

Finance and Governance Cabinet Advisory Board

14 November 2017

Is the final decision on the recommendations in this report to be made at this meeting?

No

Complaints Summary: Q1 & Q2

Final Decision-Maker	Cabinet
Portfolio Holder(s)	Councillor David Jukes, Leader of the Council
Lead Director	Lee Colyer, Director of Finance, Policy and Development
Head of Service	Jane Clarke, Head of Policy and Governance
Lead Officer/Report Author	Jane Clarke, Head of Policy and Governance
Classification	Non-exempt
Wards affected	All

This report makes the following recommendations to the final decision-maker:

1. That Cabinet notes the contents of this report.

This report relates to the following Five Year Plan Key Objectives:

- A Prosperous Borough
- A Green Borough
- A Confident Borough

This report is for information to enable Cabinet to understand the Council's current performance in relation to complaints handling, to receive an overview on the types of complaints received and the outcome of those which were escalated to the Local Government Ombudsman. The information also sets out any lessons learnt from handling complaints which will ultimately lead to improved service delivery.

Timetable

Meeting	Date
Management Board	25 October 2017
Finance & Governance Cabinet Advisory Board	14 November 2017
Cabinet	7 December 2017

Complaints Summary: Q1 & Q2

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report provides an overview of complaints received by Tunbridge Wells Borough Council under the Council's Complaints Procedure during quarters 1 and 2 (1 April to 30 September 2017), and the number of Freedom of Information requests received for the same period.
- 1.2 The report examines how complaints are received, and looks at any learning, feedback or trends that can be gained from the information presented.

2. INTRODUCTION AND BACKGROUND

- 2.1 Tunbridge Wells Borough Council operates a two stage corporate Complaints Procedure and logs these complaints through a centralised complaints management system.
- 2.2 At the first stage, the complaint is responded to by the relevant Head of Service within 15 working days of receipt of the complaint. At the second stage, the complaint is responded to by the Chief Executive, or one of his Directors, within 20 working days. Once the corporate complaints procedure has been completed, if the complainant remains unhappy they are able to escalate their complaint to the Local Government Ombudsman (LGO).

3. COMPLAINTS OVERVIEW

- 3.1 The Council recorded a total of 172 complaints during quarters 1 and 2 of 2017/18. This figure is a reduction in the number of complaints recorded for the previous two quarters (201 complaints) and a reduction for the same period in 2016/17 (235 complaints).

Quarters	Total complaints
2017/18 (Q1 & Q2)	172
2016/17 (Q3 & Q4)	201
2016/17 (Q1 & Q2)	235

- 3.2 Of those complaints, 152 were recorded at stage one of the Complaints Procedure, and 20 were recorded at stage two of the procedure.

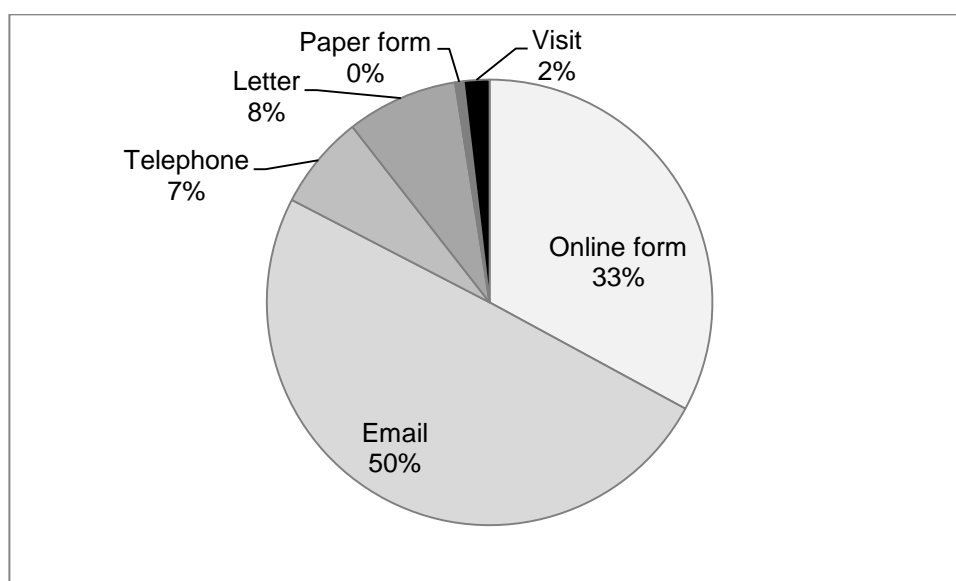
Quarters	Stage one	Stage two
2017/18 (Q1 & Q2)	152	20

