

**REPORT TO:** Corporate Policy & Performance Board  
**DATE:** 23<sup>rd</sup> January 2024  
**REPORTING OFFICER:** Assistant to the Chief Executive  
**PORTFOLIO:** Resources  
**SUBJECT:** Corporate Complaints  
**WARD(S)** All

## **1.0 PURPOSE OF THE REPORT**

1.1 To provide statistical analysis of the Corporate Complaints received during the 2022 – 2023 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.

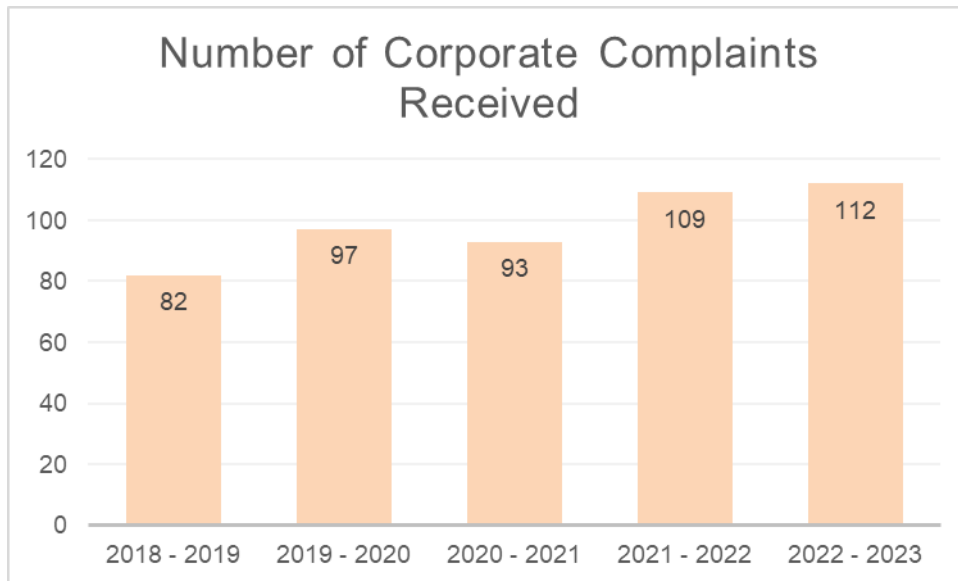
3.3 Should the complainant remain dissatisfied with the initial response or outcome to their complaint they may request an internal review of the Council's actions and position in relation to their complaint. Such reviews are undertaken independently of the service by an appointed Investigating Officer.

3.4 If the Council cannot resolve matters to the complainant's satisfaction individuals are advised that they can refer matters to the Local Government and Social Care Ombudsman or relevant Professional body or, in the case of complaints relating to Freedom of information requests that are considered by the Council's Information Governance Team, to the Information Commissioners Office.

## **4.0 CORPORATE COMPLAINTS TREND ANALYSIS 2022 - 23**

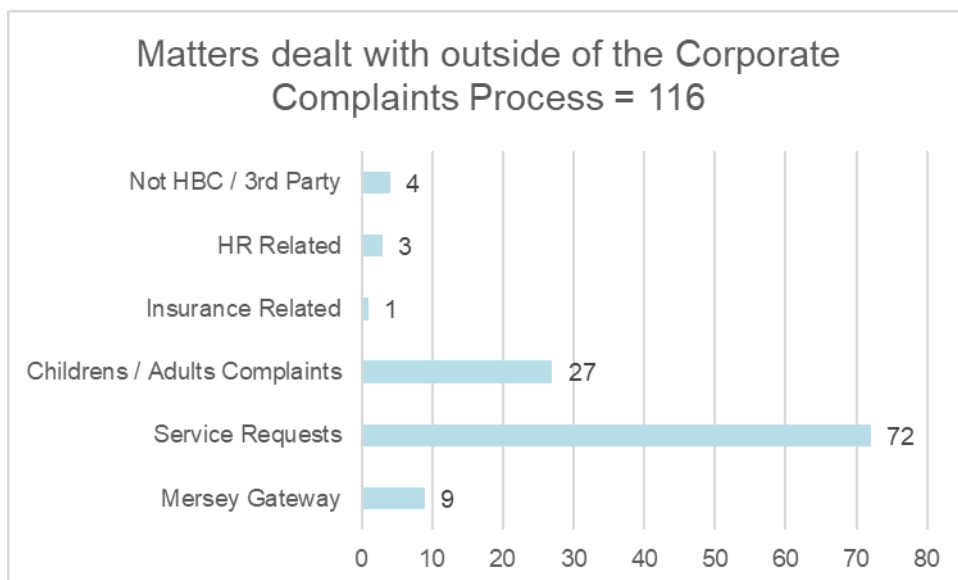
4.1 The chart below provides a breakdown of the number of Corporate Complaints received for each of the preceding 5 financial years from April 2018 to March

2023.



