

RESOURCES AND TRANSFORMATION OVERVIEW & SCRUTINY PANEL – 16 NOVEMBER 2023

REVIEW OF COMPLAINTS 2022/23

1. RECOMMENDATIONS

- 1.1 That members note the contents of the report including the trends and total number of complaints;
- 1.2 That officers respond appropriately to customers who have not received the expected level of service and implement learning that has been identified.

2. INTRODUCTION

- 2.1 This report provides an overview of complaints received, and dealt with, by the Council's Information Governance and Complaints Team during the period 1 April 2022–31 March 2023. It also covers complaints where either the Local Government and Social Care or the Housing Ombudsman have been involved. 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 2022–31 March 2023.

3. PROCEDURE AND RECORDING OF COMPLAINTS

- 3.1 The Council's Corporate Complaints Procedure can be found on the Council's [website](#). The Council currently operates a 3 level complaints procedure, with the exception of complaints made by Council tenants about the Council as their landlord, where a 2 level complaints procedure is followed in accordance with the Housing Ombudsman's Complaint Handling Code.
- 3.2 For general corporate complaints:
 - A Level 1 complaint is 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 Level 2 by the Strategic Director or Assistant Director (in consultation with the Strategic Director); and
 - If the complainant remains dissatisfied, they may pursue their complaint to Level 3, where it is reviewed by the Strategic Director of Housing, Communities and Governance on behalf of the Chief Executive.
- 3.3 For housing corporate complaints (by Council tenants about the Council as their landlord):
 - A Level 1 complaint is dealt with by the relevant Service Manager (in consultation with the Assistant Director);and
 - If the complainant remains dissatisfied, they may pursue their complaint straight to Level 3, where it is reviewed by the Strategic Director of Housing,

Communities and Governance on behalf of the Chief Executive.

- 3.4 A tiered approach to complaints is commonplace amongst other authorities and in line with current Local Government and Social Care Ombudsman and Housing Ombudsman advice.

4. COMPLAINTS FOR 2022/23

- 4.1 Please see the following appendices which provide a breakdown of complaints information for 2022/23.

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

- 4.2 Additionally, **Appendix 4** has been prepared to provide a visual representation of trends in relation to corporate complaints. This covers the last 5 years with a comparison of the total number of complaints per year, together with a comparison between complaints by service area and findings locally for the years 2021/22 and 2022/23.

- 4.3 It will be noted that a total of 96 complaints were received and logged in 2022/23, compared with 89 in 2021/22, 73 in 2020/21, 78 in 2019/20 and 97 in 2018/19.

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

- 5.1 The Local Government and Social Care Ombudsman and the Housing 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 an Ombudsman directly without having exhausted the Council's complaints procedure and, therefore, in **Appendix 1**, there is an example where a complaint is being recorded as having started at the Ombudsman without being recorded as having progressed to Level 3. The Council is also not always made aware of every complaint or enquiry made to an Ombudsman.

- 5.2 On 19 July 2023, the Local Government and Social Care Ombudsman wrote to the Council with its annual review letter, providing statistical information regarding complaints received about the Council.

- 5.3 The Local Government and Social Care Ombudsman recorded the following for 2022/23:

- Complaints and enquiries received: 10
- Complaints decided: 12

- 5.4 Of the 12 complaints which were subject to a final decision, only four were subject to detailed investigations and, of those, two complaints were upheld (50%). These were both complaints related to the Council's Housing Options Service and one case resulted in injustice. However, it should be noted that the Council has taken steps to compensate the complainant and has complied with the Local Government and Social Care Ombudsman's recommendations in full. The average number of

complaints upheld in similar authorities was 59%.

5.5 For the year 2022/23 there was 1 decision made by the Housing Ombudsman. This related to the application of the Council's unreasonable complainant policy (contained within the Corporate Complaints Procedure). This decision was pending from the Housing Ombudsman for several months. This complaint was not upheld.

5.6 Further detail regarding decisions made by both the Local Government and Social Care Ombudsman and the Housing Ombudsman is provided in **Appendix 2**

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.

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 had until 1 October 2022 to become compliant. The Council's self-assessment was last updated in March 2023 and is published on the Council's [website](#).

6.3 Whilst this report covers the period 1 April 2022–31 March 2023, a recent development is that both the Housing Ombudsman and the Local Government and Social Care Ombudsman have launched a consultation on a proposed joint complaint handling code, with a view to such code coming into effect from 1 April 2024. In accordance with the recently enacted Social Housing (Regulation) Act 2023, the Code will also become a statutory requirement. Further updates on this, and any required changes to the Council's Corporate Complaints Procedure and practices will be reported to members next year.

