

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 October 2021
Subject:	Summary of Formal Complaints 2020/21
Report of:	Head of Corporate Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Customer Focus
Number of Appendices:	Two

Executive Summary:

This report provides a summary of complaints received during 2020/21. The report also includes the annual letter received from the Local Government and Social Care Ombudsman (LGSCO) on complaints it has determined. The complaints framework which the 2020/21 reporting period relates to was introduced in April 2016. As the Committee will be aware, the complaints framework was reviewed by the Business Transformation Team early in 2021 and a new and improved framework introduced in May 2021. This report is therefore based on the previous framework. What has not changed is 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.

Recommendation:

To CONSIDER the annual summary of formal complaints 2020/21 to gain assurance that complaints are effectively managed.

Reasons for Recommendation:

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

Resource Implications:

There is a manpower resource to investigate any complaints that are received. Throughout the financial year complaints were impacted by the Council's response to COVID-19. This saw stage two formal complaints put on hold to allow Officers to respond to the national emergency.

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.

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.

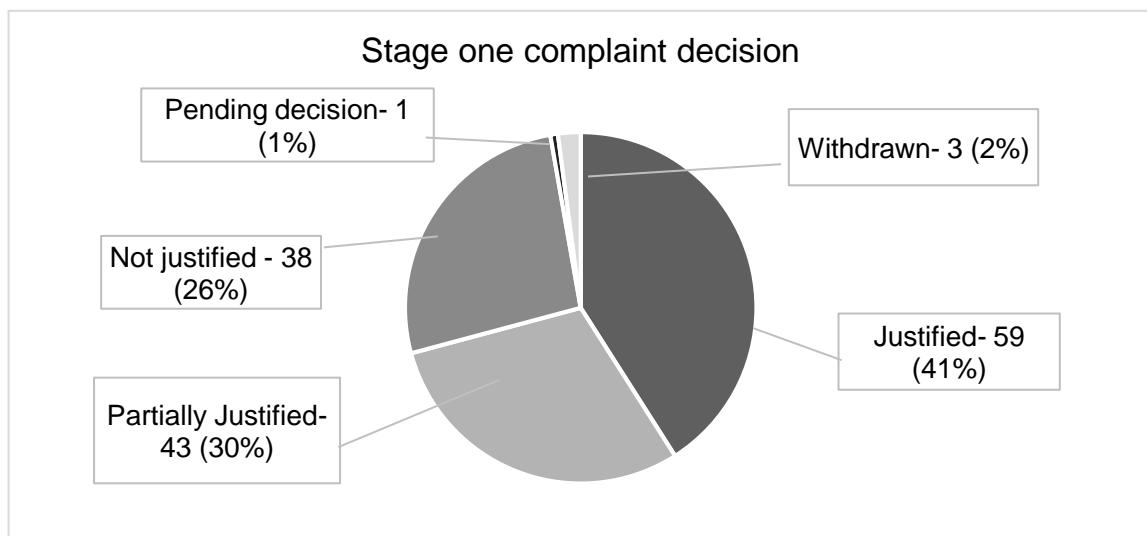
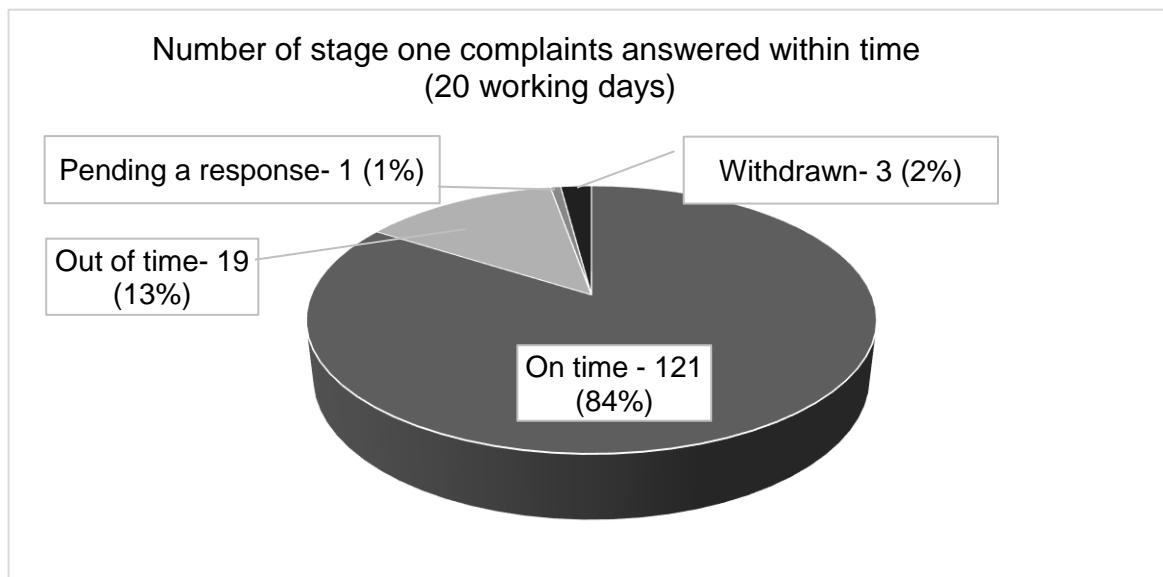
1.0 INTRODUCTION/BACKGROUND

