



# Corporate Complaints (Non-Statutory) 2020-21

Audit and Risk Committee: 16 March 2022

Lead director: Colin Sharpe, Deputy Director of Finance

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## Useful information

- Report author: Nilkesh Patel (Service Improvement Manager)
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- Report version number plus Code No from Report Tracking Database: V1

### 1. Purpose of report

- 1.1 To provide an update on the corporate non-statutory complaints in 2020/21; and for Members to note the improvements, comment upon our actions from the lessons learned and planned future changes.

### 2. Recommendations

- 2.1. Members are asked to:
- a) Note and comment upon the report observations, including the comparisons and improvements within the administration of complaint handling.
  - b) Comment upon our actions for future change.

### 3. Service delivery

- 3.1 Leicester's single stage non-statutory complaints regime has streamlined the complaints process and now provides a flexible approach to handling a complaint depending on its nature and complexity. The Corporate Complaints team will speak to the customer and liaise with the service on their behalf to ascertain if the action they wish to happen can be completed. If this is the case, we categorise this as a *service request* or *request for action* and the customer issue is resolved at the first opportunity. This "triage" or "prevention" process has been successful in determining the route of the complaint and who will need to be involved.
- 3.2 Complaints can be submitted in writing, by telephone, by email and through MyAccount. If the customer presents as vulnerable, for whatever reason, they will be supported to make a complaint.
- 3.3 Statutory complaints relating to Adults are not administered by the Corporate Complaints Team and are investigated through a separate statutory procedure. Most of the complaints for Children's Services are also statutory complaints and are investigated by the service.

#### **4. Impact of the pandemic**

- 4.1 In March 2020, Covid-19 impacted local authority services nationwide resulting in more limited services being available to residents. Investigation of new complaints by the corporate complaints team was paused, until respective services returned to operational status. The complaints team's role refocussed on investigating complaints of a serious nature that would have caused harm to an individual during this paused period.
- 4.2 By July 2020, many services within the Council had started to operate again and the complaints function also resumed full operations. The pause between March and July resulted in fewer complaints being received throughout 2020/21.
- 4.3 It is worth noting that Housing focussed repairs resources on emergency repairs from March 2020, permitting the submission requests for a category 2 repairs from August 2020 and allowing bookings of repair requests from September 2020. The repairs programme resumed fully from Spring 2021.

#### **5. Summary of complaints received during 2020/21**

- 5.1 In 2020/21 the total number of complaints received was 671, compared to 1,328 in 2019/20, a reduction of almost half. This is believed to be largely due to the pandemic.
- 5.2 Of the complaints received, 422 (63%) were "triaged" to the appropriate service to respond as a *request for action* such as provide orange bags or a *service request* usually relating to service delivery.
- 5.3 This meant a total of 249 were investigated, compared to 365 the previous year (excluding *requests for action and service*); a reduction of 32%.

