

## **OVERVIEW AND SCRUTINY COMMITTEE**

<b>Date of meeting:</b>	<b>Tuesday 16 April 2024</b>
<b>Title of report:</b>	<b>Complaints report for January to March 2024</b>
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 to March 2024.
2. The report looks at performance on a range of metrics and examines any learning from the information presented.
3. The report also considers Hart's progress with work supporting the transition to the new complaint handling code from the Local Government and Social Care Ombudsman.

### **Recommendation**

4. The complaints report for Q4, January to March is noted.

### **Background**

5. This report is the third and final summary for this financial year. The report provides details of the formal complaints received during Q4, January to March 2024.
6. Due to the proximity to the reporting period (end of March) and submission of this report to the committee, some of the analysis is incomplete. Members will be updated at the meeting.
7. The report reviews performance information from the corresponding quarter in 2022/23 to provide a comparative data set.
8. From 2024/25, we will move to a half year reporting cycle. The next report will be in October 2024 and review the first two quarters of the year.
9. The second report will consider Q3 and Q4 and be published in April 2025. This will include the annual complaints performance and service improvement report.

### **Overview for Quarter 4, January to March 2024**

#### Number of complaints

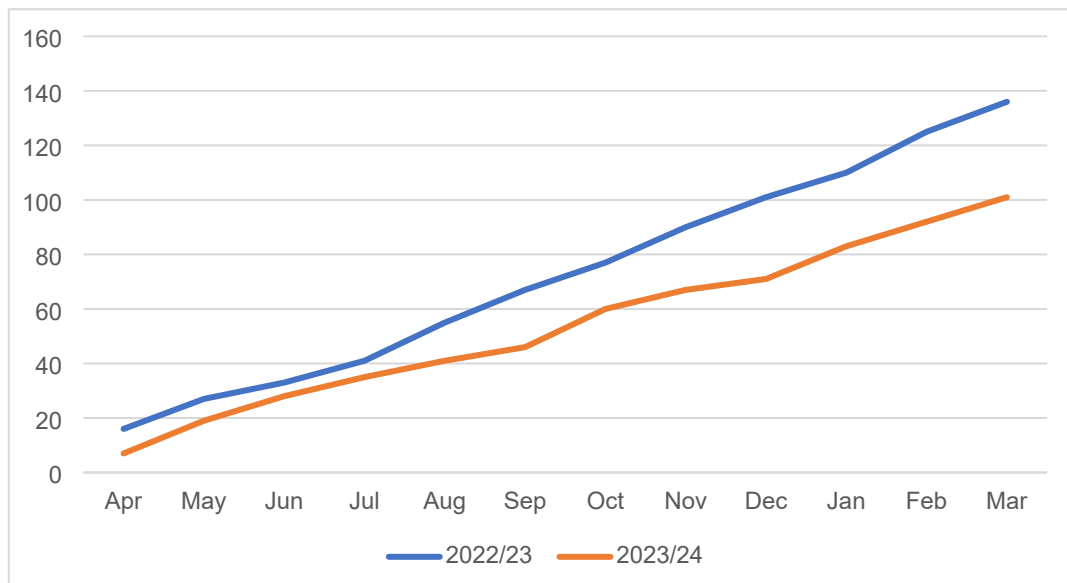
10. We received 30 stage 1 complaints and three stage 2 complaints in Q4. Table 1 highlights Q4 and compares with previous months in 2023/24. Q4 has received the highest number of complaints across all the quarters in 2023/24.

Table 1. Stage 1 and 2 complaints from April 2023 to March 2024

Stage	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1	7	12	9	7	6	5	14	7	4	12	9	9
2	0	1	1	2	1	1	0	4	1	0	2	1
Total	7	13	10	9	7	6	14	11	5	12	11	10

