

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Annual Complaints Report 2019/20

Meeting/Date: Corporate Governance Committee – 24th March 2021

Executive Portfolio: Councillor David Keane Executive Councillor for Corporate Services

Report by: Business Change Manager

Ward(s) affected: All

Executive Summary:

The report provides Members with information on complaints referred to the Local Government & Social Care Ombudsman (LGO) during 2019/20. 23 complaints were received by the LGO, four were investigated. Of the four complaints investigated, two were upheld. The report also provides data relating to Stage One and Stage Two complaints received by the Council between April 2019 – March 2020, broad themes and lessons learnt from these have been considered.

Recommendation(s):

The Committee is invited to comment on the LGO local authority report for Huntingdonshire District Council (2019/20) and the data relating to formal Stage One and Stage Two complaints received (2019/20).

1. PURPOSE OF THE REPORT

- 1.1 This report provides Members with information on complaints referred to the LGO and those received by the Council between April 2019 – March 2020.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 One of the purposes of the annual summary of statistics on complaints made to the LGO is to help ensure that learning from complaints helps inform service provision. The LGO statistics show complaints and enquiries received by service area and whether a decision was upheld, not upheld, advice given, closed after initial enquiry, incomplete/invalid, or referred back for local resolution.
- 2.2. A further purpose of this report is to provide Members with data relating to Stage One and Stage Two complaints by Service area.
- 2.3 This report should have been produced in Sept/Oct 2020; however, it was delayed due to urgent business critical needs, both the Officer managing complaints and complaints data analyst were redeployed to Covid business grants. With the exception of quarterly reporting, any additional in-depth complaints analysis was paused during 2020. This work will now recommence.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 There were 23 complaints received by the LGO during 2019/20 (17 received during 2018/19) this includes those which did not progress to the LGO assessment stage or beyond. Of these 23 complaints there were four detailed investigations carried out, of the four complaints investigated, two were upheld. In summary:

Two were upheld:

- Parking – a customer complained the Council wrongly led them to believe they had a right of appeal in court after rejecting an appeal about an Excess Charge Notice. The customer also complained the Council's correspondence did not explain if it took them to court, additional costs would be incurred. The customer felt that they may have made a different choice if this had been known in advance. The customer did not make an appeal so there was no injustice from the first part of this complaint. Given the customer accepted the contravention but at no time attempted to pay it, the LGO found it unlikely the outcome would have been different if the Council's letter had been clearer. The costs incurred by the customer were because of the contravention and not because of the actions of the Council. The Council amended the appeal rejection letter to include the potential for added costs if the matter is taken to court.
- Benefits - a customer complained about the Council, regarding overpayment of benefits. The Council was at fault for taking too long to refer the customers appeal to the Tribunal. This caused the

customer unnecessarily prolonged uncertainty. To put matters right, the Council agreed to apologise, pay £100, complete an audit to identify similar cases and improve its practices.

Two were **not upheld**

- Planning - a customer complained the Council failed to enforce a planning condition relating to noise from a wind farm. As a result, the customer complained they have suffered from low frequency noise since the wind farm began operating. The Council was not at fault. It established the noise from the wind farm was within the limits set out in the planning condition.
- Planning – a customer complains about the Council's decision to approve planning permission for the change of use of a public house, without giving time for the community to negotiate to buy the public house. The Ombudsman finds no fault in the Council's decision to approve planning permission.

3.2 The LGO has created a new interactive map - [Your Council's Performance](#) (see App 5 for snapshot of graphics) the site also provides helpful links to decisions made on all cases where the LGO have been involved. It should be noted that most cases are closed after initial enquiries made.

3.3 The number of Stage One complaints (280) recorded on Complaints Tracker has decreased from last year (419).

- 161 complaints received by Operations, these related mainly to missed bins¹
- 30 complaints received by Leisure & Health, these related mainly to poor service and site facilities
- 44 complaints received by Development, these related mainly to Planning decisions
- 37 complaints received by Customer Services (Customer Services includes a number of different services e.g. council tax, benefits, housing, and customer services/call centre), these related mainly to Council procedures e.g. decisions made
- 4 complaints received by Community these related mainly to Council procedures e.g. decisions made
- 4 complaint received by Resources, this related to Council procedures.

3.4 17 Stage Two complaints were received, this indicates that complaints are largely being resolved at Stage One, which is positive indication that formal complaints are being dealt with effectively in the first instance. Themes and lessons learnt from Stage One and Stage Two complaints are included in Appendix 3.

3.5 Annual Performance monitoring:

- 87% of Stage One complaints were resolved within time (PI 40) against a target of 90%. In the entire year, we had 37 late responses out of 280. Operations had 27 (out of 161) late (83% on time), while

¹ Missed bins not recorded as a formal complaint until report of a 4th missed bin / returned bin through CRM in the last 6 months

Development had 10 (out of 44) late (77% on time), seven of Development's late responses were in Q3 when the service was going through significant structural change, Operations also had a high number of late responses in Q3.

