

# Joint Audit and Governance Committee



Report of: Head of Corporate Services

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To: Joint Audit and Governance Committee

DATE: 25 January 2022

## Review of complaints received during 2020-21

### Recommendation

That the committee reviews formal complaints received in 2020-21 and performance in responding to complaints against timescales set out in our Corporate Complaints Policy.

### Purpose of report

1. The purpose of this report is to provide the Committee with a review of formal complaints we received during 2020-21 in line with the corporate complaints procedure.

### Strategic objectives

2. This report sets out formal complaints received by the councils, it therefore underpins all of our Corporate Plan objectives; along with our ambitions to provide excellent customer service and transparency in decision-making. By recording complaints, we can understand when things have gone wrong resulting in us failing to meet customer expectations, failure to provide a service or where we have not followed correct procedure.

3. Appendix One includes the number of Covid-19 related complaints received by stage, and service.
4. Appendix Two includes charts demonstrating the number of formal complaints received and performance in providing the response within 15 working days.
5. Appendix Three includes the official annual complaints reports received from the Local Government and Social Care Ombudsman (Ombudsman).
6. Appendix Four includes a copy of the complaints policy document which is available on the councils' website complaints pages.

## The Formal Corporate Complaints Procedure

7. Our corporate complaints policy and council-wide procedure for dealing with complaints ensures that:
  - members of the public know what to do if they have a complaint and understand how we will deal with it
  - staff are confident about what to do when they get a formal complaint
  - customers are treated fairly and equally
  - we can improve our services using customer feedback from complaints
8. In the year 2020-21, we recorded two complaints which resulted in service review and improvement. Both these complaints were resolved at stage two of our complaints process and were not referred to the Ombudsman. One complaint was about the wording used in a condition attached to a planning application, which was upheld and addressed by training delivered to planning officers.
9. As stipulated in the Ombudsman guidance on good practice: the purpose of a complaints system is to put right what has gone wrong, and to learn from it. Where a complainant has a justified grievance, there is a duty to put things right at the earliest opportunity. Depending on the seriousness and type of complaint, putting things right could involve a range of outcomes, from a simple written apology to a reimbursement of funds or a compensation payment.
10. To help customers understand the complaints policy and procedure that we follow when we are handling complaints, a copy of the policy document is now published on the complaints page of our websites. This enables staff to refer to relevant points of the policy when corresponding with customers.
11. Please refer to **Appendix Four** to read the policy which has been adapted for public use. The adaptations include the addition of 'useful definitions' for key words used throughout the policy document, and by staff when contacting customers. We have also added further detail on how submit a complaint or concern to us, encouraging customers to contact service team in the first instance to address the concerns raised through an informal resolution.

### Stage one

12. Each service has nominated officers responsible for logging stage one formal complaints. The relevant service manager will investigate and respond to the complainant within 15 working days.

## Stage two

13. If the complainant is not satisfied with the stage one response, then they can ask for their complaint to be reviewed as a stage two within six weeks of the date of the stage one response. The complainant must explain why they are not satisfied with the response they received at stage one, and what outcome they would like to achieve in pursuing a stage two complaint.
14. The stage two complaint will be allocated to the head of service for the relevant service area. However, if the Chief Executive, Deputy Chief Executive – Transformation and Operations or Head of Corporate Services, considers it more appropriate, a complaint may be re-allocated to an alternative head of service or deputy chief executive. The head of service or deputy chief executive will investigate the complaint and respond within 15 working days of receipt.

## The Local Government and Social Care Ombudsman

15. If the complainant remains dissatisfied with the stage two response, they have the right to ask the Ombudsman to investigate their complaint. The Ombudsman investigates complaints of alleged injustice concerning Local Authorities.

## Complaints reporting

16. Last year's complaints report included figures for financial years 2018-19 and 2019-20 due to pending work on the council's new complaints database which has enabled us to simplify and improve our reporting process.
17. Our report this year includes the numbers of complaints received and our performance against target for issuing a response for 2020-21, set out in **Appendix Two**. This includes a narrative of the identified themes of complaints, as well as changes in our services that were required as a result of the Covid-19 pandemic.
18. We have also encapsulated in this report, an interim overview of complaints received in the six-month period between April-September 2021, allowing councillors and staff the opportunity to reflect on our most recent performance and monitor themes before the year end. Please refer to section entitled 'Interim Overview - Complaints received April-September 2021'.
19. Following the service realignment in September 2021, Development and Regeneration has been realigned to Development and Corporate Landlord. This year's report and annual figure comparison is unaffected by this.
20. The councils receive annual letters with reports from the Ombudsman, with a summary of their decisions. Extracts of these are available in Appendix Three and show a comparison of our performance against other district councils.

### South Oxfordshire District Council

2020-21 we received 96 stage one complaints, a reduction of 24 on the previous year. The percentage number of complaints escalated to stage two increased by 7%. There was also a decrease in the number of complaints referred to the Ombudsman to the previous year. Please see point 18 which refers to their pause in casework.

### Vale of White Horse District Council

Vale received a slight increase of stage one complaints in 2020-21 compared to 2019-20, but less than previous years. The noticeable difference is an increase in complaints received by Development and Regeneration from zero in 2019-20 to seven in 2020-21, due to the grant applications dealt with by the Economic Development team in response to the Covid-19 pandemic, and concerns about our leisure centres. Stage two complaints

also increased slightly on the previous year with an increase of 2%. Vale saw a decrease in the number of complaints referred to the Ombudsman.