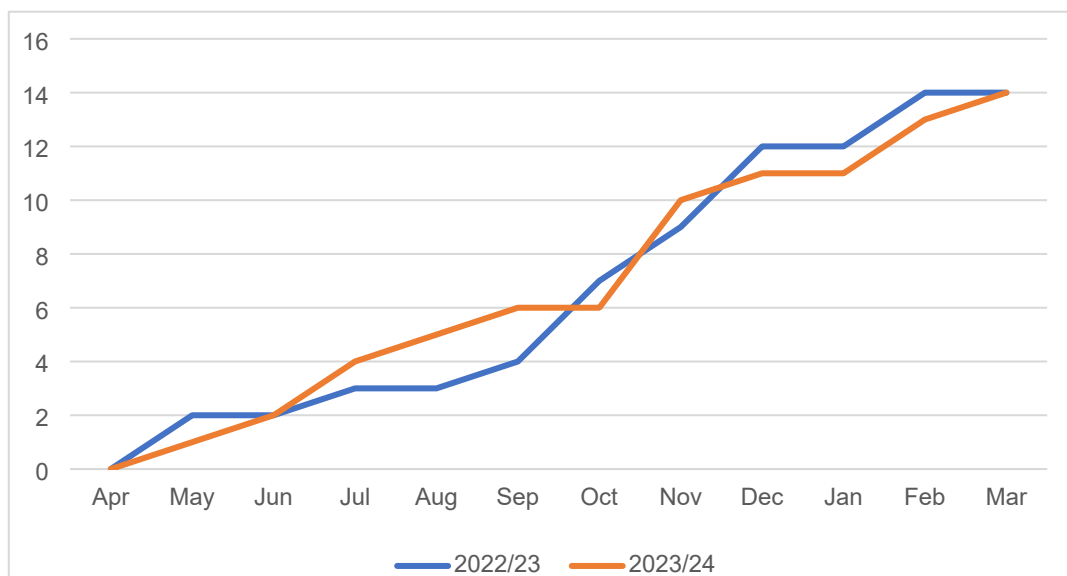
11. In Q4 2022/23, we received 37 complaints (stage 1 = 35, stage 2 = two).
12. Graph 1 shows the cumulative number of stage 1 complaints across 22/23 and 23/24. This shows that we received 136 complaints last year, compared to 101 for 2023/24.

Graph 1. Stage 1 complaints comparing 22/23 with 23/24



13. Graph 2 sets out the cumulative figure, across 22/23 and 23/24. We have received 14 complaints in total in both years.

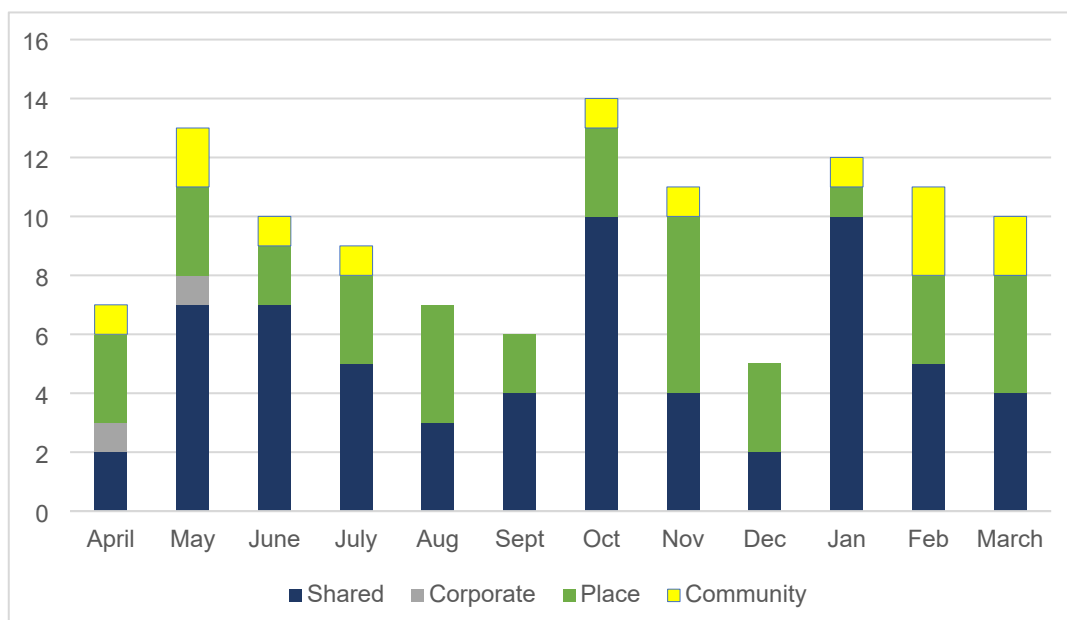
Graph 2. Stage 2 complaints comparing 22/23 with 23/24



### Complaints by directorate and shared service

14. Shared services including Council Tax & Housing Benefit, and Waste account for 58% (19) of all complaints in Q4 2023/24. Place register 24% (eight) of all complaints and Community Services 18% (six).
15. Graph 3 shows this split across the different departments from April 2023 to March 2024.

