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# **Corporate Complaints (non- statutory) 2019/20**

Audit & Risk Committee

Date of meeting: 24th November 2020

Lead Director: Alison Greenhill, Director of Finance

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## **Useful information**

- Ward(s) affected: All
- Report author: Nilkesh Patel (Service Improvement Manager)
- Author contact details: (0116) 454 2505
- Report version number: V1 (003) (001)

### **1. Summary**

The purpose of this report is to update the Audit & Risk committee on corporate non - statutory complaints for 2019/ 20.

### **2. Recommendation**

Committee members are asked to:

1. Note and comment upon the report including the changes and improvements within the administration of complaint handling.
2. Comment upon our actions driven by lessons learnt.
3. Note planned future changes to the policy.

### **3. Background**

3.1 Since April 2016 we have been operating a single stage non-statutory complaints regime, streamlining the process and providing a flexible approach to handling a complaint dependent upon its nature and complexity. This single stage procedure was followed until May 2019 when a Corporate Complaints Policy was formally introduced. Since then the “triage/prevention” process successfully determines the route of the complaint and who will need to be involved.

3.2 It should be noted that Statutory complaints relating to Adults and Children’s Social Care are not administered by the Corporate Complaints Team and are investigated through a separate statutory procedure. Most of the statutory complaints are administered and investigated within Adults and Children Social Care division.

3.3 During 2019/20 it was determined by the Social Care Local Government and Social Care Ombudsman (LGSCO), if any social care complaint is about how the Council has treated you as an adult or about child protection matters or how the Council assess families and prepares reports for the court in private proceedings then it will be considered under the Corporate Complaints policy. Section 2.7 of the Corporate Complaints policy has been updated in respect of the above and are included in the reporting under “Children’s Services” from December 2019. All other Social Care Local Government statutory complaints are dealt with by the social care teams.

3.4 Complaints can be submitted in writing, by telephone, by email and through MyAccount. If the customer presents at Granby Street Customer Service Centre as vulnerable, for whatever reason, they will be supported to make a complaint.

#### **4. Summary of the annual complaints for 2019/20.**

4.1 In 2019/20 the total number of complaints received was 1,328, compared to 1,408 in 2018/19, a reduction of 12.1%. Of the complaints received, 963 (73%) were “triaged” to the appropriate service to respond as a request for action/service such as provide orange bag. This meant a total of 365 were investigated as “complaints” compared to 544 the previous year, a reduction of 33%.

4.2 The Corporate Complaints team will speak with the customer and liaise with the service on behalf of the customer; to ascertain if the action they wish to happen can be completed. If this is the case, we categorise this as a service request / request for action and the customer issue is resolved.

#### **Justified complaints**

4.3 The team determined that of the 365 complaints independently investigated, 18% were justified, a further 18% were partially justified and 64% were deemed as “not justified” and therefore did not find the authority at fault.

The percentage of complaints found to be justified was equivalent to the previous year.

The service remains confident complaints that are found to be justified through this independent process are reflective of the service customers receive.

#### **Why customers complain:**

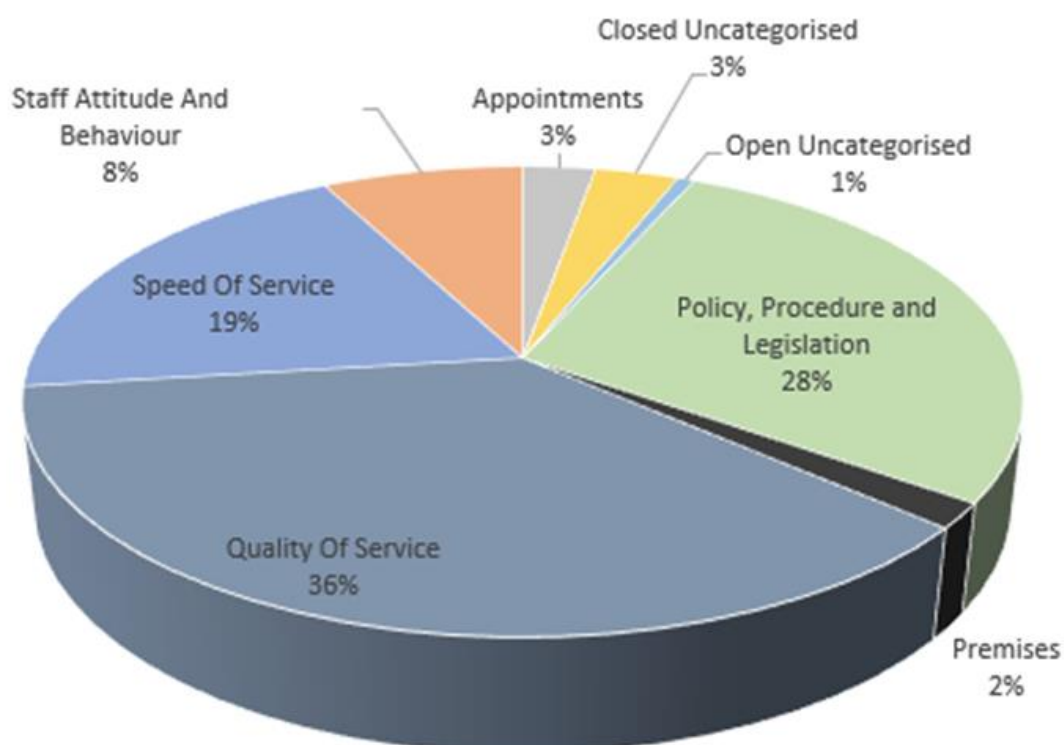
4.4 Complaints are categorised into the main reasons for the complaint, within a limited list. We categorise each complaint over all the applicable areas that it relates to, therefore the numbers relating to the reason categorisation will always exceed the total number of complaints received. These are as follows:

