

REPORT TO: Corporate Services Policy & Performance Board

DATE: 3rd September 2019

REPORTING OFFICER: Strategic Director Enterprise, Community and Resources

PORTFOLIO: Resources

SUBJECT: Corporate Complaints

WARDS: All

1.0 PURPOSE OF THE REPORT

1.1 To provide statistical analysis of those Corporate Complaints received during the 2018 – 19 financial year.

2.0 RECOMMENDATION: That the content of the report be considered.

3.0 SUPPORTING INFORMATION

Context

3.1 The Council presently administers a 2 stage procedure to deal with corporate complaints whereby the public can seek redress if they believe Council departments have failed to deliver a satisfactory level of service.

3.2 When complaints are received that have not been raised previously, in the first instance they are normally directed to the relevant department for matters to be investigated and a response to be provided by a Senior Officer from the service.

3.4 Should the complainant remain dissatisfied with the Council's initial response to their complaint they may request an internal review of the Council's actions in relation to their complaint. Such reviews are undertaken independently of the service by an Investigating Officer from the Corporate Performance and Improvement Team.

3.5 If the Council cannot resolve matters to the complainant's satisfaction individuals can refer matters to the Local Government Ombudsman or, in the case of complaints relating to Freedom of information requests, the Information Commissioners Office.

4.0 CORPORATE COMPLAINTS TREND ANALYSIS 2018-19

4.1 The chart below provides a breakdown of the number of Corporate complaints received for each of the financial years from 2012 to 2019.



4.2 As the chart illustrates the number of complaints received rose markedly in 2015-16 but have now fallen back to the average levels over the preceding number of years. This may illustrate the effects of the approach to austerity by central government becoming more visible to service users during that particular period and a greater degree of familiarisation with the consequence of financial constraints since that time.

4.3 The table below shows the number of corporate complaints received and resolved during 2018 - 2019 and the success rate for replying to complainants within the target timeframe. Presently the Council aims to respond to complaints dealt with at stage 1 within 10 working days and those dealt with at stage 2 within 28 working days.

All complaints	82
Proportion replied to within target time	68 (83%)
Number of complaints resolved at Stage 1	73 (89%)
Complaints dealt with at Stage 2	10 (11%)

4.4 A number of complaints were dealt with outside of the target timeframe and this primarily related to staffing availability and in some cases resulted from the complexity of the issue and or the need to review preceding communications between the Council and the complainant. There was no specific service area that was subject to delays occurring and it remains standard practice that where possible complaints are advised in advance should it be likely that target timeframes will not be met.

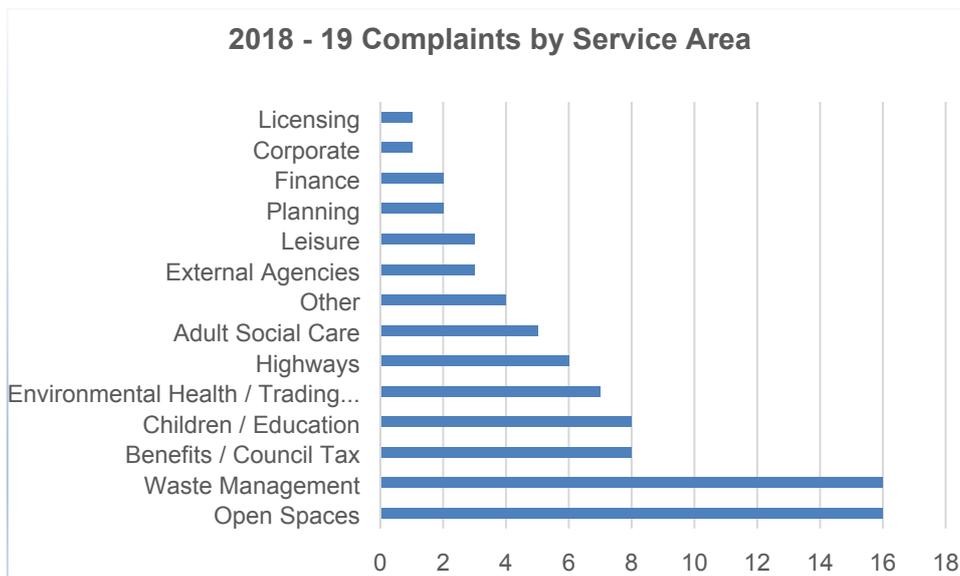
4.5 The following table illustrates the length of delay that occurred in working days for those complaints where a response was provided outside of target timeframes.

Response provided beyond target timeframe	
Period	Cases
0 – 5 days	7
5 – 10 days	5
10 days+	1

4.6 The following table provides an overview of the outcome of complaints that were received during 2018 – 19. It should be noted that in a number of cases an objective determination could not be made due to a lack of independent corroborative evidence or where the subject of the complaint involved external agencies such as local housing providers.

Outcome	Number
Complaints Upheld	16 (20%)
Complaints Partially Upheld	13 (16%)
Complaints Not Upheld	41 (50%)
Undetermined	12 (14%)

4.7 As would be expected the nature of those corporate complaints received covered a relatively wide range of Council services as illustrated within the chart below.



