

SUBJECT:	ANNUAL COMPLAINTS SUMMARY REPORT 2018-2019
DIRECTORATE:	CHIEF EXECUTIVE AND TOWN CLERK
LEAD OFFICER:	JOANNE CROOKES, CUSTOMER SERVICES MANAGER

1. Purpose of Report

- 1.1 To present an annual complaints report including reference to the Annual Review of Local Authority Complaints issued by the Local Government and Social Care Ombudsman (LGSCO) and detail of the decisions of the Housing Ombudsman.
- 1.2 To report on the overall number of complaints received by the Council on a Directorate basis for the full year 2018-2019, including response times and percentage of complaints upheld.

2. Background

- 2.1 The council's complaints procedure includes two levels in response to formal complaints. Once the complaint has been considered and responded to by two separate officers the complainant is advised that if they are not satisfied with the final response they can seek redress from the LGSCO. The LGSCO will look into both the merits of the complaint and the way that the council dealt with it.
- 2.2 Complaints relating to the landlord function of the council, as a provider of social housing, are escalated to the Housing Ombudsman Service (HOS). The HOS have introduced the role of "designated persons" (i.e. members of parliament, local councillors and designated tenant panels) into the complaints process. Therefore specific landlord related complaints have a further layer in the complaints process
- 2.3 There is no published time target for the handling of complaints. However resolution times are recorded and reported to Departmental Management Teams (DMTs). Staff are encouraged to seek solutions at the first point of contact or otherwise resolve the issue at the earliest opportunity.

3. Internal Formal Complaints

- 3.1 The number of complaints received over the year has yet again reduced. This trend has been ongoing for the past four years. Please see the figures in the table below at 3.3
- 3.2 There has been a slight increase in the amount of time it is taking officers to respond to complaints over the previous year. The average response time over

all four directorates is 7.6 days. Although this shows an increase in the time taken to respond it remains well within the Local Government and Social Care Ombudsman (LGSCO) guidelines. In their published best practice guidance for the public on how to complain, it indicates that local authorities should reply to customers within a reasonable time which should normally be within 12 weeks.

3.3

Year	Number of complaints	Average response time
2014-2015	417	8.4 days
2015-2016	378	6.0 days
2016-2017	368	7.0 days
2017-2018	361	6.2 days
2018-2019	291	7.6 days

4. Breakdown of Complaints

4.1 Of the 291 complaints received for 2018-2019 the broad categories they relate to are set out in the table below. The figures for the previous 2 years are included for comparative purposes.

4.2

Service area or responsibility	2016-2017	2017-2018	2018-2019
Housing Solutions	27	41	46
Responsive repairs	69	71	43
Tenancy issues	53	51	35
Council Tax / NNDR	35	30	26
Housing Investment	40	41	26
Parking	20	23	25
Community Services	22	17	19
Christmas Market	11	6	10
Benefits	27	9	9
Major developments	0	5	9
Customer Services	10	5	8
Planning and building control	12	13	7
Sport and Leisure	7	6	7
PPASB service	9	6	4
Democratic Services	3	2	3
Environmental Health	2	4	3

Legal Services	4	4		3
Market and Cornhill area	0	1		3
Bus Station	4	16		3
Private Housing	2	5		2
Finance	1	3		0
Licensing	1	1		0
Bereavement Services	2	1		0
Business Development & IT	7	0		0
Total complaints	368	361		291

- 4.3 Upheld complaints: Of the 291 complaints responded to in 2018-2019, 98 (34%) were upheld. This is very much in line with the percentage upheld in the previous year which was 35% (127) upheld. In instances where a complaint is upheld customers are offered an explanation and an apology. Additionally the officer upholding the complaint completes a feedback form for the directorate complaint monitoring officer outlining lessons learned, training needs and any changes that are required to procedures
- 4.4 The lessons learned are reported through each DMT by the Directorate monitoring officer. DMT are therefore fully aware of the complaints received and where any required changes to procedure or potential policy impacts are required these are discussed and taken forward as appropriate.

5. Local Government and Social Care Ombudsman Annual Review Report

- 5.1 The LGSCO Advice team provides comprehensive information and advice to both the public and local authorities on complaints. It also produces an annual review of local government complaints which includes an overview of trends, followed by statistical tables detailing the numbers of complaints received from each local authority area broken down into general service areas.
- 5.2 The second data set details the number of decisions made and the outcome of those complaints which the LGSCO has undertaken to investigate fully. In terms of outcome the only data published is whether the investigation has led to the complaint being upheld or not upheld. Details of the complaints themselves, the decision and any recommendations are now only available in the form of individual published decisions as they are released throughout the year.
- 5.3 In 2018/2019 the LGSCO received 11 new complaints and made decisions on 10 complaints about City of Lincoln Council Services. In common with internal complaint numbers, the number of complaints to the Ombudsman are also decreasing with a steady reduction from the peak in 2015-2016 which amounted to 27 complaints.

