

Cabinet Meeting	
Meeting Date	31 October 2018
Report Title	Complaints Annual Report 2017/2018
Portfolio Holder	Cllr Andrew Bowles, Leader
SMT Lead	Martyn Cassell, Head of Commissioning & Customer Contact
Head of Service	Martyn Cassell, Head of Commissioning & Customer Contact
Lead Officer	Carol Sargeant, Customer Service Manager
Key Decision	No
Classification	Open
Forward Plan	Reference number:
Recommendations	Members are asked to note the report

1. Purpose of Report and Executive Summary

- 1.1 This report presents the annual summary of complaints, compliments and comments received by Swale Borough Council (SBC) during the year from April 2017 to March 2018.

2. Background

- 2.1 This annual report summarises the complaints, received by the Council during the ensuing year. Swale's corporate complaints system comprises the following process:
- (i) an initial request for service or enquiry should be made to the service area it relates to in the first instance. A request or enquiry may become a complaint if the council fails to meet our service standards;
 - (ii) Stage 1: this is whereby the complainant is not satisfied with the response (or lack of response) from the service area or the complaint relates to a member of staff. Stage 1 complaints will be responded to within 10 working days by a manager or Head of Service;
 - (iii) Stage 2: the Chief Executive who will investigate and respond direct to the complainant within 10 working days. If the timeframe cannot be met the complainant will be notified and kept informed of progress; and
 - (iv) Local Government Ombudsman: if after following our complaints process customers are still unhappy, they can contact the Local Government Ombudsman, an independent service set up by the Government to investigate complaints about council matters. The Ombudsman will not usually investigate most complaints until they have been through the Council's complaint process.

- 2.2 The current CCC process, which has now been in operation for six full years, is now well established throughout the organisation. It has contributed to a much more robust and transparent approach to the management of CCC, with greater ease of access to the system for our customers.
- 2.3 The system provides monitoring, including weekly summaries to Heads of Service, so we can be assured that all complaints are logged, tracked, and responded to, as well as improved reporting facilities so we can ensure that our response times are meeting the standards we have set and learn from feedback.
- 2.4 The CCC process:
- (i) raises the profile of the importance of CCC to Swale as a customer-centric organisation through managers' meetings, all staff briefings, and individual team meetings;
 - (ii) carries out surveys of all customers who have raised a formal complaint in order to gain feedback from them and seek to improve the process accordingly;
 - (iii) publishes performance reports on the intranet and provide quarterly reports on complaints at service level, which is used to inform the quarterly performance report to the Strategic Management Team; and
 - (iv) publishes this annual report in order to provide accountability and transparency to residents and service users.

Complaints Received

- 2.5 The total number of complaints received during 2017/18 was 317 compared with 351 in 2016/17, a decrease of 10%.

	2015/16	2016/17	2017/18	Trend against previous year
Complaints received	356	351	317	-10%

- 2.6 Further details by service areas for Complaints are on Appendix I.
- 2.7 During 2017/18, a total of 17 complaints (5%) were escalated to a Stage Two (Chief Executive review).

Responding to Complaints

- 2.8 The CCC process requires that a response to complaints be made (whether justified or otherwise) within a corporate standard of 10 working days. The target for 2017/18 was 90%, which was met - during 2017/18, 93% of complaints, whether or not justified, were responded to within the corporate standard.

	2015/16	2016/17	2017/18
Percentage of complaints responded to within 10 working days	94%	92%	93%
Target	90%	90%	90%

2.9 The Customer Service Manager regularly monitors performance standards, both corporately and in local areas, and has dialogue with the respective Heads of Service to address any performance issues, which include administrative efficiency improvements as well as seasonal or service-related issues which will inevitably cause occasional peaks in levels of complaints.

Local Government Ombudsman (LGO) Complaints

2.10 It is recognised and emphasised by the Ombudsman that the statistics in their letter comprises of the data they hold, and may not necessarily align with the Ombudsman data given to the authority during the same period.

