

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Overview and Scrutiny Committee
<b>Date of Meeting:</b>	12 April 2016
<b>Subject:</b>	Review of Complaints
<b>Report of:</b>	Graeme Simpson, Corporate Services Group Manager
<b>Corporate Lead:</b>	Mike Dawson, Chief Executive
<b>Lead Member:</b>	Councillor M Dean , Lead Member for Customer Focus
<b>Number of Appendices:</b>	One

## **Executive Summary:**

Tewkesbury Borough Council has a formal, published complaints procedure. This requires a report to be presented to Overview and Scrutiny every six months, with an update on complaints recorded and managed through corporate feedback management procedures. This report provides an update on the six months from July 2015 to December 2015

## **Recommendation:**

**To CONSIDER the information provided and determine whether any further action is required.**

## **Reasons for Recommendation:**

To ensure that Tewkesbury Borough Council's complaints procedure is followed.

To ensure that improvements in the quality and performance of the council and its services can be shown to be informed through learning from complaints.

To demonstrate that the findings of the Local Government Ombudsman are used to improve council services.

## **Resource Implications:**

The outcome arising from complaints handling including the findings of the Local Government Ombudsman may impact upon the resources of the authority.

## **Legal Implications:**

The Local Government Ombudsman has power to investigate complaints of maladministration against the Council (subject to certain exceptions) and may make recommendations as to how such complaints may be resolved. Where considered appropriate, the Ombudsman has the power to issue a formal report on any particular case for consideration by the Council. Although not legally bound to accept any recommendations from the Ombudsman it is important that the Council takes careful note of them and learns from any recommendations that he makes.

## **Risk Management Implications:**

If complaints are not handled in accordance with the corporate complaints procedure and the Council does not learn from the complaints received then there is a potential reputational risk to

the Council.

**Performance Management Follow-up:**

Customer complaints, including those made to the Ombudsman are considered every six months.

**Environmental Implications:**

None directly.

**1.0 INTRODUCTION/BACKGROUND**

**1.1** The Council has a formal complaints procedure which is published on its website. Complaints may also be handled more informally, where the customer prefers this. Complaints are made to our Customer Services team or directly to the service area concerned. Complaints may go on to be reported to the Local Government Ombudsman if the complainant is not satisfied with action taken by the Council or with the complaint outcome.

**1.2** Details of complaints included in this report are:

- Formal complaints logged and managed through the corporate complaints procedure.
- Other complaints received through the Council website.
- Complaints to the Local Government Ombudsman (LGO).

**2.0 COMPLAINTS RECEIVED JULY 2015 TO DECEMBER 2015**

**2.1 Formal Complaints**

**2.1.1** Nine formal complaints were recorded in the last six months of 2015.

Three complainants appealed against the Stage 1 response.

Table 1 provides a breakdown of complaints received.

**Table 1 Formal complaints resolved within target times July to Dec 2015**

Service area	Total complaints	Within target	Outside target	Upheld	Complaint appeals (stage 2)

Revenues and Benefits	1	0	1	0	0
Development Services	3	1	2	0	1
Environmental Health	1	0	1	0	1
Waste and Recycling	3	1	2	0	1
IT	1	1	0	0	0
<b>Totals</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>3</b>

**2.2.2** See Appendix 1 for a further breakdown of the complaints and details on the complaints trend.

## **2.2 Complaints received online**

**2.2.1** Customers are able to log a complaint online through the Council's website at any time. These are not normally handled as a formal complaint as the customer is generally looking for a service failure to be rectified quickly. The complaint may be handled formally where this is requested, or appears to be warranted.

**Table 2 Complaints received through the website**

	<b>July to Dec 2015</b>	Jan to June 2015	July to Dec 2014	Jan to June 2014	July to Dec 2013
Total feedback	<b>241</b>	219	170	181	137
– complaints	<b>159</b>	143	99	132	98
– comments	<b>74</b>	69	59	35	34
– compliments	<b>8</b>	7	12	14	5

## **3.0 OMBUDSMAN COMPLAINTS (LGO)**

**3.1** The LGO deals with complaints against all local government authorities in England (except Parish and Town Councils) and certain other bodies.

**3.2** To date for 2015/16, the LGO received five complaints relating to Tewkesbury Borough Council (11 were received in 2014/15)

Planning and Development	1	Not upheld
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Benefits and tax	1	Premature complaint
Environmental Services and Public Protection and Regulation	2	1 - Closed after initial enquiries no further action 2 – Upheld: no further action
Highways and Transport	1	Closed after initial enquiries no further action

**3.3** There is one complaint that was received in 2013, but the investigation and decision was not received until 9 December 2015. This complaint relates to benefits and tax and was upheld. The LGO considered there had been maladministration and injustice and awarded the complainant £500 compensation.

**3.4** Where the LGO has investigated a complaint it publishes its final decisions, following a three month call in period, on its website. The LGO may decide not to publish a decision, for example where it would not be in the interests of the person complaining or where there is a reason in law not to. To view those relating to Tewkesbury Borough Council please go to their website <http://www.lgo.org.uk/decisions/search> and type in the search Tewkesbury Borough Council.

**3.5** The LGO also sends local authorities an annual letter around July/August and this is reported to the nearest Overview and Scrutiny Committee following its receipt.

#### **4.0 OTHER OPTIONS CONSIDERED**

**4.1** None

#### **5.0 CONSULTATION**

**5.1** None

#### **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**6.1** Corporate Complaints Policy

#### **7.0 RELEVANT GOVERNMENT POLICIES**

**7.1** Local Government Act 1974

#### **8.0 RESOURCE IMPLICATIONS (Human/Property)**

**8.1** Complaint findings and follow-up actions may impact on the resources of the authority.

#### **9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**9.1** None

#### **10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**

**10.1** Due regard is paid to the relevant policies and schemes during the investigation and resolution of complaints. Outcomes arising from improvement actions as a result of a

complaints investigation may be beneficial in these areas.

**11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**11.1** None.

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**Background Papers:** None

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**Appendix:** Appendix 1- Complaints Breakdown