

## ITEM

## Complaints Handling 2012-13

Report of the Chief Executive (Portfolio: Corporate)

### Recommended:

**That the annual report on Complaints Handling be noted.**

#### SUMMARY:

- The Chief Executive and Services together dealt with 189 complaints under the Council's formal procedure, in the year 2012/13.
- The Local Government Ombudsman (LGO) looked into 4 local complaints relating to TVBC for the year ended 31st March 2013.
- None of the complaints referred to the Local Government Ombudsman in the last eight years have necessitated an LGO report.

## 1 Background

To facilitate the periodic monitoring of complaints and review by this Committee each year, Services are required to prepare an annual summary of complaints dealt with under the Council's formalised procedure (the year runs from 1 April 2012 to 31 March 2013).

- 1.1 A complaint is defined within the Council as: '***an expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Council, or its staff, affecting an individual customer or group of customers.***'

Complaints recorded under the formal procedure (and dealt with in this summary report) do not include those 'first time' representations which were effectively requests for a service and dealt with as such. Accordingly, a new report of a missed bin, or a broken swing, for example, would not be registered and dealt with as a complaint, but as a request for action. Of course, in the event that we failed to respond to the 'requests' appropriately, then that may generate a complaint.

## 2. Complaints 2012-13

- 2.1 In the year 2012-13 there were 189 service level complaints (those dealt with by more than one Service at the same time, and those cases where more than one person complained about the same subject, are counted as one complaint). From these 189 complaints, 14 were escalated to the Chief Executive, and 4 were reviewed by the LGO.

The level of complaints has remained largely similar over the last three years, with 188 complaints received in 2011/12 and 193 in 2010/11.

Customer Service Unit figures for the year indicate that they received over 120,000 telephone calls and over 18,000 face to face contacts. In addition to this the website received just over 185,000 unique visitors for 2012/13.

The number of complaints accounts for significantly less than 1% of overall transactions, and falls well within accepted customer service industry standards.

<b>Stage of complaints process</b>	<b>Number of complaints</b>
Service level	189
Chief Executive escalations	14 (from the 189 above)
Members' Panel	0
Local Government Ombudsman	4 (from the 189 above)

2.2 The annual complaints logs contain personal information that should not be published. This corresponds with the Ombudsman's view that it is neither necessary, nor desirable, for the Council to make such details public. As a result the information provided in this report is largely statistical in nature. Councillors should refer to the Complaints & Improvements Officer if they require more detail about a specific case.

2.3 The number of complaints received can be broken down across the services as follows:

<b>Service</b>	<b>Number of complaints</b>	<b>As a % overall</b>
Communities & Leisure	5	2
Environmental Services	106	52
Estates & Economic Development	2	1
Housing & Environmental Health	31	15
Legal & Democratic	3	2
Planning & Building	16	8
Planning Policy &	10	5

Transport		
Revenues (incl CSU)	16	8
CEX escalations from the 189 service level complaints	14	7

It should be noted that the number of complaints per service does not necessarily provide a direct correlation with the standard of customer service provided, and that these overall results cannot be treated in isolation.

Each of these service results are heavily influenced by the type of business transacted by that service, for example, the number of customer facing interactions carried out, the public profile of the actions carried out by that service, and whether the customer has alternative formal routes for redress or appeal.

Of the 189 service level complaints received 12% were found to be about matters where the complaints process was utilised as a form of appeal to have a Council or officer decision reconsidered, for example, fixed penalty notices, planning objections, housing allocations and reward or refusal of benefits.

2.4 An analysis of the root cause of complaints received has shown that the majority of complaints can be categorised into 5 main types:

<b>Type of complaint</b>	<b>Percentage</b>
Council error/incorrect action	23
Unhappy with decision taken by Council	15
Customer unhappy with Council policy/procedure/statutory duty	8
Communications (i.e. level of contact/type of information/regularity and frequency of response) related	6
Third Party responsibility	3

## 2.5 Learning Points

The volume of complaints is not always as important as the nature and content of the complaint received. Each complaint can be an opportunity to make changes or service improvements on a small or greater scale. Sometimes the smallest change can result in the greatest increase in customer satisfaction. Likewise, a complaint is often of crucial importance to an individual and may require a high investment in terms of the time taken to resolve it, but might only achieve a small return in terms of improvements in the wider environment.

