

Annual corporate complaints report – 2023-24

Report of the Head of Strategy and Innovation

Recommended:

That the complaints report is reviewed and endorsed ahead of publication.

SUMMARY:

- The Committee is requested to consider the analysis and learning points drawn from the complaints received by Test Valley Borough Council during the period 1 April 2023 – 31 March 2024.

1 Introduction

- 1.1 Each year, the Council is required to prepare an annual summary of complaints dealt with under the formalised complaints procedure. The reporting year runs from 1 April 2023 to 31 March 2024.

2 Background

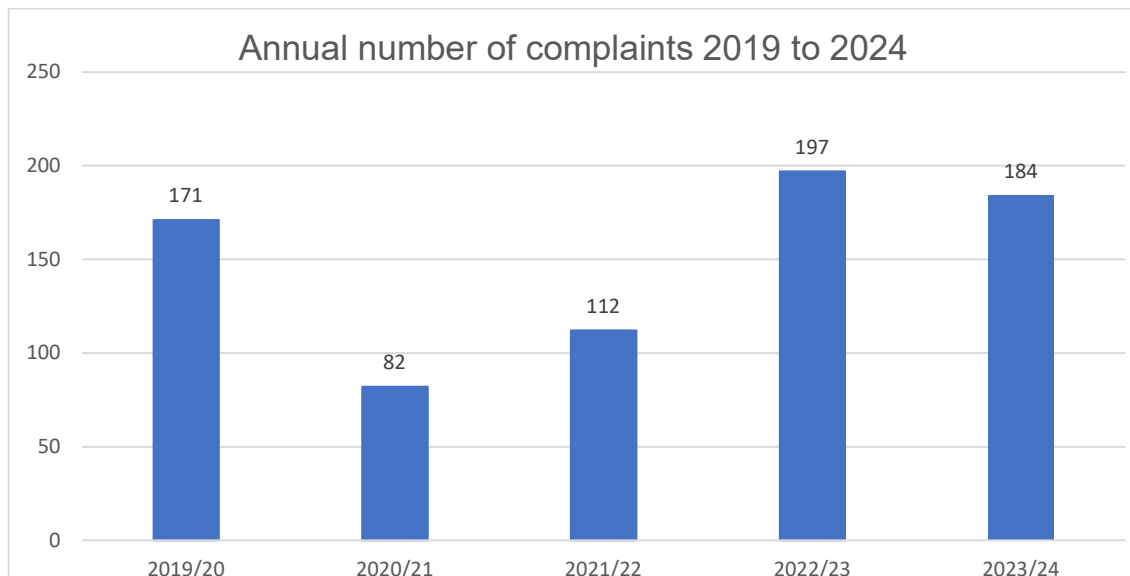
- 2.1 A complaint is defined within the Council as: “an expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Council, or its staff, affecting an individual customer or group of customers.”
- 2.2 Service level complaints are dealt with under Stage One of the complaints process, with a response being sent from a relevant manager or head of service. If the complainant is dissatisfied with this response, they can escalate the complaint to Stage Two of the process, which is investigated and responded to by the Chief Executive. If complainants remain dissatisfied with the response, they may escalate to the Local Government and Social Care Ombudsman (LGSCO).
- 2.3 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, 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, a complaint may then be made.
- 2.4 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.

3 Complaints overview

- 3.1 In the year 2023/24 there were 184 service level complaints (those dealt with by more than one service at the same time are counted as one complaint). From these 184 complaints, 30 were escalated to the Chief Executive. The LGSCO received 10 new complaints relating to Test Valley Borough Council and decided on 12 (two were received in the previous reporting year). Of these 12, the LGSCO investigated one complaint which was not upheld.

Stage of complaints process	Number of complaints
Service level (Stage One)	184
Escalated to Chief Executive (Stage Two)	30 (of the 184 above)
Received by the LGSCO	10
Decided by the LGSCO (this includes two received during the previous reporting period)	12
Investigated by the LGSCO	1
Upheld by the LGSCO	0

- 3.2 This year we received slightly fewer complaints than last year: 184 against 197, a 6.6% decrease. This decrease potentially indicates a return to a more historically usual level of complaints, following the drop and subsequent increase during and immediately after the main period of the Covid-19 pandemic. When placed in context with a population of around 136,000, the 184 complaints represent a very small proportion of the population who have raised a complaint.



