



# Bassetlaw

## DISTRICT COUNCIL

— North Nottinghamshire —

## Complaints: Annual Report 2023-24

Summary of Formal Complaints to Bassetlaw District Council – to year ended 31/3/24

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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 2023 and 31 March 2024. 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 2023-24 of 80% of all stage 1 complaints to be responded to within 15 working days. The PI was achieved with 84% 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 2023 and 31 March 2024, there were 211 complaints received. This is slightly up from the 196 complaints received for 2022-23. 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 2023-24, 89% were made digitally by on-line form submission or by e-mail.

3.3 The breakdown figures for each service area are detailed below (2022-23 figures are included for comparison).

Service Area		Service Area	2022-23
Finance & Property	24	Finance & Property	30
Corporate Services	4	Corporate Services	9
Regeneration	12	Regeneration	15
Neighbourhoods	31	Neighbourhoods	53
Housing	140	Housing	89
<b>TOTAL</b>	<b>211</b>	<b>TOTAL</b>	<b>196</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 89% 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 2023-24, 178 out of the 211 were responded to within 15 working day, ie, 84% of all complaints.

3.8 Stage 2 complaints: review and response by the Council's Chief Executive; there were 23 stage 2 complaints within the financial year 25 stage 2 complaints for the financial year, compared to 25 for the previous year in 2022-23. All 23 complaints reviewed, apart from 1, which was 2 days late were responded to within 15 working days. The outcome of these complaints at stage 2 were: 7 not upheld, 3 partially upheld, and 13 were upheld.

#### 4. Outcomes

4.1 Overall out of the 211 stage 1 complaints received, 60% were either upheld or partially upheld, with 40% not upheld.

#### 5. Categories

5.1 Categories of complaints for 2023-24 are shown below, with 2022-23 included for comparison:

Category	2023-24	2022-23
Communication (delays) or lack of communication	6	10
Lack of information	5	-
Officer (decision)	7	6
Advice (officer)	-	2
Service delivery (lack of action)	80	75
Service delivery (delay)	5	19
Conduct (officer)	8	8
Standard of work /quality (officer)	18	14
Standard of work (contractor)	-	6

Dissatisfied (general) <i>(This is used where there is more than one reason for complaint)</i>	55	29
Lack of response/response delay	10	20
Conduct(external agent/contractor)	3	1
Officer (attitude)	14	6

## 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 about the Council during 2023-24, this is consistent with last year.

6.2 There were 8 decisions made by the LGSCO during the financial year as follows: 6 cases were closed after initial enquiries by the Ombudsman, 2 cases were investigated 1 of which was not upheld and 1 upheld. 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, and 1 case investigated during March 2024, case outcome yet to be determined.

## 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 2023/24 a number of improvements were identified by Service Managers as a result of complaints made, which included consideration of how we deliver some service operations, revised administrative/processes being implemented, staff reminders being issued about the importance of good customer care and communication and refresher training. All service improvements identified are also rounded up at year end and sent to the Heads of Service for any further follow up actions required as appropriate.

## 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 or currently known relating to service provision or complaint handling with regard to particular groups, 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 at that time to both encourage and support the drive towards digital for those customers wishing to complain in that way. Whilst the procedure itself remained largely unchanged, more emphasis was given within the Policy to encourage the digital process together with the offer of 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 policy and procedure was adapted at that time 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 Service 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 made further changes to the Complaint Handling Code effective from 1st April 2022, and the Council responded positively regarding those requirements. A revised self-assessment was completed by the Council in August 2023.

## **10. New developments – effective from 1 April 2024**

10.1 As stated in the last Annual Report 2022/23 update in this section, and in conjunction with the above, following consultation in the Autumn of 2023, of which the Council were a consultee, both the Local Government & Social Care Ombudsman (LGSCO) and Housing Ombudsman Service (HOS) launched new Complaint Handling Codes in February 2024, effective from 1 April 2024.

10.2 Whilst the new complaint handling code(s) are separate documents, they are aligned. 'This means that organisations that fall under the jurisdiction of both Ombudsmen should be able to provide a co-ordinated complaint handling process across services covered by both Codes'. The Housing Complaint Handling Code is a mandatory and legal requirement. The Local Government & Social Care Ombudsman Code 'constitutes important advice and guidance to councils, rather than instructions'.