7. LEARNING FROM COMPLAINTS

7.1 Learning from complaints received is a key outcome expected from the Council's complaint handling. 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.

7.2 Complaint responses should address underlying clauses and ensure changes to practices are put in place. Where identified changes and improvements relate to more than one service this should be actioned.

7.3 The Information Governance and Complaints Team assists managers with ensuring learning outcomes are implemented. The Team also stays informed on learning identified from other authorities and guidance issued from the Housing Ombudsman and the Local Government and Social Care Ombudsman to ensure that applicable best practice is shared with services.

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 Strategic Directors and members. A compliments inbox (compliments@nfdc.gov.uk) has also been set up to assist with this.

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 5** has been prepared with a summary of some of the positive feedback that was received in the financial year 2022/23. The Information Governance and Complaints Team will continue to promote this.

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 Local Government and Social Care Ombudsman has upheld two complaints for the period 1 April 2022 to 31 March 2023. Both were regarding the Housing Options Service. There have been no complaints upheld by the Housing Ombudsman during this period.

10. DATA PROTECTION/ FINANCIAL/ CRIME & DISORDER/ ENVIRONMENTAL/ EQUALITY AND DIVERSITY IMPLICATIONS

10.1 There are none directly arising from the report.

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Background Papers:

Public documents and
exempt info

NUMBER OF NEW COMPLAINTS BY SERVICE AREA 2022/23

Service	Complaints received	Progressed to level 3	Progressed to Ombudsman and Housing Ombudsman	Started at Ombudsman
Housing, Communities and Governance				
Information Governance and Complaints	0			
Legal	0			
Housing Options, Rents, Support and Private Sector Housing	18	8	4	
Housing- Maintenance	10	3		
Housing- Compliance and Asset Management	4			
Housing – Strategy & Development	2			
Housing – Estate Management and Community Support	10	3		1
Environmental and Regulation	6	2		
Democratic Services	0			
Corporate Resources and Transformation				
Human Resources	0			
Procurement	0			
ICT	0			
Revenues and Benefits	4	1		
Customer Services	1			
Finance	0			
Business Development and Elections	0			
Estates and Valuation	0			
Place, Operations and Sustainability				
Building Control	0			
Coastal	0			
Enforcement and Amenities	11	3	1	

Planning – Development Management and Enforcement	10	4	1	
Planning – Policy & Strategy	0		1	
Waste and Transport	13			
Grounds and Streetscene	7			
Total	96	24	7	

DECISIONS MADE BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN OR HOUSING OMBUDSMAN BY SERVICE AREA 2022/23

Local Government and Social Care Ombudsman

Service	Ombudsman	Details	Ombudsman's Decision
Housing Options	3	Complaint about the way in which the Council dealt with the complainant's homelessness and housing applications. The complaint also stated interim and temporary accommodation was unsuitable for the complainant's needs, along with delays and failure to manage their applications properly.	Not upheld: No fault
		Complaint regarding the advice given to the complainant by the Council about their entitlement to benefit support with their housing costs, and the accuracy of the information the Council submitted with their application for universal credit.	Upheld: Fault No Injustice The Ombudsman found fault as an incorrect figure was used in an internal affordability assessment. This fault did not cause the complainant any injustice. No fault was found regarding the submission of the universal credit claim.
		Complaint regarding the Council's handling of the complainant's request to be placed in accommodation closer to their support network following a change in their circumstances.	Upheld: Fault Injustice The Ombudsman found fault with the Council for failing to provide suitable alternative accommodation in a reasonable timeframe, following a change in complainant's circumstances which required a move of area. The complainant required a move as their support network had recently moved away. No fault was found regarding the size and condition of the property itself.