Graph 3. Complaints received from each service area from April 2023 to March 2024



16. For detailed analysis from the different service teams, see Appendix 1. This examines the following information:
  - Number of complaints reported by team and directorate
  - Number of complaints per team and directorate as a percentage against the total
  - How many complaints have been escalated to stage 2
  - Performance against response time by team and directorate
  - Compares against the number of complaints received in Q4 2022/23
17. Table 2 shows the split of complaints received in Q4 across the different shared services teams.

Table 2. Number of complaints received in each service area for Q4 2023/24

	Waste (BDBC)	Council Tax (Capita)	Housing Benefit (Capita)	Business rates (Capita)
Jan	7	2	1	0
Feb	1	3	1	0
Mar	3	0	0	1
<b>Total</b>	<b>11</b>	<b>5</b>	<b>2</b>	<b>1</b>

18. Table 3 shows that each directorate has seen a reduction in the number of complaints compared to Q4 2022/23. Overall, there has been a reduction of four complaints.

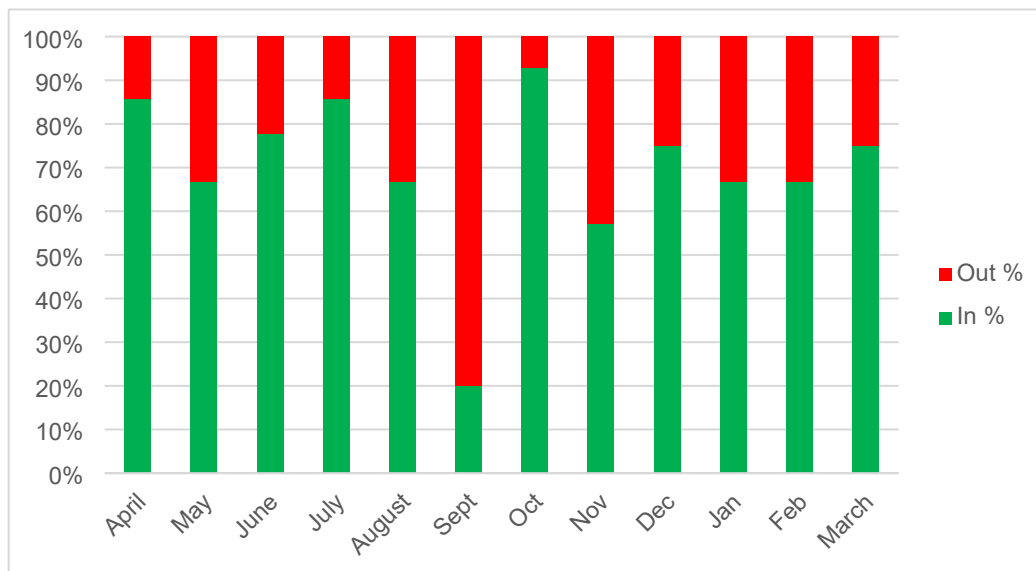
Table 3. Complaints received in each service area comparing Q4 22/23 and 23/24

	Q4 23/24	Q4 22/23	Difference
Shared Services	19	20	-1
Place	8	9	-1
Community	6	8	-2
Corporate	0	0	-
<b>Total</b>	<b>33</b>	<b>37</b>	<b>-4</b>

### Responding to complaints in time

19. There is a 10 day service level agreement to respond to stage 1 complaints. On average, we meet this in 69% of complaints in Q4. There are five live complaints which will impact this percentage. As a comparison, we responded to 69% of complaints in Q2/Q3 22/23.
20. Graph 4 shows the stage 1 complaints investigated and resolved within 10 days for the year. This graph will be amended to reflect the five live cases.

