

## OVERVIEW AND SCRUTINY COMMITTEE

**DATE OF MEETING:** 11 APRIL 2023

**TITLE OF REPORT:** COMPLAINTS ANALYSIS FOR QUARTER 4, JAN-MAR 2023 AND 2022/23 YEAR REVIEW

**Report of:** Corporate Services

**Cabinet Portfolio:** Leader and Strategic Direction and Partnerships

**Key Decision:** No

**Confidentiality:** Non-Exempt

### PURPOSE OF REPORT

1. This report updates Members on the number and outcome of customer complaints for Quarter 4, January–March 2023.
2. The report also presents the complaints performance for 2022/23 across the current range of metrics. It considers any learning from the information presented across the first year of the new policy.

### RECOMMENDATION

3. The complaints report for Q4 and 2022/23 is noted.
4. Members are asked to consider if there is any further analysis required for the forthcoming year.

### BACKGROUND

5. This is the fourth complaint report for this financial year. It provides details of formal complaints received during Q4. The report reviews the performance of complaints across all quarters to provide the first annual set of comparative data.

### COMPLAINTS OVERVIEW FOR QUARTER 4

#### **Number of complaints**

##### Performance in Q4

6. The Council recorded a total of 37 complaints during Q4.
7. Of those complaints received in Q4, 35 were recorded at Stage 1 and two were recorded at Stage 2.
8. At the time of drafting this report, four complaints received in March are open. Members will be updated on progress at the meeting.

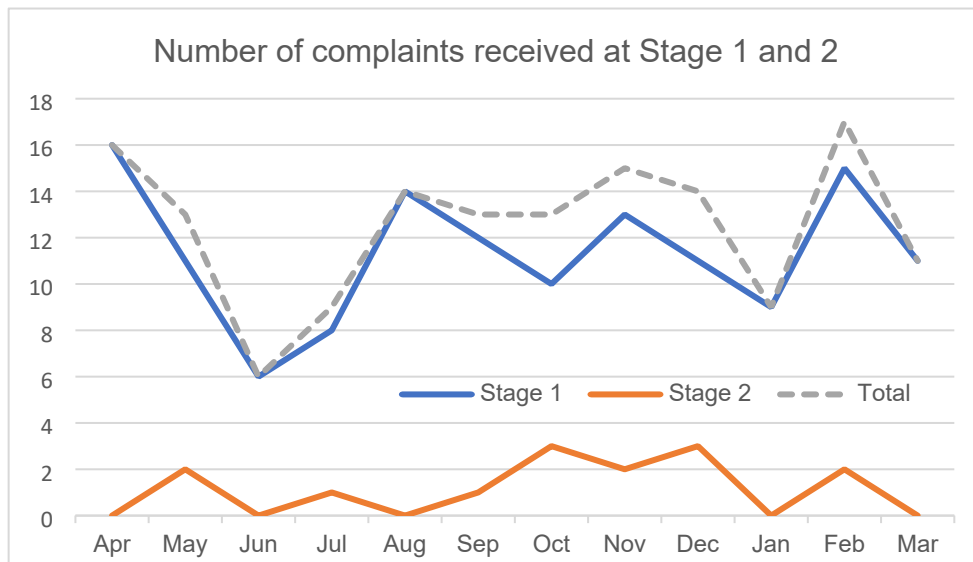
### Performance across 2022/23

9. We received 150 complaints from 1 April 2022 to 31 March 2023. This figure is broken down as follows:

Quarter	Stage 1	Stage 2	Total
1	33	2	35
2	34	2	36
3	34	8	42
4	35	2	37

10. Q3 recorded eight Stage 2 complaints, a 300% increase on the other quarters but this does appear to be an anomaly. We received, on average, 37.5 complaints each quarter.

