



## Complaints: Annual Report 2022-23

Summary of Formal Complaints to Bassetlaw District Council – to year ended 31/3/23

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### 1. Purpose of the Report

The purpose of the report is to present a summary of the number and nature of complaints made to the Council between 1 April 2022 and 31 March 2023. The report also details the level of adherence to the Council's timescales for dealing with complaints and shows the method in which complaints were made to the Council.

### 2. Information and background

2.1 The Council has a 3-step procedure in place for complaint handling. Stage 1 of the procedure is for the appropriate Head of Service/Service Manager to respond to the complaint, escalating the complaint to stage 2 of the procedure ensures a review by the Council's Chief Executive is carried out and the final stage, is referral to the Local Government and Social Care Ombudsman (LGSCO) or Housing Ombudsman (HO).

2.2 Responding to stage 1 complaints within 15 working days is measured as a Local Corporate Performance Indicator (PI) with a target for 2022-23 of 80% of all stage 1 complaints to be responded to within 15 working days. The PI was achieved with 94% of all stage 1 complaints being responded to within 15 working days for the financial year.

### 3. Summary of complaints

3.1 During the period 1 April 2022 and 31 March 2023, there were 196 complaints received. This is slightly less than the 220 received for 2021-22. The Local Government Ombudsman 'Unprecedented Pressure' Report states, "*the COVID-19 pandemic has created unprecedented pressures for local authorities and care providers, requiring them to re-prioritise and re-design existing services whilst at the same time adopting new duties to support residents and local businesses through a time of national crisis*" (Former Ombudsman, Mick King Feb 2021).

3.2 Of the formal complaints received in 2022-23, 86% were made digitally by on-line form submission or by e-mail.

3.3 The breakdown figures for each service area are detailed below (2020-21 figures are included for comparison).

| Service Area       | 2022-23    | Service Area       | 2021-22    |
|--------------------|------------|--------------------|------------|
| Finance & Property | 30         | Finance & Property | 36         |
| Corporate Services | 9          | Corporate Services | 17         |
| Regeneration       | 15         | Regeneration       | 27         |
| Neighbourhoods     | 53         | Neighbourhoods     | 45         |
| Housing            | 89         | Housing            | 95         |
| <b>TOTAL</b>       | <b>196</b> | <b>TOTAL</b>       | <b>220</b> |

3.4 Customers can complain in a variety of ways to enable accessibility of the process to all. The financial year analysis shows us that 86% of customers' preferred way of getting in touch to make a complaint is by utilising the digital approach, the vast majority using the Council's web-site on-line form submission, or by e-mail.

3.5 The remainder chose to telephone us or write a letter to the service or Chief Executive's office. There were also 2 referrals from the Ombudsman and 2 face to face complaints made.

3.6 The agreed timescales for responding to complaints for all stages of the complaints procedure are set out below with reference to days being "working" days.

3.7 Stage 1 complaints: responded to by the Head of Service/Service Manager, during 2022-23, 184 out of the 196 were responded to within 15 working day, ie, 94% of all complaints.

3.8 Stage 2 complaints: review and response by the Council's Chief Executive; there were 25 stage 2 complaints for the financial year, compared to 18 for the previous year in 2021-22. Out of the 25 complaints reviewed, all but two complaints were responded to within 15 working days. The outcomes of these complaints at stage 2 were: 3 not upheld, 11 partially upheld, and 11 upheld.

#### 4. Outcomes

4.1 Overall out of the 196 complaints received, 64% were either upheld or partially upheld, with 36% not upheld.

#### 5. Categories

5.1 Categories of complaints for 2022-23 are shown below, with 2020-21 included for comparison:

| Category  | 2022-23 | 2021-22 |
|---|---------|---------|
| Communication (delays) or lack of communication | 10      | 13      |
| Officer (decision)                              | 6       | 10      |
| Advice (officer)                                | 2       | 2       |
| Service delivery (lack of action)               | 75      | 49      |
| Service delivery (delay)                        | 19      | 21      |
| Conduct (officer)                               | 8       | 7       |
| Standard of work /quality (officer)             | 14      | 8       |
| Standard of work (contractor)                   | 6       | 4       |
| Dissatisfied (general)                          | 29      | 61      |

|   |    |    |
|---|----|----|
| (This can be where there is more than one reason for complaint) |    |    |
| Lack of response/response delay                                 | 20 | 33 |
| Conduct(external agent/contractor)                              | 1  | 1  |
| Officer (attitude)  | 6  | 9  |

## 6. Local Government Ombudsman (LGSCO) and Housing Ombudsman

6.1 Once the Council's 2-step internal process is exhausted, a complainant may exercise their right to seek further advice and refer the matter to the Local Government and Social Care Ombudsman (LGSCO) or Housing Ombudsman. On publication of the Annual Review Letter to the Council, it was shown that the Local Government & Social Care Ombudsman's office had received 8 complaints and enquiries about the Council during 2022-23, compared to the 6 complaints received in 2021-22.

