

# Annual Report on Complaints

Report of the Head of Strategy and Innovation

## Recommended:

**That the annual report be considered and endorsed.**

### SUMMARY:

- The Chief Executive and Services together dealt with 82 complaints under the Council's formal procedure, in the year 2020/21.
- The Local Government and Social Care Ombudsman (LGSCO) made preliminary enquiries about 7 complaints relating to TVBC and began an investigation into 5 of these for the year ended 31 March 2021.

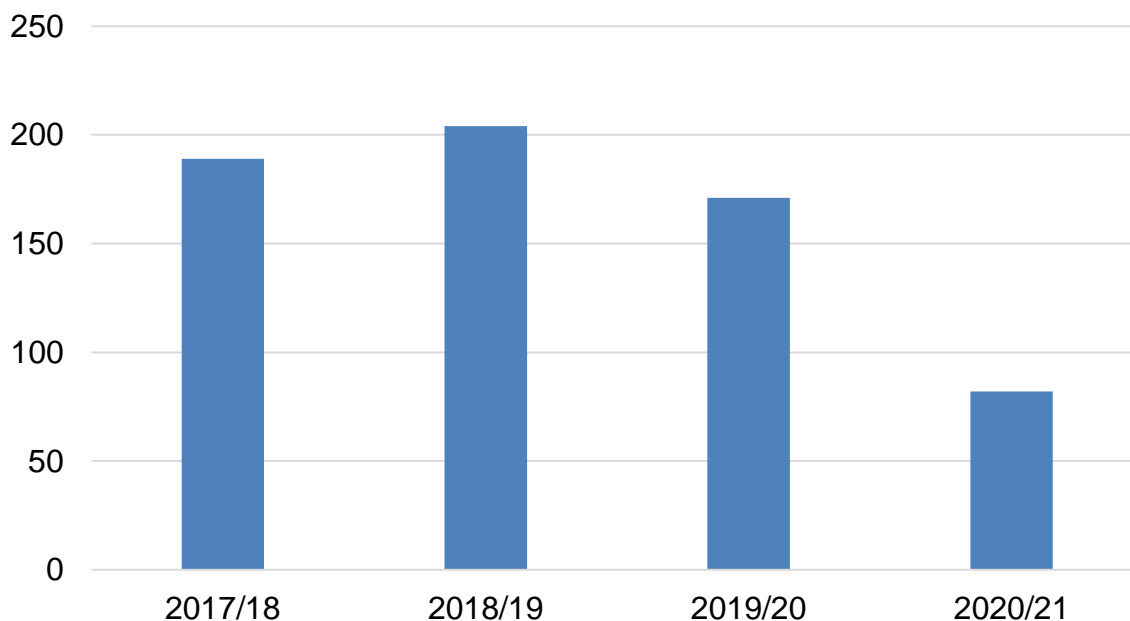
## 1 Background

- 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 2020 to 31 March 2021).
- 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 2020/21

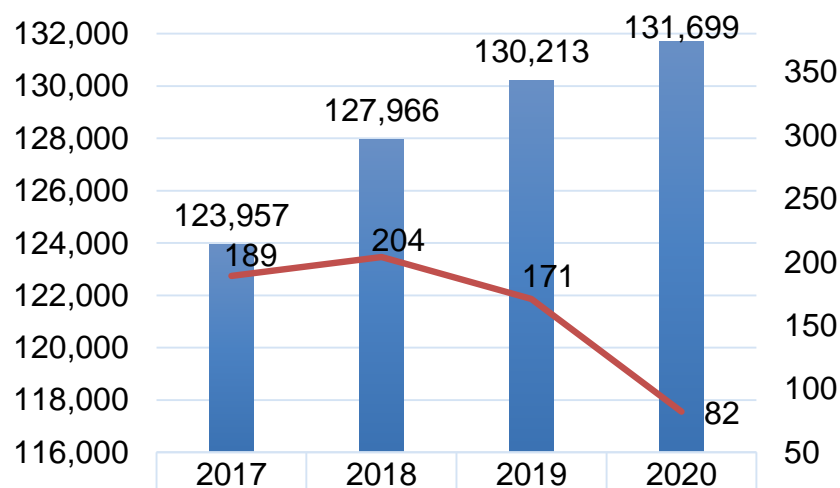
- 2.1 In the year 2020/21 there were 82 service level complaints (those dealt with by more than one service at the same time are counted as one complaint). From these 82 complaints, 6 were escalated to the Chief Executive and 7 were the subject of LGSCO enquiries.
- 2.2 This year sees a decrease of 89 complaints against the number received in the previous year (171 in 2020/21).

