



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

ETHICAL GOVERNANCE & PERSONNEL COMMITTEE 28 OCTOBER 2016

WARDS AFFECTED: ALL WARDS

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## CORPORATE COMPLAINTS 2015-16

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### **Report of the Monitoring Officer**

#### 1. PURPOSE OF REPORT

- 1.1 To inform 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.

#### 2. RECOMMENDATION

- 2.1 The report be noted.

#### 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 must 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. When this request for a review (stage 2) is received the matter 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 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 under the council's complaints process – 2015/16

- 3.7 During the period 1 April 2015 to 31 March 2016, a total of 107 complaints were processed under the formal complaints procedure. The number of complaints categorised by service is below:

Car Parks:	1
Community Safety:	2
Cultural Services:	1
Customer Services:	2
Democratic Services/Planning:	1
Electoral Registration:	4
Environmental Health:	3
Estates & Assets:	1
Housing:	15
Housing Repairs:	25
Housing / Housing repairs	1
Housing / repairs / Council tax:	1
Planning:	13
Planning / Environmental Health:	2
Private Sector Housing:	1
Revenues & Benefits:	9 (benefits: 4; Revenues: 5)
Safeguarding:	1
Streetscene services:	24 (bulky waste: 1; green waste: 6; recycling: 5; refuse: 7; green spaces: 2; refuse & recycling (ie both bins): 3)

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

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

- 3.9 In addition to the 107 complaints received as listed above, there were several received and, following initial enquiries, sent onto other agencies as being out of our remit. The above figures are affected by a change in reporting as in previous years the total number of complaints included those that were not dealt with under the complaints process but forwarded to other agencies, whereas the 107 complaints for 2015/16 does not include these.

- 3.10 Of the 107 stage 1 complaints processed, the following outcomes were recorded:

Complaint upheld:	42
Complaint upheld in part:	3

Complaint not upheld: 60  
 Further information requested to enable response, but not received: 1  
 No response: 1

3.11 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:

Car Parks:	1
Community Safety:	2
Customer Services:	2
Electoral Registration:	2
Environmental Health:	1
Housing:	1
Housing repairs:	18
Planning:	2
Planning / Environmental Health:	1
Revenues & Benefits:	5 (revenues: 3; benefits: 2)
Streetscene:	10 (refuse: 3; recycling: 2; refuse & recycling: 3; green space: 2)

3.12 No compensation was paid during 2015/16 as a result of a stage 1 complaint.

3.13 80 complaints went no further than stage 1, suggesting that the complainant was satisfied with the response, and 27 were reviewed at stage 2. These stage two complaints relate to the following areas:

Cultural Services:	1
Environmental Health:	1
Housing:	4
Housing repairs:	1
Housing & Housing repairs	1
Housing/repairs/revenues	1
Planning:	8
Planning/Environmental Health	2
Private sector housing	1
Revenues & benefits	3 (Benefits: 1; revenues: 2)
Streetscene:	4 (Recycling: 1; Garden waste: 2; refuse & recycling: 1)

3.14 In relation to the stage 1 complaints, the areas with high numbers have been examined to look for common themes. Themes identified are:

- Housing: the largest number of complaints were about feeling unsupported, and almost as many about decisions (banding, allocations)
- Housing repairs: almost half of the complaints were about a particular contractor or damage/delays caused by them
- Planning: No trend found, variety of reasons for complaints including delays, dissatisfaction with decisions or advice
- Revenues & Benefits: Most complaints relate to lack of response to communication or failure to update details
- Streetscene: in relation to garden waste, the majority of complaints (five) were submitted towards the end of the year and were in relation to the charge. There was no trend amongst other complaints submitted about Streetscene services.

- 3.15 In relation to response times for stage 1 complaints, 11 did not receive responses within ten working days (not including those where a letter had been sent explaining the reasons for a delay in the response and when a response could be expected). These related to the following services:

Housing:	5 (33%)
Housing Repairs:	1 (4%)
Planning:	3 (23%)
Private Sector Housing:	1 (100%)
Revenues & benefits:	1 (11%).

#### Local Government Ombudsman complaints

- 3.16 Ten complaints about this authority were lodged with the Ombudsman during 2015/16 (this does not include complaints made to the Ombudsman but dismissed at an early stage without asking us for information). This was an increase from three during 2014/15, five during 2013/14, but a decrease on the 11 in 2012/13. Of the ten lodged during 2015/16, three were closed after initial enquiries without investigation, five were not upheld, and two identified injustice due to delays, resulting in compensation payments of £250 and £400. No complaints were received by the Housing Ombudsman.

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

- 4.1 No exemptions.

#### 5. FINANCIAL IMPLICATIONS (IB)

- 5.1 None.

#### 6. LEGAL IMPLICATIONS (AR)

- 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 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.
- 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

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Background papers: Previous years' complaints reports

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