

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	5 September 2017
Subject:	Review of Formal Complaints
Report of:	Graeme Simpson, Head of Corporate Services
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor M Dean, Lead Member for Customer Focus
Number of Appendices:	Two

Executive Summary:

A new formal complaints framework was introduced in April 2016. The framework included the approval of a new policy and a new reporting and monitoring system to help ensure complaints are effectively managed. The framework is also monitored by a designated officer within the Policy and Communications Team. A review of complaints was undertaken by the Overview and Scrutiny Committee and, at the meeting held on 6 September 2016, it was agreed this would be undertaken on an annual basis. The report provides a summary of complaints received during 2016/17 and also includes the annual letter on complaints received by the Local Government Ombudsman.

Recommendation:

Members are asked to CONSIDER the information provided and any further action required.

Reasons for Recommendation:

To ensure there is effective complaints monitoring and evidence of learning so as to improve service delivery and customer satisfaction.

Resource Implications:

There is a manpower resource to investigate any complaints that are received.

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 framework, and the

Council does not learn from the complaints received, there is a potential reputational risk to the council.

Performance Management Follow-up:

Customer complaints, including those made to the Ombudsman, are reported to the Overview and Scrutiny Committee on an annual basis.

Environmental Implications:

None directly.

1.0 INTRODUCTION/BACKGROUND

1.1 A new formal complaints framework was introduced in April 2016. The framework included the approval of a new policy and a new reporting and monitoring system to help ensure complaints are effectively managed. The framework is also monitored by a designated officer within the Policy and Communications Team. A review of complaints is undertaken by the Overview and Scrutiny Committee.

1.2 Part of the review was to improve the signposting on how to make a complaint and clearly differentiate between a service type complaint/request and a formal complaint which requires more detailed investigative action. The Council's website was updated to reflect this. The new reporting and monitoring system has helped ensure that complaints are handled to the same standard and their progress can be monitored so that responses are made in a timely manner. Complaints may be reported onwards to the Local Government Ombudsman by the complainant once the complaint has been dealt with through the Council's complaints framework.

2.0 COMPLAINTS RECEIVED APRIL 2016 TO MARCH 2017

2.1 111 formal complaints were received within the reporting period, of which 106 relate to Council services. Of these:

- 102 (92%) were responded to within time (20 days).
- 77 (69%) were found to be justified or partially justified.
- 11 were subject to a stage 2 review of which 4 were justified or partially justified.

The second stage is where the complainant was not happy with the original response and the complaint is assigned to an independent Head of Service for investigation. A breakdown of the complaints by service area, nature of complaint and remedy can be found in Appendix 1. This also includes a summary of lessons learned.

3.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS

3.1 Previous complaints reported to the Committee are detailed below:

Reporting	Total	Response	Complaints	Number of	Appeals
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period	complaints	within target time	upheld	appeals	upheld
Jan-Dec 2014	48	27	5	7	0
Jan-Dec 2015	26	10	2	0	0

4.0 BENCHMARKING OUR COMPLAINTS WITH OTHERS

4.1 On a quarterly basis, outturn figures are input through LG Inform. LG Inform is a dedicated database provided by the Local Government Association which includes a benchmarking tool. One of the indicators reported upon is the number of complaints per 10,000 population. Of the nearly 100 Councils which report upon this indicator, the low number of complaints recorded by Tewkesbury Borough Council means that the Council is consistently within the top ten for having the lowest number of complaints.

5.0 COMPLIMENTS

5.1 For 2016/17 onwards, a compliments log is maintained within Customer Services. For this reporting period, 27 compliments were received across a range of service areas.

6.0 LOCAL GOVERNMENT OMBUDSMAN (LGO) COMPLAINTS

6.1 The LGO deals with complaints against all local government authorities in England (except Parish and Town Councils) and certain other bodies. Each year the LGO publishes an "Annual Review Letter" for every authority which details the number of complaints and enquiries received and the decisions made. This letter is attached to this report at Appendix 2. It is also published on the LGO website.

6.2 During 2016/17, the LGO determined 10 complaints relating to Tewkesbury Borough Council (this was the same number as 2015/16). They are as follows:

Benefits and tax	2	1- Incomplete
		1 - Referred back for local

		resolution
Environmental services and public protection and regulation	2	2 – referred back for local resolution
Highways and transport	2	1 - Closed after initial enquiries
		1 - referred back for local resolution
Housing	2	2 - referred back for local resolution
Planning and development	2	1 – closed after initial enquiries
		1 – not upheld.

7.0 OTHER OPTIONS CONSIDERED

7.1 None

8.0 CONSULTATION

8.1 None

9.0 RELEVANT COUNCIL POLICIES/STRATEGIES

9.1 Corporate Complaints Policy

10.0 RELEVANT GOVERNMENT POLICIES

10.1 Local Government Act 1974

11.0 RESOURCE IMPLICATIONS (Human/Property)

11.1 Officer time to monitor and investigate complaints received.

12.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

12.1 None

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

13.1 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.

14.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

14.1 None.

Background Papers: None

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Appendix: Appendix 1 - Complaints breakdown
Appendix 2 - Local Government Ombudsman 2016/17 – Annual Review
Letter