4.2 As the chart illustrates, the number of complaints has remained relatively stable over this period.

4.3 112 complaints were received in 2022 – 23, however an additional 116 complaint / enquiries were received that could not be dealt with through the Council’s Corporate Complaints Procedures (CCP). The chart below illustrates the primary nature of these additional complaints.



4.4 Some of those complaints were dealt with through other process such as the Adults and Children’s Statutory procedures or via the Mersey Gateway process. Others were considered as requests for service i.e. where the Council had not previously been aware of an issue or given the opportunity to address matters.

4.5 Presently, the Council aims to respond to complaints dealt with at stage 1 of

the Corporate Procedure within 10 working days and those dealt with at stage 2 within 28 working days.

- 4.6 The tables below show the number of complaints that were received and dealt with at each stage during the year and the success rate for responding to complainants within the relevant target timeframe for 2022 – 23 and the preceding year. When compared to the previous year, the number of stage 1 complaint responses provided within 10 working days remains the same.

Number of Stage 1 complaint responses				
Financial Year	2021 - 22		2022 - 23	
		<b>58</b>		<b>100</b>
<b>Within 10 days target timeframe</b>	41	71%	<b>67</b>	67%
Within 15 days	6	10%	<b>8</b>	8%
Within 20 days	3	5%	<b>5</b>	5%
20 days +	8	14%	<b>20</b>	20%
<b>TOTAL</b>	<b>58</b>		<b>100</b>	

Number of Stage 2 complaint responses				
Financial Year	2021 - 22		2022 - 23	
		<b>7</b>		<b>12</b>
<b>Within 28 days target timeframe</b>	6	86%	<b>8</b>	67%
Within 33 days	0	0%	<b>1</b>	8%
Within 38 days	0	0%	<b>0</b>	0%
38 days +	1	14%	<b>3</b>	25%
<b>TOTAL</b>	<b>7</b>		<b>12</b>	

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4.8

More complaints were considered at stage 2 as compared to the previous year, but the response time has dipped slightly.

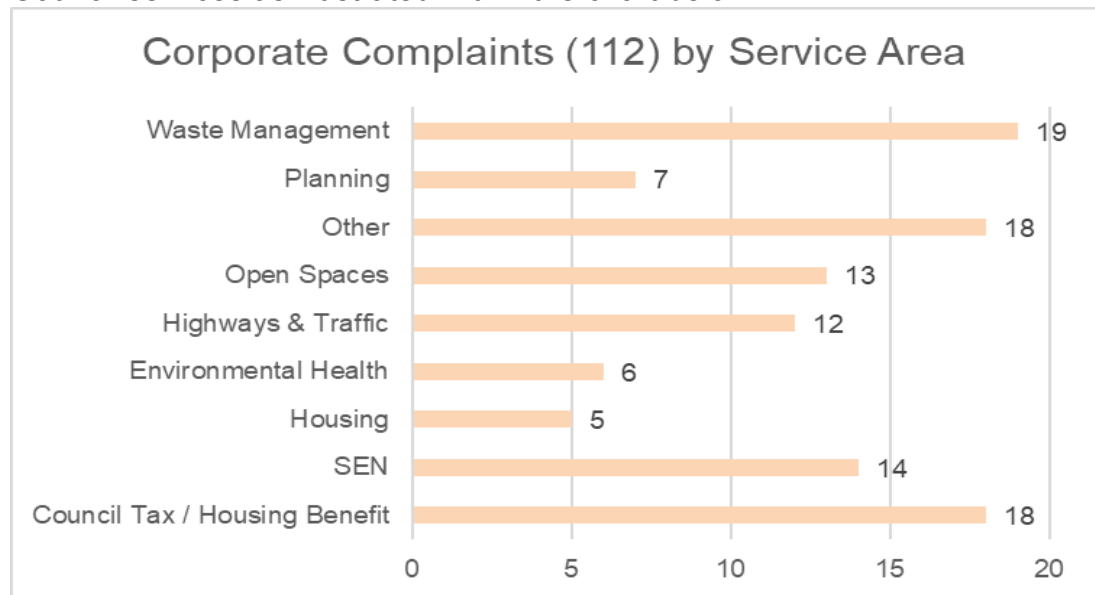
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A number of complaints were dealt with outside of the target timeframe and this primarily related to staffing availability and in some cases resulted from the complexity of the issue in hand and / or the need to review preceding communications between 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, complainants are advised in advance should it be likely that target timeframes will not be met.

4.10

The determination of target response timeframes remains discretionary, and it is the case that some local authorities choose to adopt longer timescales than those currently applied in Halton. However, in taking account of the continued capacity pressures being faced by the Council it is considered that the timeframes currently in place strike an appropriate balance between the availability of resources and the reasonable expectations of complainants.