**Covid-19 related complaints**

21. Licensing received complaints including those following the cancellation of face-to-face license renewal meetings because staff were required to work remotely. An online application process was put in place to allow applications and renewals to continue.
22. In response to the pandemic, Government introduced a number of grants for businesses to provide both mandatory and discretionary to support those affected by the Covid-19 restrictions. Our Finance team (alongside Capita) dealt with assessing the mandatory grants, whilst the Economic Development team assessed the discretionary grants. Both teams received complaints from customers and businesses who were not eligible for the schemes.
23. We also received complaints dealt with by the Active Communities team, as a result of the closure of leisure centres including concern about staff entering the premise during lockdown for maintenance or the offer to freeze gym memberships.
24. Our Technical Services team who are responsible for the councils' car parks, received complaints with concerns about the use of carparks during the pandemic or requests for refund or reduction on parking permits.
25. Please refer to **Appendix One** for the figures.

**Ombudsman investigations**

26. The Ombudsman upholds complaints when they find fault in an authority's actions, including where the authority accepted fault before their investigation. A focus on how often things go wrong, rather than simple volumes of complaints, provides a clearer indicator of performance.
27. They recommend ways for authorities to put things right when faults have caused injustice. Recommendations try to put people back in the position they were in before the fault. Monitoring is carried out to ensure recommendations are complied with.
28. The Ombudsman encourages the early resolution of complaints and credit authorities that have a positive and open approach to resolving complaints, and where satisfactory remedies have been provided.
29. At the end of March 2020, the Ombudsman took the unprecedented step of temporarily stopping their casework and did not accept any new complaints, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 pandemic. They restarted casework in late June 2020, after a three month pause. The councils continued to consider stage one and two complaints in this time.
30. Of the 10 complaints received by the Ombudsman for Vale in 2020-21, one was investigated formally which was upheld, they found fault, but no injustice caused to the complainant. The Ombudsman received 16 complaints for South, of which four were investigated and none upheld. This compares with two upheld complaints for Vale and one upheld for South in the previous year 2019-20.

A summary of the upheld complaint is available in **Appendix Three**.

## **Interim Overview - Complaints received April-September 2021**

31. The figures will be provided in next year's annual report, but here we highlight the service areas with noticeable trends that will allow each service area to reflect and where required implement service improvements and help influence the second half of the year.

32. The service areas to note for this six-month period are as follows:

### **Housing and Environment**

The increase in complaints recorded for Housing and Environment are mainly as a result of the disruption to the garden waste service following the suspension. These complaints were actually responded to by corporate services, as they are responsible for the customer contact.

### **Finance**

The increase in finance complaints is in the main due to the backlog of correspondence for council tax and benefits. This was as a result of the pandemic and the recommencement of recovery action. General themes here included a lack of, or delay in response to customer contact and objections to recovery.

## **Financial Implications**

33. There are no financial implications arising directly from this report.

## **Legal Implications**

34. There are no legal implications arising directly from this report.

## **Other implications**

35. There are no other implications arising directly from this report.

## **Risks**

36. It is important to have a robust and efficient complaints system in place to ensure that members of the public receive clear and fair responses to their queries and concerns; and to have oversight and review of the process. This provides transparency for customers and manages reputational risk.

## **Conclusion**

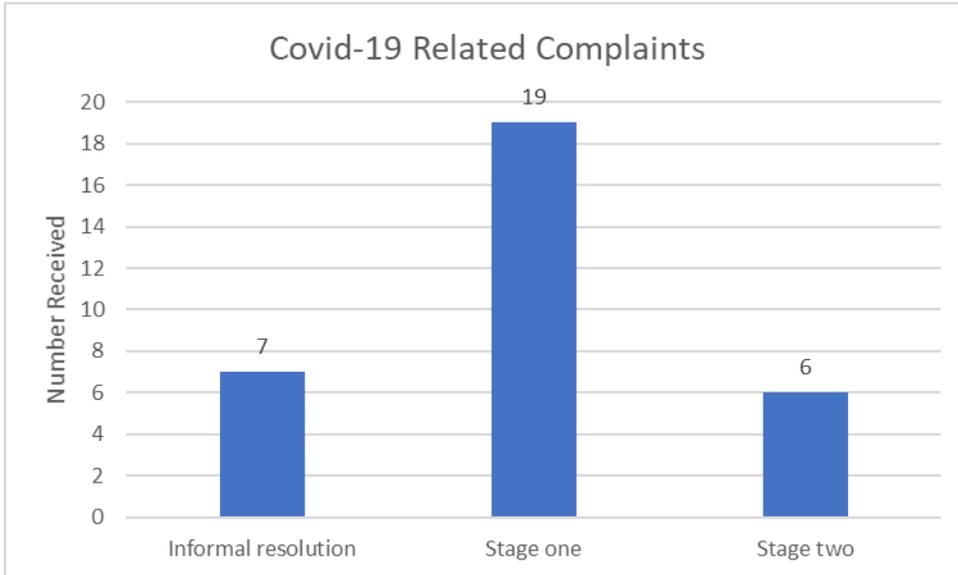
37. This report sets out a review of formal complaints received during 2018-19 and 2019-20. The Committee is asked to review complaints received, and response times.