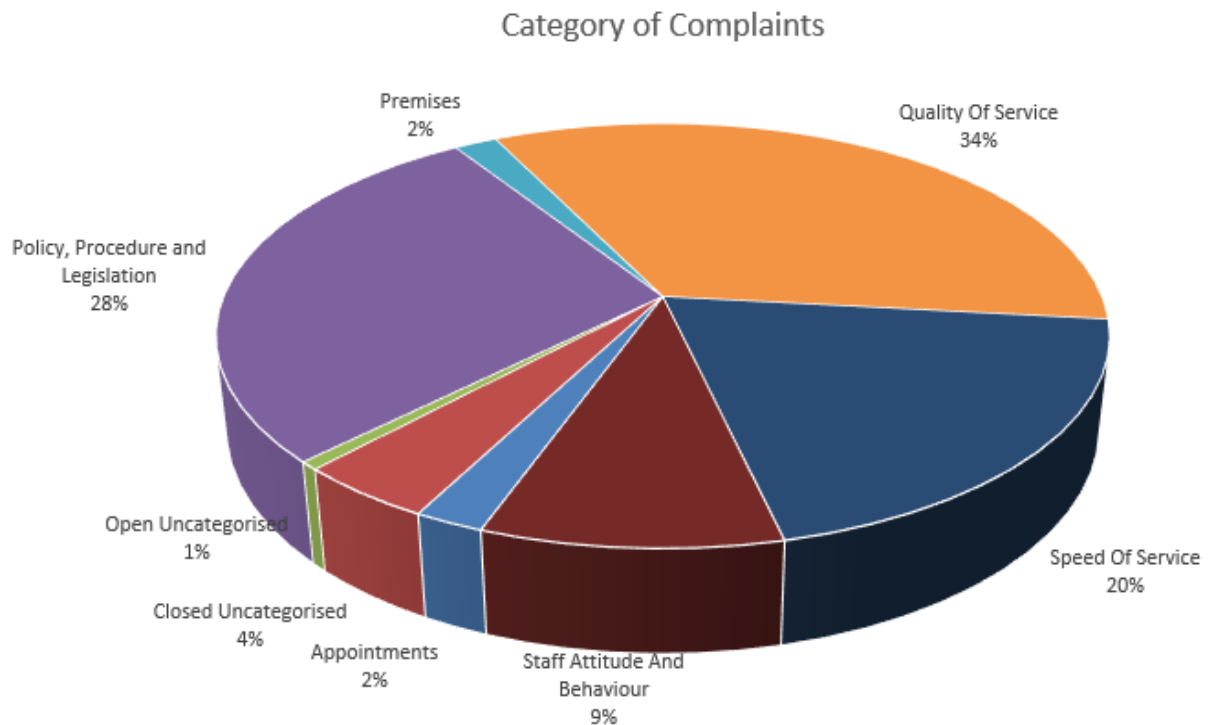
#### **6. Outcomes of complaints**

- 6.1 The team determined that of the 249 complaints independently investigated, 13% were justified, a further 20% were partially justified and 67% were deemed as "not justified" and therefore did not find the authority at fault.
- 6.2 The percentage of complaints found to be justified was equivalent to the previous year. The service remains confident that complaints that are found to be justified through this independent process are reflective of the service customers receive.

#### **7. Reasons for complaints**

- 7.1 Complaints are categorised by 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. The categories are as follows:

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



7.2 There is no change to the top three categories of complaint:

|                                      |     |        |
|--------------------------------------|-----|--------|
| 1. Quality of service                | 111 | (34%), |
| 2. Policy, procedure and legislation | 92  | (28%). |
| 3. Speed of service                  | 64  | (20%)  |

7.3 The service areas which received the most complaints are shown in the table overleaf. Some key points are:

- Of the top service areas to receive a complaint, 5 remain as in previous years.
- Planning Service is new to the top 5.
- Housing Services received 46% of all complaints, a decrease of 4% on 2019/20.
- Revenues and Customer Support received 28% of all complaints, a 2% improvement on the previous year of 30% (taxation, housing benefit, customer services).
- It is unsurprising these two services received the highest volume of complaints, as they interact with the greatest numbers of customers in demanding areas of council business, particularly during the pandemic.
- The effects of the pandemic on the services available and complaints regarding those services must be considered; and the figures therefore should be viewed in this context.

| 20/21 rating | 19/21 rating | Top service areas for complaints | Total | %   |
|--------------|--------------|----------------------------------|-------|-----|
| 1            | 1            | Housing repairs                  | 46    | 19% |
| 2            | 2            | Local Taxation                   | 41    | 17% |
| 3            | 3            | Housing (Other)                  | 38    | 16% |
| 4            | 4            | Housing Options                  | 22    | 9%  |
| 5            | 6            | Planning Service                 | 17    | 7%  |
| 6            | 5            | Housing Benefits                 | 15    | 6%  |
| 7            | 8            | Waste Management*                | 12    | 5%  |
| 8            | 8            | Customer Services                | 11    | 5%  |
| 9            | 7            | Street Scene Enforcement         | 8     | 3%  |
|              | N/A          | Children's and Family Services   | 6     | 3%  |
| 10           | 15           | Highways                         | 4     | 2%  |
| 11           | 7            | Traffic Management               | 4     | 2%  |
| 12           | 7            | Parks & Green Spaces             | 4     | 2%  |
| 13           | 8            | Income Management                | 4     | 2%  |

#### 7.4 BIFFA and waste collection

NB \* It should be noted Waste complaints are handled slightly differently. Our contractor, Biffa, handle issues reported outside the corporate complaints team. Biffa has a complaints co-ordinator who handled 1,775 issues for 2020/21, of which 1,364 (77%) were deemed to be cases where Biffa was at fault. This solution to manage complaints does not separate a service or action from a complaint of service.

| Biffa complaint category       | Total reported issues | At fault     | Not at fault |
|--------------------------------|-----------------------|--------------|--------------|
| Bin Delivery                   | 85                    | 19           | 66           |
| Black Bags Delivery Request    | 8                     | 6            | 2            |
| Bulk Collection                | 462                   | 292          | 170          |
| Collection Staff               | 319                   | 243          | 76           |
| H W R C and Bring Banks        | 14                    | 9            | 5            |
| Missed Collection              | 195                   | 152          | 43           |
| Missed Garden Waste Collection | 30                    | 24           | 6            |
| Non-Return of Container        | 2                     | 2            |              |
| Non-Return Of Container        | 28                    | 26           | 2            |
| Orange Bags Not Delivered      | 611                   | 588          | 23           |
| Other                          | 21                    | 3            | 18           |
| <b>Total</b>                   | <b>1,775</b>          | <b>1,364</b> | <b>411</b>   |

This number of issues raised with Biffa to investigate should be seen in the context of Biffa carrying out roughly 14 million waste collections from our residents a year.