			<p>Recommended action:</p> <ul style="list-style-type: none"> • Apologise to complainant. • Pay £550 (£50 per month from February 2022 onwards) to reflect the time the complainant had been living in unsuitable temporary accommodation following the change in circumstances. • Continue to pay £50 per month for each month the complainant remains in their current accommodation (these payments will stop if they refuse an offer of suitable alternative accommodation). • Continue to explore whether there is any suitable alternative temporary accommodation for the complainant until they secure a permanent property. <p>Current position: Following the Ombudsman's decision, the Housing Service allocated a single point of contact to work with the complainant. In agreement with the complainant the Council committed to securing alternative accommodation. The complainant's circumstances have since changed again, and they have decided to remain in the current property. Officers are exploring some minor adaptations to the current home.</p>
Development Management (Planning)	1	The complainant stated that the Council should have required an area of public open space to be wheelchair accessible. They also complained that they were not allowed to speak about the issue at a meeting of the Council's cabinet.	<p>Not upheld: No maladministration.</p> <p>There was no fault in the way the Council made its decisions.</p>
Total	4		

Housing Ombudsman

Service	Housing Ombudsman	Details	Housing Ombudsman's Decision
Information Governance and Complaints	1	The complainant is complaining that they were previously classified as a persistent and unreasonable complainant.	Not upheld: No maladministration by the Council in respect of its decision to extend the resident's unreasonable complainant status.
Total	1		

NUMBER OF COMPLAINTS CONSIDERED JUSTIFIED OR PARTLY JUSTIFIED INTERNALLY - 2022/23

Service	Total Complaints	Total Justified or Partly Justified including delay in dealing with complaint	Further information	Financial settlements
Housing, Communities and Governance				
Information Governance and Complaints	0			
Legal	0			
Housing Options, Rents, Support and Private Sector Housing	18	3	Complaint regarding suitability and size of property of large family with complex additional needs. Property extension agreed to meet needs.	
			Complainant's personal belongings disposed of in error from temporary accommodation. Apology provided and procedures changed.	£6,000 comprising storage costs, printer/stationary costs/ overpayment of rent, hardship, and compensation for lost possessions.
			Complaint that workmanship on installation of wetroom related to disabled facilities grant was not properly inspected by the Council on completion. Apology provided.	£1,250 goodwill payment and payment towards repair costs.
Housing Maintenance	10	6	Complaint regarding property defects. Apology provided for delay and visit arranged to assess works required.	
			Complaint regarding response to concerns raised regarding damaged fence and fence subsequently failing causing damage to complainant's property. Apology provided.	£100 time and trouble payment.
			Complaint regarding refusal of minor works application. Application reassessed and permission granted.	

			Complaint about impact of Council installed light on complainant's property. Apology provided and light adjusted.	
			Delays experienced in identifying drainage issues and completion of disabled facility grants works. Apology provided and outstanding works completed.	
			Delay experienced in progressing work order for cracked glazing. Apology provided and outstanding works completed.	
Housing- Compliance and Asset Management	4	3	Complainant incorrectly advised kitchen would be replaced. Apology provided.	£275 time and trouble payment.
			Delay with identifying and repairing damp and mould issue at property. Apology provided.	£1,750 payment to reimburse decoration costs incurred by complainant and £1,250 for additional heating costs and inconvenience.
			Complaint regarding length of time to complete kitchen installation and disruption caused. Apology provided and contractor no longer instructed.	£100 goodwill payment.
Housing Strategy and Development	2	2	2 x Complaints about damage caused by contractor building works. Apology provided and contractor responding to complainants directly.	
Housing- Estate Management and Community Support	10	3	Complaint regarding handling of anti-social behavior complaints. Management move for tenant agreed based on circumstances of case.	
			Complaint regarding handling of complaints relating to condition and maintenance issues at neighbouring property. Maintenance issues addressed.	
			Complaint regarding response to rat infestation at property. Management move for tenant agreed to allow resolution of issue.	£1,055 payment for damage to personal possessions and £1,500 goodwill payment for time and trouble.
Environmental and Regulation	6	0		
Democratic Services	0			

