

Subject:	Formal Complaints and Compliments Review: <ul style="list-style-type: none"> • Formal Complaints • Ombudsman Complaints • Compliments 	Status:	For Publication
Report to:	Overview and Scrutiny Committee	Date:	21 st September 2015
Report of:	Head of Customer Services & ICT	Portfolio Holder:	Customer Services and Health
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That members note the number of formal complaints and compliments received by the Council, and Local Government Ombudsman (LGO) complaints recorded for the period 1 st April 2014 to 31 st March 2015, and the context around the complaints and timescales outlined.

2. PURPOSE OF REPORT

- 2.1 To update members on the following types of feedback for the period 1st April 2014 to 31st March 2015:
- Formal complaints
 - Local Government Ombudsman complaints
 - Compliments

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following of the Council's corporate priorities:
- **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There is a risk of damage to the Council reputation if complaints are not responded to in a timely manner. Complainants and the Ombudsman are kept up to date if there are extenuating circumstances, or if a complaint is so complex that it requires more time than usual to respond.
- 4.2 Not monitoring complaints would create a risk of not learning from experiences. Complaints are regularly reviewed via Management Team and senior managers.

5. BACKGROUND AND OPTIONS

- 5.1 Formal complaints and compliments made to the Council (as well as Local Government Ombudsman complaints) are administered by the Committee and Member Services Team. Complaints and compliments are a standing agenda item at Management Team meetings, and reports are provided to each meeting to ensure managers are aware of any outstanding complaints that require action within their service area.

Overview and Scrutiny Committee also receive regular complaint and compliment data via the Quarterly Performance Reports throughout the year.

Weekly status updates on all live complaints are also sent to managers and senior managers for review, as well as feedback on the weekly compliments received.

Each year the Council receives the Local Government Ombudsman's Annual Letter which details the number of enquiries and complaints received and the response times. The Ombudsman reported that they received 25 complaints and enquiries during 2014/2015, none of which were upheld (see section 5.5 for further detail and the breakdown at Appendix 1).

All the information included in this report should be considered in the context of the Council receiving over half a million contacts from customers (via the One Stop Shop, telephone and website) in any one year.

5.2 **Formal Complaints**

Formal complaints received by the Council are recorded and responded to by the relevant department. Officers and managers are asked to deal with customer complaints within the customer service standard of 10 working days: this is classed as a stage 1 response. Where it is not possible to send a full response in 10 days, a holding response is sent.

Once a complaint has been responded to, the customer has the opportunity to request a review if they are not satisfied with the response: this is classed as stage 2 of the complaints process. The stage 2 review will be undertaken by a Head of Service or Director. Once a stage 2 response has been sent, if the customer still does not feel they are satisfied with the response, they can take their complaint to the Local Government Ombudsman for consideration.

In the period 2014/2015, 115 formal complaints were received by the Council. This is an increase of 35 when compared with 2013/2014.

The areas of most complaint during 2014-15 were in relation to action/ response/ communication, application processing or customer service.

In relation to the 18 customer service complaints:

- 11 were dealt with by Capita: six were regarding customer service when dealing with enquiries, claims or applications; one was regarding the premium rate number; one was regarding the amount of time taken in a call centre queue; one was regarding obtaining information on an application; one was regarding privacy in the One Stop Shop booths, and one was regarding informing of changes to Council Tax.
- 1 was dealt with by Customer Services and ICT in relation to an automated voice message on a number the customer rang and a web reporting form not working.
- 5 were dealt with by Licensing and Enforcement: four were regarding the service received and way their application was dealt with, and one was regarding the location and availability of the department.
- 1 was dealt with by Planning regarding no one being available at the time of calling.

In relation to the 14 application processing complaints:

- 3 were dealt with by Licensing and Enforcement: two were in relation to the way the applications were processed and the documents required, and one was regarding the committee process and decision on the application.

- 11 were dealt with by Planning: five were regarding issues arising from the planning application; one was regarding issues as a result of a previous planning application; one was regarding the way the application was handled; one was regarding duty of care; two were regarding the application process, and one was regarding taking the application to a later committee rather than the next committee meeting.

In relation to the 13 action/response/communication complaints:

- 4 were dealt with by Capita: one regarding action to change a customer's details and three regarding lack of communication or lack of response from the Council Tax department.
- 3 were dealt with by Health Housing and Regeneration: two regarding lack of response and one regarding the communication of a letter.
- 3 were dealt with by Operations: one regarding an information leaflet, one regarding lack of response to a voice message and one regarding lack of response to a request for a green bin.
- 2 were dealt with by Planning: one regarding lack of consultation in relation to a planning application and one in relation to not being kept informed regarding a planning application.
- 1 was dealt with by Customer Services and ICT in relation to a web form which had not gone through to the relevant department.