## **Background papers**

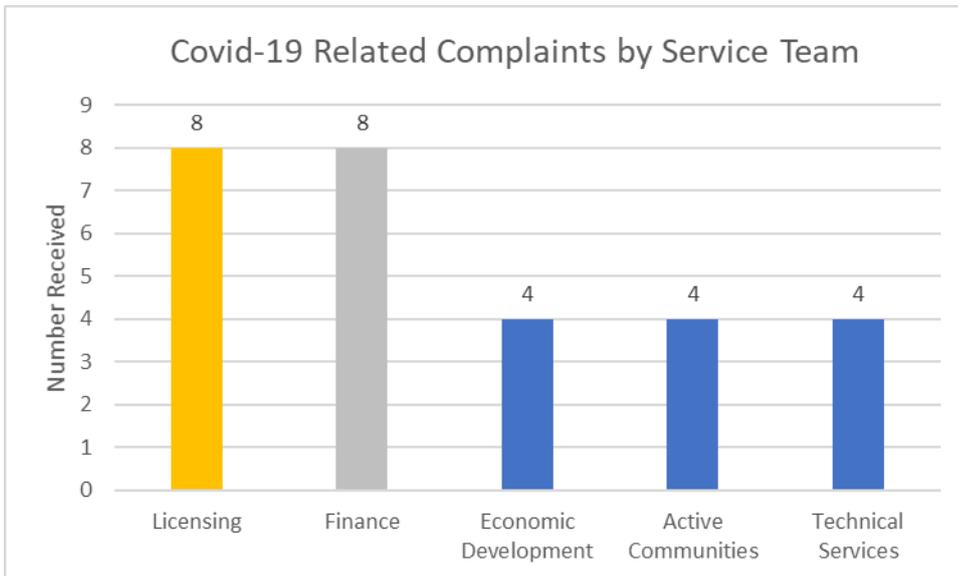
- None

### Covid-19 Related Complaints

1. The below chart demonstrates the number of complaints received by stage, that were Covid-19 related.



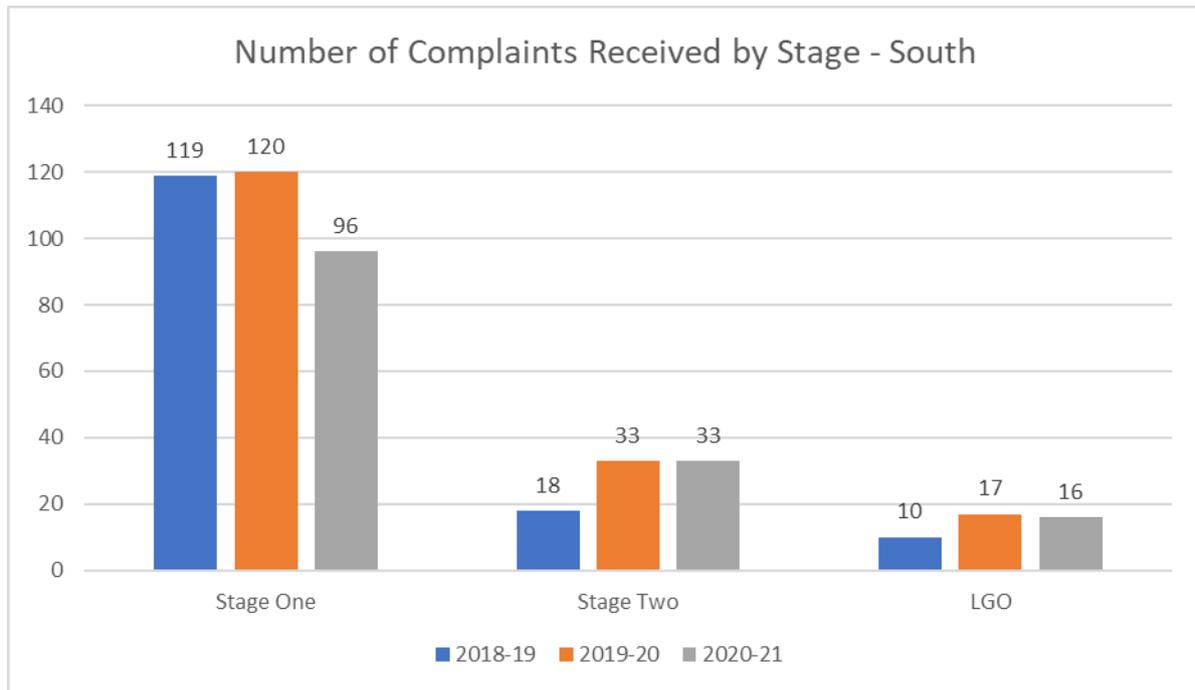
2. The below chart shows the number of Covid-19 related complaints received by service team.