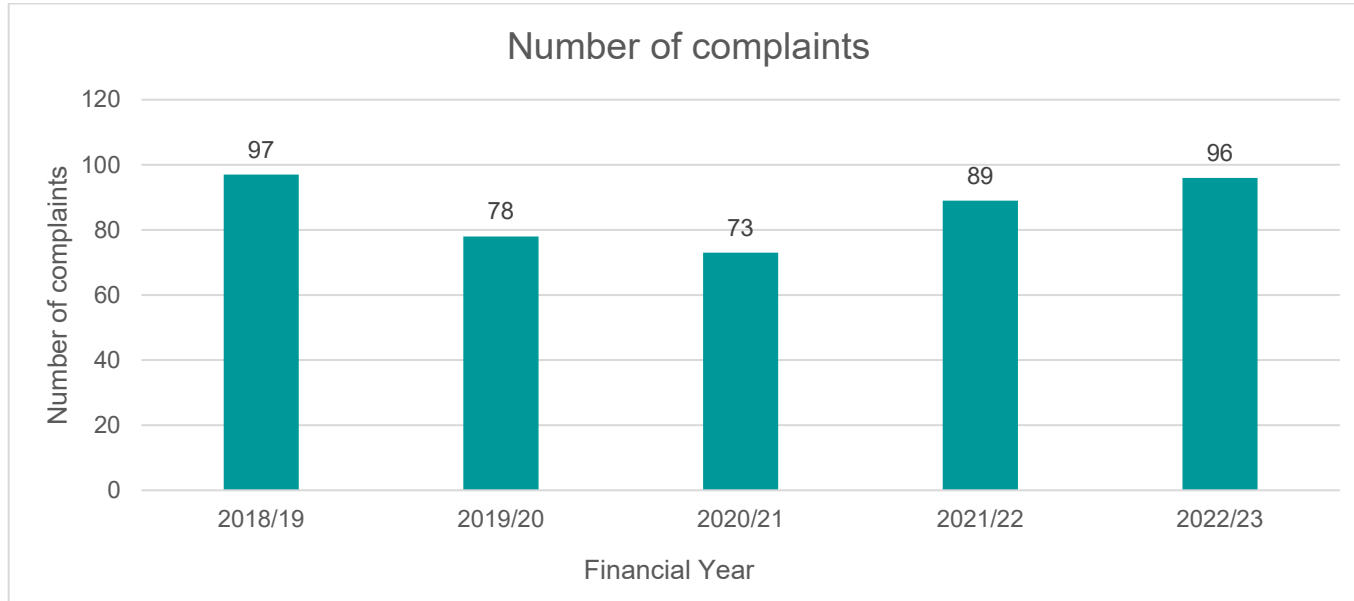
Corporate Resources and Transformation				
Human Resources	0			
Procurement	0			
Revenues and Benefits	4	2	Delay in paying community grant awarded. Apology provided, funding agreement issued and update to procedures.	
			Complaint regarding conduct of officer and delay with recognising formal complaint. Apology provided and request made for employees to refresh training.	
Customer Services	1	1	Complaint regarding delay in delivery of glass recycling box and conduct of officer. Apology provided and box delivered.	
Finance	0			
Business Development and Elections	0			
Estates and Valuation	0			
Place, Operations and Sustainability				
Building Control	0			
Coastal	0			
Enforcement and Amenities	11	8	Complaint regarding removal of posters for community event. Apology provided and procedures reviewed.	£250 payments to two community clubs for time and trouble and lost posters.
			Complaint regarding inconsistency of parking fines related to display of parking clock. Apology provided.	Fine waived.
			Complaint regarding action and conduct of officers relating to alleged abandoned vehicle. Apology provided and processes reviewed.	
			Complaint regarding removal of alleged abandoned vehicle from outside keeper's home. Vehicle returned, apology provided, and processes reviewed.	

			Complaint about issue of Fixed Penalty Notice for fly-tipping relating to household waste and conduct of officer during telephone call. Notice withdrawn and complainant advised of household waste timings.	
			Complaint regarding service relating to mooring and missing out on relevant communication allowing complainant to benefit from 10% discount to mooring fee. Apology provided.	10% refund on mooring fee given.
			Complaint about inconsistent communication. Apology provided.	
			Complaint about inconsistent communication. Apology provided and case reviewed.	
Planning – Development Management and Enforcement	10	1	Complaint regarding email address being published on planning website. Apology provided and checking processes updated.	
Planning – Policy & Strategy	0			
Waste and Transport	13	4	Complaint regarding driving of Council vehicle. Apology provided and investigation into incident.	
			Complaint regarding conduct of refuse operative damaging glass collection box. Apology and replacement box provided, waste collected and training to operative.	
			Complaint regarding multiple missed garden waste collections and lack of communication. Apology provided.	£5 goodwill payment
			Complaint that location used to pick up all refuse from street was outside complainant's property and previous requests not addressed. Apology provided and letter sent to all residents confirming correct collection location.	
Grounds and Streetscene	7	3	Complaint regarding former tenant's refuse not being collected following agreement. Apology provided, refuse removed and training to officers.	