Complaints were received for the following reasons:

Complaint about:	*2012/13		2013/14		2014/15	
	No. of complaints	% of total	No. of complaints	% of total	No. of complaints	% of total
Action/response/communication	12	13.6	11	13.75	13	11
Advice/information given			2	2.5	3	2.5
Application processing			6	7.5	14	12
Bailiff charges/action					2	2
Benefits processing					7	6
Bins/bin collection			12	15	8	7
Council decision	10	11.4	6	7.5	3	2.5
Council policy/procedure	60	68.2	1	1.25	3	2.5
Council Tax charges/ decision			7	8.75	5	4
Customer service			4	5	18	15.5
Dog fouling					1	1
Grass cutting			1	1.25		0
Housing/landlord					1	1
Litter/ debris/ fly tipping			3	3.75	3	2.5
Neighbour dispute					2	2
Noise nuisance			2	2.5	1	1
Other	3	3.4	5	6.25	5	4.5
Property/ land			2	2.5	3	2.5
Quality of service			7	8.75	5	4.5
Recovery/payment of Council Tax			1	1.25	4	3.5
Signage			1	1.25		0
Staff member/ team	3	3.4	7	8.75	5	4.5
Time taken			1	1.25	8	7
Trees			1	1.25	1	1
Total	88		80		115	

*Please note that there was a re-categorisation of complaint headings before the 2013/2014 period.

- 5.3 During 2014/2015 the average number of working days taken to deal with complaints was 9 days, which is within the customer service standard of 10 working days.

This is an improvement of 1.5 working days when compared with 2013/2014 data (10.5 working days).

- 5.4 Out of the 115 complaints received in 2014/2015, 95 cases were resolved at stage 1. There were 20 stage 2 reviews. Out of these 20 cases, 5 were subsequently referred on to the Ombudsman by the complainant. The status of these complaints are as follows:

3 initial enquiries – 2 no further action and 1 carried over to 2015/2016.
2 full investigations – 1 not upheld and 1 carried over to 2015/2016.

5.5 **Local Government Ombudsman Complaints**

The Local Government Ombudsman (LGO) provides an Annual Summary of complaints they have received against the Council each year. Members must note that the Ombudsman does not normally notify the Council of all contact (such as when advice is given, or if it is something at the pre-enquiry stage). In the majority of cases the Council finds out about a case once a decision has been made or if the Ombudsman requests additional information as part of the investigation.

The Ombudsman explains how complaints and enquiries are dealt with below:

Upheld: *These are complaints where we have decided that an authority has been at fault in how it acted and that this fault may or may not have caused an injustice to the complainant, or where an authority has accepted that it needs to remedy the complaint before we make a finding on fault. If we have decided there was fault and it caused an injustice to the complainant, usually we will have recommended the authority take some action to address it.*

Not upheld: *Where we have investigated a complaint and decided that a council has not acted with fault, we classify these complaints as not upheld.*

Advice given: *These are cases where we give advice about why LGO would not look at a complaint because the body complained about was not within the LGO's scope or we had previously looked at the same complaint from the complainant, or another complaints handling organisation or advice agency was best placed to help them.*

Closed after initial enquiries: *These complaints are where we have made an early decision that we could not or should not investigate the complaint, usually because the complaint is outside LGO's jurisdiction and we either cannot lawfully investigate it or we decide that it would not be appropriate in the circumstances of the case to do so. Our early assessment of a complaint may also show there was little injustice to a complainant that would need an LGO investigation of the matter, or that an investigation could not achieve anything, either because the evidence we see shows at an early stage there was no fault, or the outcome a complainant wants is not one we could achieve, for example overturning a court order.*

Incomplete/invalid: *These are complaints where the complainant has not provided us with enough information to be able to decide what should happen with their complaint, or where the complainant tells us at a very early stage that they no longer wish to pursue their complaint.*

Referred back for local resolution: *We work on the principle that it is always best for complaints to be resolved by the service provider wherever possible. Furthermore, the Local Government Act 1974 requires LGO to give authorities an opportunity to try and resolve a complaint before we will get involved. In many instances, authorities are successful in doing this.*

- 5.6 During 2014/2015 the Ombudsman received 25 complaints about this authority of which:
- 2 were investigated
 - 5 were closed after initial enquiries
 - 1 was incomplete/invalid
 - 13 were referred back to the authority (to go through the Council complaints process)

The Council is not aware how many of the 13 referrals came back to the local authority, as it is up to the complainant to decide whether they wish to continue to pursue their complaint after receiving advice from the Ombudsman enquiry service.

