers of remedies or resolution despite the complaint not being upheld.

- 3.12 In order to learn from complaints received and more importantly the instances where complaints are upheld (or upheld in part), the latter can be broken down as follows:

Number of complaints upheld or upheld in part during 2013/14

Elections:	1
Housing Repairs:	2
Human Resources:	1
Legal:	1
Refuse & Recycling:	5
Revenues & Benefits:	6
Streetscene (except refuse & recycling):	3

- 3.13 Heads of those services that have received five or more complaints will be requested to look at these and consider any patterns and possible remedies.
- 3.14 No compensation was paid during 2013/14 as a result of a stage 1 complaint.
- 3.15 For all complaints reviewed at stage 2 of the complaints process the responding officer's decision was upheld.

Breakdown of Local Government Ombudsman complaints

- 3.16 Five complaints about this authority were lodged with the Ombudsman during 2013/14. This was a reduction on the 11 lodged the previous year. Of the five lodged during 2013/14, three were not investigated, one was investigated and fault found but discontinued as the investigator didn't feel the complainant was directly impacted, and one is outstanding.
- 3.17 During 2013/14, the Ombudsman made three judgements on complaints received but not determined the previous year. Of these, one found no fault, one found fault which had been remedied, but no injustice. The third judgement found maladministration and injustice and resulted in costs.

4. FINANCIAL IMPLICATIONS (KP)

- 4.1 As outlined in 3.17, one complaint has resulted in costs for the Authority totalling £8,500. There are no other financial implications resulting from this report.

5. LEGAL IMPLICATIONS (EH)

- 5.1 There are none arising directly from the report as it is for noting.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 This report supports all Corporate aims and objectives by ensuring the public and external organisations have the opportunity to complain about any service within the authority, all of which contribute to the corporate values in some way.

7. CONSULTATION

- 7.1 None.

8. RISK IMPLICATIONS

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

- 8.2 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.
- 8.3 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 to improve service	Ensure service areas learn from patterns in complaints	R Owen / Heads of Service

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 9.1 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 complaints process is set as part of the Constitution and is administered as set out therein. The process is available and accessible to all customers.
- 9.2 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.
- 9.2 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.

10. CORPORATE IMPLICATIONS

- 10.1 By submitting this report, the report author has taken the following into account:
- Community Safety implications
 - Environmental implications
 - ICT implications
 - Asset Management implications
 - Human Resources implications
 - Planning Implications
 - Voluntary Sector

Background papers: None

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