5.4 The general service areas of the were as follows

Service Area	2017/2018	2018/2019
Environmental Services	3	4
Housing	2	3
Revenues and Benefits	2	2
Planning and Development	2	1
Corporate Services	3	1
Totals	12	11

- 5.5 Two of these complaints were referred back for local resolution: These had not been through our own complaints procedure and we had therefore not had the opportunity to investigate or resolve the complaint before the customer involved a third party in the issue. In effect they are not LGSCO complaints
- 5.6 One of the complaints was closed after initial enquiries: These complaints are where the Ombudsman has decided that it could not or should not investigate the complaint; usually because the complaint is outside LGSCO's jurisdiction and they cannot lawfully investigate it. The early assessment of a complaint may also show there was little injustice to a complainant that would need an LGSCO investigation of the matter, or that an investigation could not achieve anything, either because there was no fault, or the outcome a complainant wants is not one that the LGSCO could achieve, for example overturning a court order.
- 5.7 In three cases there was advice given: These are cases where the LGSCO would not look at a complaint because they had previously looked at the same complaint from the complainant, or another complaints handling organisation or advice agency was best placed to help them.
- 5.8 One complaint is classified as invalid or incomplete, and another one was closed after initial enquiries – indicating that the Ombudsman saw no merit in the case worthy of investigation.
- 5.9 Three complaints were deemed appropriate for the jurisdiction of the LGSCO and were investigated. This compares with two investigations undertaken in the previous year.
- 5.10 Of these complaints one is reported as being upheld. A reported "Uphold rate" of 33%.

6. Local Government and Social Care Ombudsman Upheld Complaints

- 6.1 The detail of the complaint upheld by the ombudsman is copied below:

The Ombudsman's Final Decision

Summary: Mr X complained about the Council's response to his reports of bins being left on the street outside of a neighbouring property. Mr X says this is unsightly and causes a trip hazard. The Ombudsman has not found fault in the way the Council investigated the reports. However, we consider the Council

was at fault in the delay in referring reports it had received about a possible unauthorised house division to the appropriate departments sooner. We do not consider this fault caused a significant personal injustice to Mr X.

7. Housing Ombudsman Service Complaints

7.1 Tenancy related complaints (i.e. those which are classed as a landlord function) are now referred to The Housing Ombudsman Service (HOS), rather than being dealt with by the LGSCO.

7.2 In 2018-2019 there were three complaints investigated by the HOS, this is exactly the same number as in the previous year. Of these three, two found no fault. One of the complaints was unusual in that the HOS found no evidence of maladministration in decision making but nonetheless made a recommendation for compensation. The detail is as below:

7.3 The Housing Ombudsman Decision:

This complaint is about the landlord's handling and response to the reports about damp and mould in the property. Determination: no maladministration by the landlord in its handling of the reports of damp at the property. However there was service failure by the landlord on the basis that it did not contact the complainants when it ought to have during the course of its investigations. – Note a £50 service failure compensation payment was made on this basis.

8. Complaint Trends

8.1 There has been an overall reduction in the number of complaints received. This appears to be a continuing trend.

8.2 Complaints about Repairs and the Housing Repairs Team have reduced significantly in the last 12 months. They are no longer our most common complaint. Last year the number of complaints about repairs was 71. This year that number has reduced to 43.

8.3 Complaints about Benefit have continued to decrease. This year there were only 9 formal complaints. This reflects the work done within the team to reduce the backlog of work - and has been aided by the changes that the business development team have made under the customer experience strategy to move routine work to more efficient on-line processes. There is also a likely effect as a result of the reduced caseload following the introduction of Universal Credit for working age claimants. The Housing benefit caseload has reduced from 10,060 in November 2012 to 6,818 claimants in November 2018.

8.4 Complaints about the Bus Station have reduced from 16 to 3. Previous complaints about the lack of litter bins have resulted in the introduction of litter bags and it would appear that passengers have now got accustomed to the number of waiting seats and the ambient temperature

8.5 Complaints about the Christmas Market saw a rise this year and this was caused by a change to the road closures which were introduced as a security measure.

8.6 Major developments does not get a large number of complaints but this year they have had to deal with a number of emails and letters about the Cornhill development in particular the plans to remove the plane tree and the demolition of the old tourist information kiosk.

9. Compliments

9.1 On a more positive note, despite the current challenges and pressures, the council continues to receive a number of compliments from the public. These tend to acknowledge the professionalism of staff and occur across all service areas. Residents often take the time to appreciate the care and consideration demonstrated by our staff.

10. Organisational Impacts

Strategic Priority: High Performing Services

Finance – There are no direct financial implications arising from this report.

Legal – There are no direct legal implications arising from this report.

Equality and Diversity – All complaints forms include an equality monitoring form and form part of the corporate monitoring of access to our services

Community Engagement and Communications. We welcome feedback from customers and clearly promote the Complaints procedure on our website and in our public buildings.

11. Recommendation

To consider and comment on the complaints report for 2018-2019.

Is this a key decision?	No
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	None
List of Background Papers:	None

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