

Test Valley Borough Council Annual Report on Complaints 2021/22

Report of the Head of Strategy and Innovation

Recommended:

That the Annual Report on Complaints 2021/22 be endorsed.

SUMMARY:

- The Chief Executive and Services together dealt with 112 complaints under the Council's formal procedure, in the year 2021/22.
- The Local Government and Social Care Ombudsman (LGSCO) made preliminary enquiries about nine complaints relating to TVBC and undertook an investigation into two of these for the year ending 31 March 2022.

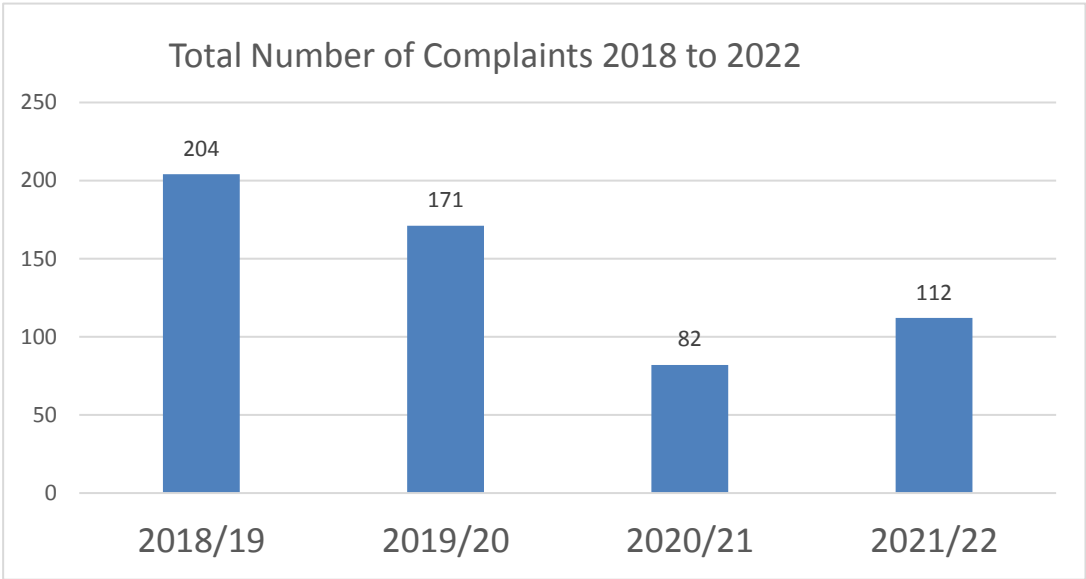
1 Background

- 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 complaints procedure (the year runs from 1 April 2021 to 31 March 2022).
- 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 2021/22

- 2.1 In the year 2021/22 there were 112 service level complaints (those dealt with by more than one service at the same time are counted as one complaint).
- 2.2 From these 112 complaints, 18 were escalated to the Chief Executive and nine were the subject of LGSCO enquiries, with two being investigated.

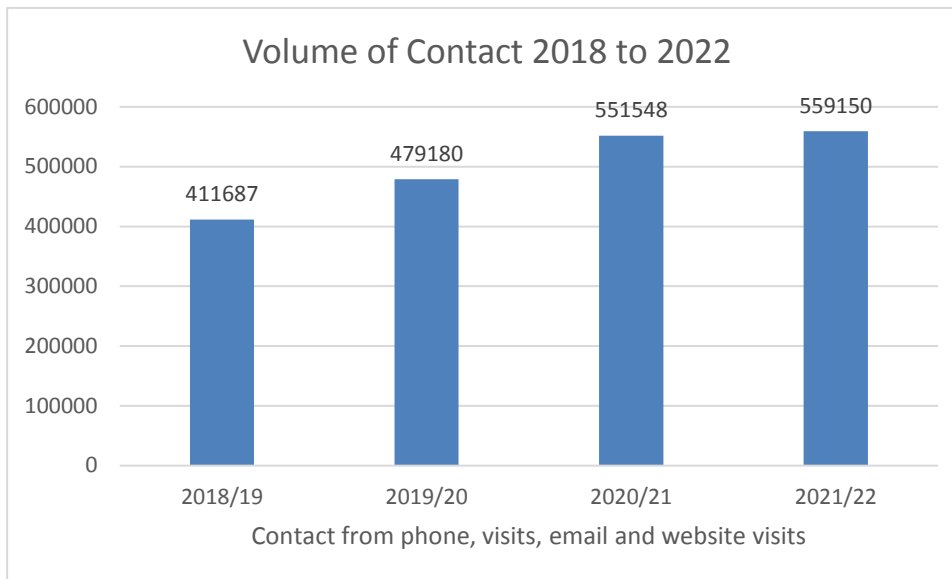
2.3 This year sees an increase of 30 complaints against the number received in the previous year (82 in 2020/21).



2.4 The number of complaints has increased this year, following a significant decrease in the previous year, which is likely to be attributed to the impact of the Covid-19 pandemic and UK lockdowns: the first lockdown was implemented from March – June 2020, a second in November 2020 and a third from December 2020 – March 2021. When placed in context with a population of almost 132,000, the 112 complaints represent a very small number of the population who have raised a complaint.