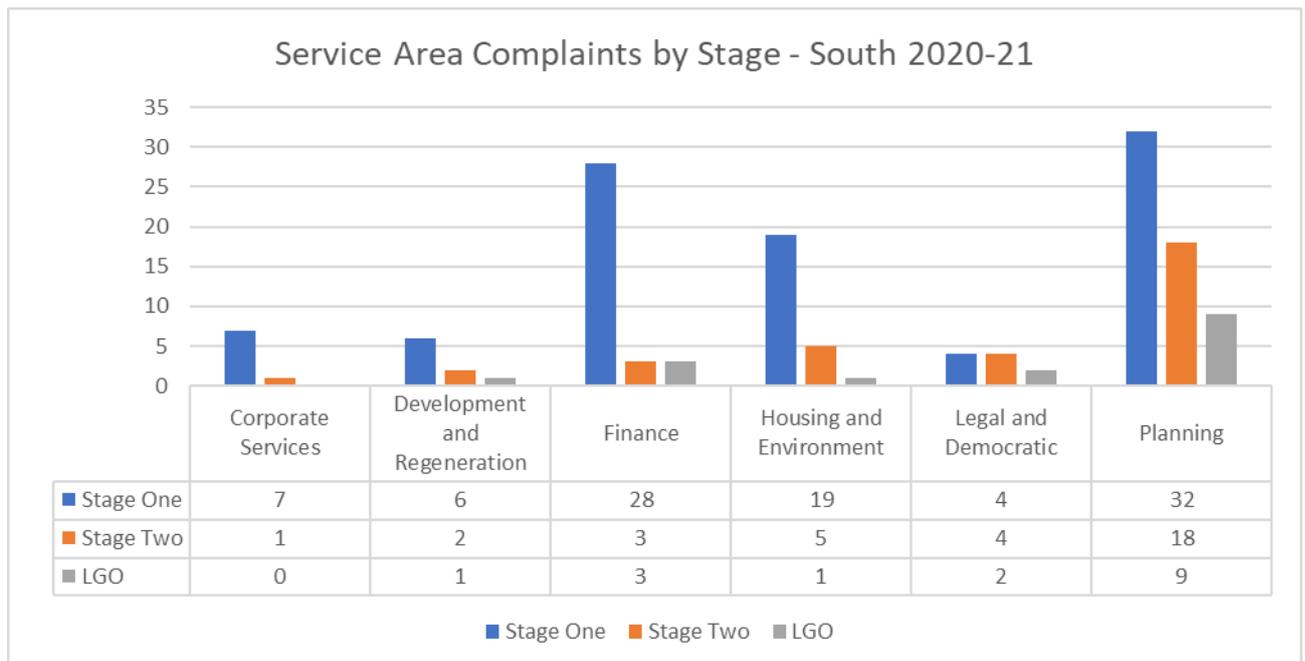
**South Oxfordshire District Council**

**Number of formal complaints received and performance in providing the response within 15 working days**

1. The following charts show the number of complaints received at each stage of the process over the past three completed years.

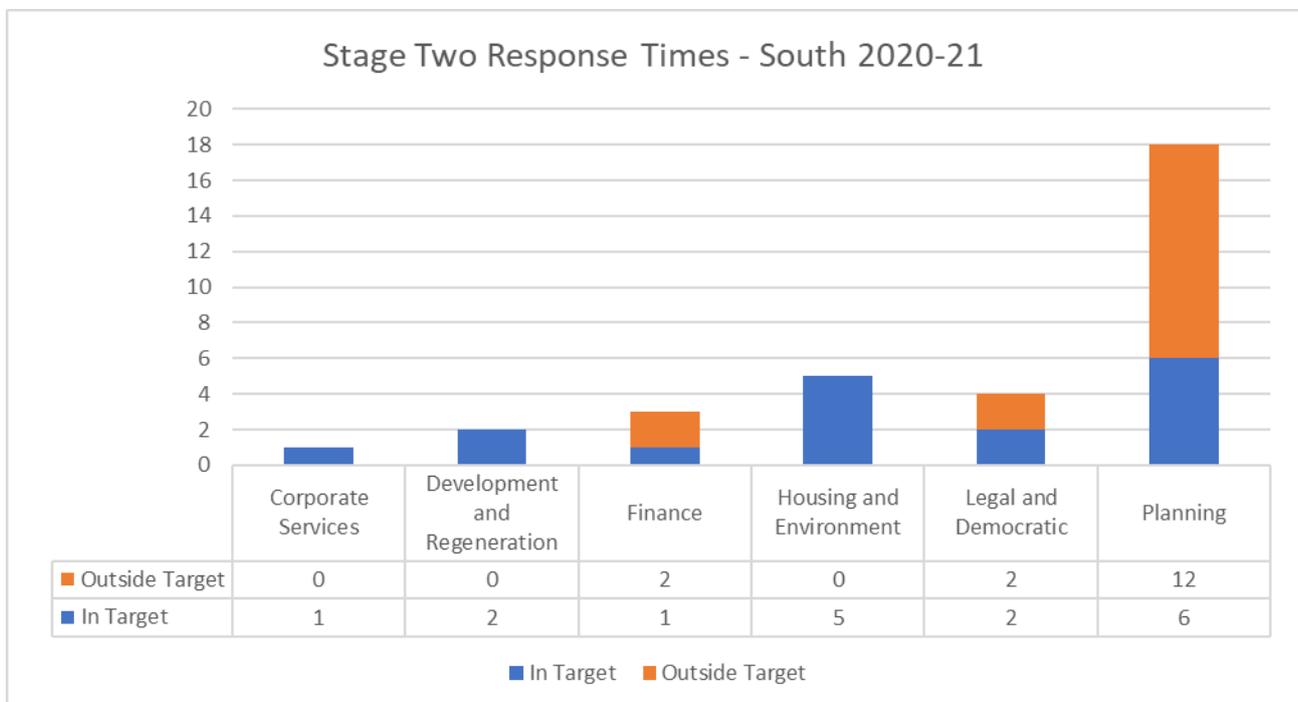
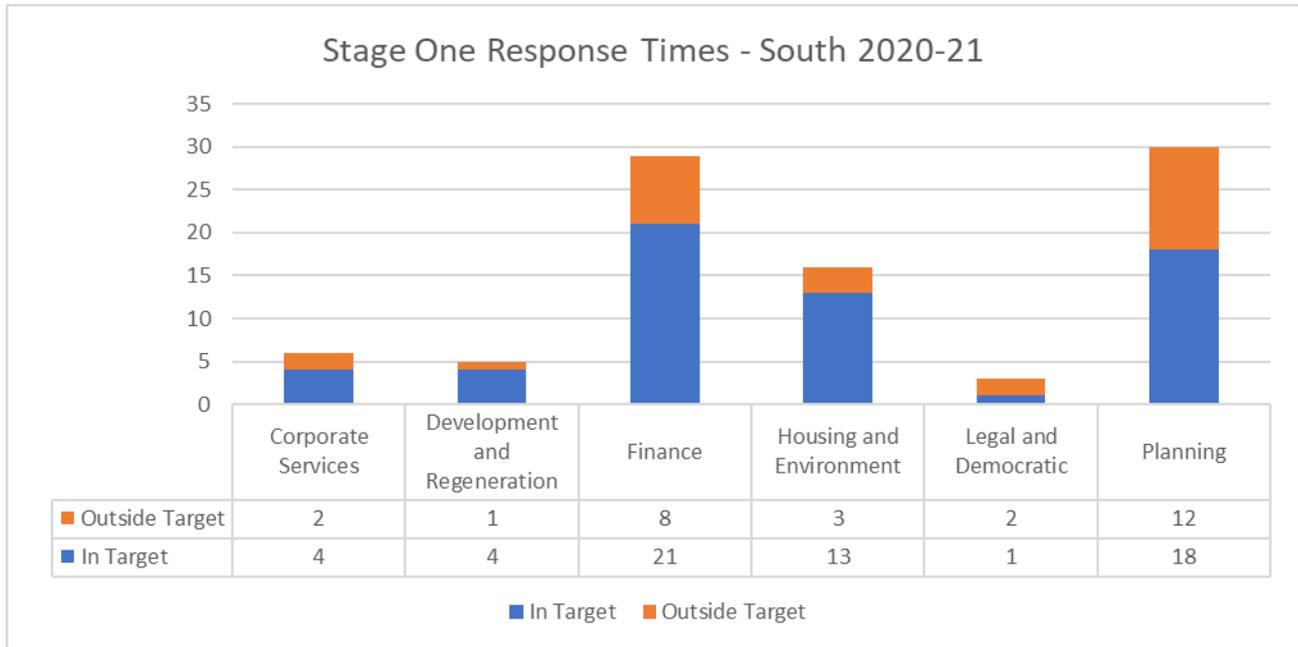