Graph 4. Stage 1 complaints responded within 10 days



21. There is a 20 day target for stage 2 complaints: we achieved 100% completion from two complaints investigated in Q4 with one live complaint to be factored in. As a comparison, we achieved 100% in 22/23 for both complaints.
22. Appendix 1 includes the breakdown for each team's response times. This shows two teams in Place averaging over the 10 day service level. Planning record 19.6 days for the five stage 1 complaints. Environmental Health took, on

average, 14.5 days for the two stage 1 complaints. Other teams across Hart are, at the time of the report, averaging 10 days or less to respond to stage 1 complaints.

### Reasons for complaints

23. We record the reasons why a complaint has been made, in line with the categories set out in [the complaints policy](#). The three highest categories of complaint across Q4 are:
- Mistakes in the way a decision has been taken, eight complaints, 24% of total
  - Failure to provide a service, eight complaints, 24%
  - Rude, unhelpful or inappropriate behaviour by staff, six complaints, 18%
24. For stage 2 complaints, an assessment of the stage 1 escalation is made based on the following categories:
- Promised action not taken
  - Promised action delayed
  - Misleading or inaccurate response
  - Inadequate explanation
  - Failed to address some or all issues
  - Disagree with decision
25. Three complaints were escalated to stage 2 in Q4. Appendix 2 sets out the reason for each complaint and the outcome of the stage 2 review. In summary, two complaints were not upheld by the investigating Executive Director. One complaint is still being reviewed.

### Complaint decisions

26. We record decisions in three ways:
- Upheld, where the investigating officer agrees with the complainant
  - Partially upheld where the officer agrees with some aspects of the complaint
  - Not upheld, where the officer does not agree with the complainant.
27. Of the 27 complaints where a decision has been made, we upheld 52% (14) complaints across Q4. A further 48% (13) were not upheld. Six complaints are live.
28. This compares to 35% (13) complaints upheld in Q4 22/23, 62% (23) not upheld and a further 3% (one) partially upheld.

### Learning from complaints

29. The focus for learning is on complaints where we've accepted errors or mistakes have been made. Appendix 3 sets out the upheld complaints in Q4 with details of:
- The team investigating the complaint
  - Summary of the issue raised

- Any learning taken from each case.
30. Each complaint was issued with a written apology and sets out any remedial action to be taken.
  31. There were no themes of learning within the 14 complaints we've upheld in Q4. Each learning point will be raised at Operational Management Group to ensure this level of management are informed and aware.

#### Local Government Ombudsman decisions

32. No cases were referred to the [Local Government Ombudsman](#) in the reporting period.

#### **Local Government Ombudsman complaints handling code**

33. The new code went live in February 2024 and local councils are encouraged to adopt the code as soon as they are able. The Local Government Ombudsman intend to start measuring adherence to the code from April 2026. This gives councils two years to adopt the code.
34. The Local Government Ombudsman will use this time to work with pilot councils to understand the impact of the code and produce further guidance to the sector. Hart have volunteered to be part of this pilot and we hope to find out in early April.
35. The officer working group have reviewed the [new complaint handling code](#) and assessed whether:
  - Hart's current policy matches the new code, so no change required
  - Minor edits are required to the current policy to bring into line with the new code
  - Significant change is required to the current policy.
36. We estimate that 45% of the current complaints policy matches the new code. We will work through the 33 elements that don't match with a view to bringing the draft policy to Overview and Scrutiny Committee by September 2024.

#### **Corporate Governance considerations**

##### Relevance to the Corporate Plan

37. 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 resources already been identified and set aside for this proposal? No

## Legal and Constitutional issues

38. 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.
39. 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

40. None identified

## Risk Management

41. 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

42. The analysis conducted through this paper potentially have relevance to the Equality Act. Each report will identify and analyse all complaints that reference bias or discrimination or intimates this within the submission.
43. No complaints reported in Q4 referenced bias or unfair discrimination.

## Climate Change Implications

44. There are no direct carbon or environmental impacts arising from the report.

## **Action**

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

**Contact Details:** Steve Bennett

## **Appendices**

Appendix 1 complaints analysis across service areas Q4 2023/24

Appendix 2 Stage 2 complaint outcomes Q4 2023/24

Appendix 3 learning from upheld complaints Q4 2023/24