- 1.1 The complaints framework used during 2020/21 was introduced in April 2016. The framework included the approval of a policy and a 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 The system included signposting on how to make a complaint and clearly differentiating between a service type complaint/request and a formal complaint. The 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 (LGSCO) by the complainant once the complaint has been dealt with through the Council's complaints framework.
- 1.3 To further enhance the way we handle formal complaints, a review of the framework was undertaken in March 2021. As a result, a new 'Have your say' approach sits alongside our formal complaints policy. The policy was considered and fully supported by Overview and Scrutiny Committee, prior to approval by Executive Committee on 31 March 2021. Using the Council's new digital platform (Liberty Create) the process is as streamlined and simple as possible with all complaint information held within one system. This system went live at the end of May 2021. The next annual report (2021/22) will be based on the new system.

2.0 COMPLAINTS RECEIVED APRIL 2020 TO MARCH 2021

- 2.1 183 complaints were received in relation to our services. 144 of these were handled under the formal complaints procedure and 39 were deemed service-level complaints handled through a separate process e.g. noise complaints, businesses not abiding to COVID-19 regulations, anti-social behaviour reports etc.

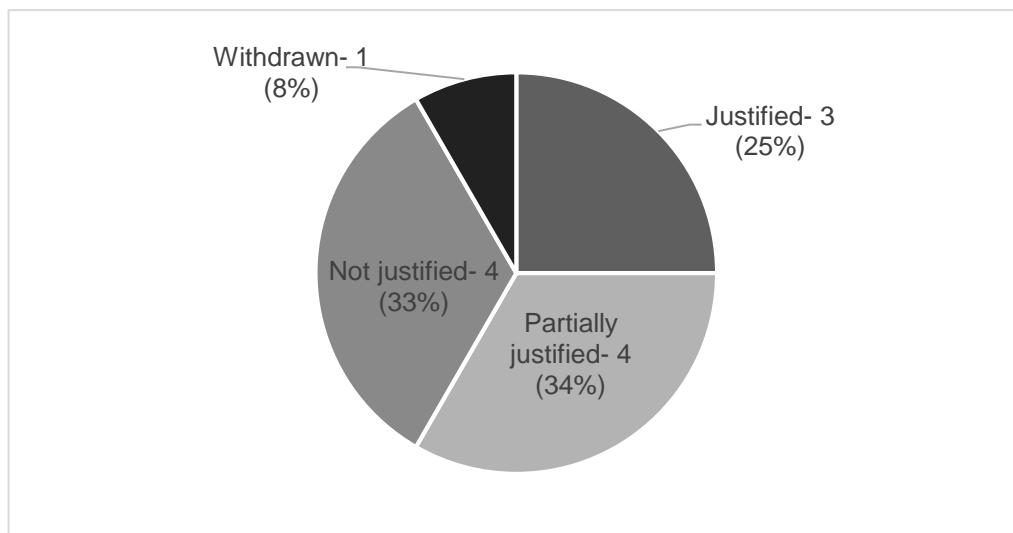
Of the 144 formal complaints received;



- 2.2 In line with the LGSCO guidance - 'Effective complaint handling for local authorities', Appendix 1 provides a breakdown of the complaints by;