2. The following charts show the number of complaints received in 2020-21 for each service area at each stage of the complaints process.



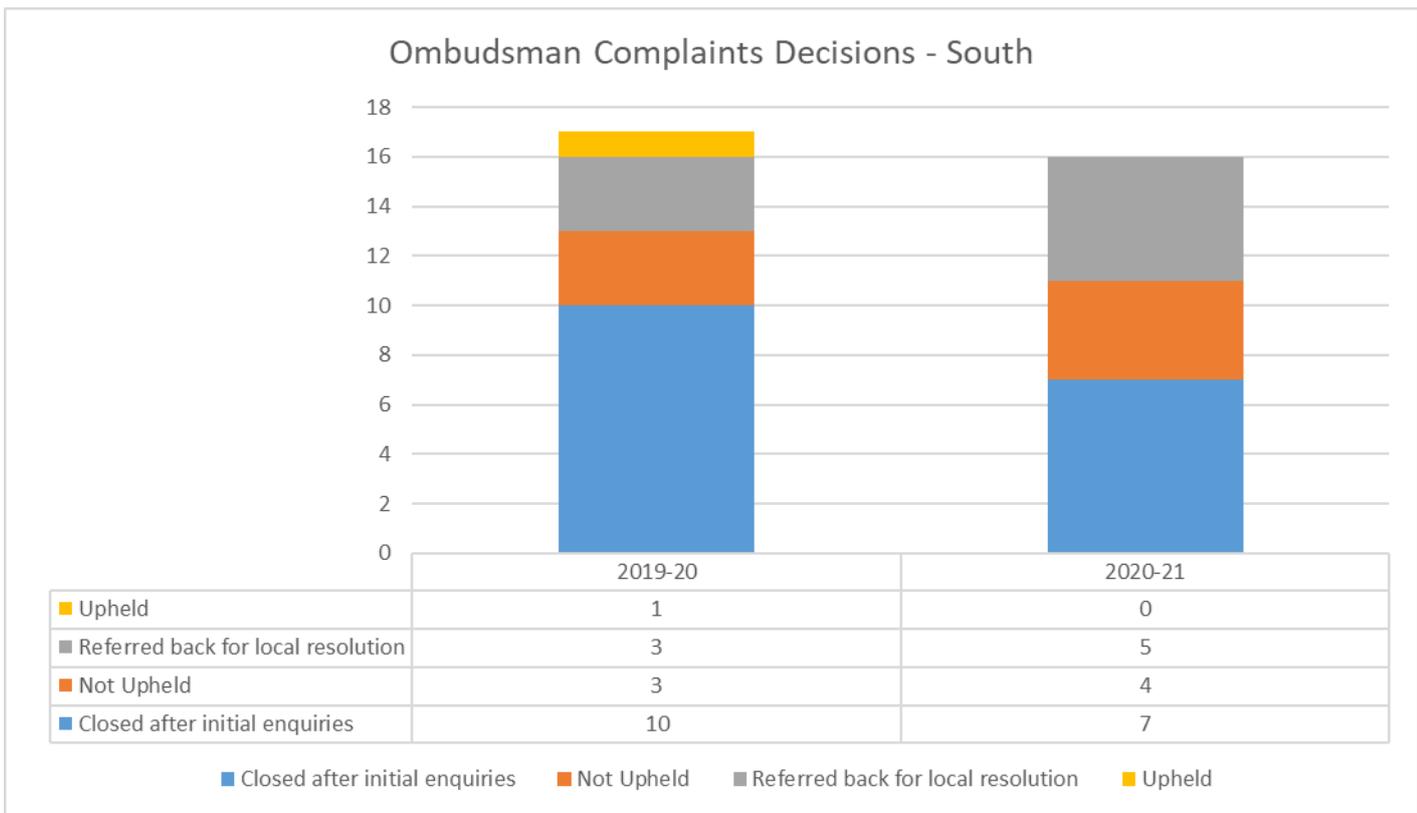
3. The following charts show service area performance in providing the response within 15 working days in 2020-21.