- 3.3 To provide wider context about the total number of contacts received by the council, the Customer Service Unit received 62,534 telephone calls, 7358 face-to-face contacts (in Andover and Romsey), and 7203 emails. The council website received 450,551 unique visitors this year (NB owing to a change in how this data is collected, it has been necessary to extrapolate this number, from a confirmed figure of 337,913 unique visitors between 1 July 2023 and 31 March 2024). The total number of contacts with the Council was 527,646, which was a slight increase on the number last year (523,417). This means that the 184 complaints received were approximately 0.035% of overall recorded contacts (which do not include the many other in-person interactions council officers have daily with residents). This is significantly less than the 0.1% industry standard advised by the Institute of Customer Service.
- 3.4 The annual complaints logs contain personal information that should not be published, in line with the Ombudsman's view that it is neither necessary nor desirable to make such details public. As a result, the information provided in this report is largely statistical in nature. Councillors should refer to the Policy Manager 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.

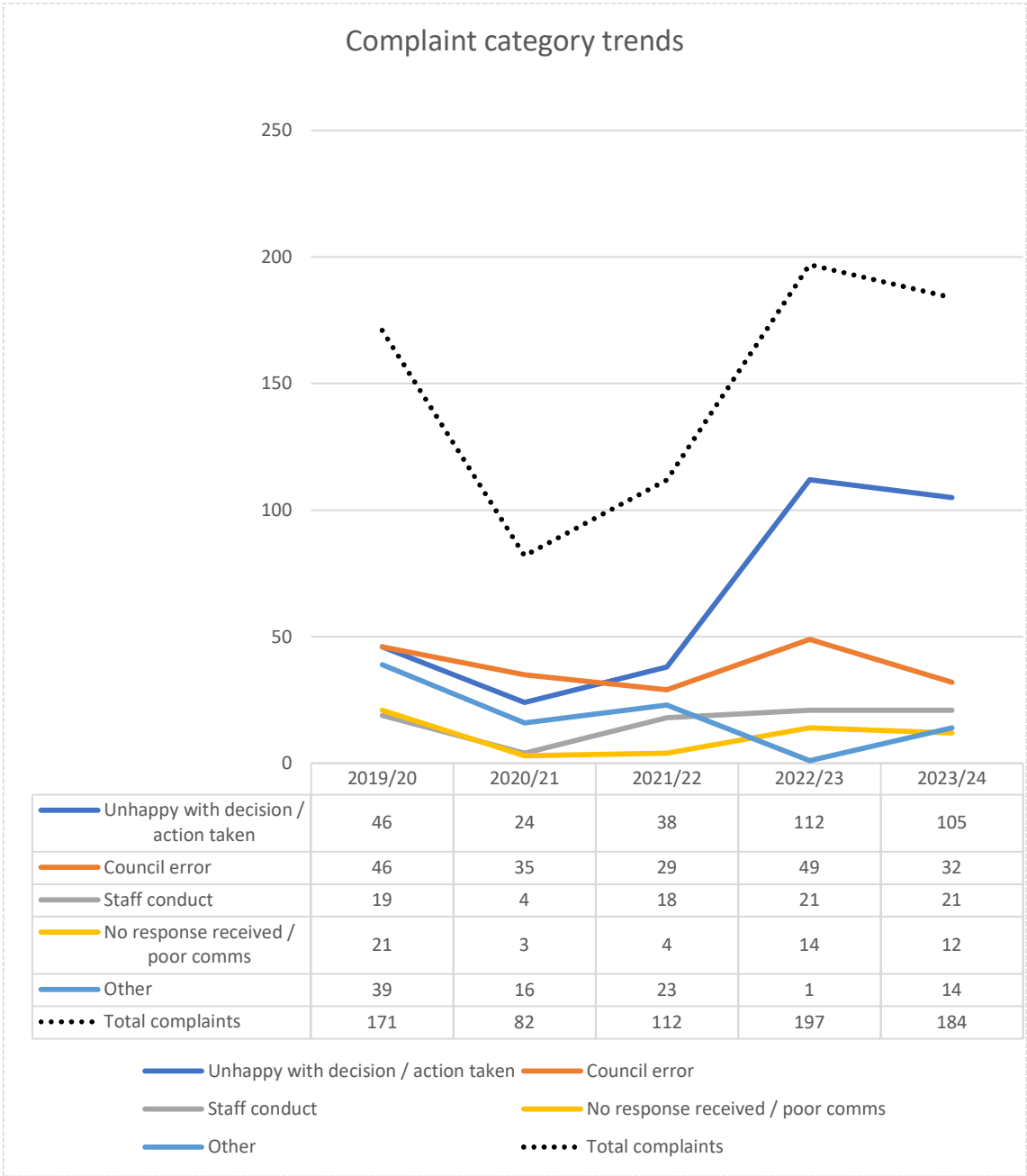
3.5 Of the 184 complaints received at service level, 30 (16.3%) were escalated to the Chief Executive (Stage Two). This is broken down by service below:

Lead Service	Number of Stage One complaints	Number of Stage Two complaints
Environmental Services	74 (40.2%)	0
Planning and Building	42 (22.8%)	17 (56.7%)
Finance & Revenues	26 (14.1%)	2 (6.7%)
Community and Leisure	18 (9.8%)	6 (20%)
Housing and Environmental Health	15 (8.2%)	2 (6.7%)
Property and Asset Management	5 (2.7%)	0
Legal and Democratic	3 (1.6%)	3 (10%)
Strategy and Innovation	1 (0.5%)	0
Planning Policy & Economic Development	0	0
Total number of complaints at each stage	184	30

3.6 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 transactions with residents carried out, the public profile of the actions carried out by that service, and whether the resident has alternative formal routes for redress or appeal.