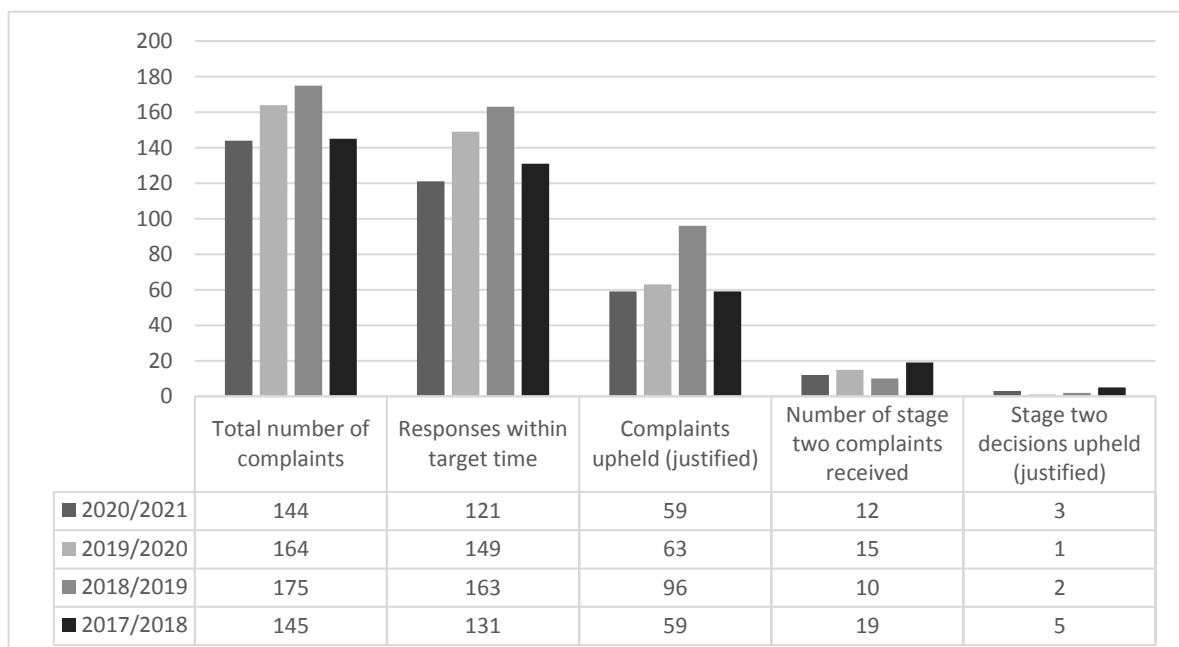
- the number received for each service area;
- the number of upheld complaints for each service area, at each stage and how they compare to previous years;
- the Council's performance against the Formal Complaints Policy timescale of 20 working days for each service area; and
- the remedy taken at each stage.

- 2.3** From the breakdown by service area, half (72) of complaints received relate to the Council's waste and recycling service. This is a high-profile service with more than 4 million collections carried out over the year. The number of complaints in proportion to the number of collections is therefore very small. The risk of complaints is 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 revenues and benefits and planning.
- 2.4** The second stage of the Council's formal complaint process is where the complainant is not happy with the original response (stage one) and the complaint is assigned to an independent Head of Service for investigation. The Council's stage two complaints process was temporarily suspended at the beginning of the financial year to enable Heads of Service to be redeployed on COVID-19 response activities. Despite this, during 2020/21, a total of 12 stage two complaints were received. Of these:



3.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS

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



4.0 BENCHMARKING OUR COMPLAINTS WITH OTHERS

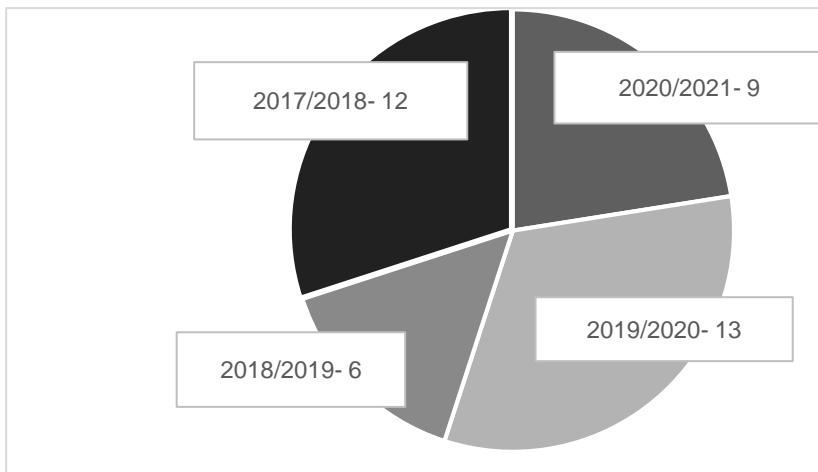
- 4.1** On a quarterly basis, outturn figures are input through LG Inform. LG Inform is a dedicated database provided by the Local Government Association (LGA) which includes a benchmarking tool. One of the indicators reported upon is the number of complaints per 10,000 population. Over 50 Councils usually report upon this indicator.
- 4.2** In March 2020, the LGA deferred its benchmarking exercise to allow Councils to focus their resources on tackling the COVID-19 pandemic. This did not reconvene until the first quarter of 2021/22. Therefore, outturn figures usually input through LG Inform are not available for comparison against other local authorities during 2020/21. In previous years, our outturn figure has always been very low compared with others, which is very positive.