A complaint is not only valuable in terms of service improvements, but also in terms of public relations and general public perception of, and satisfaction with, the organisation.

Examples of some of the learning points and improvements made as a result of complaints during 2012/13 include:

- The location of borough boundaries to be taken into consideration in future circumstances where consultation is advisable, but not statutory.
- Additional training given to officers in relation to specific processes highlighted by a complaint
- The word 'optional' omitted from text on the annual canvassing form. Noted on electoral risk register and reviewed prior to next annual canvass
- Correspondence workflow reviewed within a service to ensure it cannot be sent on for action to officers who are unavailable
- Additional training given to officers regarding inclusion of personal data in case notes that go onto the public file. Reminder of the public interest test as to what is relevant for a file entry
- Internal service process tightened to ensure that correspondence marked for the Head of Service is passed only to the Head of Service or appointed senior manager in their absence
- Individual training requirement highlighted regarding letter writing style and language which exacerbated a situation and led to a complaint
- A formal system of review put in place to manage high hedges cases, including a timetable to ensure effective review of individual cases
- Amendment to standard letters used regarding non-payment of Parking Charge Notices. Language simplified to provide greater clarity
- Procedure relating to issue of refunds following Valuation Office Agency notification of council tax band reductions reviewed so that refunds are not delayed

- Review of process regarding Tax Credit changes that are not able to be carried out automatically. Aim to manually complete these changes same day to ensure that any associated Housing Benefit payments are not delayed and are as accurate as possible

## 2.6 Time taken to respond

The Council's service standard is to respond in full to a complaint within 10 working days of receipt, or if this is not possible within that time (for example, because of the complexity of the complaint, the number of third parties involved or awaiting additional information), a holding response is sent to the customer. Against that target, the overall average length of time taken to respond to the customer at service level was 5 days. No service exceeded the 10 day average target response time.

When a complaint is escalated to stage 2 the Chief Executive has 15 days to respond. Against that target, the overall average length of time taken to response to the customer was 13 days.

## 2.7 Complaints channels

E-complaints have accounted for 67% of all complaints received by the Chief Executive's service. This is a slight reduction in the figure for 2011/12 (71%). Although there will always be a core of residents who continue to complain by more traditional methods, it is anticipated that the number of complaints received by electronic means will rise in the future. It is also likely that some complaints will be raised less formally through social media channels. The challenge moving forward will be to ensure that these are recognised and reported in a consistent way.

## 2.8 Unreasonable or unreasonably persistent complainants

During 2010 the Council introduced a new policy to assist in handling 'Unreasonable and Unreasonably Vexatious Complainants'. In 2011 one complainant was considered to fall within this category. This designation was reviewed and removed by the Chief Executive in December 2012. No new vexatious complainants have been determined during 2012/13.

# 3 The Local Government Ombudsman

3.1 During 2012/13 the Local Government Ombudsman has undertaken an extensive root and branch review of its structure, policies and practices. New ways of working have been phased in during 2012/13, and will continue throughout 2013. As a result the traditional annual report letter from the Ombudsman has not been issued this year as statistics are not comparable. An overview letter from the Ombudsman is expected in July 2013.

The LGO are aiming to minimise delays in complaint investigations and provide more timely responses to both complainants and local authorities by streamlining processes; ceasing to provide signposting to complainants who do not fall within the LGO's jurisdiction and centralising their offices.

3.2 The Ombudsman's new process:

- **Intake** (initial point of entry to the LGO) – a single day turnaround, either to refer for assessment or reject.
- **Assessment** – a team of experienced investigators judge whether it is appropriate to instigate an investigation
- **Investigation** – similar to the complaint investigation we are already familiar with, although there will be a team who are dedicated to our authority. The investigation teams will seek to maximise public value from investigations.

As of April 2013 the LGO will also publish all decisions they have taken on their website, whether they found against the Local Authority or not. This is in a bid to provide transparency and share learning opportunities. There will be a time lag of approximately 3 months between a report being issued and published, with the first reports expected online during June/July 2013.

3.3 During the year 2012/13, 4 complaints were reviewed by the Ombudsman. This is a significant reduction in the number of complaints escalated (8 were considered in 2011/12). No reports or findings of maladministration were made against the Council.

