

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	6 September 2016
Subject:	Complaints Report
Report of:	Graeme Simpson, Corporate Services Group Manager
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor M Dean, Lead Member for Customer Focus
Number of Appendices:	Two

Executive Summary:

The formal complaints framework was reviewed in early 2016 leading to the approval of a new complaints policy. The policy is also supported by a new reporting and monitoring system to help ensure complaints are effectively managed. The framework is also monitored by a designated officer within the Corporate Services Team. As with previous arrangements, a report will be presented on a six monthly basis to the Overview and Scrutiny Committee. This report provides details of complaints received in the first quarter of 2016/17(April-June). The new system went live on 6 April 2016. The report also includes information received from the Local Government Ombudsman on complaints that have been referred to them.

Recommendation:

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

Reasons for Recommendation:

To ensure there is effective complaints monitoring and there is 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 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 reported to Overview and Scrutiny Committee on a six monthly basis.

Environmental Implications:

None directly.

1.0 INTRODUCTION/BACKGROUND

1.1 The formal complaints framework was reviewed in early 2016. A new complaints policy was approved supported by a new reporting and monitoring system to help ensure complaints are effectively managed. This went live on 6 April 2016. The framework is also monitored by a designated officer within the Corporate Services Team.

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. 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 JUNE 2016

2.1 26 formal complaints were received within the reporting period. Of these, 23 were responded to within time i.e. 20 days. Three complaints were also subject to a stage two review of which one was justified. 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.

Note: Seven formal complaints were received in the period January 2016 to March 2016. These were received through the old complaints system which was recommended for review by internal audit, hence the introduction of the new system.

3.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS

3.1 Previous number of 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-June 2014	28	18	4	3	0
July-Dec 2014	20	9	1	4	0
Jan-June 2015	15	7	2	0	0
July-Dec 2015	9	3	0	0	0

4.0 OMBUDSMAN COMPLAINTS

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

4.2 During 2015/16, the Local Government Ombudsman received 10 complaints/enquiries relating to Tewkesbury Borough Council (compared to 11 in 2014/15). They are as follows:

Benefits and tax	1	Referred back for local decision
Environmental services and public protection and regulation	5	3 – closed after initial enquiries
		1 – upheld no further action
		1 – referred back for local resolution
Highways and transport	1	1 - Closed after initial enquiries
Housing	1	1 - Upheld in part – upheld maladministration but no injustice
Planning and development	2	1 – referred back for local resolution
		1 – not upheld.

5.0 OTHER OPTIONS CONSIDERED

5.1 None

6.0 CONSULTATION

6.1 None

7.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 7.1 Corporate Complaints Policy
- 8.0 RELEVANT GOVERNMENT POLICIES**
- 8.1 Local Government Act 1974
- 9.0 RESOURCE IMPLICATIONS (Human/Property)**
- 9.1 Officer time to monitor and investigate complaints received.
- 10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 10.1 None
- 11.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 11.1 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.
- 12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**
- 12.1 None.

Background Papers: None

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Appendix: Appendix 1- Complaints breakdown
Appendix 2 – Local Government Ombudsman 2015/16 – Annual Review Letter