5.0 OMBUDSMAN COMPLAINTS (LGSCO)

- 5.1** 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](#).
- 5.2** During 2020/21, the LGSCO decided 9 complaints relating to Tewkesbury Borough Council. They are as follows: -

Number of complaints	Department	Decision
4	Planning and Development	Not Upheld
		Not Upheld
		Referred back for local resolution
		Closed after initial enquiries
2	Benefits and Council Tax	Upheld
		Upheld
2	Housing	Incomplete/Invalid
		Incomplete/Invalid
1	Adult care services	Incomplete/Invalid

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

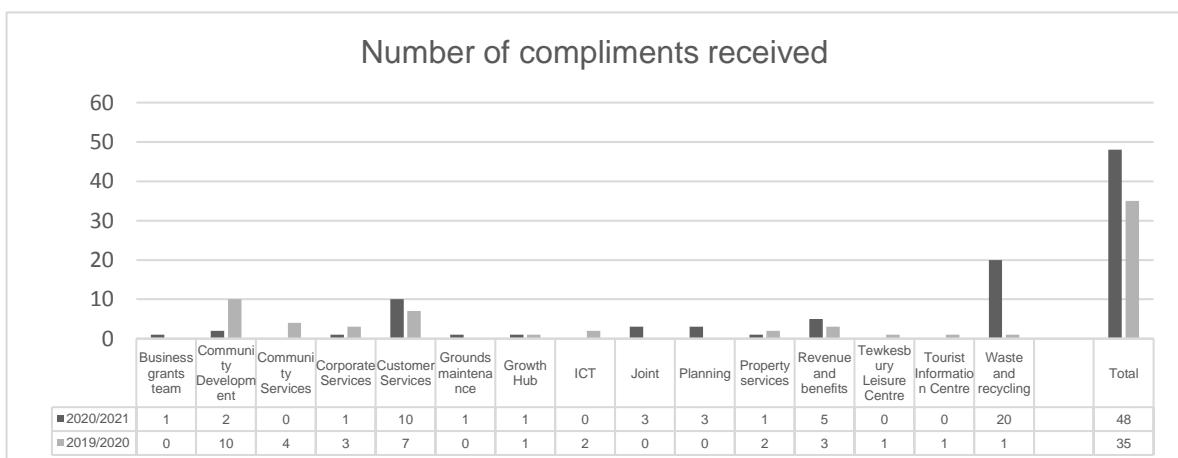


6.0 LESSONS LEARNT

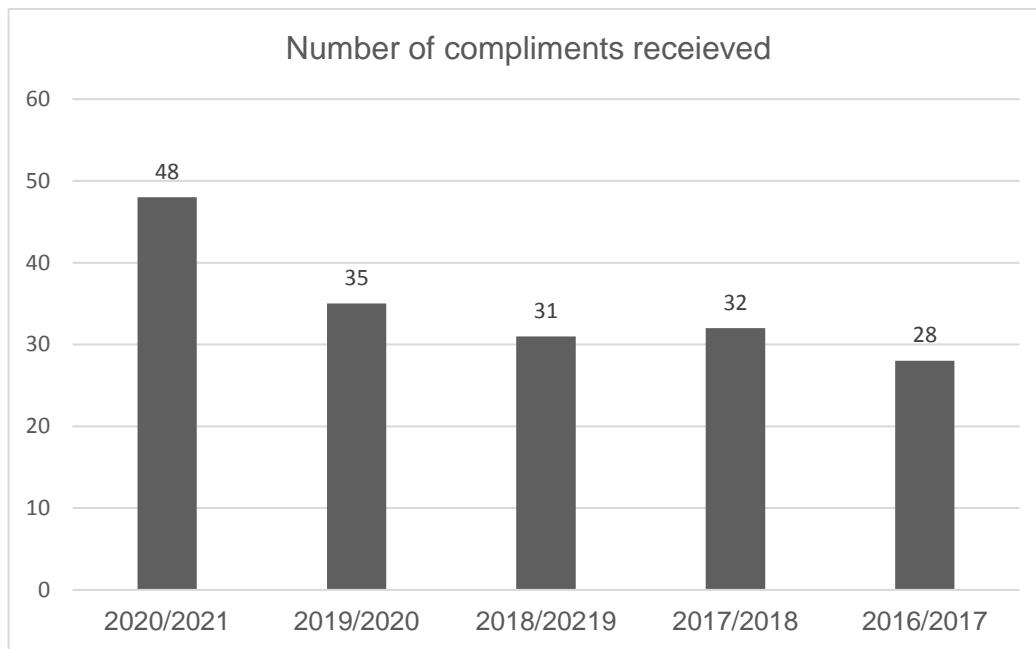
- 6.1** In essence, the majority of complaints relate to a perceived lack of customer focus. In response to this, mandatory customer service training has recently taken place for all customer-facing roles. In addition, improved customer focus will be at the heart of up and coming service reviews such as planning and licensing. Work continues to promote our customer care standards with staff and these are presented at each staff induction to new members of staff as well as at refresher training, where appropriate.
- 6.2** To ensure lessons learnt are actually implemented, once the Internal Audit team is up and running following its redeployment to the Council's COVID-19 response, days will be allocated to check a sample of complaints. The new complaints system was launched in May 2021 and, as a result, we will continue to review the way in which we monitor lessons learnt. One of the suggestions is to make the completion of the lessons learnt field mandatory including a follow-up box for monitoring purposes. Two complaints were upheld by the LGSCO relating to council tax. Lessons were learnt from these complaints as they both related to customers being billed on a provisional banding for council tax. To ensure this will not happen again we changed the practice so that it no longer sends council tax bills on a property within a provisional band.

7.0 COMPLIMENTS

- 7.1** A compliments log is maintained by Customer Services. During 2020/21, 48 compliments were received:



7.2 Total number of compliments received since 2016/ 2017 are as follows;



7.3 A summary of the compliments received include:

- Helping provide support to local communities.
- Responding back to customers quickly and efficiently.
- Helping assist with completing forms.
- The council's emergency response to the pandemic.
- Excellent cutting of grass.
- Employees showing compassion, being helpful and kind.

8.0 LOOKING AHEAD