Date	Subject Matter	Action Taken	LGO outcome
23-Apr-2012	Complaint about lack of consultation and the installation of a zip wire at Donnington Drive, Chandlers Ford	Apology extended that houses not included in consultation due to borough boundary. All houses within 0.5 miles within Test Valley were consulted. Greater level of detail provided in response to the escalation to illustrate why the equipment was suggested and the level of support received for the installation of the play equipment.	<b>Learning point: that borough boundaries be taken into consideration in future circumstances where consultation is advisable, but not statutory.</b>
25 June 2012	Escalation of complaint previously handled at service level – LGO investigated prior to completion of council complaints process as matter relates to homelessness.  Complainant believes that her son should be classed as homeless and should be re-housed as a priority case.	Case file discussed with the LGO. Multi-agency team involved identified suitable housing options for the individual.	<b>LGO Outcome: investigation discontinued and then subsequently re-opened and discontinued for a second time.</b>
14 August 2012	Complainant unhappy at enforcement action taken relating to the siting of footings at a nearby housing development.	Complaint previously reviewed by Head of Service and referred direct to LGO without the requirement for response from Chief Executive as outcome unlikely to change.	<b>LGO Outcome: investigation discontinued.</b>
25 February 2013	Issue regarding on-street car parking outside resident's property.	Complaint previously reviewed by Head of Service, Corporate Director and Chief Executive. Information provided to assist the LGO in their considerations.	<b>LGO Outcome: Not to initiate an investigation.</b>

#### **4. Other matters**

- 4.1 The reporting of complaints is now embedded in the Performance Board process, giving further opportunity for issues to be raised throughout the year, and for wider corporate trends to be identified.
- 4.2 One of the wider trends that has been identified looks at the provision of consistent customer service across the organisation, and how that can be best achieved. As part of this a Customer Charter was developed to set out the framework between the customer and the Council. The principles of the Charter have been rolled out internally through a series of workshops and presentations. Further work is now being carried out to identify performance indicators that reflect the aims of the Charter, with the aim of reporting these on the Council's website.
- 4.3 A complaints workshop was held for Heads of Service which looked at the challenges of identifying complaints and ensuring consistency of approach across the organisation.
- 4.4 A new way for services to record their complaints logs is being trialled for reporting year 2013/14. Results of this should become available in next year's annual report.

#### **5 Conclusion**

- 5.1 Complaints at service level have remained largely static over the past three years. In 2012/13 the number of complaints escalated to the Chief Executive has remained relatively low, with the number of complaints escalated to the LGO declining significantly.

Changes to the way the LGO operate may have an impact on the complaints process during 2013/14 and this will be monitored.

Electronic 'chatter' and complaints raised via alternative technologies will also be monitored to assess whether more formal reporting constructs need to be put in place for the future. This is likely to move forward in conjunction with the Council's Social Media Strategy.

The consistency of complaints reporting, in conjunction with the feedback received from the LGO during this time, suggests that the complaints process continues to work effectively, although obviously there is never room for complacency.

- 5.2 The Committee is requested to consider the annual complaints report for 2012-13, and to endorse the corporate complaints procedure.

Background Papers (Local Government Act 1972 Section 100D)

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
No of Annexes:	9		
Author:	Complaints & Improvements Officer	Ext:	8109
File Ref:			
Report to:	Overview & Scrutiny Committee	Date:	24 July 2013

<u>Have you taken the following into consideration?</u>	
Policy Framework/Council's Strategic Priorities	Yes
Key Decisions	Yes
Community Safety Issues	Yes
Equality Issues	Yes
Risk Management	Yes
Environmental Health/Sustainability	Yes
Property/Accommodation Implications	N/a
Is this report confidential?	No

<u>OFFICER CONSULTATIONS</u>		<u>COMMENTS</u>
Chief Executive	√	
Corporate Director (AF)	√	
Corporate Director (CM)	√	
Finance		
Legal	√	



Personnel		
Other Heads of Service	√	
Corporate Services Portfolio Holder		
CSU		
Economic Portfolio Holder		
Environmental Portfolio Holder		
Leisure and Wellbeing Portfolio Holder		
Housing, Health & Communities Portfolio Holder		
Planning & Transport Portfolio Holder		
UNION		
FINAL APPROVED VERSION	√	