			Complaint regarding responsiveness of corporate tree team to request to remove branches. Apology and explanation provided.	
			Complaint regarding responsiveness of corporate tree team regarding tree causing concern. Apology and explanation provided.	
Total	96	36		11

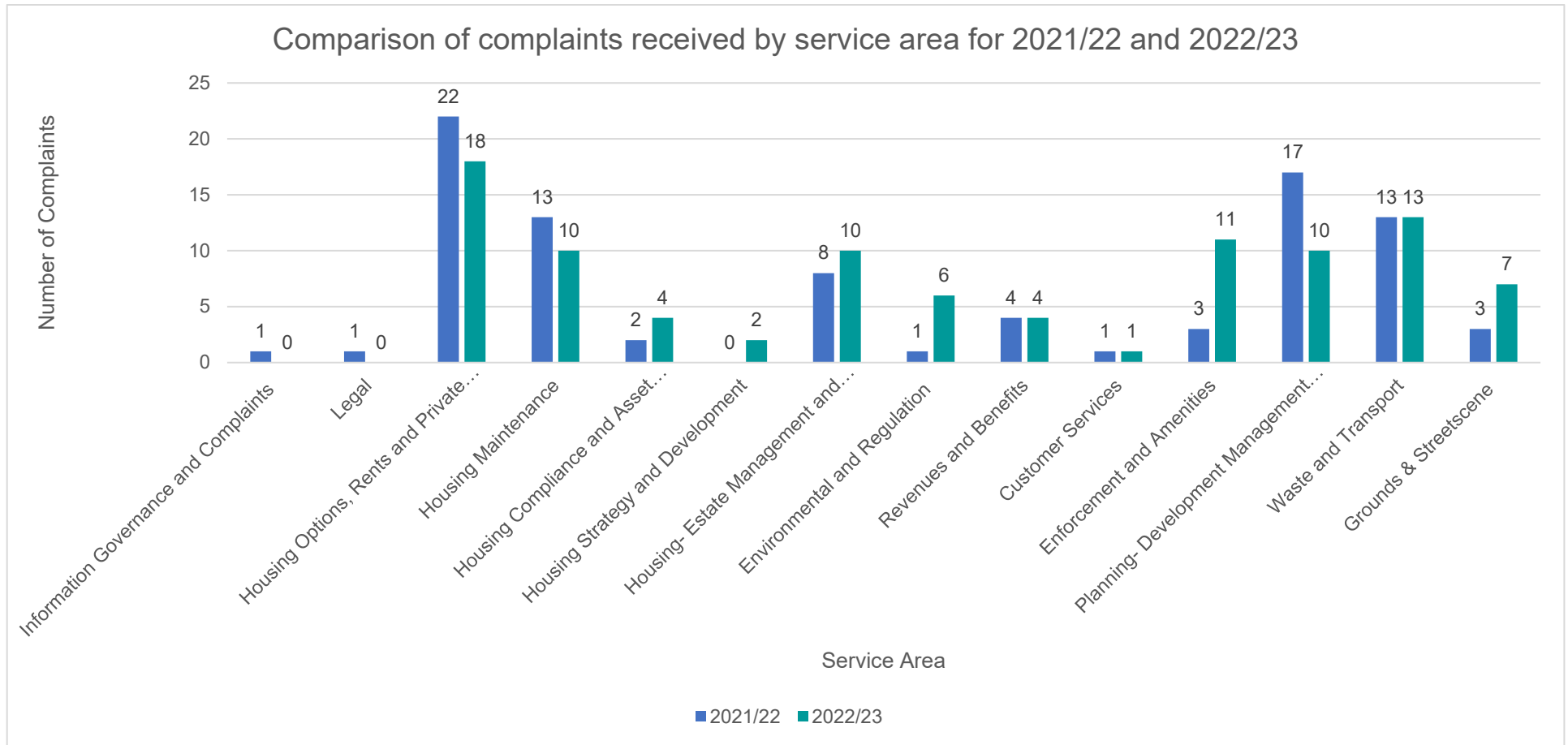
1. COMPARISON OF TOTAL NUMBER OF COMPLAINTS PER YEAR

Total number of complaints received 2018/2019, 2019/2020, 2020/2021, 2021/2022 and 2022/2023