8.1 The complaints framework was introduced in 2016. As part of our continuous improvement it was prudent to review the framework and this took place in the latter part of 2020/21. This was initially delayed as a result of resources being used to respond to COVID-19. Working in partnership with the Overview and Scrutiny Committee, and in particular Councillor J K Smith, it was agreed that introducing more ways for customers to feedback to us would give us a clearer picture of residents' satisfaction. This would also prevent some issues being logged as formal complaints in the first instance.

8.2 This led to the introduction of the four C's - Compliments, Comments, Concerns and Complaints. This formed part of the new 'Have your Say' approach that was approved by Executive Committee on 31 March 2021. The new system has been deployed on our new digital platform and offers a value of additional benefits which include:

- Customers are given the option to log their issues as a concern or comment before accessing the formal complaints system.
- Customer can choose which service area their complaint is sent to from a detailed drop-down list. This will ensure the complaint reaches the appropriate Officer sooner than it had previously. Complaints are currently still triaged by Customer Services to ensure accuracy but this will be reviewed once the system is embedded.
- Officers receiving the complaint now have the option to reallocate the complaint if they feel it has not been allocated correctly.
- The allocation of stage two process was dealt with outside of the system, the entire process will now be done through our new digital platform- allowing for quicker response times, better monitoring and improved reporting.
- Where a complaint covers multiple services a lead manager can request information from the services through the system. This keeps all the information in the system to avoid the use of emails for sensitive information/ issues.
- Overall, creates efficiencies such as the time of the Corporate Services Officer as the reporting is much more intuitive.

9.0 OTHER OPTIONS CONSIDERED

9.1 None

10.0 CONSULTATION

10.1 None

11.0 RELEVANT COUNCIL POLICIES/STRATEGIES

11.1 Corporate Complaints Policy

12.0 RELEVANT GOVERNMENT POLICIES

12.1 Local Government Act 1974

13.0 RESOURCE IMPLICATIONS (Human/Property)

13.1 Officer time to monitor and investigate complaints received.

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

14.1 None

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

15.1 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.

16.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

16.1 None.

Background Papers: None

Contact Officer: Head of Corporate Services
01684 272002 Graeme.simpson@tewkesbury.gov.uk

Appendices: Appendix 1 - Complaints breakdown
Appendix 2 – Local Government and Social Care Ombudsman 2020/21
Annual Review Letter