- Appointment
- Policy, procedure and Legislation
- Premises – any complaints relating to leisure centres or premises of LCC
- Quality of Service
- Speed of Service
- Staff attitude and behaviour
- Closed Uncategorised – pending agreement with customer
- Open Uncategorised – where the complaint is still open

The top three categories of complaint remain, as previously in 2018/19:

1. Quality of service 196 (36%),
2. Policy, procedure and legislation 162 (28%).
3. Speed of service 79 (19%)

## Category of Complaints



The top 10 service areas for which we receive complaints are listed below. The top 5 complaints are, as in previous years, attributed to Housing Services and Revenues & Customer Support. This is unsurprising as they interact with the greatest numbers of customers in demanding areas of council business. It is positive to note Housing repairs complaints have reduced by 48% from the previous year having engaged with the new triage/prevention arrangements. This trend is repeated for Local Taxation complaints, reducing by 19% from 79 to 64 in 2019/20. Customer Services complaints have reduced by 75% from 20 in 2018/9 to 5.

Top 10 service areas for complaints	Total	%
Housing repairs	97	28%
Local Taxation	64	19%
Housing Other	38	11%
Housing Options	35	10%
Housing Benefits	34	10%
Sports & Leisure Centres	12	3%
Planning Management	9	3%
Traffic Management	9	3%
Parks & Green Spaces	9	3%
Street Scene Enforcement	8	2%

4.5 It has recently been identified that within waste management there are 2 methods of making a complaint and correspondingly recording complaints about waste. Where a customer perceives services delivered by our contracted partners Biffa, are below expectations these can be reported to the waste team direct and are resolved directly by Biffa's Complaints co-ordinator. This opportunity for customer resolution is intrinsic within the commissioned offer from Biffa. There have been 1,576 such issues during 2019/20 which are reported and handled outside of the corporate complaint's procedure. These are known as Biffa complaints. Data provided by Waste management is limited. Of the 1,576 issues, 41% (646) of these were an error attributed to Biffa contractors and 57% (899) were customer behaviour error (such as did not put the bin out on the correct day) with 2% (31) categorised as *error in reporting*.

The complaints team are working with Digital transformation, undertaking a review of the handling and process of such complaints received directly to Waste team. The aim of this review is to ensure a simple process for the customer and to ensure contractual compliance whilst maintaining accurate recording of statistical data relating to waste management complaints.

4.6 Overall, there has been a reduction in the total number of complaints received over the past year. Although it is not possible to identify specific reasons for this, the experiences of the complaint team is that:

- Services are improving their service offer (Housing and Revenues);
- The on-line triage used to tease out the reasons why a customer seeks redress has been improved – for example the most appropriate route to resolve a disputed decision for Housing Benefit is a request for a reconsideration decision so the triage process, when a customer complains about a decision, now signposts them to the appropriate website,
- Services are being more proactive and adhering to the triage/prevention process to address the service issue and therefore avoiding a complaint; and
- Customers are choosing to use other avenues to complain and therefore bypassing the complaints process i.e. direct to Councillors and Members of Parliament and using "The Mayor" email account.

It is recognised that submitting an online complaint is not the logical journey for the customer. In response to the issue, the Digital Transformation and the Service Improvement Manager have been working together to undertake a review of the MyAccount customer journey. The project was due to conclude at the end of summer 2020, however has been delayed and will conclude by Easter 2021.