### Total number of complaints 2017 - 2021



The number of complaints decreased significantly this year after a slight decrease last year. The numbers show a sharp drop after remaining relatively stable for a number of years. It is not clear what has caused this, however, it is possibly attributed to the timing of the Covid-19 pandemic and UK lockdowns: the first was implemented from March – June 2020, a second in November 2020 and a third from December 2020 – March 2021. This sharp drop is reflected despite population growth in the borough as shown below:

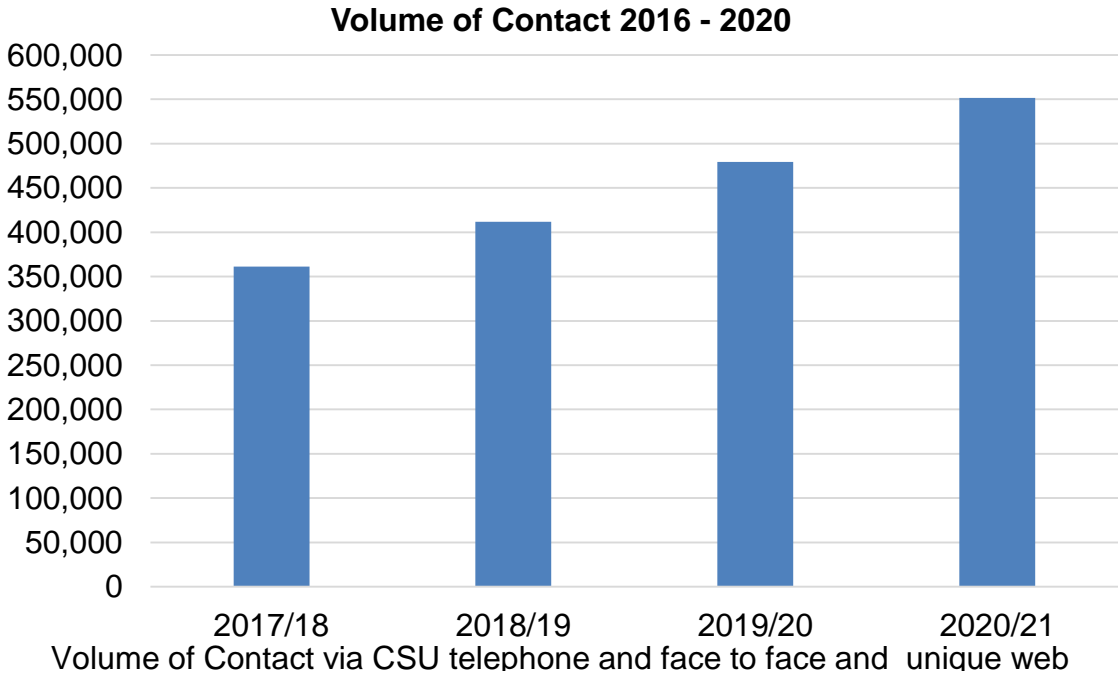
### The total estimated population of Test Valley compared to the total number of complaints received by Test Valley Borough Council (2017-2019)



|   |         |         |         |         |
|---|---------|---------|---------|---------|
| Mid year population estimates for Test Valley | 123,957 | 127,966 | 130,213 | 131,699 |
| Total complaints per year                     | 189     | 204     | 171     | 82      |