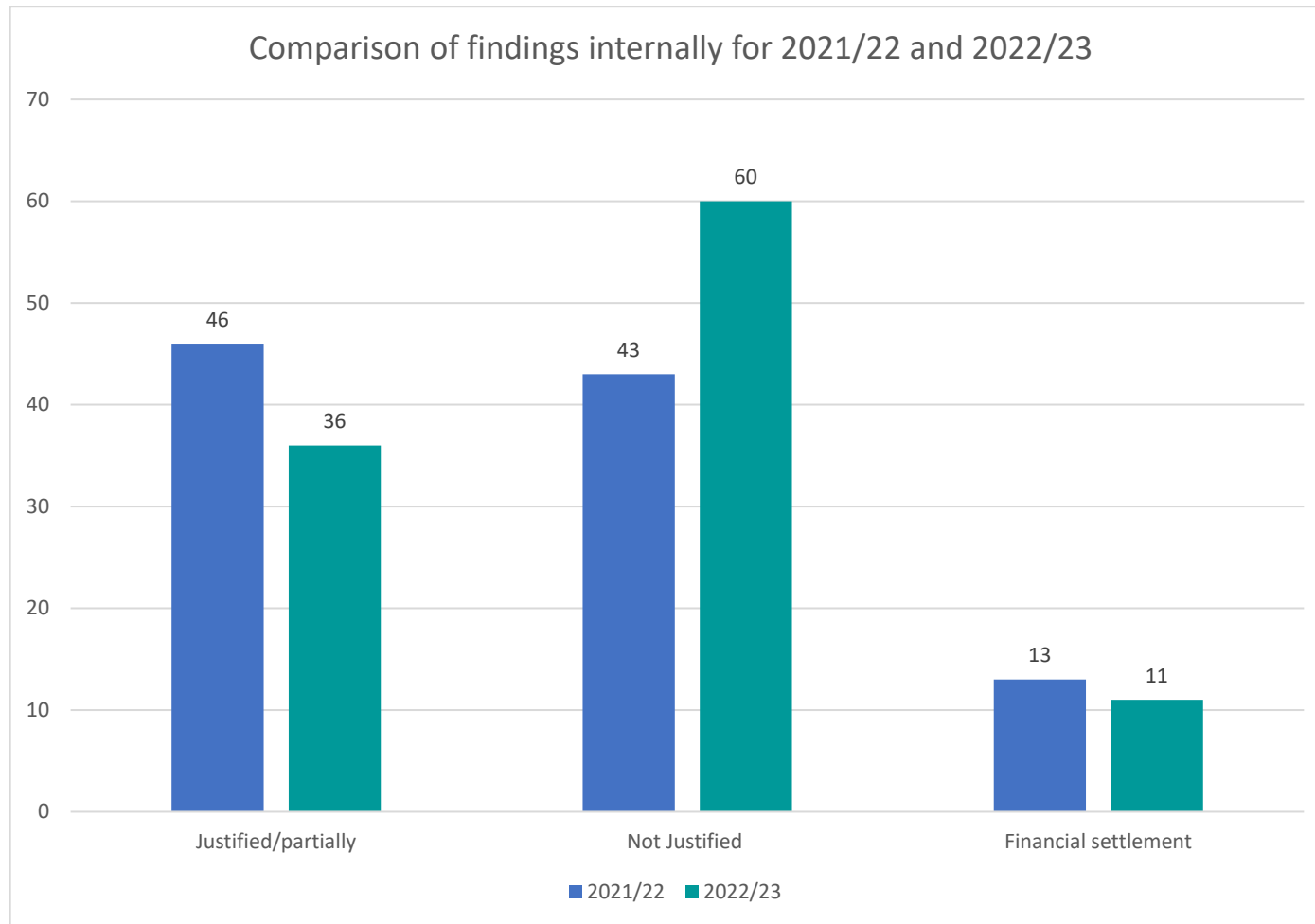


Total number of complaints received in 2022/2023 is 96, this is increase of 7.9% from 2021/2022 when there was 89.

2. COMPARISON OF COMPLAINTS RECEIVED BY SERVICE AREA FOR 2021/2022 AND 2022/2023



3. COMPARISON OF FINDINGS INTERNALLY FOR 2021/2022 AND 2022/2023



SUMMARY OF COMPLIMENTS/ POSITIVE FEEDBACK RECEIVED BY SERVICES FOR 2022/23

Below are quotes or summaries of some of the compliments/ positive feedback received for Council officers.