2.11 The outcomes for the 21 complaints that were formally received by the LGO are set out in the table below.

Ombudsman Action	2015/16	2016/17	2017/18
Closed after initial enquiry	8	4	6
Not upheld	1	3	3
Referred back for local resolution	11	11	8
Incomplete/invalid	2	1	0
Upheld	1	1	4
Total	23	20	21

2.12 In the breakdown of detailed decisions and investigations made by the Ombudsman these are the findings and extracts from the information received from the Ombudsman.

Decision	Department	Final Ombudsman Decision
Upheld	Planning and Development	<p>Mr X complains about the Council's handling of a planning breach for a development close to his home. There was fault by the Council, particularly in how it initially dealt with matters, and in its communication with Mr X, but it has apologised and there are insufficient grounds to warrant any further investigation of the complaint.</p> <p><i>Lessons learnt by department:</i> This message has been taken on board by the reorganised</p>

		<p>Planning Enforcement Team and been addressed by the new investigation and review process, that ensures all investigations are progressed in a timely manner and the complainants kept fully informed throughout the whole process. The newly adopted strategy and service Charter for Planning Enforcement ensures the identified concerns are not repeated.</p>
Upheld	Planning and Development	<p>The Ombudsman did find evidence of fault in how the Council had handled Mr X's enquiries about this matter. The Council has apologised to Mr X and the Ombudsman considers this an appropriate remedy. For these reasons the Ombudsman proposes to end his investigation of this complaint.</p> <p><i>Lessons learnt by department:</i> How correspondence from the complainant was responded to has now been addressed by the new investigation and review process, that ensures all investigations are progressed in a timely manner and the complainants kept fully informed throughout the whole process. The newly adopted strategy and service Charter for Planning Enforcement ensures the identified concerns are not repeated.</p>
Upheld	Planning and Development	<p>There is no fault with the Council's decision not to take any action to ensure the relocation and restoration of a historic screen. There is some fault with how it dealt with the concerns raised by Mr X.</p> <p><i>Lessons learnt by department:</i> The time the investigation took has been addressed by the new investigation and review process, that ensures all investigations are progressed in a timely manner and the complainants kept fully informed throughout the whole process. The newly adopted strategy and service Charter for Planning Enforcement ensures the identified concerns are not repeated.</p>
Upheld	Environmental Response	<p>The Council was not at fault for issuing an abatement notice to the complainant Mr X to make him stop noise nuisance. But the Council failed to properly respond to Mr X's evidence which showed an officer had inappropriately told Mr X's partner she would not have issued a notice. The Council should apologise for this</p>

		<i>Lessons learnt by department:</i> The council did make an apology. As an outcome the matter was reviewed and dealt with between the officer and her manager. All of the officers were reminded to be very careful when making comments with customers especially when it comes to subjective matters or if they are not in possession of all of the facts
Not Upheld	Parking	There was no fault in the way the Council decided to introduce double yellow lines in front of the access to Mr X's garage. However, the Council is willing to remove the double yellow lines when undertaking its next TRO, should Mr X request this in writing.
Not Upheld	Revenue & Benefits	Please take this letter as an update on Mr X's complaint. At Mr X's request I have stopped my investigation into the complaint because he has withdrawn it. I have discontinued my investigation and this complaint will not be included in the published figures for the year ending 31 March 2018.
Not Upheld	Housing	There is no fault in placing Ms X in Band C for rehousing because the Council has prioritised her application in line with its published allocations policy.

Feedback on the complaints process

2.13 During 2017/18 courtesy telephone calls and emails by Customer Service have been attempted to all complainants. This approach allows a more qualitative discussion to take place, and as such more positive feedback is being received than various methods that have previously been used to seek feedback from complainants. We have learnt that customers still find it difficult to separate the outcome of the complaint (which may not be to their satisfaction), from the way in which their complaint was handled.

2.14 Some examples of customers comments from the courtesy calls include:

- (i) "The officer dealing with complaint was exceptional, efficient, knowledgeable and thoroughly professional.
- (ii) "Collections are going well, thank you for your call I appreciate it"
- (iii) "Improve communication, there was a complete lack of communication within the department and with myself"

(iv) "I received a response but it wasn't satisfactory so I'm awaiting a further response"

(v) "Once complaint had been raised, it was dealt with the next day"

(vi) Very happy it's sorted, and thank you so much for calling to check.