- 2.2 Customer Service unit figures for the year indicate that they received 71,205 telephone calls, which has decreased from 76,799 the previous year. However, the number of calls does appear to be decreasing when we compare our monthly 2020 figures with monthly call figures for 2021. The number of face to face contacts for the year was 992, a decrease from 11,671 the previous year, most likely caused by the impact of the Covid-19 pandemic. There was an increase in email contacts, 8,110 in compared to 5,924 in the previous year.
- 2.3 The website received 479,351 unique visitors for 2020/21. 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 894,170 sessions for 2020/21. This has increased by 23% from 722,500 sessions in 2019/20.

Although the number of telephone contacts has decreased slightly from last year, we have seen a further reduction in the number of face to face contacts. This can be attributed to a number of factors such as the availability of self-serve processes, however this is most likely attributed to the impact of the Covid-19 pandemic. There has subsequently been a significant rise in the number of website visitors showing the overall contact levels as an increase on previous years.



- 2.4 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 0.1% of overall transactions and this falls well within these industry standards.

2.5

| <b>Stage of complaints process</b>         | <b>Number of complaints</b>                     |
|--|---|
| Service level                              | 82  |
| Chief Executive escalations                | 6 (from the 82 above)                           |
| Local Government and Social Care Ombudsman | 7 (the LGSCO went on to investigate 5 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 Senior Policy 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:

| <b>Service</b>                                    | <b>Number of complaints</b> | <b>As a % overall</b> | <b>Compliments</b> |
|---|-----------------------------|-----------------------|--------------------|
| <b>Environmental</b>                              | 26                          | 31.7                  | 94                 |
| <b>Planning and Building</b>                      | 22                          | 26.8                  | 7                  |
| <b>Property and Asset Management</b>              | 4                           | 4.9                   | TBC                |
| <b>Finance &amp; Revenues</b>                     | 11                          | 13.4                  | 2                  |
| <b>Community and Leisure</b>                      | 6                           | 7.3                   | 0                  |
| <b>Housing and Environmental Health</b>           | 9                           | 11                    | 11                 |
| <b>IT</b>   | 0                           | 0                     | Not logged         |
| <b>Legal and Democratic</b>                       | 2                           | 2.4                   | Not logged         |
| <b>Chief Executive</b>                            | 1                           | 1.2                   | Not logged         |
| <b>Planning Policy &amp; Economic Development</b> | 0                           | 0                     | Not logged         |

