

Annual Report on Complaints

Report of the Chief Executive (Portfolio: Corporate)

Recommended:

That the annual report be considered and endorsed.

SUMMARY:

- The Chief Executive and Services together dealt with 171 complaints under the Council's formal procedure, in the year 2019/20.
- The Local Government and Social Care Ombudsman (LGSCO) made preliminary enquiries about 8 complaints relating to TVBC and began an investigation into 2 of these for the year ended 31 March 2020.

1 Background

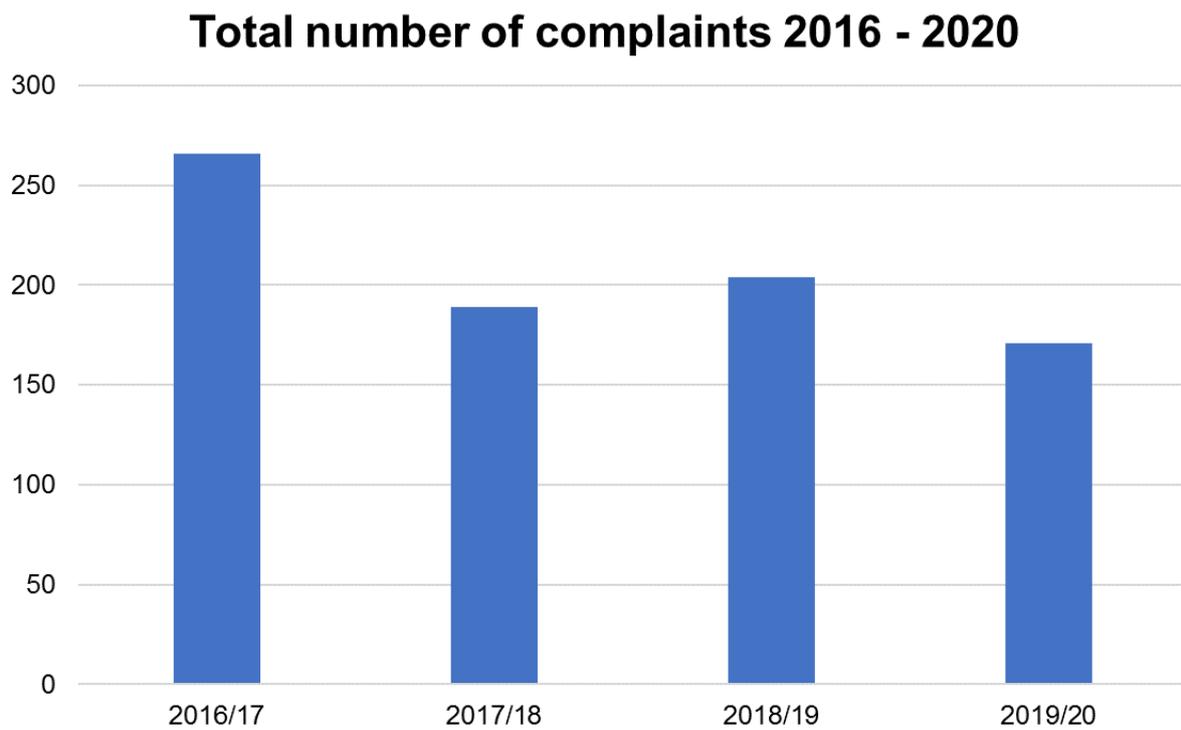
- 1.1 To facilitate the periodic monitoring of complaints and review by this Committee each year, Services are required to prepare an annual summary of complaints dealt with under the Council's formalised procedure (the year runs from 1 April 2019 to 31 March 2020).
- 1.2 A complaint is defined within 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."*
- 1.3 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 the Council failed to respond to the 'request' appropriately, then that may generate a complaint. Appeals against the level of Housing Benefit or Council Tax Support awarded are not treated as complaints but are dealt with under a separate appeals route.

