

# TEWKESBURY BOROUGH COUNCIL

|                              |                                      |
|------------------------------|--------------------------------------|
| <b>Report to:</b>            | Overview and Scrutiny Committee      |
| <b>Date of Meeting:</b>      | 10 September 2019                    |
| <b>Subject:</b>              | Summary of Formal Complaints 2018/19 |
| <b>Report of:</b>            | Head of Corporate Services           |
| <b>Corporate Lead:</b>       | Chief Executive                      |
| <b>Lead Member:</b>          | Lead Member 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 Corporate Services team and an annual review of complaints received is undertaken by the Overview and Scrutiny Committee. This report provides a summary of complaints received during 2018/19 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 update to provide assurance that complaints are managed effectively and to identify any further action 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 Local Government and Social Care 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 approved 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 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

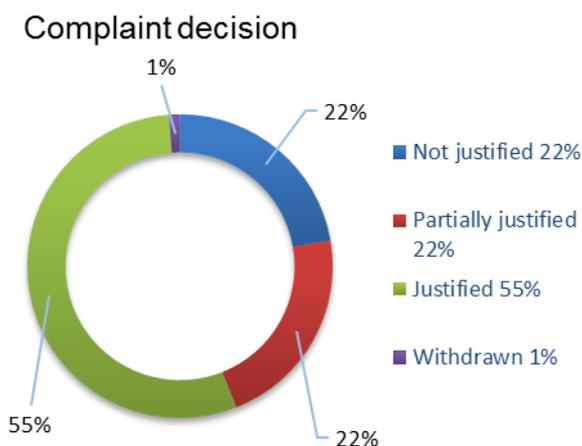
1.1 The current complaints framework was introduced in April 2016. The framework included the approval of a new policy and a new reporting and monitoring system to help ensure complaints are effectively managed. The framework is monitored by a designated officer within the Corporate Services team, and an annual summary is reported to Overview and Scrutiny Committee. A formal complaint is defined as:

*“an expression of dissatisfaction that requires a response about the standards of service, actions or lack of action, by the Council or its staff”.*

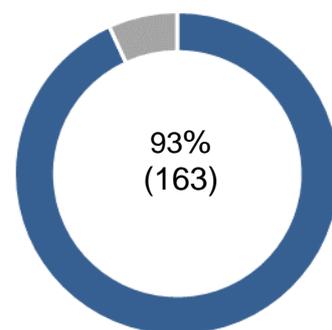
1.2 Part of the improvements made with the new system included signposting on how to make a complaint and clearly differentiating between a service type complaint/request and a formal complaint. The enhanced reporting and monitoring system has helped ensure that complaints are handled to the same standard and their progress can be closely monitored so that responses are made in a timely manner. Complaints may be reported onwards to the Local Government and Social Care Ombudsman by the complainant once the complaint has been dealt with through the Council’s complaints framework.

## 2.0 COMPLAINTS RECEIVED APRIL 2018 TO MARCH 2019

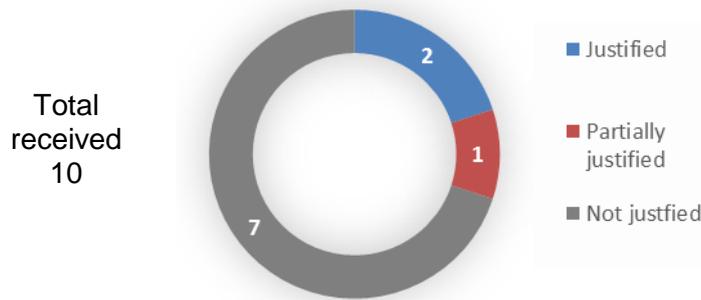
2.1 192 formal complaints were received within the year, of which 175 relate to Council services. Of these:



Number of complaints answered within time (20 days)



### Stage two review decisions:



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.

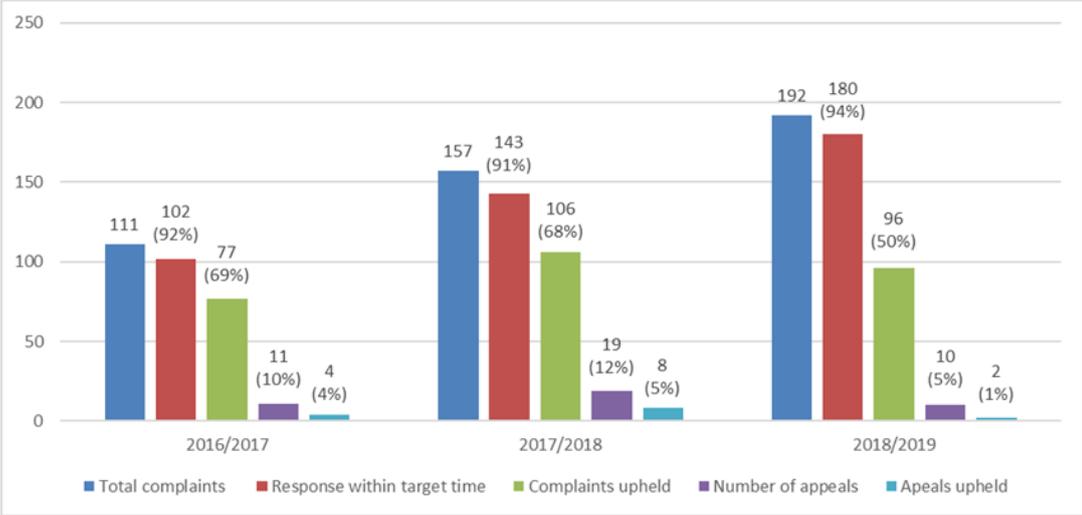
- 2.2** From the breakdown by service area, over half (99) relate to the Council's waste and recycling service. This number was reported within the annual Ubico performance report presented at Overview and Scrutiny Committee on 23 July 2019. Waste collection is a high profile service and, during the course of the year, completed 4,524,000 collections. The number of complaints in proportion to the number of collections is therefore very small.

