

CORPORATE AFFAIRS & LOCAL ECONOMY OVERVIEW & SCRUTINY PANEL – 17 NOVEMBER 2022

REVIEW OF COMPLAINTS 2021/22

1. RECOMMENDATIONS

- 1.1 That the report be noted;
- 1.2 That Service Managers and Executive Heads ensure that employees respond appropriately to customers who appear not to have received an expected standard of service from the Council;
- 1.3 That Service Managers and Executive Heads be reminded to review complaints about their services regularly, and to implement any learning from them.
- 1.4 That Service Managers and Executive Heads pass compliments/ positive feedback from members of the public to the Information Governance and Complaints Team.

2. INTRODUCTION

- 2.1 This report provides an overview of complaints received, and dealt with, by the Council's Complaints Team during the period 1 April 2021–31 March 2022. It includes those complaints which the Council is aware were made to the Local Government and Social Care Ombudsman and the Housing Ombudsmen (the Council is not always advised of complaints made direct to the Ombudsmen). Some comparisons with previous years are included.
- 2.2 This report also includes examples of some of the compliments/ positive feedback that have been received by Council officers during the period 1 April 2021–31 March 2022.

3. PROCEDURE AND RECORDING OF COMPLAINTS

- 3.1 The Council's Corporate Complaints Procedure can be found on the Council's [website](#). It provides that:
 - all complaints at stage 1 are dealt with by the relevant Service Manager;
 - if the complainant is not satisfied with the Service Manager's response, the complaint is dealt with at stage 2 by the relevant Executive Head; and
 - if the complainant remains dissatisfied, they may pursue their complaint to stage 3, when it is reviewed by the Executive Head of Governance and Housing on behalf of the Chief Executive.
- 3.2 A tiered approach to complaints is commonplace amongst other authorities and in line with Local Government and Social Care Ombudsman and Housing Ombudsman advice.

4. COMPLAINTS FOR 2021/22

4.1 Please see the following tables of information which all provide a breakdown of information for 2021/22 compared to 2020/21:

- **Appendix 1** - Complaints received by the Council
- **Appendix 2** - Complaints referred to the Local Government and Social Care or the Housing Ombudsman.
- **Appendix 3** – Complaints found to be justified locally and financial settlements.

4.2 Additionally, **Appendix 4** has been prepared to provide a visual representation of trends in relation to corporate complaints. This covers the years 2017/18, 2018/19, 2019/20, 2020/21 and 2021/22 with a comparison of the total number of complaints per year, together with a comparison between complaints by business area and findings locally for the years 2020/21 and 2020/21.

4.3 It will be noted that a total of 89 complaints were received and logged in 2021/22, compared with 73 in 2020/21, 78 in 2019/20, 97 in 2018/19 and 66 in 2017/18.

5. COMPLAINTS TO THE LOCAL GOVERNMENT AND SOCIAL CARE OR THE HOUSING OMBUDSMAN

5.1 On 20 July 2022, the Local Government and Social Care Ombudsman wrote to the Council with an annual review letter, providing statistical information regarding complaints received about the Council. The total number of Local Government and Social Care Ombudsman complaints recorded by the Council for 2021/22 was 12. Of those 12 only 4 were subject to detailed investigations and 2 complaints were upheld (50%). These were both regarding actions of the Council's Development Management Service and there were findings of maladministration and injustice. However, it should be noted in both instances, these findings did not relate to the substantive complaints, but aspects of how the complainant had been communicated with during the course of their contact with the Council. Further detail is provided in **Appendix 2**. The average number of complaints upheld in similar authorities was 51%.

5.2 The Ombudsman will generally not investigate a complaint unless the complainant has exhausted all stages of a Council's Corporate Complaints Procedure. However, there are instances where complainants contact the Ombudsman directly and, therefore, in **Appendix 1**, there are some examples where a complaint is being recorded as having progressed to the Ombudsman without being recorded as having progressed to Level 3 of the Council's Corporate Complaints Procedure.

5.3 For the year 2021/22 there was 1 complaint to the Housing Ombudsman. The outcome is still pending.

6. HOUSING OMBUDSMAN'S COMPLAINT HANDLING CODE

6.1 In July 2020 the Housing Ombudsman published a Complaint Handling Code ('the Code'). This Code was introduced to provide a high-level framework to support landlords in handling housing related complaints. One of the requirements of the Code is that landlords carry out regular self-assessments against it and take appropriate action to ensure that complaint handling is in line with the code. The Council's most recent self-assessment is published on the Council's [website](#) and included as **Appendix 5**.

6.2 The Housing Ombudsman conducted a review of the Code one year after it took

effect to strengthen and support a positive complaint handling culture. The changes took effect from 1 April 2022 and all landlords have until 1 October 2022 to become compliant. Officers have reviewed the Code and, having put in place new reporting mechanisms to the Tenants Involvement Group on complaints, the Council is fully compliant. The Council's assessment of compliance with the revised Code will be reported to members next year.

7. LEARNING FROM COMPLAINTS

- 7.1 It remains important for Services to review each complaint received and, where appropriate, to take action to avoid or to minimise complaints of a similar nature. As part of their initial responses to any complaints received, Service Managers are expected to address any underlying causes that might remove the reason for the complaint.
- 7.2 If complaints are escalated to Stage 2, the Executive Head will examine the reasons for the complaint and, if considered appropriate, ensure that changes in practices are put in place.
- 7.3 When undertaking stage 3 reviews or responding to complaints to an Ombudsman, the Executive Head of Governance and Housing will discuss the complaint with the relevant Service Manager and/or the appropriate Executive Head, and encourages actions or changes. If the matter is one which appears to affect other services as well, those services are involved.

8. COMPLIMENTS

- 8.1 The Information Governance and Complaints Team has asked Service Managers to pass on compliments and positive feedback that officers receive so that this can be logged and reported to Executive Heads and members.
- 8.2 It is important to recognise the good work that officers of the Council do, as well as identifying where improvements can be made. The Council's Chief Executive is supportive of this and has also encouraged Service Managers to pass this information on.
- 8.3 **Appendix 6** has been prepared with a summary of some of the positive feedback that was received in the financial year 2021/22. The Information Governance and Complaints Team intend to promote this further through contact with Service Managers, Corporate Communications, and the development of an online form that members of the public can be directed to.

9. CONCLUSIONS

- 9.1 The Council's Corporate Complaints Procedure continues to provide a robust system for investigating and resolving complaints.
- 9.2 It is important that all services of the Council accurately record complaints received and notify the Information Governance and Complaints Team so that proper records are maintained and action monitored.
- 9.3 The Ombudsman has upheld two complaints for the period 1 April 2021 to 31 March 2022. Both were regarding the Development Management Service.

For further information please contact:

Amanda Wilson
Information Governance and Complaints Manager
Tel: 023 8028 5306
Email: amanda.wilson@nfdc.gov.uk

or

Karen Grimes
Information Compliance and Complaints Officer
Legal Services
Tel: 023 8028 5301
Email: karen.grimes@nfdc.gov.uk

Background Papers:

Public documents and
exempt info