11. The monthly breakdown for Stage 1 and 2 complaints is displayed below.



12. On average, we received 12.5 complaints each month.

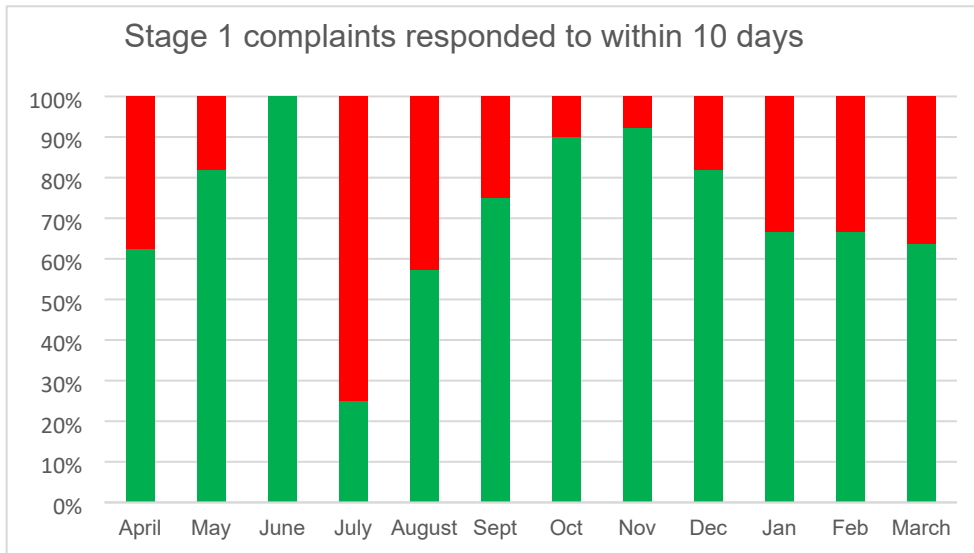
### **Responding to complaints in time**

#### Performance in Q4

13. On average, the Council responded to 66% of Stage 1 complaints within 10 days. This does include two of the four live complaints in March, both having exceeded the 10-day limit.

### Performance across 2022/23

14. The monthly breakdown for Stage 1 complaints responded within 10 days is displayed below.



15. If we were to set a target of 90%, the Council meet this target in three of the 12 months. If we were to reduce this to 75%, this figure would rise to six of the 12 months.

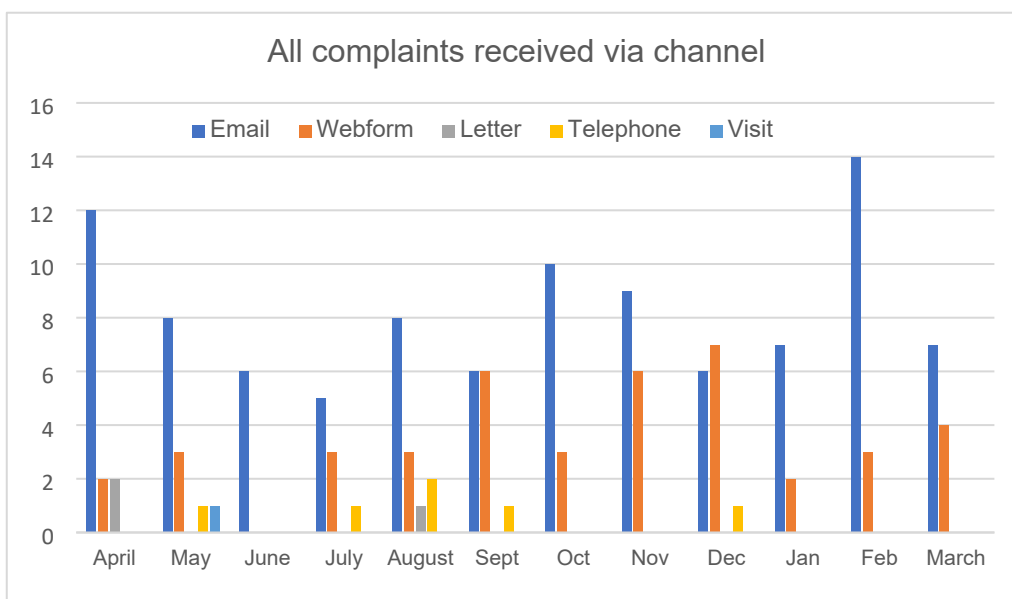
### How complaints are received

#### Performance in Q4

16. All complaints in Q4 were received via a digital channel. This is split between email to [complaints@hart.gov.uk](mailto:complaints@hart.gov.uk) or direct to service (28 received) or [webform](#) (nine received)

#### Performance across 2022/23

17. The chart below shows how we receive complaints. 93% of all complaints have come in via a digital channel. 70% of this total are received through email.