### **3.0 LESSONS LEARNED**

- 3.1** Monitoring of lessons learned can be quite difficult because of the nature and complexity of many of the complaints. To give assurance that lessons learned are being adhered to, an internal audit will be carried out, and the results will be reported in next year's annual review of formal complaints.
- 3.2** An area where lessons learned from complaints has led to a huge improvement in service delivery is grass cutting. During the first quarter (1 April 2018 – 30 June 2018) of 2018/19, 23 complaints were received relating to grass not being cut within the borough. These complaints led to the introduction of a Grass Cutting Improvement Plan (approved by Executive Committee in June 2018). As a result of this plan, the first seasonal grass cut for 2019 was successfully carried out throughout the borough, with only one formal complaint relating to grass not being cut during Q1 2019/20. A Grounds Maintenance Working Group has now been established and will oversee grass cutting for the forthcoming year.

**4.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS**

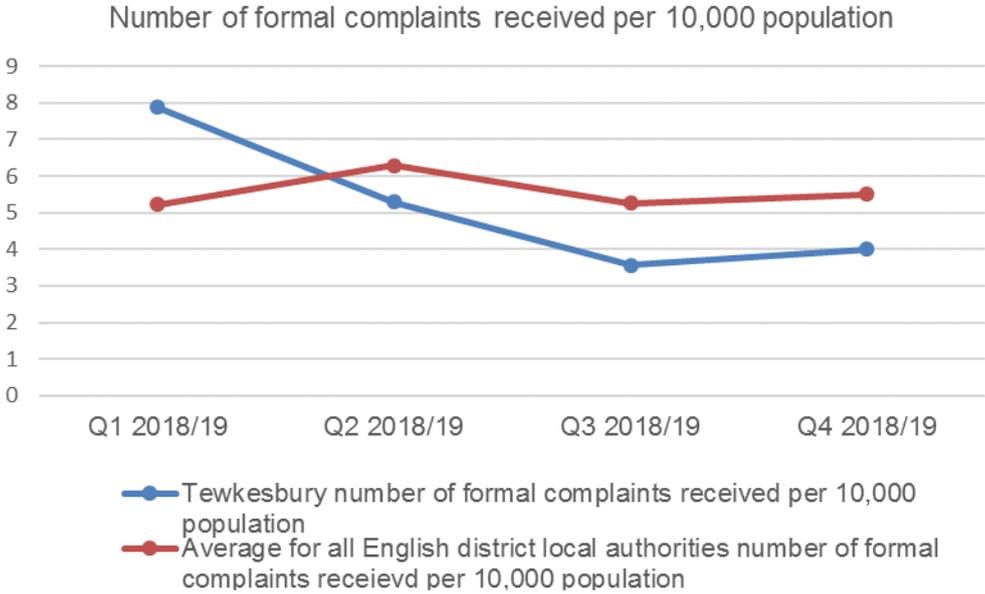
4.1 The previous number of complaints reported to the Committee are detailed below:-



4.2 The new complaints framework has been in place for three years. Within the Corporate Services 2019/20 service plan is an action to review the process. This will provide an opportunity to identify any further 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 proposed to take place in quarter three of 2019/20.

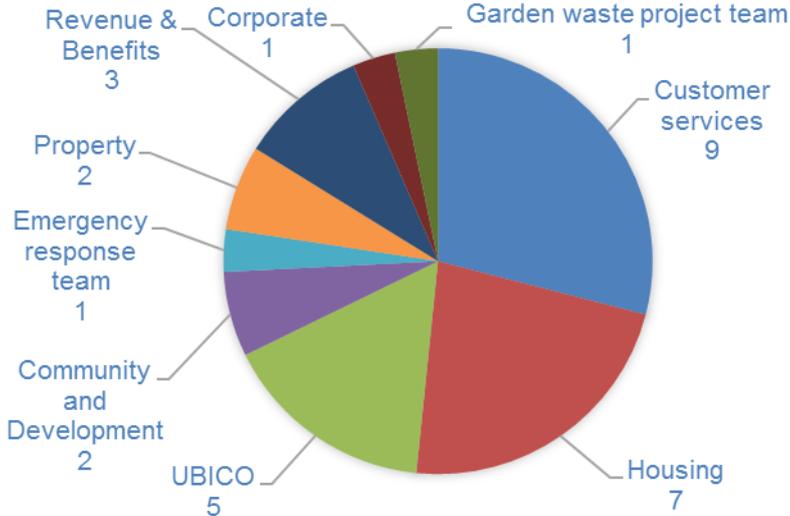
**5.0 BENCHMARKING OUR COMPLAINTS WITH OTHERS**

