

Corporate Complaints (Non-Statutory) 2021/22

Audit and Risk Committee

Date of meeting: 15 March 2023

Lead director: Amy Oliver, Director of Finance

Useful information

- Report author: Nilkesh Patel (Service Improvement Manager)
- Author contact details: 0116 454 2505
- Report version number plus Code No from Report Tracking Database: V3

1. Purpose of report

- 1.1 The purpose of this report is to provide an update on corporate non-statutory complaints in 2021/22. It covers the management of complaints, information on complaints received and their outcomes, the reasons for complaints, lessons learned and improvements.

2. Recommendations

- 2.1 The Committee is asked to note the report and make any observations to the Director of Finance.

3. Management of complaints

- 3.1 The Corporate Complaints Team has been operating a single stage non-statutory complaints regime since 2016, streamlining the process and providing a flexible approach to handling a complaint dependent upon its nature and complexity. The “triage/prevention” process successfully determines the route of the complaint and who will need to be involved. A new complaints administrative system has been introduced, to improve the customer journey.
- 3.2 It should be noted, however, that two types of complaint are not administered by the corporate team:
- Complaints relating to Adults and Children’s Services which are subject to the relevant statutory complaint’s procedure are usually investigated directly by the service under separate statutory procedures.
 - Issues regarding domestic waste collection services, which are handled directly by BIFFA’s Complaints Co-ordinator.
- 3.3 In 2021, the Housing Ombudsman introduced a new two-stage process applicable to complaints by tenants and leaseholders of the Council’s housing stock.
- 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, they will be supported to make a complaint.

- 3.5 Upon receiving a complaint, the Corporate Complaints Team will speak to customer and liaise with the relevant service. If the action they wish to happen can be completed, the contact is categorised as a service request / request for action and the customer issue is classed as resolved. If there is not an action that can be completed, the issue will be investigated as a complaint.
- 3.6 Vexatious complainants continue to be a demand on resources both for the Service Improvement Manager who acts a single point of contact and the service area(s) attempting to resolve the complaints. A vexatious complaints policy is now in place and is used where necessary.
- 3.7 The Corporate Complaints Policy is reviewed annually.

4. Summary of corporate complaints

- 4.1 In 2021/22, some 754 complaints were received, compared to 671 in 2020/21, an increase of 12.3%. Of the complaints received, 328 (43.5%) were “triaged” to the appropriate service to respond as a *request for action* (such as to provide orange bags for waste collection) or a *service request* usually relating to service delivery.
- 4.2 The remaining 426 were investigated, compared to 249 the previous year, an increase of 71%.
- 4.3 The increase in the overall number of complaints received over the past year is at least in part attributable to the new two-stage process for complaints by council housing tenants and leaseholders; lower numbers of complaints during the pandemic; and outstanding work pressures following the pandemic resulting in higher workloads for a time.
- 4.4 Some 31 of the complaints were from housing tenants and leaseholders under stage 2 of the Housing Ombudsman’s procedure. The main areas were repairs and tenancy management.
- 4.5 The team determined that of the 426 complaints investigated, 18% were justified and 21% were partially justified (39% combined); and 61% were deemed as “not justified” and therefore did not find the Council at fault. The justified and partly justified outcomes were mainly in Housing and Local Taxation.
- 4.6 Within these totals, of the 31 complaints investigated under stage 2 of the Housing Ombudsman’s procedure, some 45% were fully or partially upheld.
- 4.7 The 39% of complaints found to be justified or partially justified was higher than the comparable 33% in 2020/21.
- 4.8 In addition, 1,963 complaints relating to waste collection were reviewed directly by BIFFA. Of these, 1,581 (80%) were found to be justified. The majority of complaints related to non-delivery of orange bags, missed collections and BIFFA personnel. The complaints should be seen in the context of 14 million waste collections annually.

5. Reasons for complaints

5.1 Complaints are categorised into the main reasons, and more than one reason may be assigned. The top three categories accounted for 84% of the total, and remain consistent with 2020/21:

1. Quality of service (45%)
2. Policy, procedure and legislation (23%)
3. Speed of service (16%)

5.2 The service area is also recorded. Some five of the top six service areas are (as in previous years) within Housing Services and Revenues & Customer Support, the other area being Planning. These accounted for 74% of the total complaints. This is not surprising, as they interact with the greatest numbers of customers in demanding areas of Council business.

6. Lessons learned and improvements

6.1 Working with other services to understand their processes, the corporate team has continued to observe what triggers complaints and where changes could make a difference in our services. 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, improved record keeping, system changes and raising awareness of issues within the Authority and to the public. Examples of this include seeking to ensure:
 - All contacts are acknowledged in a timely manner and systems are in place to divert messages when officers are away. Housing officers, for example, have actively put this in place.
 - Housing officers leave 'Not in' cards and take a picture of posting them into the property. The service is slowly improving the position.
 - When housing repairs are delayed or cancelled, the tenant is informed in a timely manner.
 - Messages and complaints are responded to as soon as possible.

- Revenues and Benefits service have sought to change processes in management of signing off complaints. This has resulted in far more scrutiny and improvements around complaint handling.
- Planning have improved decision making on applications with visits carried out in contentious applications for permission to build. This has helped decisions be more accurate even if challenge is sought by the customer.
- Continuing 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; and is a focus for the team.

6.2 Whilst the new Complaints Administration system which was introduced from May 2022 is improving the customer journey, unfortunately accurate complaints data is not readily available for reporting. The Service Improvement Manager is working with ICT to find solutions to ensure some level of reporting is available for 2022/23.

7. Financial, legal and other implications

7.1 Financial implications

There are no direct financial implications arising from this report.
Martin Judson, Head of Finance

7.2 Legal implications

There are no direct legal implications arising from this report. However, having robust complaints arrangements contributes not only to an improved customer journey but also to good governance.
Kamal Adatia, City Barrister

7.3 Climate Change and Carbon Reduction implications

There are no significant climate emergency implications directly associated with this report.
Aidan Davis, Sustainability Officer

7.4 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 complaints 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

7.5 Other Implications

N/A

8. Summary of appendices:

None.