- 4.8 Both Open Spaces and Waste Management represented the highest number of complaints received by service area. However both of these service areas engage with the Halton population as a whole to a significant extent and therefore the receipt of complaints as a proportion of service users / recipients is not considered to be a cause of concern.
- 4.9 With regards to Waste Management almost all complaints related to household waste collection services, with one also relating to fly-tipping on non-Council owned land.
- 4.10 The introduction of on-board cameras in refuse vehicles has made complaints of missed bin collections much easier to deal with objectively as it can now be determined whether bins from individual properties were presented at the kerbside for collection as required and what actions were undertaken by operatives. However there were a small number of complaints that were upheld as the Council did not carry out appropriate corrective actions and in these instances an apology was provided and where necessary staff were given additional instruction.
- 4.11 With regards to Open Spaces complaints the majority of complaints related to the condition of trees and vegetation and the general maintenance of the Council's open spaces. In one instance the land in question was owned by a social housing provider and whilst the complainant was aware of this they felt that the Council should bear responsibility.
- 4.12 In the majority of cases the Council was carrying out works in accordance with its maintenance schedule and or policies relating to the management of trees and of Local Nature Reserves and this was explained to residents. In the absence of these complaints being escalated to stage 2 it would suggest that once complainants became aware of the Council's fiscal position, and associated policies, they understood the situation more fully and recognised the limitations of what could be delivered.
- 4.13 The majority of Benefits / Council Tax complaints concerned the processing of claims, an application to the Discretionary Award Scheme, the reissuing of amended Council Tax accounts and the collection of arrears.
- 4.14 In the majority of cases due process had been followed and complainants were advised of this and of what steps they may need to take to progress matters. In 2 instances corrective action was taken and apologies were provided to complainants.
- 4.15 Complaints relating to children's services involved a range of issues including Education and Health Care Plans, the provision of assisted transport, the withdrawal of free school meals and the transfer of nursery funding.

- 4.16 In regards to Environmental Health and Trading Standards complaints primarily involved various issues including noise nuisance, trading standards, infestation the delivery of the Councils out of hours stray dog service.
- 4.17 With regards to Adult Social Care complaints mainly focused upon the delivery of care packages or the issuing and payment of invoices. In most instances the Council's position was explained and one complaint was upheld and an apology provided to the complainant and the balance of an outstanding invoice cancelled.
- 4.18 Highways complaints included various matters related to the parking vehicles, property damage as a result of repair works and damage to vehicles using the highway.
- 4.19 The remainder of the complaints received during the year covered a wide variety of matters including dog breeders licence fees, the closure of Runcorn Pool, delays in services responding to enquiries and charges for services.
- 4.20 A number of complaints were also received during the year that related to external agencies and could not be progressed through the Council's procedures. These included complaints concerning the actions of the landlord of a local public house, the management of land by third parties and the provision of repairs by a local social housing provider. In all cases the Council provided an explanation of its position and further contact details of the agency concerned.
- 4.21 In all instances where complaints were upheld or partially upheld an explanation of the circumstances was provided to the complainant along with an apology. Action was also taken to remedy the situation.
- 4.22 In nine of the ten complaints dealt with at stage 2 of the complaints procedure the internal independent review did not identify fault on the part of the Council. Complainants were advised of the outcome of the investigation and that if they remained dissatisfied with the way in which their complaint had been dealt with they may seek independent advice from the Local Government Ombudsman.
- 4.23 The investigation of the complaint that was upheld at stage 2 led to the Council reviewing and amending existing documentation in order to improve the information provided to residents.
- 4.24 An analysis of the complaints received during the course of the year does not indicate that any one service is disproportionately represented and this provides assurance that there have been no systemic weaknesses within existing procedures and the ongoing delivery of services across the organisation.
- 4.25 It should also be noted that individual services will also receive complimentary feedback during the course of the year. Unfortunately as such information is directed to individuals and or specific service areas such information cannot be summarised within this report.

8.0 LOCAL GOVERNEMENT OMBUDSMAN COMPLAINTS

8.1 The following tables provide a summary of the numbers of complaints and enquiries that were received by the Local Government Ombudsman during 2018 - 19.

Service Area	Number
Adult and Care Services	5
Education and Children Services	8
Planning and Development	2
Corporate and other	2
Highways and Transportation	9
Benefits and Tax	2
Housing	3
Environment Services	5
Total	36

8.2 During the year the Ombudsman made a total of 40 decisions, including those made in relation to complaints from the preceding year not resolved in that year, and undertook 9 detailed investigations.

8.3 Of those investigations 4 of the complaints were upheld and 5 were not upheld.

8.3 Of the 4 cases upheld the Ombudsman considered that in 1 case a satisfactory remedy had been provided by the Council prior to their involvement and in a further 3 cases their recommendations had been implemented appropriately. In 1 case the Ombudsman considered that the Council had not complied with their recommendations.

8.4 These figures provide assurance that the Councils internal complaints procedures are robust and effective in resolving fault where it occurs at a local level.

9.0 POLICY IMPLICATIONS

9.1 Complaints provide essential information and inform the development of Halton Borough Council services and policies. The Corporate Complaints Procedure is regularly reviewed to ensure it continues to conform to best practice and remains fit for purpose.

10.0 OTHER IMPLICATIONS

10.1 Improvement and quality assessment agendas increasingly consider the robustness of complaints procedures and how they are demonstrably used to inform and drive change.

11.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

11.1 It is important for the Council to have robust complaint procedures in place to improve service delivery and ultimately help the achievement of all of its six strategic priority areas.

12.0 RISK ANALYSIS

12.1 An inefficient or ineffective complaints system will fail individuals who want to use it and prevent the organisation from learning from complaints. Whilst complaints can result in positive changes for individuals they are also a key source of intelligence which can be used to influence the design and delivery of services that the organisation provides and commissions.

13.0 EQUALITY AND DIVERSITY ISSUES

13.1 All complaint forms are issued with a separate form for monitoring diversity of complainants with regard to age, disability, ethnicity and gender. Unfortunately the majority of corporate complainants choose not to return the monitoring form with their complaint so information collected is extremely limited. However upon the basis of available evidence there is no indication that any specific social groups are over or under represented by age, gender, disability etc. which suggests that the complaints process remains accessible on an equitable basis.