



Hinckley & Bosworth Borough Council

FORWARD TIMETABLE OF CONSULTATION AND DECISION MAKING

ETHICAL GOVERNANCE & PERSONNEL COMMITTEE 16 AUGUST 2017

WARDS AFFECTED: ALL WARDS

CORPORATE COMPLAINTS 2016-17

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 Ombudsman.
- 1.2 Directors' Briefing will also receive more detailed information on areas of high numbers of complaints and complaints not receiving a response within ten working days.

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 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 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 2016/17

- 3.7 During the period 1 April 2016 to 31 March 2017 a total of 174 complaints were processed under the formal complaints procedure. The number of complaints categorised by service is below:

Building Control	1
Community Safety	3
Cultural Services	5
Customer Services	6
Elections	3
Elections / Customer Services	1
Environmental Health	4
Estates	1
Finance	2
Housing	11
Housing repairs	42
Housing / Revenues	1
Housing / Housing repairs	1
Housing / Environmental Health	1
Legal	2
Planning	17
Refuse & recycling / Customer Services	1
Revenues & benefits	24 (19 revenues; 4 benefits; 1 both)
Street naming	1
Street Scene Services	47 (1 car parks; 8 green space; 38 refuse & recycling).

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

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
2011/12	39		

The increase in complaints follows a national trend, but the vast increase in complaints over the previous year can be attributed in part to the introduction of an online complaints form, making it easier for customers to make a complaint. As a result, we have noticed an increase in complaints about matters 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 174 complaints processed, the following outcomes were recorded:

Complaint upheld:	57
Complaint upheld in part:	13
Complaint not upheld:	96
Other:	8 (including referral for HR investigation, further information requested, referral to agency/partner).

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

Cultural Services	1
Customer Services	4
Elections / Customer Services	1
Estates	1
Finance	1
Housing	2
Housing / Environmental Health	1
Housing repairs	29
Legal	1
Planning	3
Refuse & recycling / Customer Services	1
Revenues & benefits	8
Street Scene Services	17 (4 green space; 13 refuse & recycling)

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: no themes identified
- Housing Repairs: 22 of the complaints were about the previous gas contractor (the majority of these complaints were upheld). The contract has now been let to a different provider. No other themes are evident
- Planning: no themes identified (many were dissatisfied with a decision)
- Revenues & Benefits: No themes, although five of the complaints were about information or records not having been updated and another five were about incorrect charges being applied (few of these were upheld)
- Street Scene Services: No clear theme, although several related to missed collections (but these were not always upheld based on evidence).

3.13 No compensation was paid during 2016/17 as a result of a stage 1 complaint.

3.14 Of the 174 complaints received, 148 went no further than stage 1, suggesting that the complainant was satisfied with the response. 26 were reviewed at stage two. These stage two complaints related to the following service areas:

Customer Services	2
Environmental Health	2
Finance	1
Housing & Community Safety	3
Housing / revenues	1

Housing Repairs	3
Legal	2
Planning	7
Revenues & Benefits	4
Street Scene Services	1

3.15 Of the 26 stage 2 complaints, the following outcomes were recorded:

Complaint upheld:	1
Complaint upheld in part:	3
Complaint not upheld:	21
Other:	1 (withdrawn).

Local Government Ombudsman complaints

3.16 During 2016/17, 14 complaints about this authority were lodged with the Local Government Ombudsman, however not all of these were pursued. The Local Government Ombudsman's annual letter for this authority is attached as an appendix and shows the breakdown of complaints received and decisions made (some of which relate to complaints lodged during the previous year.

Persistent and unreasonable complainant behaviour policy

3.17 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.

3.18 The persistent and unreasonable complainant behaviour policy was revised by the Ethical Governance & Personnel Committee in December 2016 in line with the Local Government Ombudsman's "managing unreasonable complainant behaviour" policy.

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 (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 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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