3.7 Environmental Services received the highest number of complaints, but these were very low when considered against the total number of interactions with the public. For example, in 2023/24, Environmental Services provided waste and recycling collections to around 58,700 properties within Test Valley each week. This totals around 3 million collections a year. Using this example, the number of complaints received equates to just 0.002% of collections.

- 3.8 In 2023/24, the Planning and Building Service dealt with 3,511 planning related matters, comprising of 1,417 planning applications, 391 pre-application enquiries, 595 condition discharge applications, 598 tree applications, and 510 planning enforcement cases. The number of complaints received against the volume of work undertaken by the Planning and Building Service equates only to approximately 1.2% of the work carried out.
- 3.9 Analysis of the root cause of complaints received continues to show that most complaints can be categorised into one of four categories:
- Unhappy with decision / action taken
 - Council error
 - Staff conduct
 - No response received / poor comms
- 3.10 The total number of complaints in each category are shown on the chart below. The chart shows that the large increase in complaints categorised as 'unhappy with decision / action taken' seen last year has stabilised at about 57% of complaints received. We judge that this is likely to be the ongoing rate for this category of complaint, and that the rise is likely due to two factors. Firstly, compared to 2019, we are now much more systematic in how we categorise complaints and our data is more accurate. Secondly, the rise closely correlates with the overall rise in complaints since the end of the Covid-19 pandemic. As such we judge that we have tracked a return to the long-term status quo position, following the end of the pandemic.
- 3.11 In addition, the council also receives positive feedback from residents. The mechanism for capturing and reporting on these has been improved over the reporting period and now the majority of services capture positive feedback from residents and other stakeholders. Planning and Building and Environmental Services, two of the services with most daily interactions with residents, received 96 and 76 positive comments respectively during the reporting period. Positive feedback is a valuable means to identify good performance and improve delivery for residents. However, the volume of compliments or positive feedback received is often linked to the visibility of the service being provided. Some services are less visible to the public and therefore less likely to receive positive feedback, but this has no reflection on the standard of service being provided.



4 Time taken to respond

4.1 The council’s current service standard is to respond in full to a complaint within 10 working days of receipt, or if this is not possible (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 complainants. This standard was met in 86% of service complaints at Stage One (159 complaint responses), processed in the year 2023/24.

- 4.2 When a complaint is escalated to Stage Two, the Chief Executive has 15 working days to respond. This standard was met in 73% of escalated complaints (22 complaint responses). Where it is not possible to respond within this time frame, the complainants are made aware that there will be a delay.
- 4.3 When the Committee considered the 2022/23 annual complaints report, it was suggested that the deadline for responding to complaints should vary depending on the complexity of the response. The Committee also wanted to understand how many complex and non-complex complaints had been received over the year. For the current reporting period, we assessed that 15 Stage One complaints (8.2%) and five Stage Two complaints (16.7%) could have been considered complex.
- 4.4 Following the Committee meeting, officers developed a draft policy on how timelines might be extended for complex complaints. This draft policy was designed to align with the LGSCO's new complaints handling code, which issued in February 2024. Officers then paused the policy development work temporarily, pending the publication by the LGSCO of the accompanying complaints guidance. We now understand that this guidance is unlikely to issue before March 2025, so officers are now resuming this work.

5 Learning points

- 5.1 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.
- 5.2 Examples of some of the learning points and improvements made as a result of complaints during 2023/24 include:
- Whole-of-service training was arranged to improve officers' ability to deal with challenging situations.
 - Officers were reminded to respond to third-party representations to planning applications with sufficient clarity.
 - Guidance was reissued to support the issuing of Housing Benefit suspension letters.

6 Unreasonable or unreasonably persistent complainants

- 6.1 There are currently no complainants determined as vexatious.

7 The Local Government and Social Care Ombudsman

- 7.1 Once a complainant has completed the council's complaints process, by escalating their complaint to the Chief Executive, they have the option of taking their complaint to the Local Government and Social Care Ombudsman. The ombudsman investigates complaints about maladministration and service failure, which they call 'fault'. They also consider whether any fault has had an adverse impact on the complainant, which they call 'injustice'. Most of the

complaints that reach the ombudsman from the council are closed after initial inquiries, for example because there is not enough evidence of fault by the council. A much smaller set of complaints – one this year – then undergo a more comprehensive investigation.