HOUSING OPTIONS, RENTS, SUPPORT AND PRIVATE SECTOR HOUSING

- “Thank for all your help and time looking at my case. It was very kind of you to try and help. I totally appreciate your decision”.
- “Thank you so much for all of your support and for supporting [Client name] allotment form. You really have been truly amazing!!”
- “Thank you to [Officer name] my family and I are infinitely grateful to you for your help in finding our new home. thank you for your financial support and for everything you have done for us! If it wasn't for the war in our country, we wouldn't have had to look for a new home and start all over again, but the country of Great Britain and its incredible people helped us start living a normal life again, and our children are safe and can study at school. for us, this is incredibly great support both from your side and from the side of the state! so please convey a big thank you from our whole family”
- “You really have been a fantastic help to me and I couldn't be more grateful for everything you have done. I appreciate it immensely- thank you every so much.”
- “Everything is looking so much better now already and it's nice to be able to breathe again”
- “Thank you for all your help [Officer name] it's been greatly appreciated more then you know.”
- “Many thanks for your care and attention”
- “I'm always happy to send you my gratitude and heartfelt regards”
- “Thank you received from external support services team- I wanted to pass on our sincere thanks for the work you have done with both of us in helping [Client name] get [their] life on the right path. We are extremely pleased to say that all referencing is now done, and a contract has been signed today. [Client name] moves in on [date] although it is a complete empty shell not even a curtain or mattress and [they] owns nothing other than the clothes on [their] back, that said and most importantly what it is for [Client name] is [their] very 1st front door that [they] is responsible for which is amazing, and I can't personally thank you enough. You have both been amazing and we felt it important to say so”

HOUSING MAINTENANCE

- “I just wanted to feed back my compliments to the men who came and fixed the trellis. They were polite/tidy/efficient and did a really good job.”
- “The new windows are brilliant the smaller window at the top is a brilliant idea. It has really helped me feel more secure and it's brilliant so I can't thank you enough absolutely perfect”
- “I would like to say a massive thank you for my bathroom”
- Thank you to NFDC plumber who attended replaced a radiator-he was polite, efficient and let the tenant know exactly what he was doing and Heating works much better now.
- “I would just like to express my thanks to you [Officer name] and the maintenance team for their work today. Every single trade turned up on time and ready to get the job done in a friendly and professional manner. Thankfully it certainly seems like the work carried out today has resolved the heating issues at last. Just thought that after all the negative emails back and forth with further issues, it was about time for some well deserved praise. Please pass on our thanks to those involved today despite the grumpy neighbours”

ESTATES MANAGEMENT & SUPPORT

- “Thank you again for your swift and prompt assistance with this”
- “I was feeling very overwhelmed by all this but you have made me feel better about it, just by listening to my needs. I really appreciate that! Thank you”
- “Thank you so much for your help, the food bank was amazing and had really taken lots of stress away. I cannot thank you enough, I'm so very grateful to you”
- “Thank you for your help and support recently [Officer name]. The new home is lovely”
- Regarding joint working with one of our partner agencies- “It has been a real pleasure to work with yourselves this last half a year or so”

COASTAL

- “The railings guys certainly work extremely well, the curve on the railings does make the huts look attractive”
- “May I also take this opportunity to thank you and the Team for the detailed update regarding the Milford on Sea Handrail Project. It provided answers to the many

questions relating to the project tender process, costing and development timelines etc. I wasn't keen on the idea but great job and very safe"

- "Thank you to the Coastal team for regular updates regarding the various projects affecting the Milford Beach huts- we know lots goes on behind the scenes to ensure we are happy hutters. The website is excellent."
- "I wish to convey my sincere thanks to your surveyors who were working at Hurst Spit, my wife fell and your team stopped and offered assistance for which we were very grateful"

PLANNING/ DEVELOPMENT CONTROL

- Compliments received from an agent to the department:

"I continue to tell my clients that your Planning department is the best to deal with. You are always efficient, reliable, and reasonable, and regularly send out decisions earlier than the due date.

Thank you for your help and also that from your colleagues. Please convey my good feedback to them.

You're the best Local Authority to deal with in the areas I deal with".

CCTV AND COMMUNITY ALARMS

- "I just wanted to get in touch to pass on my sincere thanks to you and your team. Especially [officer name] who was on the receiving end of the telephone. I got home after a very long day in a new role to find out that my lounge/ kitchen door completely jammed. I removed all of the door furniture, no luck getting in. I was particularly upset that I could not reach my medication which lives in my kitchen...The very calm and considerate [Officer name] handled me with kindness and quick decision making. Thank you so much to all that have helped me tonight".