2 Complaints 2019/20

- 2.1 In the year 2019/20 there were 171 service level complaints (those dealt with by more than one service at the same time are counted as one complaint).

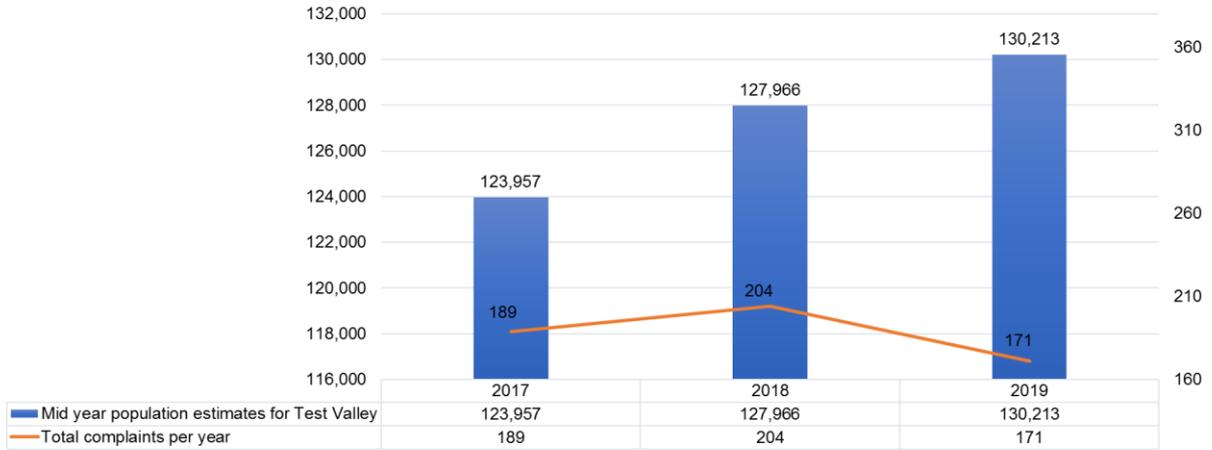
From these 171 complaints, 18 were escalated to the Chief Executive and 8 were the subject of LGSCO enquiries.

2.2 This year sees a decrease of 33 complaints against the number received in the previous year (204 in 2018/19).



The number of complaints decreased slightly this year after an increase last year. The number remains relatively stable, despite the increase in housing and population in the borough, as shown below.

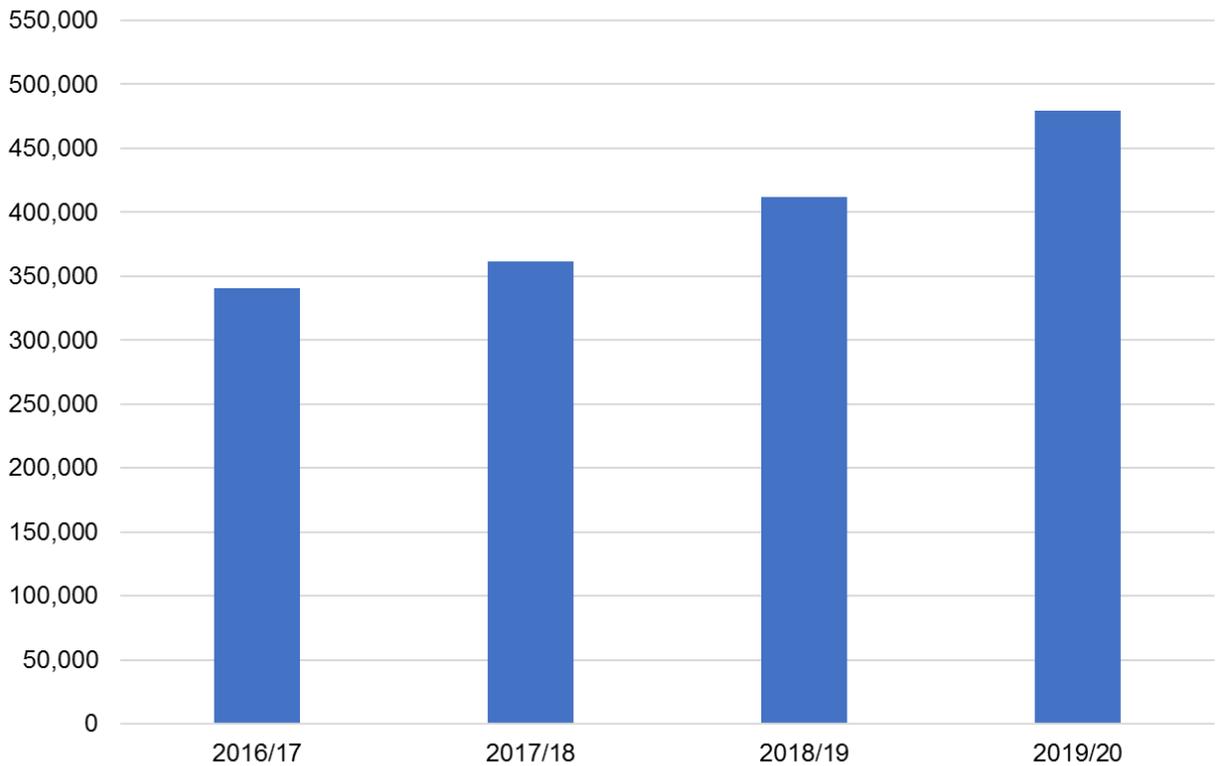
The total estimated population of Test Valley compared to the total number of complaints received by Test Valley Borough Council (2017-2019)



