

# TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Overview and Scrutiny Committee
<b>Date of Meeting:</b>	4 September 2018
<b>Subject:</b>	Complaints Report
<b>Report of:</b>	Head of Corporate Services
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Lead Member for Customer Focus
<b>Number of Appendices:</b>	Two

## **Executive Summary:**

The current 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 monitored by a designated officer within the Policy and Communications Team. A review of complaints is undertaken by the Overview and Scrutiny Committee. At its 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 2017/18 and also includes the annual letter received from the Local Government and Social Care Ombudsman (LGSCO) on complaints that have been decided by them.

## **Recommendation:**

**To CONSIDER the annual report to provide assurance that complaints are managed effectively and whether any further action is required.**

## **Reasons for Recommendation:**

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

## **Resource Implications:**

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

## **Legal Implications:**

The LGSCO 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 LGSCO 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 LGSCO, 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 then there is a potential reputational risk to the Council.

**Performance Management Follow-up:**

Customer complaints, including those made to the LGSCO are reported to Overview and Scrutiny Committee on an annual basis. A quarterly analysis is also presented at Corporate Management Team.

**Environmental Implications:**

None directly.

**1.0 INTRODUCTION/BACKGROUND**

**1.1** The current 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 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 enhanced 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 LGSCO by the complainant once the complaint has been dealt with through the Council's complaints framework.

**2.0 COMPLAINTS RECEIVED APRIL 2017 - MARCH 2018**

**2.1** 157 formal complaints were received within the reporting period of which 145 relate to Council services. Of these:

- 143 (91%) were responded to within time (20 days)
- 106 (68%) were found to be justified or partially justified
- 19 were subject to a second stage review of which eight were justified or partially justified

The second stage is where the complainant is 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.

**2.2** From the breakdown by service area, over half of the complaints relate to the Council's waste service. These have been subject to previous scrutiny during the year through the Ubico contract monitoring reporting process. Waste collection is a high-profile service with nearly four million collections during the course of the year. The number of complaints in proportion to the number of collections is therefore very small. The complaints can be attributed to the change in waste rounds, effective from 1 April 2017 and due to weather conditions (snow) in quarter 4.

### 3.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS

3.1 Previous complaints reported to the Committee are detailed below:

Reporting period	Total complaints	Response within target time	Complaints upheld	Number of appeals	Appeals upheld
2015/ 2016	26	10	2	0	0
2016/17	111	102 (92%)	77	11	4

N.B. For 2015/16, information was collated under a previous monitoring and reporting framework that was not deemed fit for purpose, hence the introduction of a new framework.

3.2 The new framework has been in place for two years. Within the Corporate Services 2018/19 service plan is an action to review the process. This will provide an opportunity to identify any improvements that are required and ensure the framework maintains its customer focus. It is proposed to use the Overview and Scrutiny Committee to help undertake this review as complaints support the Council's overall performance management arrangements. The review is scheduled for quarter 3 of 2018/19.

### 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 (LGA) 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 2017/18 onwards, a compliments log is maintained within Customer Services. For this reporting period, 23 compliments were received:

Customer services	12
Elections	1
Housing	1
UBICO	4
Community and development	3
External audit	1
All emergency response staff (for Severn Trent burst water main)	1

## 6.0 OMBUDSMAN COMPLAINTS (LGSCO)

6.1 The LGSCO deals with complaints against all local government authorities in England (except Parish and Town Councils) and certain other bodies. Each year the LGSCO 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 LGSCO website.

6.2 During 2017/18, the LGSCO determined 12 complaints relating to Tewkesbury Borough Council:

Benefits and tax	2	1- Closed after initial enquiries
		1 - Referred back for local resolution
Environmental services and public protection and regulation	4	1- Incomplete/ invalid
		2- Referred back for local resolution
		1 - Referred back for local resolution
Planning and development	5	2- Upheld
		2- Closed after initial enquiries
		1- Referred back for local resolution
Corporate and other services	1	1- Referred back for local resolution

## 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.

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**Background Papers:** None

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**Appendix:** Appendix 1 - Complaints breakdown  
Appendix 2 - Local Government and Social Care Ombudsman 2017/18  
Annual Review Letter