- 3.3 Responding to complaints within a reasonable time is a key performance target for the Council, and is a feature of a well performing complaints handling system that adheres to best practice. Performance indicators are used to monitor the speed of the Council's response to complaints dealt with through the procedure.
- 3.4 Complaints dealt with at stage one should be responded to within 15 working days, and complaints dealt with at stage two should be responded to within 20 working days. The Council has set a target of responding to 90% of all complaints within these timescales.

- 3.5 For quarters 1 and 2 of 2017/18 this target was not met at either stage. An analysis of the reasons for this has shown that for those complaints that have not met the performance indicator target, the majority have missed the deadline by only one or two days. Processes have been put in place for quarters 3 and 4 to ensure that the investigation is started more quickly following submission of the complaint, and meetings with relevant senior officers are scheduled promptly.

Quarters	% stage one in time	% stage two in time
2017/18 (Q1 & Q2)	82%	70%

- 3.6 The Council records the channel through which complaints are received, which helps us to understand customer preferences and how these might change over time, and also ensures that we operate a complaints handling system that is accessible and free of barriers.



- 3.7 During quarters one and two for 2017/18, the majority of complaints received were made through electronic means. Email was the most popular method of complaining, followed by the online form. These two channels account for 83% of all complaints received.
- 3.8 Whilst the preference for digital contact has remained largely the same over the last year (80% in Q3 and Q4 2016/17), the online form has slightly reduced in popularity. In Q3 and Q4 for 2016/17, 43% of complainants chose to use the online form, compared with only 33% in Q1 and Q2.

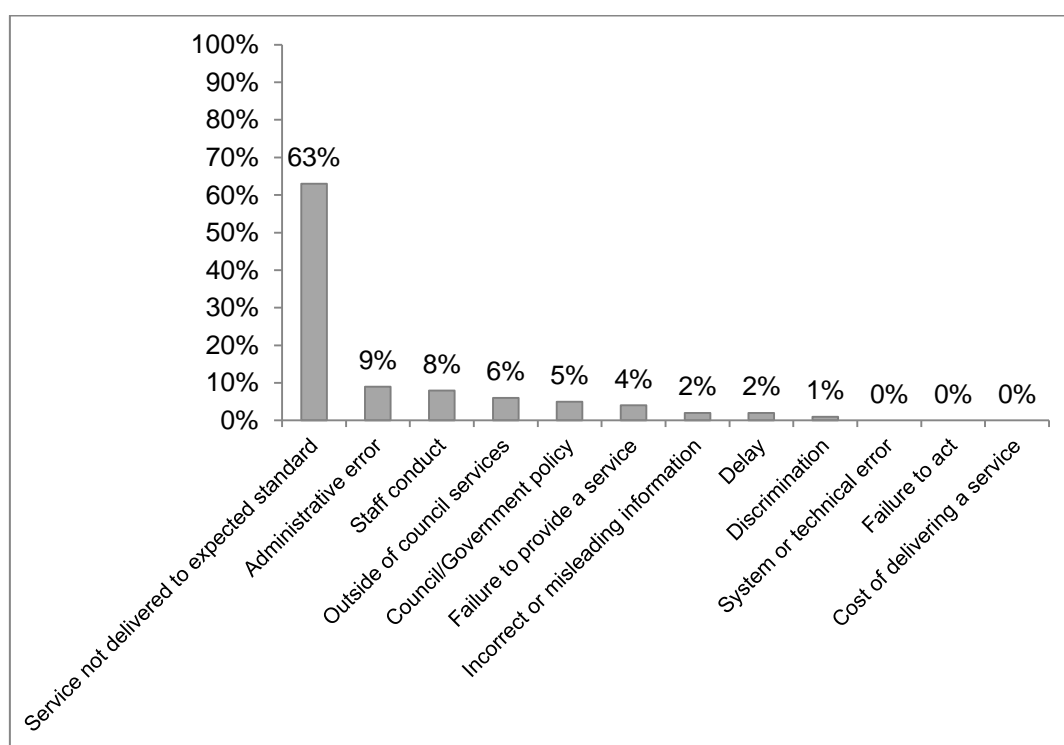
Quarters	Digital contact	Email	Online form
2017/18 (Q1 & Q2)	83%	50%	33%
2016/17 (Q3 & Q4)	80%	43%	37%