18. Only ten complaints across all quarters have come in from non-digital sources (letter, telephone or visit)

## Reasons for complaints

### Performance in Q4

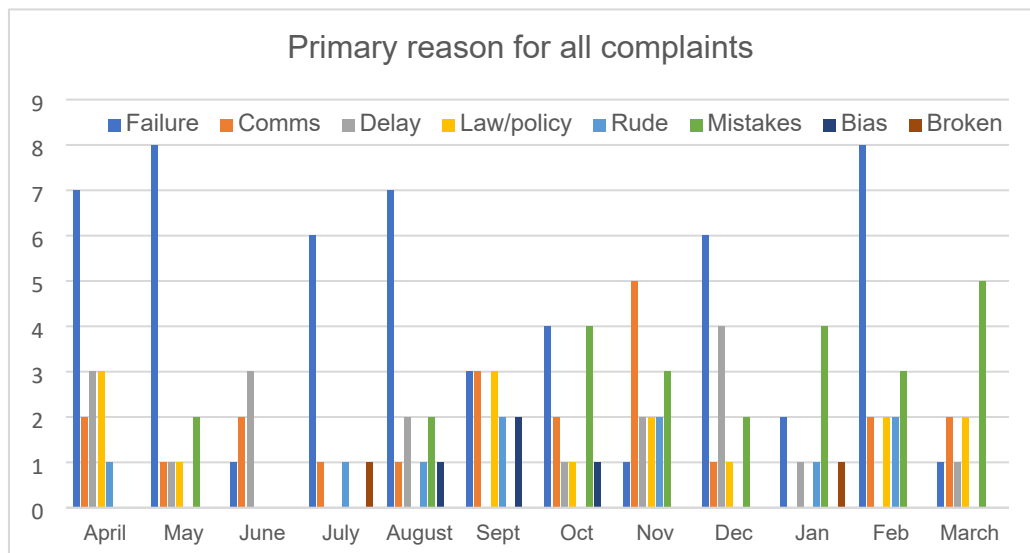
19. “Mistakes in the way a decision has been taken” is the highest scoring reason in Q4. This accounts for 12 (32%) of all complaints. “Failure to provide a service” is the second highest reason with 11 (30%).

### Performance across 2022/23

20. The top three reasons for complaints across the year are:

	<b>Reason</b>	<b>Number</b>	<b>%</b>
1	Failure to provide a service	54	36
2	Mistakes in the way a decision has been taken	25	16
3	Poor communication from staff	22	15

21. The chart below looks at all the different channels and charts them across each month.

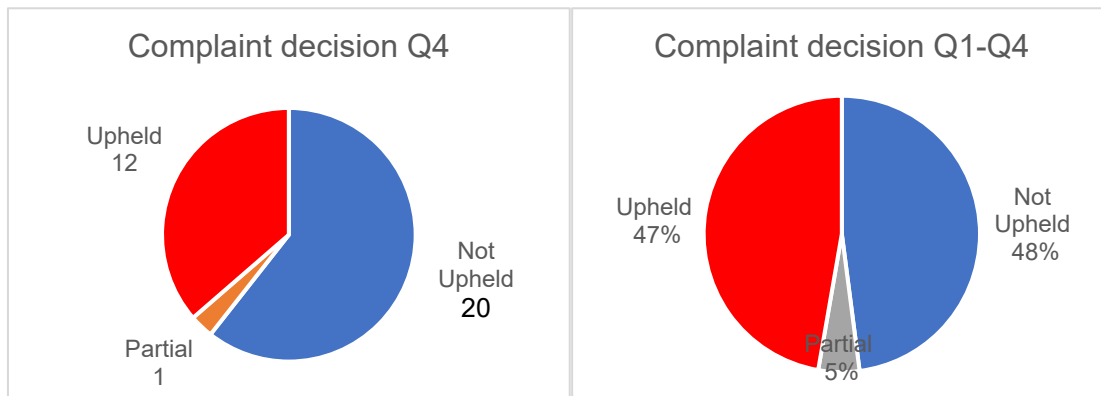


## Complaint decisions

### Performance in Q4

22. We have upheld/ agreed with 12 (36%) complaints in Q4. We have not upheld/ disagreed with 20 (60%). One complaint was partially agreed with. It’s important to note that four complaints are live, and no decision has been made. This will impact this view of the results.

23. The chart below shows the split for Q4.



Performance across 2022/23

24. The chart entitled Complaint decision Q1-Q4 shows the view from the year. In total, we've upheld 69 (47%) complaints, not upheld 70 (48%). Seven complaints have been partially upheld.