- 2.2 Customer Service unit figures for the year indicate that they received 76,799 telephone calls, which has increased from 75,740 the previous year. However, the number of calls does appear to be decreasing when we compare our monthly 2019 figures with monthly call figures for 2020. The number of face to face contacts for the year was 11,671, a decrease from 12,599 the previous year.
- 2.3 The website received 390,710 unique visitors for 2019/20. A unique visitor is an individual that uses the website, however an individual may use the website numerous times. Therefore, the number of times the site was entered better illustrates the use of the website and these totalled more than 725,200 sessions for 2019/20. This has increased by 15% from 629,770 sessions in 2018/19.
- 2.4 Although the number of telephone contacts has increased slightly from last year, we have seen a further reduction in the number of face to face contacts.

This can be attributed to self-serve processes put in place to enable and encourage customers to do their business with the Council electronically.

Volume of Contact 2016 - 2020



Volume of Contact via CSU telephone and face to face and unique web visits

2.5 The following table gives a breakdown of the number of complaints. At seminars arranged by the LGSCO, representatives of the Institute of Customer Service have previously advised on the Customer Satisfaction Index and accepted customer service industry standards. The number of complaints account for less than 1% of overall transactions and this falls well within these industry standards.

Stage of complaints process	Number of complaints
Service level	171
Chief Executive escalations	18 (from the 170 above)
Local Government and Social Care Ombudsman	8 (the LGSCO went on to investigate 2 of these)

2.6 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 and Communications Officer if they require more details about a specific case. Full details of all the complaints are available and these can be provided to committee members on request. However, this information is strictly confidential.

2.7 Specific service considerations

The number of complaints and compliments received can be broken down by

service as follows:

Service	Number of complaints	As a % overall	Compliments
Environmental	71	41.5	141
Planning and Building	25	14.6	64
Property and Asset Management	19	11.1	23
Revenues (incl CSU)	21	12.3	7
Community and Leisure	12	7.0	5
Housing and Environmental Health	15	8.8	9
IT	1	0.6	
Legal and Democratic	0	0	Not logged
Chief Executive	0	0	Not logged
Finance	0	0	Not logged
Multi-service	7	4.1	n/a
CEX escalations from the 171 service level complaints	18	10.5	n/a

2.8 The number of complaints for each service does not, of course, necessarily provide a direct correlation with the standard of customer service provided, and 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 transactions carried out,