The Ombudsman made the Council aware of 11 of the 25 complaints they received (44%), and 8 of the 21 decisions they made (38%).

- 5.7 The Local Government Ombudsman made decisions on the 2 investigated complaints as follows:

Upheld - 0
Not upheld - 2

- 5.8 The 2 investigations in 2014/2015 that the Council has been notified of were in relation to the following service areas and the outcomes detailed in the Ombudsman's decision letters were as follows:

- Planning & Development: Not upheld: no maladministration.
- Planning & Development: Not upheld: no further action.

- 5.9 The Liaison Officer provides regular updates to the Committee and Member Services Manager on open investigations. When investigations are opened, regular update meetings take place between the Liaison Officer and the Monitoring Officer to discuss deadlines and any issues which may arise. A report is also provided to every Management Team Meeting for the Chief Executive, Heads of Service and Managers to monitor, and Ombudsman complaints are also recorded on the Council's quarterly monitoring reports, which are scrutinised by the Overview and Scrutiny Committee.

5.10 **Compliments**

In the 2014/2015 period the Council received 170 compliments and a breakdown of the last 3 years figures can be found below:

2012/2013	2013/2014	2014/2015
193	165	170

- 5.11 An analysis of the 170 compliments for 2014/2015 can be found below:

Compliment about:	
Action/response/communication	13
Advice/information given	3
Application processing	1
Customer service	6
Footpaths	1
Quality of service	52
Staff member/team	93
Trees	1
Total	170

In relation to the three highest compliment categories a breakdown has been provided below.

Action/communication/response:

Corporate Support – 1
Legal and Democratic – 1
Operations - Refuse & Cleansing – 1
Planning - 10

Quality of service:

Capita – 1
Customer Services and ICT – 45
Health, Housing and Regeneration - 2
Licensing & Enforcement – 2
Operations - Refuse & Cleansing – 1
Planning - 1

Staff member/team:

Capita – 7
Corporate Support and Event Safety – 4
Customer Services and ICT – 23
Finance and Property – 9
Health, Housing & Regeneration – 10
Legal and Democratic – 8
Licensing & Enforcement – 4
Local Land Charges - 1
Operations - Refuse & Cleansing – 12
People and Policy – 1
Planning – 4

Similar to previous years, a large proportion of compliments were received for the STAN service, which received 59 compliments this year. The majority of these compliments were in relation to the excellent service, the advice received, helpful staff and how useful the service was for members of the community.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no financial implications arising from this report, however the Council does face the risk of financial penalty should the Ombudsman find maladministration against the council in any existing or future complaints. For the avoidance of doubt, during the period 2014/2015 the Ombudsman has not awarded any penalties against the Council.

7. MONITORING OFFICER

7.1 The legal implications have been included within the report. In addition to Ombudsman investigations, the Monitoring Officer has statutory responsibility to consider and, where necessary, investigate illegality, maladministration or statutory breaches which may, in turn, also be reported to the Council.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

8.1 There are no HR implications.

8.2 Consultation carried out with Committee and Member Services, Legal Team, Portfolio Holder and Management Team.

9. CONCLUSION

- 9.1 It is particularly pleasing to note that response times to formal complaints have improved when compared with 2013/2014.
- 9.2 Feedback on our services is important to inform learning on how we can improve and is always welcomed. We continue to take the learning from these complaints to help us to inform service improvements. Complaints continue to be assessed via Management Team and are also reviewed with Portfolio Holders.
- 9.3 It is important to consider these figures in the context of the Council receiving well over half a million contacts from customers in any 12 month period.
- 9.4 The Council would like to thank the Ombudsman for the 2014/2015 Annual Letter, in particular, for providing the additional information which shows the breakdown of complaints received and the decisions made. This additional information provides details concerning the number of cases, reference numbers and category listings, and enabled the Council to match up the cases that the Ombudsman has informed the Council of. The Council is very appreciative of this additional information.
- 9.5 It is particularly pleasing to note the number of compliments the Council has received, despite the on-going financial challenges the Council faces.

Appendices

Document	Place of Inspection
Local Government Ombudsman's Letter 2014/15	Appendix A

Background Information

Document	Place of Inspection
Previous years reports and statistics	2014 Report Item D1: http://www.rossendale.gov.uk/meetings/meeting/843/corporate_overview_and_scrutiny
	2013 Report Item D6: http://www.rossendale.gov.uk/meetings/meeting/759/corporate_overview_and_scrutiny
	2012 Report Item E8b: http://www.rossendale.gov.uk/meetings/meeting/697/council