

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	1 September 2020
Subject:	Complaints Report
Report of:	Head of Corporate Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Customer Focus
Number of Appendices:	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 2019/20 and also includes the annual letter received from the Local Government and Social Care Ombudsman (LGSCO) on complaints it has decided on.

Recommendation:

Members are asked to CONSIDER the annual update to provide assurance that complaints are managed effectively and determine 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. Several complaints during the latter part of quarter 4 were impacted by the Council's response to COVID-19.

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 they make.

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.

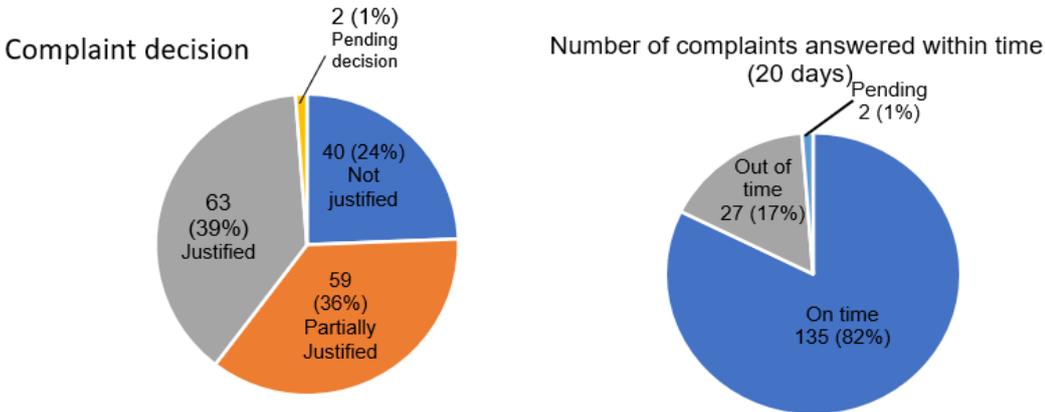
A formal complaint is defined as ‘an expression of dissatisfaction that requires a response about the standards of service, actions or lack of action, by the Council or its staff’.

- 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.

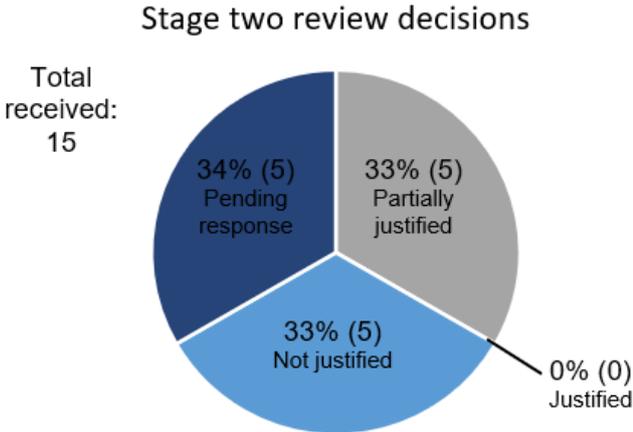
2.0 COMPLAINTS RECEIVED APRIL 2019 TO MARCH 2020

2.1 200 formal complaints were received within the year, of which, 178 relate to Council services. 164 of these were handled under the formal complaints procedure and 14 were deemed service-level complaints e.g. noise complaints handled through a separate process.

Of these:



2.2 The second stage of the Council’s formal complaint process is where the complainant is not happy with the original response and the complaint is assigned to an independent head of service for investigation. The Council’s stage two complaints process was suspended in the latter quarter of 2019/20 to enable Heads of Service to be redeployed on COVID-19 response activities. As a result, five stage two complaints are currently pending decision at the time of writing this report. All complainants were notified of the suspension, accepted the reasons and informed that stage two investigations will commence with effect from 1 September 2020. During 2019/20, only 15 stage two complaints were received. Of these;