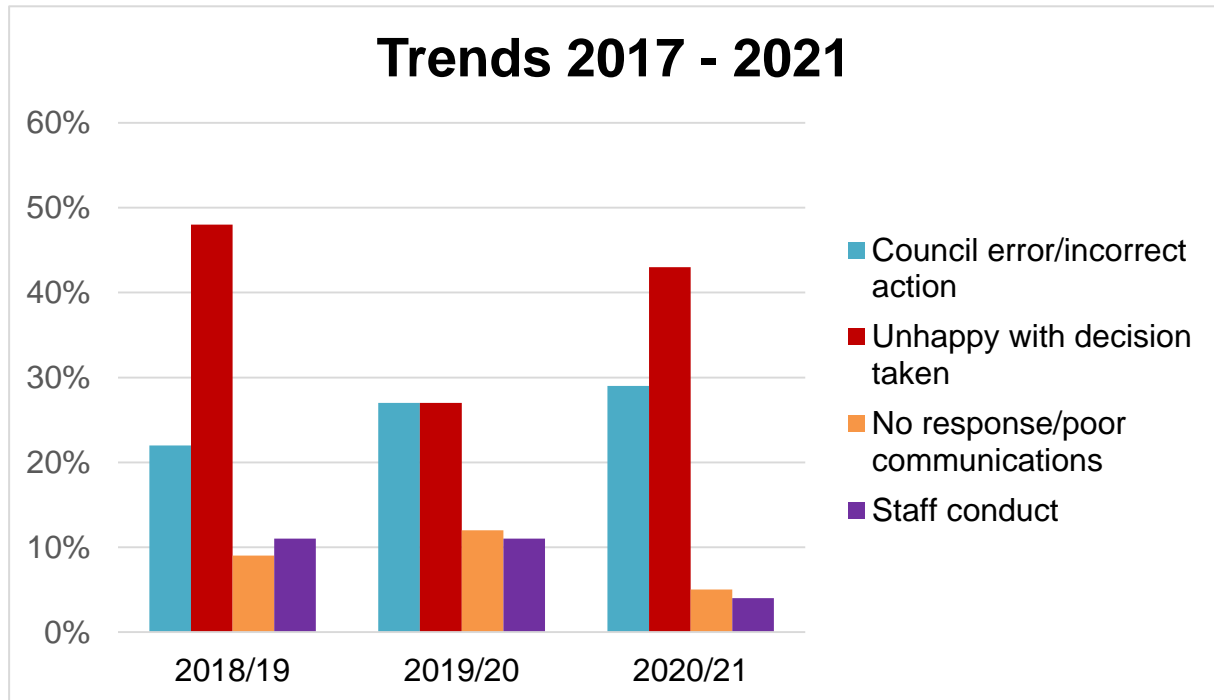
|   |   |     |            |
|---|---|-----|------------|
| <b>Strategy &amp; Innovation</b>                            | 0 | 0   | Not logged |
| <b>Multi-service</b>  | 1 | 1.2 | n/a        |
| <b>CEX escalations from the 82 service level complaints</b> | 6 | 7.3 | n/a        |

- 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 2020/21, the Environmental Service provided waste and recycling collections to around 56,709 properties within Test Valley each week. This totals around 2,948,868 collections a year. Using this example, the number of complaints received equates to just 0.0008 per cent of collections alone.
- 2.10 In 2021/21, the Planning and Building Service dealt with 3,767 planning related matters, comprising of 1,225 planning applications, 408 pre-app enquiries, 698 condition discharge applications, 813 tree applications and 621 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 0.6% 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: | <b>Percentage*</b> |
| <b>Type of complaint</b>   |                    |
| Council error/incorrect action   | 29                 |
| Unhappy with decision/action taken by Council  | 43                 |
| Staff conduct  | 5                  |

|   |    |
|---|----|
| No response received/poor communication | 4  |
| Other                                   | 20 |

\*Figures have been rounded to the nearest whole figure.



### 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 6 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 7) 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 202/21 include:
- Ensuring continuity in communication for ongoing complaints and keeping the complainant informed on updates.
  - Ensure that all relevant parties are kept informed of progress on planning applications.

- Staff supported to raise awareness of how to handle sensitive and confidential matters.
- Updated the guidance on grants for business rates.

#### **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 70% of service complaints, equal to 53 out of 76 complaints at this level, processed in the year 2020/21.
- 4.2 When a complaint is escalated to stage 2, the Chief Executive has 15 working days to respond. This standard was met in 33% of escalated complaints with 2 out of 6 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 8. Annex 9 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 2020/21 the Council received 7 initial complaint enquiries from the LGSCO of which the LGSCO opted to investigate 5.

| <b>INVESTIGATED</b> |   |   |                      |
|---------------------|---|---|----------------------|
| <b>Date</b>         | <b>Subject Matter</b>   | <b>Action Taken</b>   | <b>LGSCO outcome</b> |
| <b>26-May-20</b>    | Erection of 4 dwellings - felt that the council failed to follow a fair and transparent process in deciding a planning application on a neighbouring development. | Explanation and clarification given on the planning application process.<br>Reassurance that a fair and transparent process was followed. | No fault             |