Reviews and improvements

2.15 One aspect of effective complaint handling is to inform service improvements. Whilst we need to continue to improve the capturing of examples where this has happened, some examples from 2017/18 are as follows:

- (i) Letter and email templates reviewed and refined accordingly
- (ii) Licensing compliance being carried out for those plying for hire without a valid permit
- (iii) Enhancements made to the automated telephone payment facility in relation to payment information provided
- (iv) Closer cross working within departments where activities link
- (v) Training requirements implemented
- (vi) Operative refresher training

Summary

2.16 In summary, 317 stage 1 complaints were received by Swale Borough Council during 2017/18, 17 (5%) were received as escalations to the Chief Executive (stage 2), and three (0.9%) were recorded for the Ombudsman.

Categories	2015/16	2016/17	2017/18
Total complaints	356	351	317
Justified complaints*	202	198	168
Non-justified complaints*	150	152	148
Partially justified	2	1	0
Justification not stated	2	0	1
Stage 2 (Chief Executive)	22	32	17
Ombudsman	4	2	3

*Definitions used:

Justified: where it is deemed that the relevant process/procedure has not been followed.

Unjustified: where it is deemed that the relevant process/procedure has been followed.

It should be noted that this criteria is open to the interpretation of the officer and their opinion at the time of completing the complaint.

3 Proposals

3.1 Members are asked to note the contents of this report.

4. Alternatives

4.1 None.

5. Consultation

5.1 There has been no formal consultation relating to this report, as it is a summary of statistics for the year in question. However, the Complaints, Compliments and Comments system is by definition a process by which customers are able to deliver feedback on the current provision of services.

6. Implications

Issue	Implications
Corporate Plan	Dealing well with Complaints, Compliments and Comments is core to the Corporate Plan priority of being 'A council to be proud of'.
Financial, Resource and Property	None.
Legal and Statutory	None.
Crime and Disorder	None.
Sustainability	None.
Health and wellbeing	None.
Risk Management and Health and Safety	None.
Equality and Diversity	Responding to complaints in a positive and effective manner demonstrates the Council's commitment to ensuring that access to Council services is available to all.

7. Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Complaints by Service Area 2017/18
- Appendix II: Local Government Ombudsman's Summary Review of Swale Borough Council 2017/18

8. Background Papers

8.1 None.

Complaints by Service Area 2017/18

Service Area	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total 2017/18	Total 2016/17	Responded within 10 working days			
							2017/18		2016/17	
							No.	%	No.	%
Chief Executive	0	0	0	0	0	3	-	-	3	100%
Commercial	1	0	0	1	2	0	2	100%	0	0
Community Safety	1	0	0	2	3	2	3	100%	2	100%
Contracts (incl. Waste & Streets)	28	48	26	57	159	168	156	98%	166	99%
CSC	0	1	0	5	6	7	6	100%	7	100%
Democratic Services (Electoral)	1	0	0	0	1	7	1	100%	6	86%
Planning	8	5	10	8	31	32	28	90%	32	100%
Engineering	0	0	0	0	0	1	-	-	1	100%
ERT	5	5	7	3	20	32	18	90%	28	88%
Gateway	0	0	0	0	0	2	-	-	2	100%
Grants	0	0	0	1	1	1	1	100%	0	0%
Hackney Carriages	0	0	0	0	0	3	-	-	1	33%
Housing Environmental	2	0	0	2	4	1	4	100%	1	100%
Housing Options	5	3	1	3	12	12	11	92%	11	92%
ICT	0	0	0	0	0	1	-	-	1	100%
Legal	0	1	0	0	1	1	0	0%	1	100%
Licensing	1	1	0	1	3	0	3	100%		
Open Spaces	4	4	4	2	14	19	14	100%	12	63%
Parking	7	12	16	6	41	38	32	78%	29	76%
Properties	0	0	2	0	2	1	2	100%	1	100%
Revenues & Benefits	10	1	2	4	17	17	13	100%	15	88%
Staying Put	0	0	0	0	0	3	-	-	3	100%

Local Authority Report: Swale Borough Council
 For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
0	4	3	0	3	0	2	6	0	18

Decisions made

Decisions made				Detailed Investigations			Total
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	
0	0	8	6	3	4	57%	21

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
2	0