2.5 Customer Service Unit figures for the year indicate that they received 79,625 telephone calls, which has increased from 71,205 (an increase of almost 12%) against the previous year. The number of face-to-face contacts for the year was 3,357, a significant increase from the 992 in the previous year (a fourfold increase). However, it still remains significantly lower than the year prior to the pandemic, where 11,671 visits were made to CSU, again, attributed to the impact of the Covid-19 pandemic and lockdowns. There was a decrease in email contacts, 7,168 in 2021/22, compared to 8,110 in 2020/21.

2.6 The website received 469,000 unique visitors in the year (479,351 in 2020/21) (a unique visitor is an individual that uses the website). When combined with the number of contacts via the Customer Service Unit, the number of contacts with the council has increased by 1.4% in the year, as illustrated in the chart below.



2.7 The following table gives a breakdown of the number of complaints received. 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.

Stage of complaints process	Number of complaints
Service level (Stage One)	112
Chief Executive escalations (Stage Two)	18 (from the 112 above)
Local Government and Social Care Ombudsman	9 (the LGSCO went on to investigate two of these)

2.8 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 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.

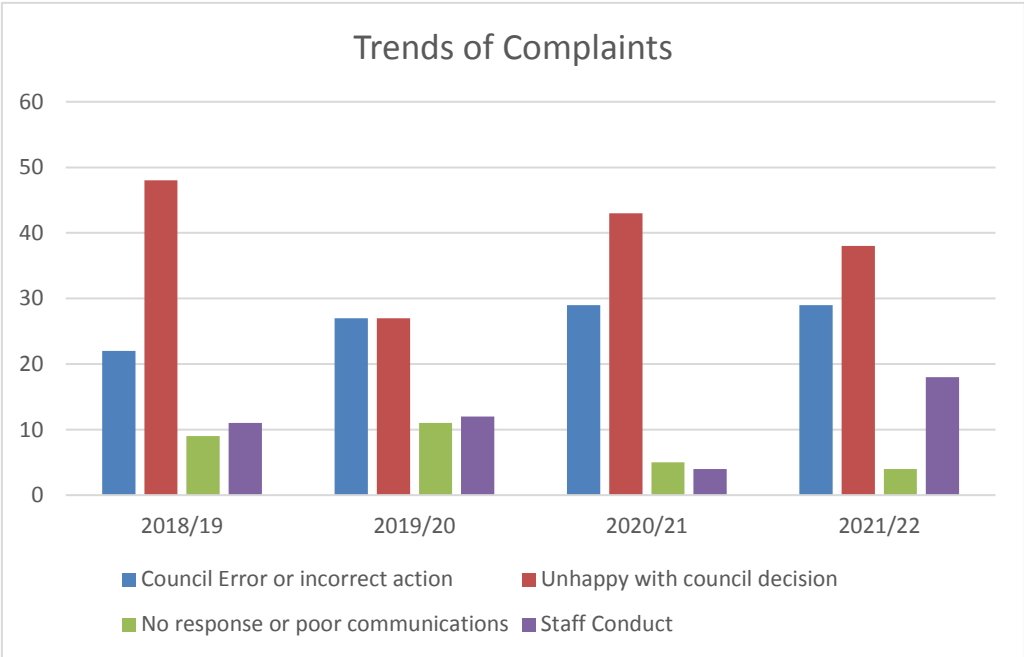
2.9 **Specific service considerations**

The number of complaints received can be broken down by service as follows:

Service	Number of complaints	As a % overall
Environmental Services	38	34
Planning and Building	25	22.3
Housing and Environmental Health	23	20.5
Finance & Revenues	10	8.9
Community and Leisure	7	6.3
Legal and Democratic	6	5.3
Property and Asset Management	3	2.7
IT	0	0
Strategy and Innovation	0	0
Planning Policy & Economic Development	0	0
IT	0	0
Chief Executive escalations from the 112 service level complaints	18	16.1

- 2.10 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 customers 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.
- 2.11 In addition, the council also receives positive feedback from residents and the mechanism for capturing and reporting on these is being developed for inclusion in future reports. Environmental Services received 77 positive comments in the year, and other services receive positive feedback and are putting in place measures to record this feedback. The volume of compliments or positive feedback received is often linked to the visibility of the service being provided, and 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.

- 2.12 Environmental Services 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 2021/22, Environmental Services provided waste and recycling collections to around 57,194 properties within Test Valley each week. This totals around 2,974,088 collections a year. Using this example, the number of complaints received equates to just 0.001 per cent of collections alone.
- 2.13 In 2021/22, the Planning and Building Service dealt with 4,472 planning related matters, comprising of 2,133 planning applications, 466 pre-app enquiries, 619 condition discharge applications, 704 tree applications and 550 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 0.5% of the work carried out.
- 2.14 An analysis of the root cause of complaints received has shown that the majority of complaints can be categorised into four main types below (council error, unhappy with a decision of the council, no response or poor communications and staff conduct). Staff conduct is often listed by the complainant as the issue, but when undertaking an investigation, the cause of the complaint might be more aligned with the complainant being dissatisfied with a decision made by the council, and therefore being unhappy with a council action rather than staff misconduct.