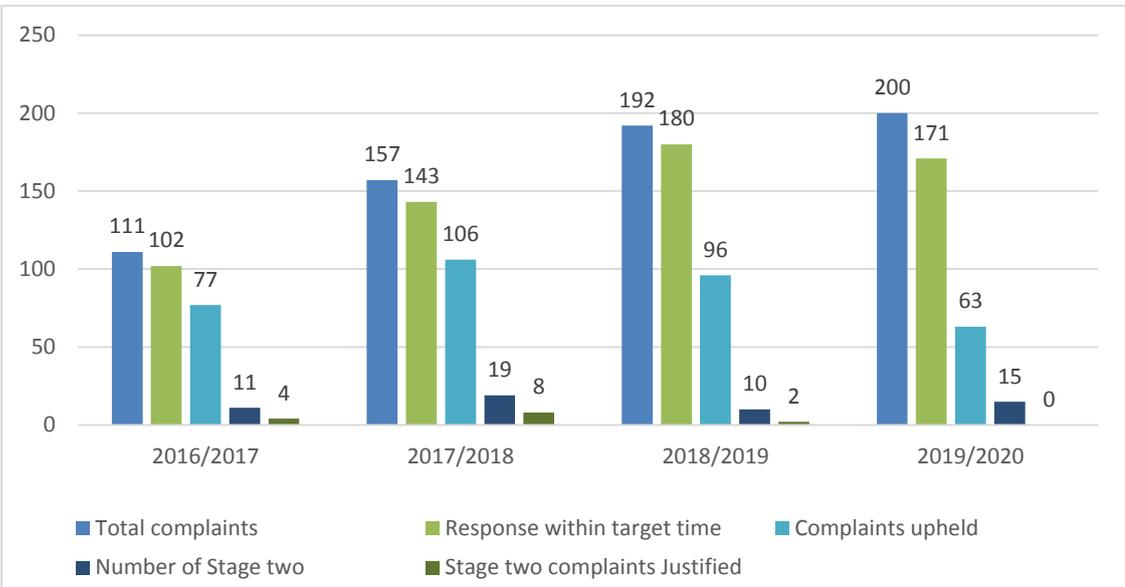


2.3 A breakdown of the complaints by service area, nature of complaint and remedy can be found in Appendix 1. This also includes a summary of lessons learnt. A recent internal audit of the complaints framework has recommended there should be some form of independent follow-up to ensure lessons learned are actually deployed. The Corporate team will look at how to best implement this. The audit did conclude a satisfactory level of control in general, and that the complaint outcome was fairly stated.

2.4 From the breakdown by service area, over half (89) of complaints received relate to the Council’s waste and recycling service. Waste collection is a high-profile service with more than 4.2million collections carried out over the year. The number of complaints in proportion to the number of collections is therefore very small and are an inherent feature given the type of service provided. The bulk of the other complaints are related to other high profile customer facing services such as planning and Revenues and Benefits.