- 3.9 The Council changed the online form in the first quarter of 2017/18 to capture complaints more accurately, and to link the online form with the new complaints handling system. The changes made to the online form and webpage for complaints may have had a negative impact on customer preferences when contacting the Council. The form and webpage will be monitored over quarters 3 and 4, and if

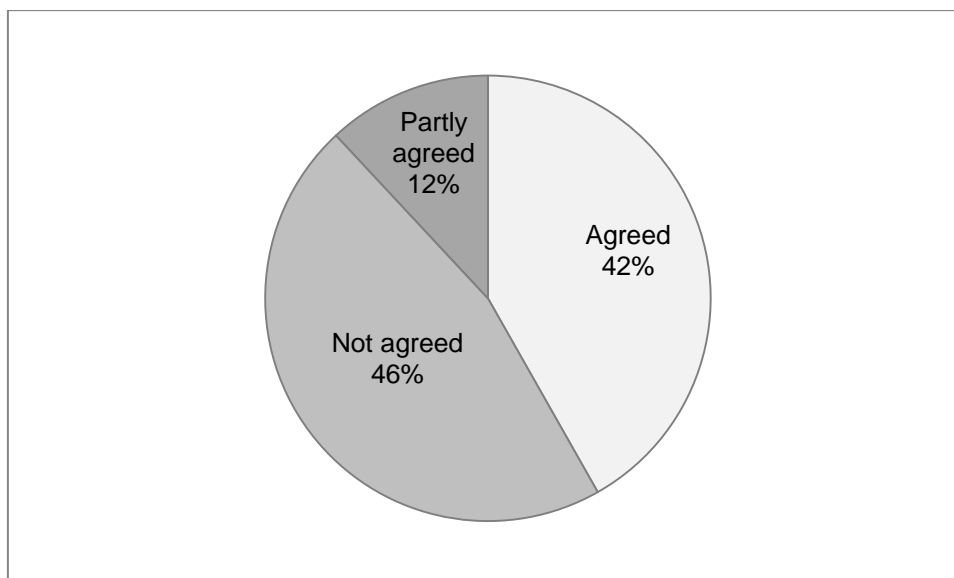
necessary changes will be made to encourage more people to use this method of contact.

Complaints: Reasons and Decisions

- 3.10 The Council records the reasons why a complaint has been made, in line with a list of categories that have been developed, and the decisions made on complaints.
- 3.11 For quarters 1 and 2 for 2017/18, the majority of complaints were recorded as the service not being delivered to expected standards, which can cover a wide range of different issues around service delivery.