The nature of corporate complaints received covered a relatively wide range of Council services as illustrated within the chart below.



4.1  
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The service areas of Waste Management; Council Tax / Housing Benefits; and Other areas; represented the highest number of complaints received during the year.

4.1  
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The table below provides an overview of the outcome of complaints that were received during 2022 – 23.

Corporate Complaint Outcome 2022-2023				
112				
Outcome	% of Stage 1		% of Stage 2	
Complaints Upheld	49	49%	3	25%
Complaints Partially Upheld	4	4%	1	8%
Complaints Not Upheld	47	47%	8	67%
Undetermined	0	0%	0	0%
<b>TOTAL</b>	<b>100</b>		<b>12</b>	

4.1  
3

In a small number of cases it was not possible for the Council to retrospectively determine what events may have occurred. For example, complaints concerning the alleged behaviour of staff, or the nature of interactions between two parties, where the Council has no objective means of corroborating either party's recollection of events. In such circumstances, the Council provides an appropriate explanation of the circumstances and, where relevant, would apologise for any injured feelings that the complainant had experienced.

4.1  
4

As can be seen from the table above, 49% of complaints were upheld at stage 1. This would seem to suggest that service managers are not dismissive of complainants or consider complaints in a defensive manner but rather that they recognise and are willing to acknowledge, where service provision may

have fallen below an acceptable standard and act to put things right.

4.1 A smaller number of complaints that were considered at stage 2 were upheld  
5 or partially upheld. This would seem to provide assurance that the actions  
5 taken at a service level had been proportionate and appropriate to the  
5 circumstances.

4.1 In all cases where a complaint was not upheld at stage 1, the Council  
6 explained the reasons for its position and confirmed that should they remain  
6 dissatisfied the complainant could request that matters be escalated to stage 2  
6 of the complaints procedure.

Those complaints that were upheld were not confined to any specific service  
area and broadly reflected the categorisations of complaints as detailed earlier  
in this report.

4.1 In all cases where a complaint was upheld or partially upheld, the Council  
7 offered an apology and took action to remedy the situation and where possible  
7 provide a suitable form of redress.

4.1 An analysis of the complaints received during the course of the year does not  
8 indicate that any one service is disproportionately represented, and this  
8 provides assurance that there have been no systemic weaknesses within  
8 existing procedures and the ongoing delivery of services across the  
8 organisation.

4.1 **LOCAL GOVERNMENT OMBUDSMAN COMPLAINTS**  
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The following table provides a summary of the numbers of complaints and  
enquiries that were received by the Local Government and Social Care  
Ombudsman during 2022 – 23.

5.0

<b>LGO Complaints 2022 - 2023</b>			
<b>22</b>			
<b>Service Area Split</b>		<b>Upheld</b>	<b>Not Upheld</b>
Housing Solutions	3		3
Planning and Development	3	1	2
Environmental Services & Public Protection & Regulation	2		2
Corporate & Other Services	2		2
Highways & Transport	2		2
Education & Childrens Services	3	2	1
Adults Care Services	6	1	5
Other	1		1
<b>Total</b>	<b>22</b>	<b>4</b>	<b>18</b>

5.1

The LGO has recently consulted in a Joint Complaint Handling Code which  
sets out requirements for organisations to respond to complaints. The purpose

of the Code is to enable organisations to resolve complaints raised by individuals quickly, and to use the data and learning from complaints to drive service improvements. As yet there is not date for its implementation. Organisations will be asked to self-assess against the Code annually on a 'comply or explain' basis and publish this on their website. Where an organisation is unable to comply with the Code when dealing with an individual complaint, the individual must be provided with a suitable explanation and signposted to the relevant Ombudsman.

5.2 Non-compliance with the Code could result in the relevant Ombudsman taking further action. The Local Government and Social Care Ombudsman may consider failure to comply with the Code as maladministration or service failure.

5.3 The Code applies to all local authorities in England, as well as other specified bodies but does not replace the Children's and Adults statutory complaint processes.

5.4 An assessment of the Council's current procedure against the Code will be undertaken in early 2024.

## **POLICY IMPLICATIONS**

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

## **6.0**

### **6.1**

## **7.0 OTHER IMPLICATIONS**

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

## **8.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

### **8.1 Children & Young People in Halton**

None.

### **8.2 Employment, Learning & Skills in Halton**

None.

**8.3 A Healthy Halton**

None.

**8.4 A Safer Halton**

None.

**8.5 Halton's Urban Renewal**

None.

**9.0 RISK ANALYSIS**

- 9.1 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.

**10. EQUALITY AND DIVERSITY ISSUES**

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- 10.1 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 underrepresented by age, gender, disability etc. which suggests that the complaints process remains accessible on an equitable basis.

**11. CLIMATE CHANGE IMPLICATIONS**

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None.

**12. LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

**0**

None under the meaning of the Act.

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