6.2 There were 7 decisions made by the LGSCO during the financial year as follows; 6 cases were closed after initial enquiries by the Ombudsman, 1 case was investigated which was upheld and the council complied with the recommendation of the Ombudsman.

6.3 There was 1 Housing Ombudsman case referred to us to consider in line with the Council's Complaints Procedure which was satisfactorily resolved without any further need for the Housing Ombudsman involvement.

## 7. Learning from Complaints

7.1 One of the benefits of having a recognised Complaints Procedure in place is to identify service improvements and learning where appropriate to do so as a result of complaints being made that can bring benefits to both customers and to the organisation going forward.

7.2 Throughout 2022/23 a number of improvements were identified by Service Managers as a result of complaints made, which included revised administrative/processes being implemented, staff reminders and refresher training.

## 8. Equality Opportunities monitoring

8.1 The Council is committed in ensuring we provide good service to all parts of the community, regardless of gender, age, ethnicity, sexual orientation, religion, marital status or disability.

8.2 There are no concerns raised relating to service provision or complaint handling with regard to particular groups, ie ethical or other.

## 9. Complaint handling and developments

9.1 As part of the Council's continued commitment to good complaint handling, we will continue to ensure that the Council's corporate formal complaints policy and procedure is fit for purpose and accessible to all. The formal complaints process formed part of the '*Digital by Default* Phase (I) Project, enabling optimum usage and accessibility in terms of customer feedback. In addition, making 'reasonable adjustments' for customers where appropriate to do so is included within the policy.

9.2 Following on from a report to the Council's Cabinet in April 2016: '*Digital First - Customer Programme*', and the objective to '*facilitate as many customers as possible to access our services through digital channels*', the Complaints Policy was refreshed to both encourage and support the drive towards digital for those customers wishing to complain in that way. Whilst the procedure itself remains largely unchanged, more emphasis was given within the Policy to

encourage the digital process together with the help and guidance that is available for those that may require it in order to drive forward optimum use of the on-line facility.

9.3 Local Government and Social Care Ombudsman guidance states that they will treat any complaint about a service provided by a third party on behalf of the Council as being '*against the Council*'. The Council's policy is explicitly clear about the definition of a complaint as '*An expression of dissatisfaction about a council service (whether that service is provided by the council or by a contractor or partner on behalf of the Council) that requires a response*'.

9.4 General Data Protection Regulations (GDPR): any personal details or information obtained in order to appropriately process formal complaints in line with the procedure will be stored securely and will only be used for the purposes as intended, in conjunction with the GDPR principles.

9.5 The 'ALMO', (Formerly, 'A1 Housing Bassetlaw Ltd') was brought back 'in-house' in October 2018. As part of the process, Formal Complaints for the Housing Service have been considered in line with all other Council Services, ie in conjunction with the Council's formal complaints procedure with effect from 1<sup>st</sup> April 2019. As a result of this, the Council's formal complaints procedure was adapted to incorporate appropriate and relevant information concerning the 'Designated Persons' process for example, and the Housing Ombudsman Service, effective from 1<sup>st</sup> April 2019.

9.6 In addition, the Housing Ombudsman introduced a 'Complaint Handling Code' in July 2020 and all Local Authorities were required to 'self-assess' against the code and publish the results of the self-assessment annually. The purpose of the code is to enable the Council '*to resolve complaints raised by their residents quickly and to use the learning from complaints to drive service improvements. It will also help to create a positive complaint handling culture amongst staff and residents.*' It should be noted that the Housing Ombudsman has made further changes to the complaint handling code effective from 1st April 2022, and the Council has positively acted on the requirements. A revised self-assessment has been completed by us in August 2023.

## 10. Future developments

10.1 The Local Government & Social Care Ombudsman (LGSCO) will be publishing a joint Complaint Handling Code with the Housing Ombudsman in 2023, and as part of this they plan to carry out a joint consultation in the Autumn of 2023. Further information will follow from the LGSCO in terms of their expectations for how local authorities should apply the Code to their complaint processes and how they intend to apply this to their casework.

10.2 A Tenant Panel Complaint Review Group was created in June 2023. The purpose of the panel is to 'drive change across the Housing Service and raise standards for tenants and customers'. The Panel will achieve this by undertaking quality checks on all aspects of complaint handling and performance, analysing and understanding themes for complaints and spotlighting areas for further scrutiny. In addition, an independent telephone survey is planned to measure the satisfaction with the complaint handling process for tenants.

10.3 Furthermore, as part of the Council's "VISION 2040 BASSETLAW" we will be implementing a new 'Customer Experience Plan', "*ensuring that our residents and customers receive a good-quality, efficient and accessible service when dealing with the Council*". And; "*Embedding a positive organisational culture across the Council*".

## 11. Best practice

11.1 The sound working relationships with the Council and the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman continues to be positive. Through the ongoing Ombudsman liaison and feedback, we will continue to learn how best to handle the most complex and challenging complaints in the most effective way possible utilising the Ombudsman standards, special spotlight reports, and best practice guidance.