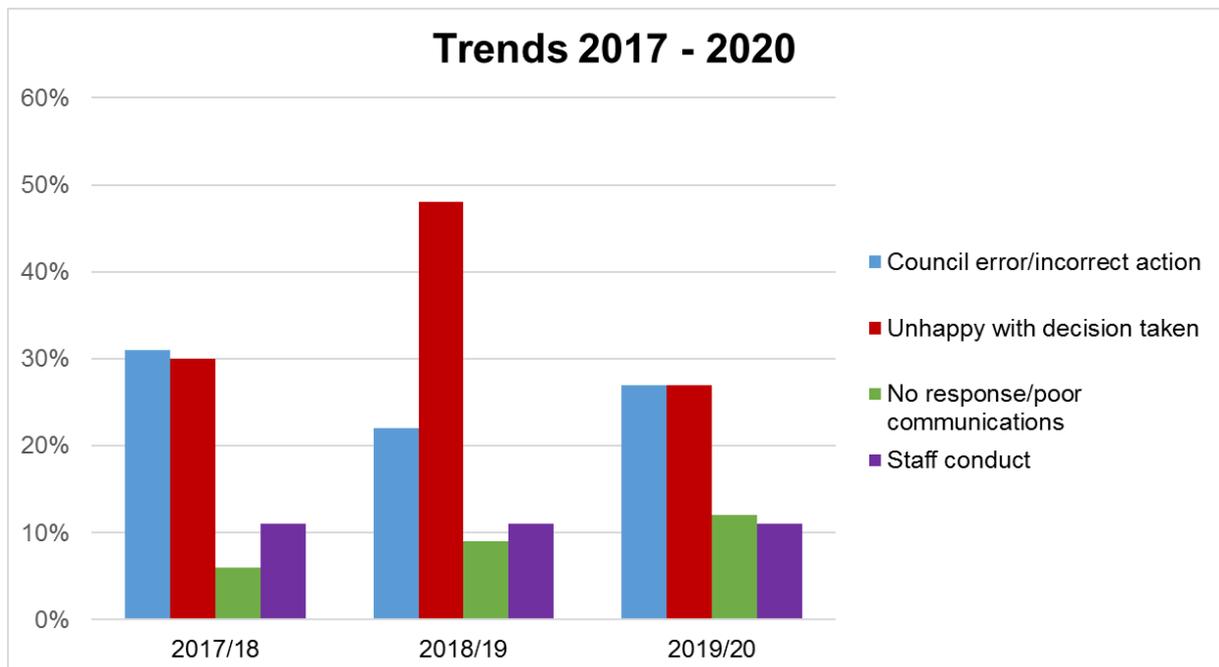
the public profile of the actions carried out by that service, and whether the customer has alternative formal routes for redress or appeal.

- 2.9 The Environmental Service receives the highest number of complaints but these are very low when considering the number of interactions it has with the public. For example, in 2019/20, the Environmental Service provided waste and recycling collections to around 55,000 properties within Test Valley each week. This totals almost 2,900,000 collections a year. Using this example, the number of complaints received equates to just 0.002 per cent of collections alone.
- 2.10 In 2019/20, the Planning and Building Service dealt with 3,635 planning related matters, comprising of 1,227 planning applications, 338 pre-app enquiries, 739 condition discharge applications, 630 tree applications and 701 planning enforcement cases. Against this background, the figures show that the number of complaints received against the volume of work undertaken by

the Planning and Building Service equates only to approximately 0.7% of the work carried out.