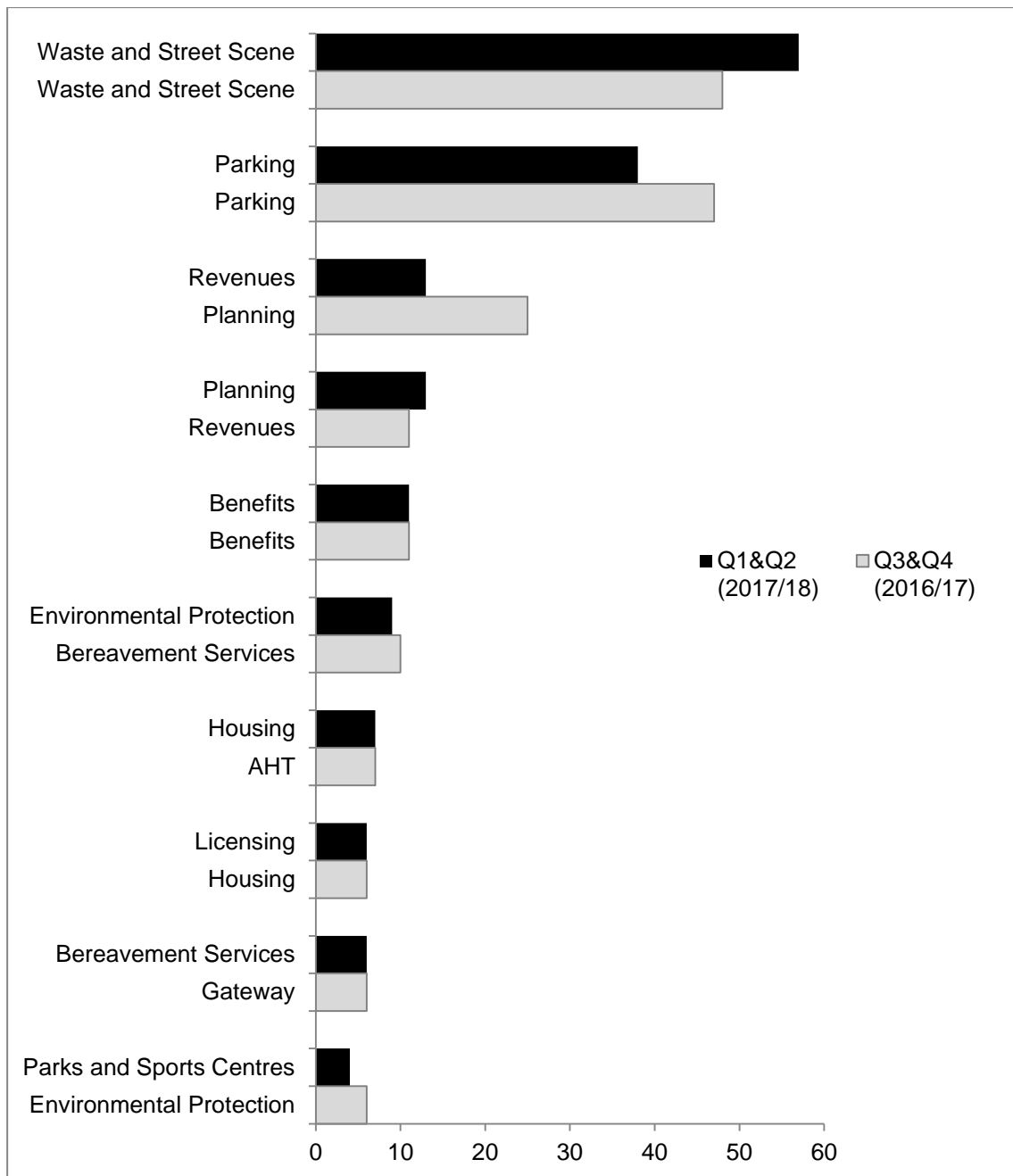
- 3.12 The Council also records its decisions on complaints, and this is done in three ways: 'agreed', where the Council agrees with the complaint made by the complainant; 'partly agreed', where the Council agrees with some aspects of the complaint that has been made, but not with the entire complaint; and 'not agreed', where the Council does not agree with the complainant about the complaint that has been made.
- 3.13 For those complaints that received a decision in quarters 1 and 2 for 2017/18, the Council agreed with the complainant in 42% of cases, and partly agreed in 12% of cases. Whilst this is an increase on the number of cases where the Council agreed with the complainant, in some or all aspects of the complaint, for quarters 3 and 4 for 2016/17 (48% of cases), it is a reduction from quarters 1 and 2 for 2016/17 (57% of cases).



- 3.14 The Council expects to see a fairly even distribution in the number of complaints agreed with and the number of complaints not agreed with over time. If a high proportion of complaints are agreed with quarter on quarter, this can indicate that problems or issues are not being picked up and dealt with effectively at service level. If a high proportion of complaints are not agreed with quarter on quarter, this can indicate a lack of understanding and willingness to accept feedback on service improvements by the Council.

Complaints by Service

- 3.15 The Council records the number of complaints, broken down by service areas, as a way of monitoring service levels and standards, and to act as an early warning sign for significant service failure or disruption.
- 3.16 Whilst this can be done by comparing quarter on quarter figures within each service, it is difficult to compare across services, given the diverse nature of business across the Council. Some services, such as waste collection and planning services, will always feature towards the top of the list, due to the high levels of customer contact they receive, and this needs to be taken into account when analysing complaints received by service.