## **5. Lessons Learned**

5.1 Working with other services to understand their processes over the last financial year, we have been able to identify key complaint triggers and where changes can be made to make a difference in our divisions. These include:

- Being proactive to tackle personal injustice: typically, the customer wants to be listened to, offered an apology and an opportunity to appeal or request a review of their case. These represent opportunities to mitigate a complaint, usually over the phone.
- Recommendations for service improvements arising from complaint investigations: a review of policies, change to practices, training staff, better communication

between teams and with the customer, improve record keeping, system changes and raising awareness of issues within the authority and to the public.

## **6. Future Changes:**

6.1 There are 3 actions which will make a difference to delivery without compromising the benefits of complaints. These are:

- Continuous complaints prevention activity to be introduced to remaining services/divisions. As part of the triage process some comments/complaints can be resolved via a quick phone call or email to agree a local level resolution. The complaints officers have introduced this with all service areas; the process has proved to be working efficiently in terms of complaints resolution with anecdotal feedback from the customers at the time of the triage indicating a good level of customer satisfaction. This activity has resulted in a reduction in complaints within the services.
- Continue with Service Improvement meetings with the services that receive the largest proportion of complaints. This is an on-going development to improve complaint handling and deliver meaningful customer focussed service improvements.
- Corporate Complaints Policy. This was introduced in May 2019. It will ensure we meet the good practice outlined by the Local Government Ombudsman (LGO) / Housing Ombudsman (HO), and comply with our obligations on fairness, transparency and accessibility under (amongst others) the Human Rights Act 1998, the Equalities Act 2010 and the Data Protection Act 2018. A yearly review of this policy is recommended to ensure it meets its definition.
- The Service Improvement Manager will review the categorisation of complaints to improve analysis. This is a major project in conjunction with the customer journey to improve complaints submission as well as back office reporting in order to mirror the LGSCO reporting.

## **7. Risk and issues:**

7.1 Corporate Complaints handling is continuing to deliver the original aims of reducing complaints and delivering service improvements. The operational risks remain around complaint volumes should they begin to rise through an unforeseen circumstance or as a result of reduced staffing resources.

7.2 Vexatious complainants are a drain on resources both for the Service Improvement Manager who acts a single point of contact and the service areas (multiple service areas are usually involved) attempting to resolve the complaints. This is an issue which will remain despite the introduction of written procedures; however, clarity over the administrative arrangements is widely available which ensure all services are aware of the procedure for dealing with these complainants.

7.3 Housing Ombudsman Complaint Handling Code has been introduced from July 2020. The Code provides a framework for effective complaint resolution by landlords and will help to create a positive complaint handling culture for the benefit of both landlord staff

and residents. Currently, senior management is undertaking a review of the code and its compliance. There may be some changes from January 2021 that could impact the acceptance and responding times of complaints.

## **8. Financial, legal, equalities, climate emergency and other implications**

### **8.1 Financial implications**

There are no significant financial implications arising from this report.

Colin Sharpe, Deputy Director of Finance, Ext 37 4081

### **8.2 Legal implications**

There are no direct legal implications although changes are likely for 2021 given the Housing Ombudsman's introduction of the Handling code.

Kamal Adatia, City Barrister and Head of Standards, Ext 37 1401

### **8.3 Equalities implications**

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The Equality Act 2010 also requires that reasonable adjustments be made so that disabled people can access services as far as reasonable on the same terms as non-disabled people. This duty is on-going and anticipatory and, therefore, reasonable and proportionate steps to overcome barriers which may impede people with different kinds of disabilities. In making reasonable adjustments, a service provider should not wait until a disabled person wants to use their services, they must think in advance about what people with a range of impairments might reasonably need.

There are no direct equalities implications arising from the report as the report is to provide an update, rather than for decision. Having an effective complaint procedure helps to deal with complaints quickly, fairly and consistently. Having a range of contact options for complainants to make their complaints the council aims to meet the needs of its service users in accessing the procedure.

It provides an opportunity to gather valuable customer insight, it also has the potential to help make improvements that lead to increased customer satisfaction for service users from across all protected characteristics.

Surinder Singh, Equalities Officer Tel 37 4148

#### **8.4 Climate Emergency implications**

There are no significant climate change implications associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

#### **8.5 Other implications**

None

#### **9. Background information and other papers:**

None

#### **10. Summary of appendices:**

N/A

#### **11. Is this a private report No**

#### **12. Is this a “key decision”? No**