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

Type of complaint	Percentage
Council error/incorrect action	27
Unhappy with decision/action taken by Council	27
Staff conduct	11
No response received/poor communication	12
Other	23



3 Learning points

- 3.1 The Council treats every complaint as an opportunity to identify learning outcomes and improve service provision. Complaints are valuable not only in identifying service improvements but in improving public perception and satisfaction with the Council as a whole. Each complaint can be an opportunity to make changes or service improvements on a small or greater scale.
- 3.2 Annexes 1 to 7 are reports that provide specific detail on a selection of complaints within different services as examples to illustrate this. The report on the complaints escalated to the Chief Executive (Annex 8) details every complaint that progressed to Stage 2 of the complaints process.
- 3.3 Examples of some of the learning points and improvements made as a result of complaints during 2019/20 include:
- Ensuring continuity in communication for ongoing complaints and keeping the complainant informed on updates.
 - Ensure that all conditions are included on planning Decision Notices.
 - Giving neighbours and the local parish council the opportunity to comment on amended planning application plans.
 - Updated the procedure for determining settlements in relation to Rural Rate Relief.
 - Rolled out further training for staff to deal with changes of address in relation to Council Tax.

4 Time taken to respond

- 4.1 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. This standard was met in 87% of service complaints, with 148 out of 171 complaints answered in this time frame.
- 4.2 When a complaint is escalated to stage 2, the Chief Executive has 15 working days to respond. This standard was met in 78% of escalated complaints with 14 out of 18 complaints answered in this time frame. Where it is not possible

to respond within this time frame, the complainants are made aware that there will be a delay.

5 Unreasonable or unreasonably persistent complainants

5.1 There are currently no complainants determined as vexatious.

6 The Local Government and Social Care Ombudsman

6.1 The Local Government and Social Care Ombudsman (LGSCO) produces an annual letter which is attached as Annex 9. Annex 10 contains a guide to understanding the statistics provided. The number of complaints or enquiries received by the LGSCO does not necessarily match with the number of complaints progressed to the LGSCO by the Council. This is because in some cases, complainants approaching the LGSCO directly may be given advice or be referred to another organisation and the Council may not be aware of this. The LGSCO will also refer a complainant back to the Council if the complaint

has not completed the local authority's complaints procedure and in some cases, the complainant may choose not to come back to the Council.

- 6.2 During the year 2019/20 the Council received 8 initial complaint enquiries from the LGSCO of which the LGSCO opted to investigate only 2.

INVESTIGATED

Date	Subject Matter	Action Taken	LGSCO outcome
21 May 19	Complaint that the Council did not take prompt or proportionate planning enforcement action against a developer following 18 alleged breaches of planning control, impacting on the complainant, their family and other local residents. The complainant stated they had to move house as a result of the issues.	Information and clarification provided as requested. Decision provided 5 September 2019	Decision: there was no fault by the Council.
2 July 2019	Complaint about the Council's decision to approve a detached garage in the grounds of a neighbouring house. The complainant stated that the Council acted with fault in approving the garage due to incorrect measurements, failure to consult with the complainant on an amendment to the garage design, failure to take account of the garage's impact on the complainant's property. They felt that but for this fault the Council would have refused planning permission or insisted on a smaller garage.	Information and clarification provided as requested. Decision provided 21 October 2019	Decision: the Ombudsman found that there was fault in procedures followed by the Council, which the Council recognised. They considered that the Council remedied any injustice caused by its fault through giving the complainant an apology. They advised that the Council did not need to provide any further remedy as they considered that the Council would still have approved the development despite the fault.

NOT INVESTIGATED

Date	Subject Matter	Action Taken	LGSCO Outcome
1 March 19	Complainant says that a tree situated on unregistered land fell onto their property. They made a claim against the Council for the cost of the damage caused. Complainant states that the Council accepted that it was responsible for maintaining the tree but denied liability for the damage.	Information and clarification provided as requested. Decision provided 10 April 2019.	Decision: The Ombudsman did not investigate the complaint. They stated that the matter was, in effect, an allegation that the Council has been negligent and that this negligence had caused the damage to the complainant's property. The courts can determine negligence and liability for damage. The Ombudsman cannot. They advised that it would therefore be reasonable for the complainant to take the matter to court.
18 April	Complaint received by LGSCO. The LGSCO referred the complainant back to the Council on the same day for a local resolution. The LGSCO did not contact us about this complaint and thus we have no further information.	Not applicable	Decision: The Ombudsman did not investigate and referred the complainant back to the Council for a local resolution.
2 July 19	The complainant alleged that the Council was failing in its duty to prevent illegal, dangerous and inconsiderate heavy good vehicle (HGV) parking on an industrial estate.	Information and clarification provided as requested. Decision provided 30 August 2019.	Decision: The Ombudsman did not investigate the complaint due to insufficient evidence of fault by the Council.
11 June 2019	Complainant advised that they suffered stress from the Council's decision to send them a business rates bill for a property for which the complainant was not liable.	Information and clarification provided as requested. Decision provided 29 July 2019.	Decision: The Ombudsman determined not to investigate the complaint because the matter had been resolved and there was no evidence of fault by the Council to warrant investigation.