- Responses to Stage Two complaints were also below target at 76% (against a target of 90%). 17 Stage Two complaints were resolved in 2019/2020 with four responded to late (Development). There were no stage 2 complaints received in February or March 2020.

3.6 Complaints Tracker

The Complaints SharePoint site was updated in early Q4 2019/20 and continues to be well used by most staff across HDC and has improved the process of tracking and monitoring complaints. There are still challenges that are being encountered such as Customer Services/Operations still requiring to use their own CRM system which can cause delays when tracking complaints raised in that system. however, it is anticipated that the CRM will be switched off by the end of April 2021.

3.7 Unreasonable Complainants

In 2019/20, four customers continue to be classified as Unreasonable Complainants. Three cases remain active and one less so. All have a single point of contact at HDC; however, two customers continue to involve Officers and/or Members unnecessarily with further restrictions placed on one customer. Three of the cases have involved the LGO and/or ICO, but we are continuing to manage these cases in a way that does not entail a disproportionate amount of time at the expense of other residents.

4. KEY IMPACTS / RISKS

4.1 With complaints, there is always a risk that we do not record all the complaints we receive and so do not have the full picture or identify trends. Following changes to web content and web form (early 2020), the majority of complaints are now being received via the online form, we have also seen a significant reduction in complaints about issues that are not within HDC remit (e.g. on street parking issues, highways and roads) with customers being redirected to the correct organisation. Complaints do continue to be logged by the CRM system (Operations and Customer Services), subsequent to CRM being switched off, further work is required to align the recording of all complaints.

4.2 The Council's internal monitoring and recording system for complaints (Complaints Tracker) has been a significant aid to improving how complaints are both recorded/monitored and handled on time. The system sends deadline reminders to Officers, who have reported is a helpful function.

4.3 Last year it was reported that the aim would be to provide a more comprehensive breakdown of themes and lessons learnt by Service area (you said – we did) and display complaints in the context of customer transactions e.g. as a % of total customer transactions per Service area and compliments received. However, as stated in section 2.3 this has not been possible due redeployment of resources to business critical Covid

business grant work. A review of the Council's complaints process has now recommenced, and, using LGO guidance, this review will establish whereabouts we are on the spectrum for effective complaints handling process. Findings and recommendations will be presented at a later date.

5. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 5.1 Complaints handling links to the following Strategic Priority within the Corporate Plan – Becoming a more customer focused organisation.

6. REASONS FOR THE RECOMMENDED DECISIONS

- 6.1 Members are invited to note the LGO Local Authority Report for Huntingdonshire District Council and note the data relating to Stage One and Stage Two complaints received by the Council.

7. LIST OF APPENDICES INCLUDED

Appendix 1	LGO statistics for HDC
Appendix 2	HDC internal complaints
Appendix 3	Complaints – stage 1/stage 2 themes and lessons learned
Appendix 4	Compliments
Appendix 5	LGO statistics – neighbouring authority comparison

CONTACT OFFICER

Name/Job Title: Louise Sboui
Tel No: 01480 388032
Email: louise.sboui@huntingdonshire.gov.uk

Appendix 1

LGO Local Authority Report – Huntingdonshire District Council

Complaints and Enquiries Received (by Category) 2019-20

HDC	Benefits and Tax	Corporate and Other Services	Environment Services, Public Protection and Regulation	Planning and Development	Housing	Highways and Transport	Total
2019/20	2	0	5	10	3	3	23
2018/19	6	3	2	6	0	0	17
2017/18	2	5	3	7	1	1	19

Complaints and Enquiries Decided (by Outcome) 2019-20

HDC	Upheld	Not upheld	Advice given	Closed after initial enquiry	Incomplete/invalid	Referred back for local resolution	Total	Uphold rate Rate (%)	Average uphold rate (%) of similar authorities
2019/20	2	2	1	10	1	4	20	50	45
2018/19	1	3	0	6	0	5	15		
2017/18	2	1	1	6	0	10	20		

A number of cases will have been received and decided in different business years, this means the number of complaints and enquiries received will not always match the number of decisions made.