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 Examples of some of the learning points and improvements made as a result of complaints during 2021/22 include:
- Ensuring continuity in communication for ongoing complaints and keeping the complainant informed on updates.
 - Speaking directly to the complainant to establish an understanding of the nature of the complaint
 - Ensuring that all relevant parties are kept informed of progress on planning applications.
 - Supporting staff to raise awareness of how to handle sensitive and confidential matters.
 - Providing staff training
 - An awareness of the limitations of some IT systems and the need to check housing applications manually
- 3.3 Appendices A to G are reports that provide details on a selection of complaints within different services, where lessons learnt, or service improvements, have been implemented. The report on the complaints escalated to the Chief Executive (Annex 8) details every complaint that progressed to Stage Two of the complaints process.

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 76% of service complaints at Stage One (85 complaints), processed in the year 2021/22.
- 4.2 When a complaint is escalated to Stage Two, the Chief Executive has 15 working days to respond. This standard was met in 55% of escalated complaints (ten of the eighteen complaints). 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 2021/22 the Council received nine initial complaint enquiries from the LGSCO, of which the LGSCO opted to investigate two.

INVESTIGATED			
Date	Subject Matter	Action Taken	LGSCO Outcome
07/12/21	A complaint about the process to complain about and investigate complaints about councillors. Councillor dissatisfied with the way in which complaints made about himself, and by himself, have been handled.	LGSCO decision was that the council was not biased or discriminatory and that the council followed due process. However, the LGSCO found that the process took too long, and that action should be taken to review the reasons for the delay and identify what improvements can be implemented.	Partially upheld. For TVBC to put in place remedies to improve the process
28/01/22	Housing register application	LGSCO decision stated that the Council has now added the resident to the housing register and backdated his registration date. As such, they propose to discontinue their investigation as they are unlikely to achieve anything further.	Initial investigation was discontinued as remedy sought by the TVBC.

NOT INVESTIGATED			
Date	Subject Matter	Action Taken	LGSCO outcome
06/04/21	Planning and Building Complaint about the way the Council considered a planning application.	Was not investigated as no significant personal injustice to warrant an investigation	No Investigation
Aug 21	Housing and Environmental Health Noise complaint against a supermarket	LGSCO decided not to proceed with their investigation. Council have agreed to continue to communicate with resident through an advocate if desired	No Investigation

NOT INVESTIGATED			
Date	Subject Matter	Action Taken	LGSCO outcome
09/12/21	Planning and Building Complaint about planning permission being granted.	LGSCO did not investigate as complaint does not meet the test in assessment code, and no significant injustice, and cannot investigate complaints about a parish council	No Investigation
22/12/21	Planning and Building No enforcement action taken on a particular development. Wants hard standing removed and trees reinstated	No error in Council decision, responded to complainant	No Investigation
06/01/22	Planning and Development Complaint received by the LGSCO, complainant asked for their information not to be shared.	LGSCO received a 'Planning and Development' Complaint about TVBC that they have not decided to take no further action following initial enquiries. They are treating the details as confidential but informed us for statistical purposes.	No Investigation
08/03/22	Housing and Environmental Health Complaint regarding HHC application and priority banding.	Was not investigated by LGSCO as the complaint was withdrawn by the resident.	Withdrawn
09/03/22	Housing complaint - Unhappy with advice given about Housing Register eligibility which they claim influence their decision to sell their house	LGSCO decided not to investigate because there is insufficient evidence of fault by the Council, and it is unlikely they could add to the Council's response. In addition, there is insufficient evidence of injustice	No Investigation

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 benchmark.

6.4 The LGSCO has published the total number of complaints assessed for each authority, as illustrated below:

Authority name	Total complaints assessed	Decision: Complaint not upheld	Not Investigated	Decision: Complaint upheld
Test Valley Borough Council	9	0	7	2
Ashford Borough Council	10	2	5	3
East Hampshire District Council	9	2	5	2
South Oxfordshire District Council	14	5	5	4
Vale of White Horse District Council	18	2	16	0

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 increased this year, but against a previous year which saw a significant drop in the number of complaints, largely due to the Covid 19 pandemic and lockdowns. The number of complaints has not yet reached the level it was at in 2019/20 and figures will be monitored next year to see if the volume of complaints returns to pre-covid levels.

8.2 The number of complaints escalated to the Chief Executive for further investigation has also increased from six in the previous year to 18 in 2021/22. The figure for 2020/21 has again been impacted by the Covid 19 pandemic. 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.

- 8.3 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.
- 8.4 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 effectively manage and resolve complaints.
- 8.5 The Committee is requested to consider the annual complaints report for 2021/22.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<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.			
Annexes	10		
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File Ref:	N/A		
Report to:	Audit Committee	Date:	12 December 2022