- 7.2 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. The statistics for Test Valley Borough Council and similar authorities are reproduced below. 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 benchmark. Additionally, it should be noted that having a complaint investigated and upheld can serve as a useful source of learning and a driver for improvement.

Authority name	Total complaints decided	Not for LGSCO or not ready for assessment	Closed after initial inquiries	Investigated and complaint not upheld	Investigated and complaint upheld	Upheld decisions per 100,000 residents
Test Valley Borough Council	12	3	8	1	0	0
Ashford Borough Council	13	3	6	1	3	2.2
East Hampshire District Council	12	5	6	0	1	0.8
South Oxfordshire District Council	12	2	10	0	0	0
Vale of White Horse District Council	6	1	3	2	0	0

7.3 The number of complaints or enquiries received by the LGSCO does not necessarily match with the number of complaints progressed to the council by the LGSCO. 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 properly progressed through the local authority's complaints procedure and in some cases, the complainant may choose not to come back to the council. During the year 2023/24 the LGSCO decided to investigate one case, which was not upheld. Further details are provided in the table below:

Investigated			
Date decided	Details of Complaint	Action Taken	LGSCO Outcome
22/05/23	The complainant complained about the way the council handled planning matters for a neighbouring new build. Specifically, they complained that the Council had not properly considered her objections and had failed to take proper enforcement action.	The LGSCO decided that part of the complaint was late and could not be investigated, and that for the remainder the council was not at fault.	Not upheld

Not investigated			
Date decided	Details of Complaint	Action Taken	LGSCO Outcome
25/04/23	The complainant complained that their mother's amenity was not taken into account when a neighbour's planning permission was granted.	LGSCO decided that further investigation was not warranted because there was insufficient evidence of fault by the council.	Closed after initial inquiries
24/08/23	The complainant complained that the council would not take enforcement action against their neighbour's overgrown gardens.	LGSCO decided that further investigation was not warranted because there was insufficient evidence of fault by the council.	Closed after initial inquiries

6/09/23	The complainant complained that the council's decision to refuse their application to extend their premises licence was unfair and not aligned with the council's wider policies.	LGSCO decided not to investigate further because, as the complainant had the right to appeal the decision to the Magistrates' Court, the complaint fell outside the LGSCO's jurisdiction.	Closed after initial inquiries
16/09/23	The complainant complained about the quality of the council's inspection of a neighbour's asbestos garage roof, which they believed was a risk to their health.	LGSCO decided that further investigation was not warranted because there was insufficient evidence of fault by the council.	Closed after initial inquiries
11/01/24	The complainant complained about how the council had dealt with his neighbour's planning application.	LGSCO decided that further investigation was not warranted because there was insufficient evidence of fault by the council.	Closed after initial inquiries
19/01/24	The complainant complained about the council's assessment of their housing application.	LGSCO decided that further investigation was not warranted because there was insufficient evidence of fault by the council.	Closed after initial inquiries
26/01/24	The complainant complained about how the council had managed their housing application, specifically in regard to their partner's medical needs.	LGSCO referred the complaint back for local resolution.	Premature decision and advice given
12/03/24	The complainant complained about council's assessment of two planning applications for a development near their home.	LGSCO decided that further investigation was not warranted because there was insufficient evidence that the complainant had suffered significant personal injustice caused by the council.	Closed after initial inquiries

8 Corporate Objectives and Priorities

- 8.1 A robust and effective complaints process supports the delivery of our vision of working collaboratively to deliver high quality services that support all communities in Test Valley to thrive. Reviewing and learning from complaints also helps us to live our values, maintain high standards in everything we do, and understand the needs and expectations of the residents of Test Valley.

9 Communications

- 9.1 The complaints report will be published on the TVBC website.

10 Resource implications

- 10.1 None

11 Conclusion

- 11.1 Complaints at service level remain low relative to the overall volume of interactions with the public. The increase last year, which has stabilised this year, likely indicates that the volume of complaints has returned to usual levels following the disruption caused by the Covid-19 pandemic.
- 11.2 The consistency of complaints reporting suggests that the complaints process continues to work effectively, and that the public are able to make a complaint with ease. Where necessary, trends are identified and managed by individual services. The Policy Manager will continue to work closely with services to identify ways to improve our complaints process and more effectively manage and resolve complaints.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
N/A			
<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.			
No of Annexes:	0		
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File Ref:	N/A		
Report to:	Audit committee	Date:	3 December 2024