On the occasion circumstances do not allow us to meet our deadline, an extension of time will be agreed with the complainant, although they are recorded as outside target because they will have exceeded 15 working days.



Please note you will see a variance in the total number of complaints received, compared with the numbers of complaints responded to in the given year. This is because a complaint received late March will be reported as received in one year, and responded to in the following.

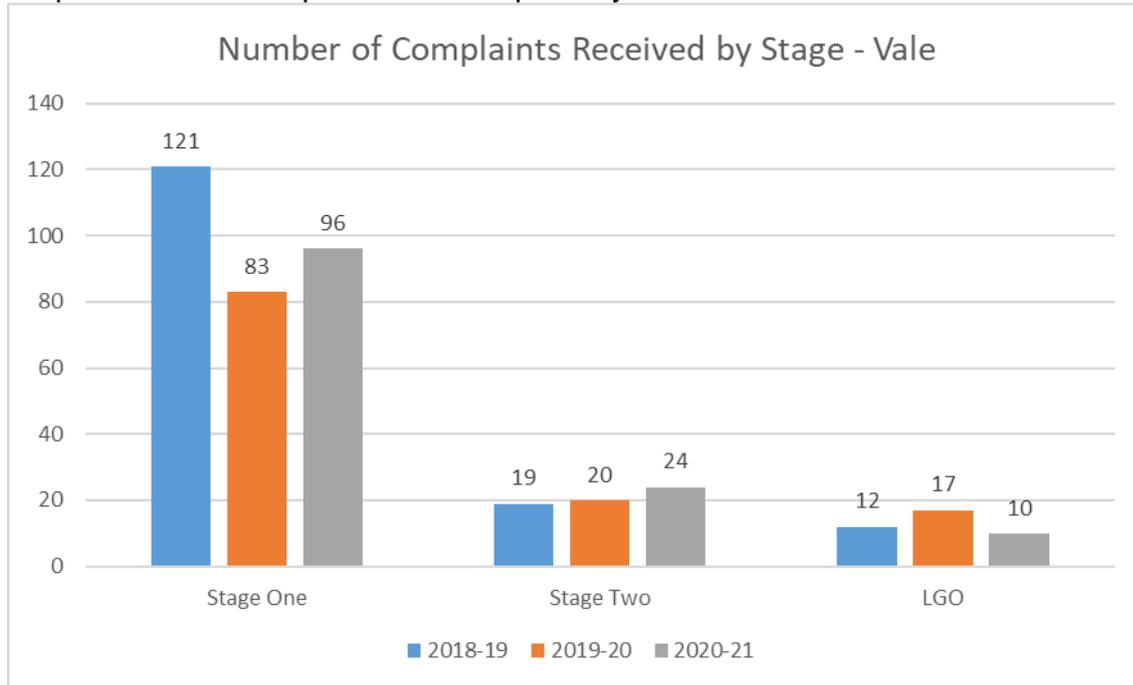
4. The following charts show the outcomes of Ombudsman complaints received in 2019-20 and 2020-21.



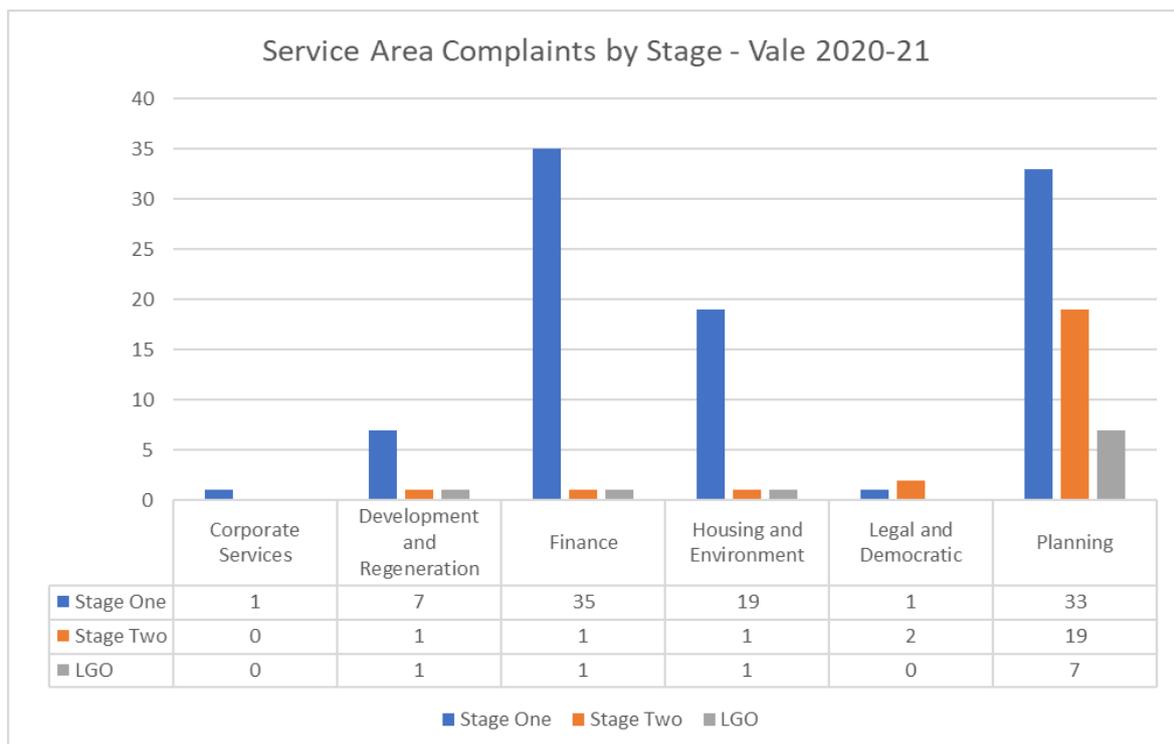
**Vale of the White Horse District Council**

**Number of formal complaints received and performance in providing the response within 15 working days**

5. The following charts show the number of complaints received at each stage of the process over the past three completed years.