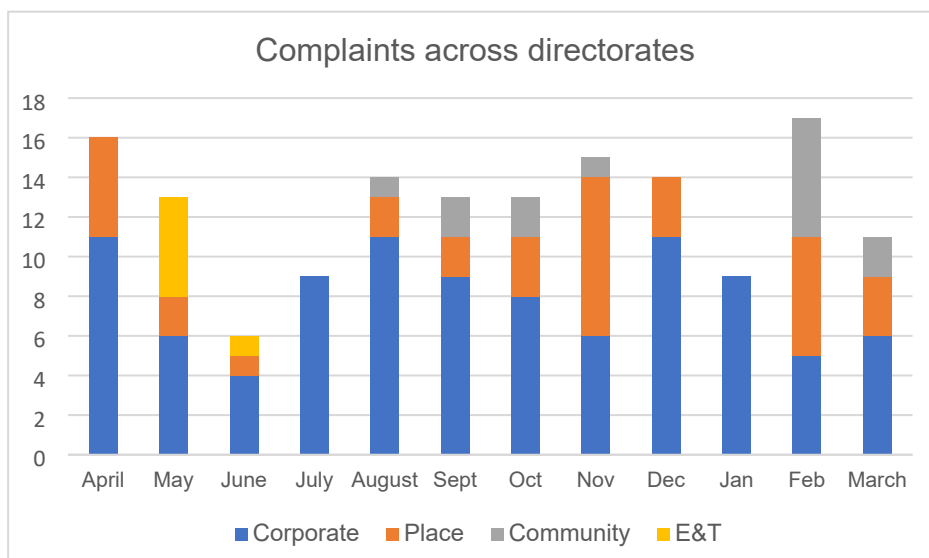
**Complaints by directorate/ team**

Performance in Q4

25. Corporate account for 20 (54%) of all complaints received across Q4. Place and Communities account for nine (24%) and eight (22%) respectively.

Performance across 2022/23

26. The chart below considers the monthly view. Corporate account for 95 (63%) of all complaints across the quarters. Place register 35 (23%), Community 12 (8%)



27. Further analysis of Corporate shows that Waste Services account for 53% of all complaints, Council Tax account for 36%.

28. Planning complaints accounts for 86% of the total amount investigated within Place.

## Learning from complaints

### Performance in Q4

29. The services receiving the highest number of complaints for Q4 were Planning, Council Tax and Waste.
30. Planning. Out of the eight complaints received, eight were not upheld. No learning can be obtained.
31. Council Tax. Out of the eight complaints received, two are still live. Two complaints were upheld. Both have been attributed to staff input error and discussions held with the team to remind them of process.
32. For Waste. Out of the eight complaints, eight were upheld. Six of the eight complaints were down to failure to provide a service around missed bin collections. They were investigated within the 10 days service level agreement.

## Ombudsman decisions

### Performance in Q4

33. One complaint was escalated to the [Local Government Ombudsman](#) during Q4. This was closed after initial enquiries as it related to antisocial behaviour which had been subject to court proceedings. This places it outside of the Ombudsman authority.

### Performance across 2022/23

34. The Council has three complaints listed on the Local Government Ombudsman website for 2022/23.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

35. As this report is for information and no decisions required, no options have been considered.

## CORPORATE GOVERNANCE CONSIDERATIONS

### Relevance to the Corporate Plan and/or The Hart Vision 2040

36. Performance reporting is an essential element of understanding how the services are performing in the context of the actions being undertaken in Service Plans. Complaints analysis provides officers with invaluable feedback on the provision of services at an operational level.

### Service Plan

- Is the proposal identified in the Service Plan? **Yes**
- Is the proposal being funded from current budgets? **Yes**
- Have staffing resources already been identified and set aside for this proposal? **No**

### Legal and Constitutional Issues

37. There is no statutory duty to report regularly to Cabinet on the Council's performance. However, under Section 3 of the Local Government Act 1999 (as amended) an authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. Regular reports on the Council's performance in responding to complaints assist in demonstrating best value and compliance with the statutory duty.

#### Financial and Resource Implications

38. None identified

#### Risk Management

39. Complaints about services can indicate where identified operational risks have materialised. This should be monitored through individual departmental risk registers. Learning from complaints can help mitigate the same risks occurring in the future.

### EQUALITIES

40. The Q4 and annual analysis potentially has relevance to the Equality Act. Three complaints reported in Q4 referenced bias or unfair discrimination.

- Complaint 1. Complaint upheld by Capita following an allegation of unfair discrimination on race grounds
- Complaint 2. Complaint partially upheld although allegation of racism unfounded
- Complaint 3. Complaint still being investigated

### CLIMATE CHANGE IMPLICATIONS

41. There are no direct carbon/environmental impacts arising from the report

### ACTION

42. This report enables Overview and Scrutiny Committee to understand the Council's performance around complaints handling and performance. Those that are escalated to the Ombudsman could result in a significant detrimental impact on the Council if it is found to be at fault through maladministration or negligence and so it is important that Cabinet and the public can be satisfied that the Council is running a well-managed and effective complaints system.

43. To ensure transparency, the report is available on the Council's website through the committee reports pages.

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