- 3.17 For quarters 1 and 2 for 2017/18, Waste and Street Scene services and Parking services remained the services with the highest numbers of complaints, although Parking services did see a reduction in the number of complaints compared with the previous two quarters.
- 3.18 Work has been undertaken in Parking services to ensure complaints are dealt with as effectively as possible, and a consistent effort has been made to learn from the complaints received and where possible make service improvements, which may be having a positive effect on the overall number of complaints received.

Compensation Paid

- 3.19 Compensation payments are recommended when it is considered there are no other appropriate remedies to resolve a complaint. The Council has offered the following compensation payment or refunds during quarters 1 and 2 for 2017/18.

Service area	Amount	Issue
Revenues	£10	Payment made in compensation for postage costs incurred by a complainant.

Learning from Complaints

- 3.20 The Council aims to learn from all of the complaints and feedback it receives from residents and customers about its services, and a well run complaints system is able to capture the learning from each complaint and ensure it is communicated across the organisation in order to develop services and prevent the same mistake from happening again.
- 3.21 Key issues and themes drawn out from the recommendations made to services regarding complaints resolutions for quarters 1 and 2 are as follows:
- *Services should ensure that frontline staff are up-to-date and aware of the correct procedures and policies to follow when dealing with complex or novel issues within their service.*
- 3.22 Some complaints received over the period showed that frontline staff were dealing with a range of different issues, but when faced with a complex or novel issue, were not aware of, or were not confident in using, the established procedures of the Council to deal with such issues.

4. OMBUDSMAN DECISIONS

- 4.1 Where a complainant has been through the corporate complaints procedure at the Council, but remains unhappy with the outcome, they are able to progress their complaint to the Local Government Ombudsman.
- 4.2 The Ombudsman will only consider complaints where they have exhausted the Council's own resolution processes. Where complaints are submitted too early (i.e. the complainant has not contacted the Council to resolve the complaint in the first instance), the complaint will be referred back to the Council without investigation.
- 4.3 Some complaints are made to the Ombudsman about issues or services that are not in the Council's control. Where this is the case, the Ombudsman will record these as 'out of jurisdiction'. This is also used where the complaint has another avenue of redress – such as a Judicial Inquiry for planning application decisions.
- 4.4 For quarters 1 and 2 for 2017/18 no Ombudsman decisions were recorded for the Council.

Quarters	Complaint Summary	Decision
Q1&2 2017/18	N/A	N/A

5. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 5.1 That Cabinet note the contents of this report.
- 5.2 This report is for information to enable Cabinet and the Council to understand the Council's current performance in relation to complaints handling, to receive an overview on the types of complaints received and the outcome of those which were escalated to the Local Government Ombudsman.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 This report does not require further consultation as the report is for information only.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 This report is for information only and enables Cabinet to understand the Council's current performance in relation to complaints handling and to receive an overview of the types of complaints received and the outcome of those which are escalated to the Local Government Ombudsman. This report will be published on the Council's website within the Committee reports.

8. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off (name of officer and date)
Legal including Human Rights Act	<p>This report provides a review of complaints received and an update on the Council's complaint handling. If any complaint raises issues that may have legal implications or consequences, the Head of Legal Partnership should be consulted.</p> <p>There are no consequences arising from the recommendation that adversely affect or interfere with individuals' rights and freedoms as set out in the Human Rights Act 1998.</p>	Keith Trowell, Senior Lawyer
Finance and other resources	Whilst the amounts of compensation are relatively small it is important to review the cause of the complaint and to identify prevention processes, as the cost of administering a complaint and the correction of any mistakes is often significant.	Jane Fineman, Head of Finance and Procurement
Staffing establishment	There are no implications for staffing within this report.	Nicky Carter, Head of HR and Customer Services
Risk management and health & safety	Complaints about services can indicate instances where identified operational risks have	Jane Clarke, Head of Policy

	materialised. This should be monitored through individual departmental risk registers. Learning from complaints can help to mitigate the same risks occurring in the future.	and Governance
Environment and sustainability	There are no environment and sustainability issues raised within this report.	Karin Gray, Sustainability Manager
Community safety	There are no consequences arising from the recommendation that adversely affect community safety.	Terry Hughes, Community Safety Manager
Health and wellbeing	There are no health and wellbeing implications identified in the report.	Gary Stevenson, Head of Environment and Street Scene
Equalities	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.	Ingrid Weatherup, Corporate Governance Officer

9. REPORT APPENDICES

9.1 None

10. BACKGROUND PAPERS

10.1 None