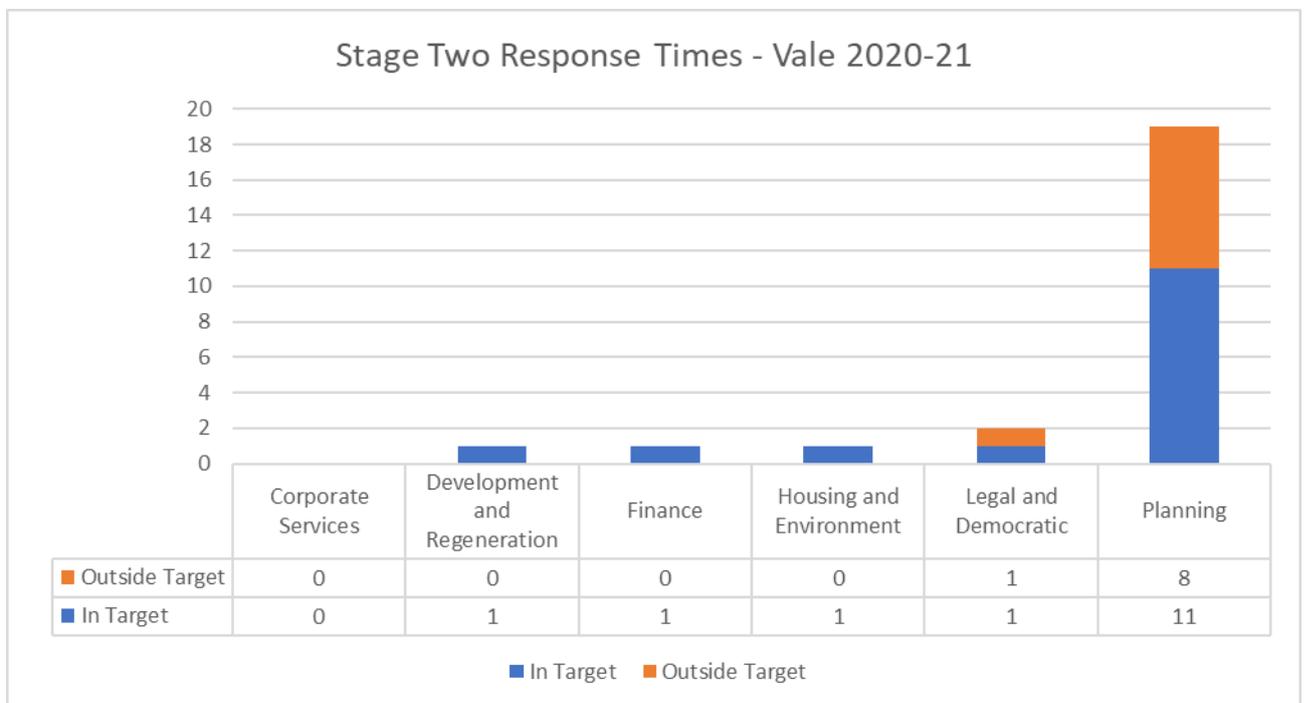
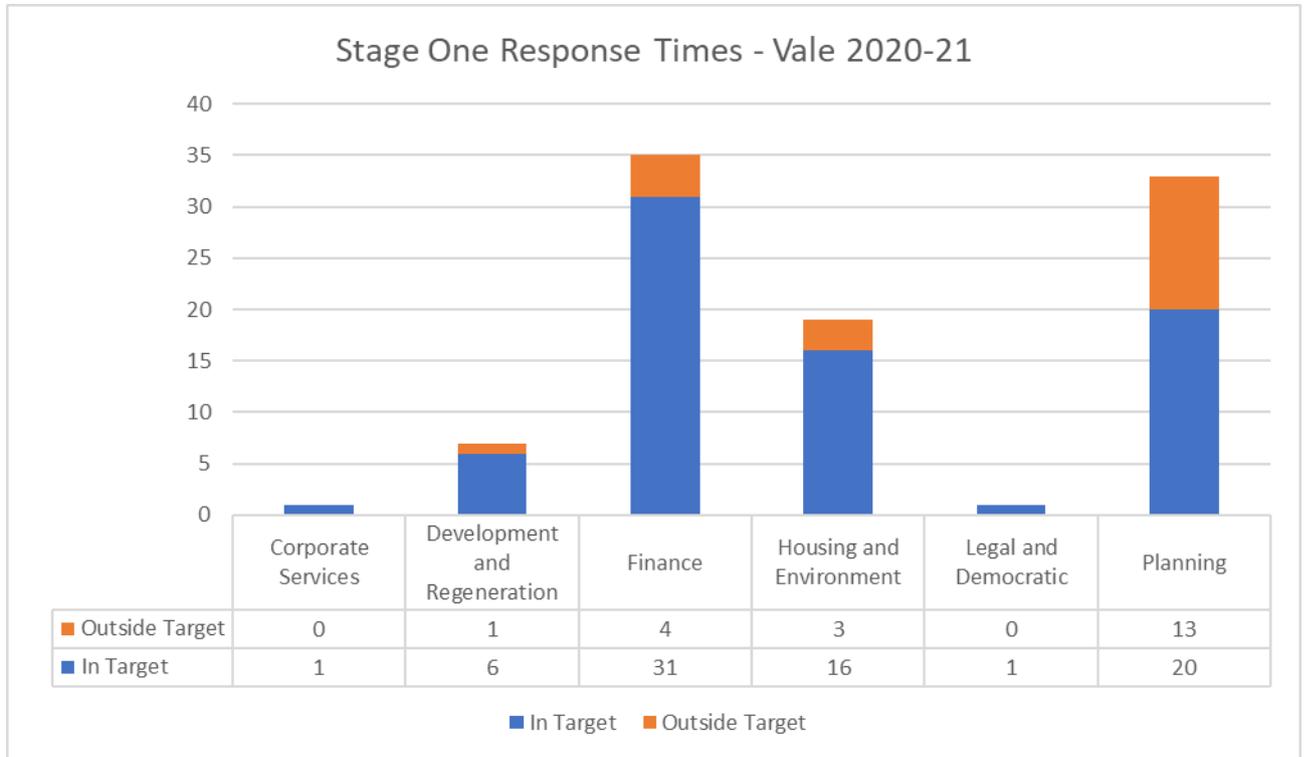