|                         |   |  |                            |
|-------------------------|---|--|----------------------------|
| <b>27-May-20</b>        | Felt that the Council failed, when deciding a planning application for a neighbouring development, to properly consider its impact on complainant's amenities - privacy, overbearing, and causes light pollution.   | Explanation and clarification given on planning application process. Officer's report reviewed to ensure that the effect of the development upon existing residents was taken adequately into account. | Fault causing no injustice |
| <b>15-Oct-19</b>        | Dissatisfaction with the way a planning application was handled.  | Explanation and clarification give on planning application process. Process and conduct throughout this application reviewed and upheld.   | No fault                   |
| <b>28-Aug-21</b>        | Historical complaint referred to the LGSCO for the 3rd time. Part of one initial complaint split into two parts by the LGSCO.<br>Remains unhappy with the Council's response regarding a previous complaint about the enforcement of a high hedge notice. | Remedial works undertaken to hedge prior to and following ombudsman decision   | No fault                   |
| <b>28-Aug-21</b>        | Historical complaint referred to the LGSCO for the 3rd time. Part of one initial complaint split into two parts by the LGSCO.<br>Remains unhappy with the Council's response regarding a previous complaints about rodents in the neighbouring property.  | Explanation given, insufficient evidence to warrant further action regarding rodents.  | Fault causing injustice    |
| <b>NOT INVESTIGATED</b> |   |  |                            |
| <b>Date</b>             | <b>Subject Matter</b>   | <b>Action Taken</b>  | <b>LGSCO Outcome</b>       |
| <b>07-Aug-20</b>        | Unhappy with planning approval for a development which resulted in their property being overlooked.   | Referred to Ombudsman who declined to investigate.   | Declined to investigate    |
| <b>01-Oct-21</b>        | Perceived failure to maintain pipes on TVBC land subsequently impacting a resident's home.  | Referred to Ombudsman who declined to investigate.   | Declined to investigate    |

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 2020/21 and therefore we can only benchmark against the number of complaints upheld. However, this is the most relevant when comparing performance.

| <b>Authority name</b>                | <b>Total complaints assessed</b> | <b>Decision: Complaint not upheld</b> | <b>Decision: Complaint upheld</b> |
|--------------------------------------|----------------------------------|---------------------------------------|-----------------------------------|
| <b>Test Valley Borough Council</b>   | <b>7</b>                         | <b>1</b>                              | <b>2</b>                          |
| Ashford Borough Council              | No longer published              | No longer published                   | 0                                 |
| East Hampshire District Council      | No longer published              | No longer published                   | 0                                 |
| South Oxfordshire District Council   | No longer published              | No longer published                   | 0                                 |
| Vale of White Horse District Council | No longer published              | No longer published                   | 1                                 |

## **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 significantly decreased this year, after a small decrease last year, a slight increase in 2018/19 and a largely static previous three years. It is assumed that the impact of the Covid-19 pandemic has The number of complaints escalated to the Chief Executive has also decreased from 11 in 2019/20 to 6 in 2020/21. 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 Senior Policy 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 2020/21.

|  |  |       |                 |
|--|--|-------|-----------------|
| <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. |  |       |                 |
| No of Annexes:   | 9  |       |                 |
|  | Annex 1: Annual report on complaints – Community and Leisure   |       |                 |
|  | Annex 2: Annual report on complaints – Environmental Services  |       |                 |
|  | Annex 3: Annual report on complaints – Housing and Environmental Health                                    |       |                 |
|  | Annex 4: Annual report on complaints – Planning & Building   |       |                 |
|  | Annex 5: Annual report on complaints – Property and Asset Management                                       |       |                 |
|  | Annex 6: Annual report on complaints – Finance & Revenues  |       |                 |
|  | Annex 7: Annual report on complaints – Chief Executive’s Service   |       |                 |
|  | Annex 8: Annual report on complaints – LGSCO annual review letter  |       |                 |
|  | Annex 9: Annual report on complaints – LGSCO annual complaints letter – interpreting LGSCO complaints data |       |                 |
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| File Ref:  |  |       |                 |
| Report to:   | Overview and Scrutiny Committee  | Date: | 3 November 2021 |