Waste Management are working to improve the customer complaints journey for waste customers, change the reporting requirements to mirror the complaints policy; recording issues as a service request or service action and differentiating these from a complaint. This will mean the service receives meaningful issue statistics and the reporting of complaints for this service area is improved.

## **8. Complaint analysis**

8.1 There has been a significant reduction in the overall number of complaints received over the past year due to the period the provision was paused, although complaint reporting for the remainder of the year was lower. Possible reasons for this include but are not limited to: -

- Covid-19 and the 'pause' on investigating complaints between April – July 2020.
- Housing Repairs services providing limited services through 2020/21, resulting in far less complaints overall.
- Service improvements have driven down complaints, such as:
  - Housing benefit decision making remains timely.
  - Open Revenues Portal allows customers to transact and report change of circumstances online, speeding up decision making.
  - Services are being proactive and adhering to the triage/complaint prevention process to prevent a 'complaint' being officially logged.
  - The on-line triage for reasons why a customer seeks redress has been improved – for example, when a customer complains about a decision, we now signpost them to the appropriate website.
- The complaint on-line submission journey may deter customers.

8.2 Work is underway on improving the corporate complaint customer journey with the Digital Transformation team. This involves reviewing the MyAccount customer journey and suggesting an improved experience, as well as improving the management information provided. The project is due to conclude in April 2022.

## 9. Lessons Learned

- 9.1 The last two years of the pandemic have been a challenge to all services within the Council. Working with other services to understand their processes, we have continued to learn what triggers complaints and where changes can be made to make a difference in our divisions. These include:
- 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, improved record keeping, system changes and raising awareness of issues.
  - 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.
  - Being proactive in understanding how customers want to be contacted and how we wish for them to interact with our services, through an 'end to end' approach.

## 10. Going Forward

- 10.1 Actions which continue to make a difference to delivery without compromising the benefits of complaints (some of which are carried forward from last financial year) are:
- 10.2 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 ongoing development to improve complaint handling and deliver meaningful customer focussed service improvements.
- 10.3 Corporate Complaints Policy. A yearly review of this policy is planned, to ensure the definition reflects the appropriate action to remedy a complaint.
- 10.4 The Service Improvement Manager reviews 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 with the aim of mirroring the Ombudsman recording and reporting categorisation.
- 10.5 To use customer experience feedback to analyse the issue(s) and to inform improvements in services.

## **11. Corporate Complaints Team Risks**

- 11.1 Corporate complaints handling continues 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 because of staffing resources in what is a small team.
- 11.2 In July 2020, the Housing Ombudsman published a new Complaints Handling Code, setting out new guidance and recommendations to be adopted the following year. The code has required us to introduce a new two-stage complaints process superseding the existing single-stage process for complaints which fall under the Housing Ombudsman's remit (the council as a social housing landlord). The two-stage process for Housing related complaints went live in April 2021 and the revised Corporate Complaints policy was published. This change has already had an impact, increasing the number of complaints. Currently the team resources are coping due to the reduced volume of complaints made to other services.
- 11.3 Vexatious complainants are a drain on resources for the Service Improvement Manager who acts a single point of contact once the service has demonstrated the complainant is acting in a vexatious manner. These cases usually impact across multiple service areas attempting to resolve the complaints. This customer behaviour continues due to human nature. The introduction of written procedures has provided clarity for services, a process to follow for administrative arrangements and a clear pathway for customers to achieve a remedy should they choose to engage.

## **12. Financial, legal and other implications**

### **12.1 Financial implications**

12.1.1 There are no financial implications arising directly from this report, although an effective complaints function will tend to minimise costs such as responding to external investigations and meeting any compensation awards.

Colin Sharpe, Deputy Director of Finance, ext. 37 4081

### **12.2 Legal implications**

12.2.1 There are no legal implications arising out of the recommendations of this report.

Emma Jackman, Head of Law (Commercial, Property & Planning) ext. 37 1426



### 12.3 Climate Change and Carbon Reduction implications

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

Aidan Davis, Sustainability Officer, Ext 37 2284

### 12.4 Equalities Implications

12.4.1 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.

12.4.2 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.

12.4.3 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.

12.4.4 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 to 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

### 13. Other Implications

N/A

### 14. **Summary of appendices:**

None.