Appendix 2 - HDC Recorded Complaints

Service	Stage One			Stage Two			Total			LGO investigations		
	2017/18	2018/19	2019/20	2017/18	2018/19	2019/20	2017/18	2018/19	2019/20	2017/18	2018/19	2019/20
Community	2	8	4	1	4	-	3	12	4	-	-	
Corporate Team	4	1	N/A	-	1	N/A	4	2	N/A	-	-	
Customer Services*	11	43	37	4	7	2	15	50	39	-	-	1
Development	24	46	44	5	5	11	29	51	55	3	4	2
Operations	480	224	161	12	3	1	492	227	162	-	-	1
Resources	-	1	4	1	-	1	1	1	5	-	-	
Leisure and Health	42	93	30	-	-	1	42	93	31	-	-	
Shared Services	2	3	-	-	-	-	2	3	-	-	-	
Other (cross cutting)			-			1			1			
Total	565	419	280	23	20	17	588	439	297	3	4	4

*Customer Services includes a number of different services e.g. council tax, benefits, housing, and customer services/call centre

Appendix 3 2019/2020 Stage Two complaints - summary of themes and lessons learnt

Service	Themes	Lessons learnt
Customer Services	Council Tax: <ul style="list-style-type: none"> • way in which customer charged for use of enforcement agents • way in which overpayment of Council Tax was dealt with. 	Although no fault, outstanding balance written off to bring the matter to a conclusion. Opportunity to promote what more the Council can do to support people, further clarification provided to customer i.e. if deductions causing severe financial hardship, a discretionary reduction can be considered.
Development	Development Management Consultation/Neighbour development: <ul style="list-style-type: none"> • delays in responding to customer. • way in which objections to a planning application were considered. 	Service acknowledges issue around LPA/land ownership is a complex issue i.e. planning permission does not override legal ownership. Service acknowledges issue around how the planning process works e.g. how objections are considered, the weight these objections carry, how impact is considered is complex process, which can be hard to explain simply Service acknowledged that due to volume of queries about this particular case, the Service prepared Q&A document to be issued when queries arose. Service aware of the issues, particularly around the displaying of notices and the clarity of the intended use of a building with regards a Planning Application. Frequently customers require clarification on decision making processes, a better understanding of role of LPA and complexity and limit of planning permission. The Service acknowledges and apologise for any delays in response.
Operations	Litter picking/grass cutting	Opportunity to provide further clarity
One Leisure	Responsibility for damage	Opportunity to provide further clarity
Resources	Issues around garage plot	Opportunity to provide further clarity
Cross cutting Development/Resources	Planning permission and land ownership issues	Complicated case, disputes over land ownership and deeds of covenant. Acknowledged this is a complex and challenging matter for the customer.

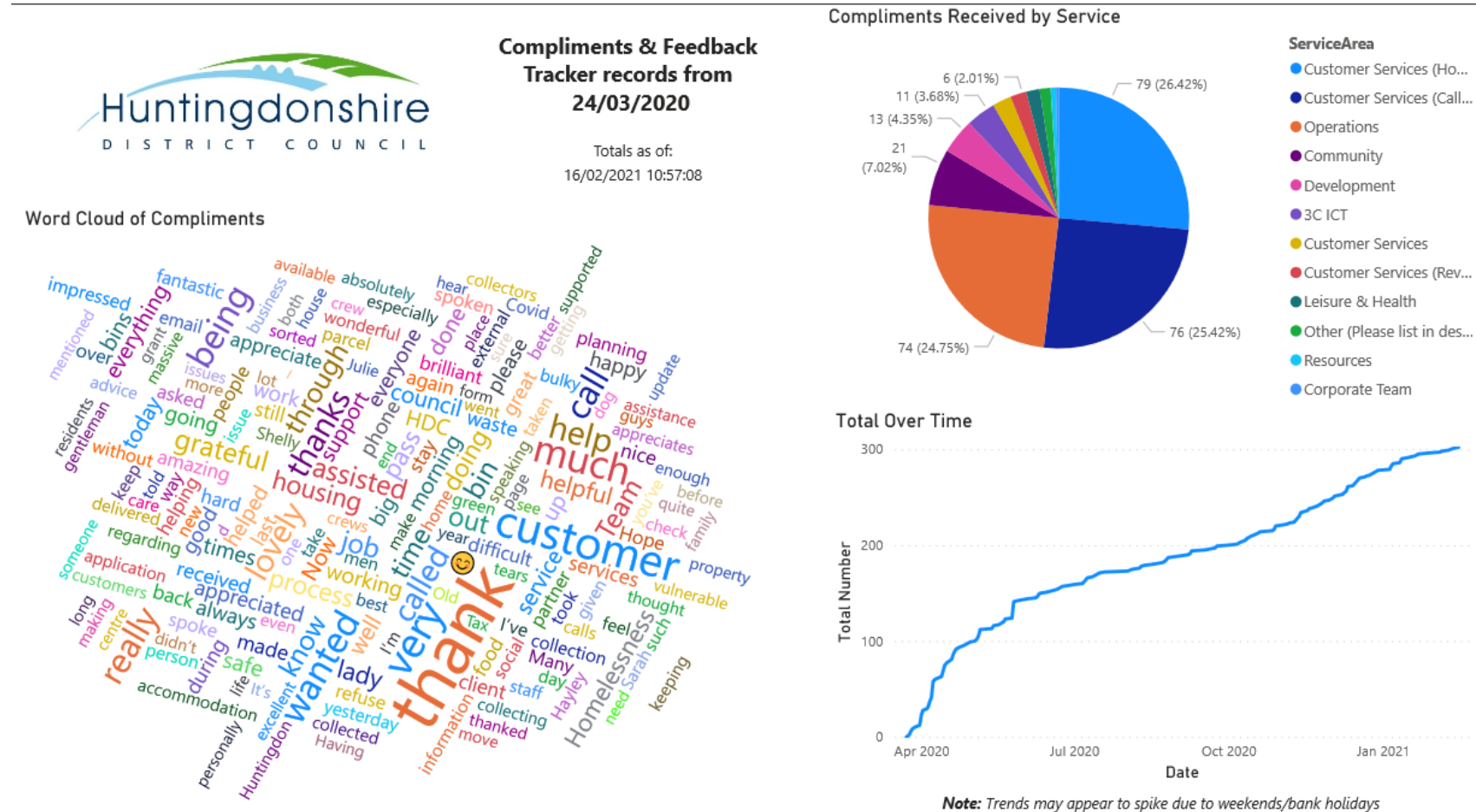
2019/20 Stage One complaints – summary of themes and lessons learnt