3.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS

3.1 Previous number of complaints reported to the Committee are detailed below:

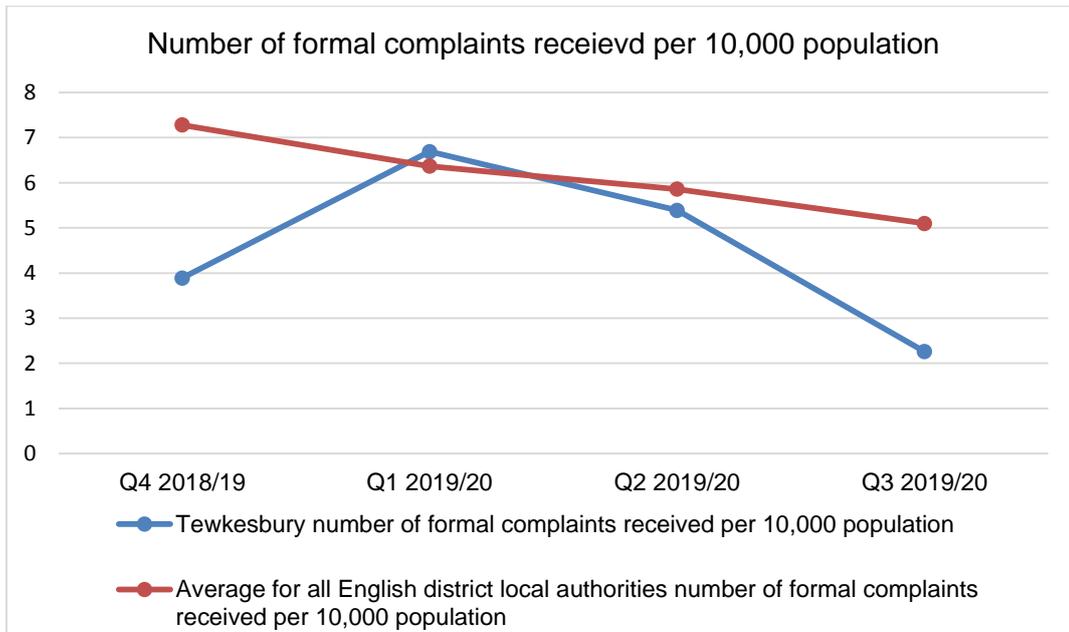


Please note: 2019/2020 - at the time of writing this report, no stage two complaints were justified but five were pending a response.

3.2 The complaints framework has now been in place for four years. A review was due to take place in the latter part of 2019/20 but was delayed as a result of resources being used to respond to COVID-19. The timescale has been revised and a review will now take place in early 2021.

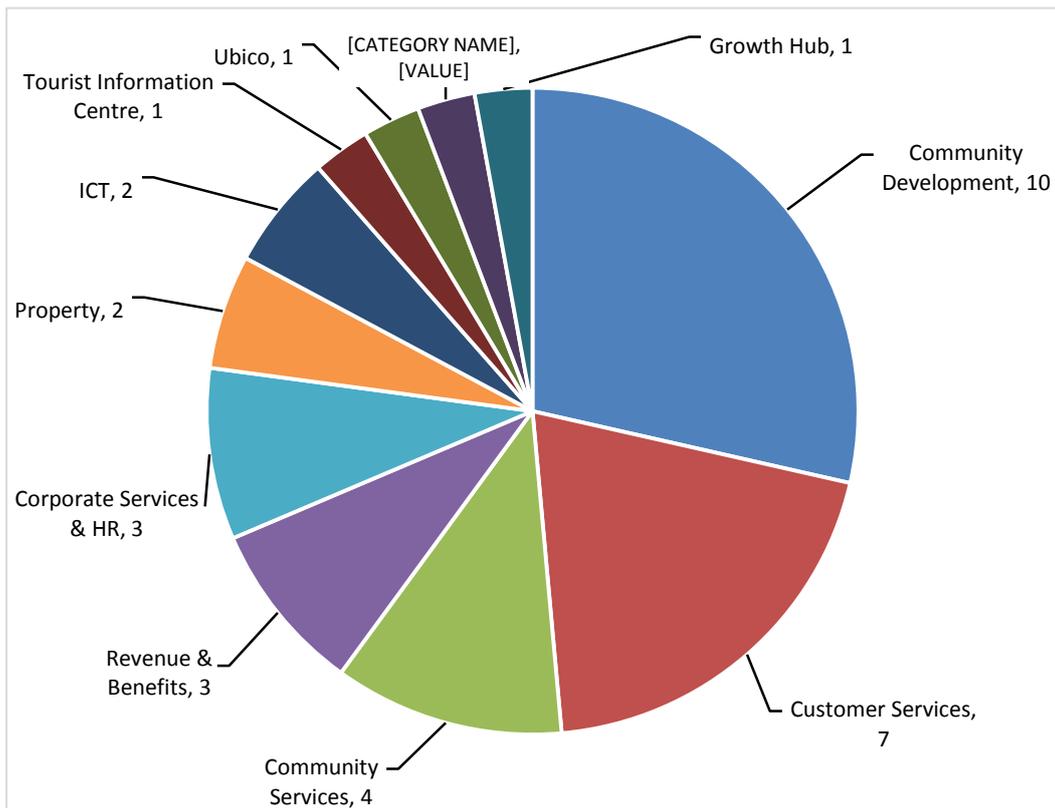
4.0 BENCHMARKING OUR COMPLAINTS WITH OTHERS