6. The following charts show the number of complaints received in 2020-21 for each service area at each stage of the complaints process.



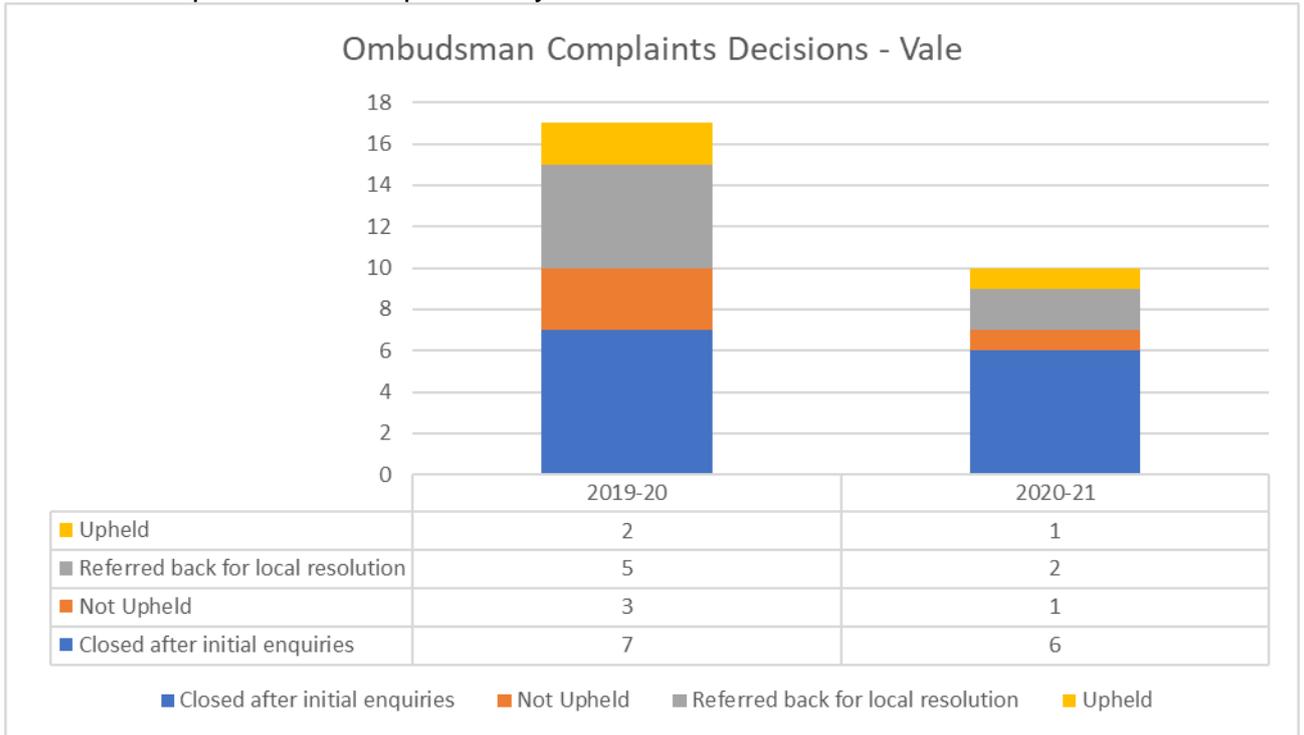
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8. The following charts show the outcomes of Ombudsman complaints received in 2020-21 compared with the previous year.



Appendix Three

**Local Government and Social Care Ombudsman Summary 2020-21**

1. The following chart is an extract from the Ombudsman’s annual report, and show the performance of Ombudsman complaints for **South Oxfordshire District Council**, compared with other District Councils.

Upheld Complaints



Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period.

Satisfactory remedies provided by the authority

The Ombudsman did not uphold any detailed investigations during this period.

2. The following charts are an extract from the Ombudsman’s annual report, and show the performance of Ombudsman complaints for **Vale of the White Horse District Council**, compared with other District Councils.

Upheld Complaints



Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period

Satisfactory remedies provided by the authority



In **100%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **16%** in similar authorities.

1

satisfactory remedy decision

Statistics are based on a total of 1 detailed investigation for the period between 1 April 2020 to 31 March 2021

3. Summary of the Vale Upheld complaints:

The Ombudsman's decision and report on this occasion was not made public.

Summary: Mr X complained the Council failed to properly consider a planning application. We found there was some fault. However, we concluded the outcome of the planning application was unlikely to have been different, had that fault not occurred.