Service	Themes	Lessons learnt
Community	Licensing: <ul style="list-style-type: none"> • processes appeared overly complex. Community Safety: <ul style="list-style-type: none"> • complaint about member of staff 	Example of how engaging with customer at early stage can help (undertaken by Customer Services)
Customer Services	Council Tax: <ul style="list-style-type: none"> • payment arrangements • eligibility for single person discount • non-issue of bill • Banding • enforcement action • non-issue of reminder notice • responsibility for payment Benefits: <ul style="list-style-type: none"> • council tax support correspondence • benefit overpayment • benefit eligibility Call Centre: <ul style="list-style-type: none"> • waiting times Customer Services: <ul style="list-style-type: none"> • complaint about member of staff • amendment to parking permit • timescales for delivery of new bin Housing: <ul style="list-style-type: none"> • way in which housing application handled 	System investigation Further training for staff member Guidance to the team to ensure address details are checked before correspondence sent out Identified that further work required to streamline the process Further training for staff member
Development	Development Management/Conservation: <ul style="list-style-type: none"> • Consultation/Neighbour development • Decision making process 	The Service acknowledges that issues around how the planning process works e.g. how objections are considered, the weight these objections carry,

Service	Themes	Lessons learnt
	<ul style="list-style-type: none"> • Difficulties in contacting staff • Delays in response <p>Development Management Admin:</p> <ul style="list-style-type: none"> • Refund delay 	<p>how impact is considered is complex process, which can be hard to explain simply</p> <p>The Service acknowledges that there have been delays in responding to customers, explanations and apology provided to customer(s)</p> <p>Refund authorisation process addressed</p>
Operations	<p>Parking:</p> <ul style="list-style-type: none"> • charges • fines • new machines <p>Grounds maintenance:</p> <ul style="list-style-type: none"> • Grass cutting/flailing/litter picking <p>Refuse/recycling:</p> <ul style="list-style-type: none"> • Missed collection • Assisted collection • Bins not returned to collection point 	<p>Issue rectified and refund/voucher provided</p> <p>Opportunity to clarify actions taken and acknowledge role of residents in caring for the environment</p> <p>Issues rectified and customer reassured that steps taken to ensure collection teams issued with a map and further instructions to ensure that bins are collected as they should be in future.</p>
Leisure & Health	<p>Car parking</p> <p>Cleaning</p> <p>Poor service</p>	<p>Continued regular inspection & cleaning</p> <p>Advice for staff and sessions monitored/reviewed</p>
Resources	<p>Estates:</p> <ul style="list-style-type: none"> • Historical billing 	<p>Administrative error identified/rectified</p>

Appendix 4 - Compliments

The Compliments Tracker was launched March 2020, so the data below does not align with 2019/20, however the dashboard below has been included information. Many compliments relate to how the Council responded to Covid 19.



Appendix 5 LGO Neighbouring Authority Statistics

Cambridgeshire Councils	Complaints and enquiries decided (by outcome) 2019/20		Complaints and enquiries received	
	Not upheld	Upheld	2018/19	2019/20
Huntingdonshire	2	2	15	23
South Cambridgeshire	4	2	18	23
Fenland	1	0	13	10
East Cambridgeshire	1	2	16	13
Cambridge City	2	2	13	14
Cambridgeshire County Council	2	12	53	71