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. Over 50 Councils report upon this indicator. In March 2020, the LGA deferred its benchmarking exercise to allow Councils to focus their resources on tackling the COVID-19 pandemic. Therefore, a full year comparison for 2019/20 is not available and quarter two/quarter three 2019/20 are pre-release figures and can be subject to change by LGA. The graph below shows the Council’s trend compared to the average for other local authorities which have reported in 2019/20.

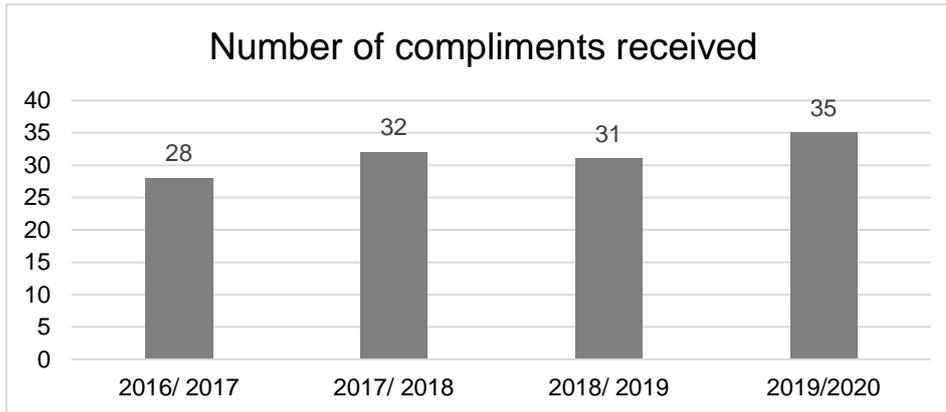


5.0 COMPLIMENTS

5.1 A compliments log is maintained within Customer Services. During 2019/20, 35 compliments were received:



5.2 The total number of compliments received since 2016/ 2017 are as follows:



5.3 A summary of the compliments received in 2019/20 are:

- Helping provide support to local communities
- Responding back to customers quickly and efficiently
- Helping assist with completing forms
- The Council's emergency response to flooding in February 2020.
- Online forms- being easy to access and use on the Council's website.
- Employees showing compassion, being helpful and kind

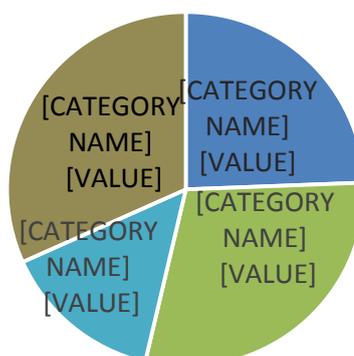
6.0 OMBUDSMAN COMPLAINTS (LGSCO)

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 2019/20, the LGSCO decided 11 complaints relating to Tewkesbury Borough Council. They are as follows: -

Number of complaints	Department	Decision
1	Benefits and Council Tax	Closed after initial enquiries
2	Highways and Transport (Parking)	Closed after initial enquiries
		Referred back for local resolution
1	Housing	Referred back for local resolution
1	Environmental Services and Public Protection and Regulation	Upheld
6	Planning and Development	Upheld
		Not upheld
		Referred back for local resolution
		Closed after initial enquiries
		Closed after initial enquiries
		Closed after initial enquiries

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



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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Appendices: Appendix 1- Complaints breakdown
Appendix 2 – Local Government and Social Care Ombudsman 2019/20
Annual Review Letter