<p>30 September 2019</p>	<p>Complaint regarding the quality of adaptations made to the customer's property using Disabled Facilities Grant funding provided by the council. They stated that the council did not arrange for the issues to be rectified and offered to award a further Disabled Facilities Grant and an interest free loan.</p>	<p>Information and clarification provided as requested. Decision provided 18 November 2019.</p>	<p>Decision: the Ombudsman referred the complainant back to the council as the issue had not completed the Council's internal complaints process.</p>
<p>13 March 2020</p>	<p>Complaint about the Council's approval of a planning application for a development in 2018, which the complainant says has affected their property.</p>	<p>Decision provided 17 September 2020</p>	<p>Decision: the Ombudsman determined not to investigate the complaint because it concerned matters which the complainant was aware of outside the 12-month timescale for receiving complaints.</p>

6.3 The LGSCO publishes the statistics for all local authorities each year. This enables a comparison to be made between comparable authorities based on the CIPFA (Chartered Institute of Public Finance and Accountancy) 'Nearest Neighbours Model'. The model provides a "family group" of local authorities that are comparable for bench-marking purposes. However, it is important to note that this is not an exact comparison due to the unique nature of each authority and the services they provide, as well as the geographical area and related issues. It can therefore only be used for ascertaining an approximate and informal bench-mark.

In previous years, the LGSCO has published the total number of complaints assessed for each authority. They have not published these figures for each authority for 2019/20 and therefore we can only benchmark against the

number of complaints upheld or not upheld. However, these are the most relevant when comparing performance.

Authority name	Total complaints assessed	Decision: Complaint not upheld	Decision: Complaint upheld
Test Valley Borough Council	8	1	1
Ashford Borough Council	No longer published	0	3
East Hampshire District Council	No longer published	1	2
South Oxfordshire District Council	No longer published	3	1
Vale of White Horse District Council	No longer published	3	2

7 Other matters

7.1 The reporting of complaints is embedded in the Council's performance management process, giving further opportunity for issues to be raised throughout the year, and for wider corporate trends to be identified should they arise.

8 Conclusion

8.1 Complaints at service level have slightly decreased this year, after a slight increase last year, a significant decrease in 2017/18 and a largely static previous three years. The number of complaints escalated to the Chief Executive has also slightly decreased from 14 in 2018/19 to 11 in 2019/20. Heads of Service continue to be encouraged to escalate a complaint to the Chief Executive if required, in the interests of efficiency and the Council continues to signpost complaints to the LGSCO as recommended.

8.2 Complaints are also occasionally raised via social media channels, including Twitter and Facebook, which continue to be monitored by both CSU and the Communication Team. They respond to Twitter enquiries and monitor Facebook messages, directing complainants to the complaints process where necessary.

8.3 The consistency of complaints reporting suggests that the complaints process continues to work effectively. Where necessary, trends are identified and managed by individual Services. The Complaints and Communications Officer

will continue to work closely with Services to identify ways to effectively manage and resolve complaints.

- 8.4 The Committee is requested to consider the annual complaints report for 2019/20.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
Author:	Kathryn Binfield	Ext:	8108
File Ref:			
Report to:	Overview and Scrutiny Committee	Date:	October 2020