10.3 It should be noted however that the LGSCO 'expect local councils to carefully consider the Code when developing policies and procedures'. Furthermore, they 'may make a finding of maladministration where a local council, without good reason, does not meet the standards in the Code when responding to an individual complaint'

10.4 The Complaints Policy and Procedure has been updated to comply with the Code(s) and with cross referencing to the self-assessment completed and published in June 2024 in respect of the HOS

Complaint Handling Code. The Complaints Policy and Procedure will remain under review to ensure it continues to be fit for purpose, particularly throughout this first year of compliance.

### 10.5 Key points of change to note are:

10.5.1 Ten working days for responding to formal complaints at stage 1 as opposed to 15 working days previously. Extensions are permitted providing there is valid reason, the complainant is duly notified, and the overall time frame does not exceed a further 10 days.

10.5.2 Twenty working days for responding to stage 2 complaints as opposed to 15 working days previously.

10.5.3 Much more emphasis now on service improvements identified and learning as a result of complaints made.

10.5.4 Maintaining a positive complaints culture; the standard objective in the policy and in line with the Code(s) is relevant to all employees and third parties that reflects the need to:

*Have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments;*

- *Take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and*
- *Act within the professional standards for engaging with complaints as set by any relevant professional body*

*We will:*

- *Deal with complaints fairly, professionally and proportionately*
- *Resolve matters satisfactorily at the earliest opportunity*
- *Maintain a positive complaints culture and use complaints for learning and service improvements*
- *Be guided by the best practice and guidance of the Ombudsmen*

10.5.5 Member Responsible for Complaints ('MRC'): A new requirement under the Code is the Cabinet Member for all organisational formal complaints will be the Cabinet Member for Corporate & Financial Services who will have oversight of the complaints data for the first time from April 2024. The Cabinet Member for Housing continues to be the Member responsible for Housing formal complaints (MRC).

## 11. Additional measures

Whilst the Council continues to manage its formal complaints effectively, new developments implemented across the Council both directly and indirectly in respect of this work will continue to strengthen its approach to complaint handling and the customer experience as follows:

11.1 A new 'Customer Experience Group' has been created, the first meeting convened for July 2024, and 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".

11.2 The 'Complaint Improvement Group' for Housing complaints (formerly known as the Tenant panel) Chaired by the Cabinet Member for Housing will routinely consider a selection of anonymised formal complaints and how they have been handled. The Group will also look at a number of future developments and improvements including supporting the creation of a satisfaction survey on the complaint handling experience.

11.3 Overview & Scrutiny Committee and Audit & Governance Committee – Future Annual Reports will be strengthened going forward in terms of detail and focus around service improvements and learning.

11.4 Corporate Governance Working Group (CGWG) – Formal complaint information of significance is now brought to the Council’s CGWG by the Council’s Monitoring Officer.

11.5 Formal Complaints data will be reported to Corporate Management Team quarterly, starting in August 2024 (Cyclical Monitoring), which will include service area, reason, outcomes and any learning /service improvements identified.

11.6 Housing Ombudsman Self-Assessment completion and publication (by end June 2024) - it is now a mandatory and Legal requirement to comply with the Housing Ombudsman Service formal complaint handling code. The Council will keep this under review along with the Corporate Formal Complaints policy to ensure compliance.

## 12. Corporate Values

12.1 The Council has adopted core values; Together we can do more. Everyone Counts. Open and Honest, Aspirational, and Service Excellence. The values will be embedded within the organisational culture driving forward better services for all.

## 13. Best practice

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

### Background documents:

Complaints Policy and Procedure:

[www.bassetlaw.gov.uk/about-us/customer-services/make-a-complaint/formal-complaints-policy-and-procedure/](http://www.bassetlaw.gov.uk/about-us/customer-services/make-a-complaint/formal-complaints-policy-and-procedure/)

[www.bassetlaw.gov.uk/about-us/customer-services/make-a-complaint/](http://www.bassetlaw.gov.uk/about-us/customer-services/make-a-complaint/)

Local Government & Social Care Ombudsman Complaint Handling Code:

[Complaint Handling Code - Local Government and Social Care Ombudsman](#)

Housing Ombudsman Service Complaint Handling Code:

[The Complaint Handling Code | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#)

Housing Ombudsman Service Complaint Handling Code Self-Assessment:

[Self Assessment Form - June 2024 | Bassetlaw District Council](#)