5.1 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. Over 50 Councils report upon this indicator. The graph below shows the Council's trend compared to the average for other local authorities who have reported in 2018/19 - the performance continues to be excellent with the number of complaints received well below average. The spike reflects the increase in complaints we saw in grass cutting complaints in 2018/19 Q1.

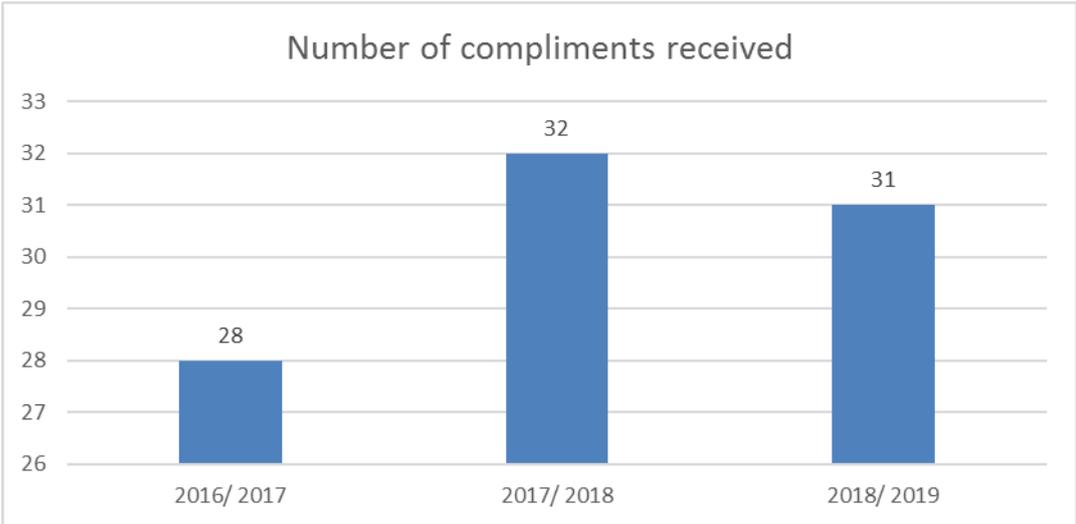


**6.0 COMPLIMENTS**

6.1 A compliments log is maintained within Customer Services. During 2018/19, 31 compliments were received:



6.2 The total number of compliments received since 2016/17 are as follows:



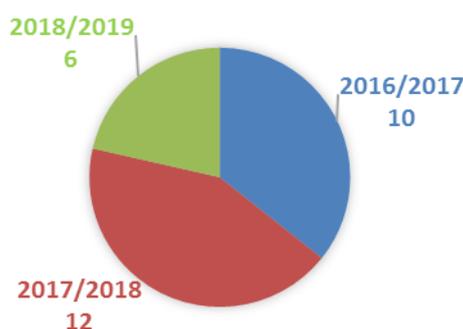
**7.0 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) COMPLAINTS**

7.1 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](#).

7.2 During 2018/19, the LGSCO decided six complaints relating to Tewkesbury Borough Council:

- 1- Benefits and council tax - this was referred back for local resolution.
- 1 – Environmental services and public protection and regulation – closed after initial enquiries
- 3 – Planning and development – one was justified, one closed after initial enquires and one was referred back for local resolution.
- 1 – Housing – this was referred back for local resolution

The chart below shows the number of complaints referred to the LGSCO compared to previous years:



## 8.0 OTHER OPTIONS CONSIDERED

8.1 None

## 9.0 CONSULTATION

9.1 None

## 10.0 RELEVANT COUNCIL POLICIES/STRATEGIES

10.1 Corporate Complaints Policy

## 11.0 RELEVANT GOVERNMENT POLICIES

11.1 Local Government Act 1974

## 12.0 RESOURCE IMPLICATIONS (Human/Property)

12.1 Officer time to monitor and investigate complaints received.

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

13.1 None

## 14.0 IMPACT UPON (Value for money/ Equalities/ E-Government/ Human Rights/ Health and Safety)

14.1 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.

## 15.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

15.1 None.

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**Background Papers:** None

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**Appendices:** Appendix 1 - Complaints breakdown  
Appendix 2 - Local Government and Social Care Ombudsman 2018/19  
– Annual Review Letter