

## COMPLAINTS REPORT – FEBRUARY 2024

<b>Head of Service:</b>	Andrew Bircher, Interim Director of Corporate Services
<b>Wards affected:</b>	(All Wards);
<b>Appendices (attached):</b>	None

### Summary

This report contains information on council complaints, including those from the Local Government and Social Care Ombudsman (LGSCO) and the Information Commissioner's Office (ICO).

### Recommendation (s)

#### The Committee is asked to:

- (1) **Note and comment on the complaint's information provided in report.**

## 1 Reason for Recommendation

- 1.1 To ensure the committee is kept apprised of complaints raised against the council, and actions taken to remedy those where the council is found at fault.

## 2 Background

- 2.1 This is a new report brought to the committee to gather all complaints related information in one place for review.
- 2.2 Information in this report may reference other sources of complaints data, such as:
  - 2.2.1 **LGSCO Annual Letter:** The council receives an annual letter from the LGSCO, detailing ombudsman complaints they've reviewed in the year. This letter is brought to the next available committee meeting following its receipt, usually late summer.

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2.2.2 **Performance indicator data:** Stage 1 and 2 data related to the number of complaints received, and the time taken to process these complaints, features in the Corporate Performance Report, which is also regularly brought to this Committee. The narrative from the most recent quarterly data is included in Sections 3.1 and 3.2 below.

2.2.3 **Annual complaints report:** an annual complaints report will also be brought to this committee. This is currently scheduled for March 2024. The annual report will replace this report in March.

### 3 Council complaints – Quarter 2 2023-2024

#### 3.1 Number of Stage 1 and Stage 2 Complaints Received

3.1.1 Cancelled garden waste collections in July and August 2023 caused a high number of Stage 1 and Stage 2 complaints, which also fed into September. The root cause of this was staffing and access to HGV drivers and loaders. To address this on a short-term basis alternative collection arrangements were put in place until a more sustainable solution could be found.

3.1.2 See the Quarter 2 Corporate Performance Report on this meeting's agenda for the quantitative data.

#### 3.2 Time Take to Process Stage 1 and Stage 2 Complaints

3.2.1 Processing time for both Stage 1 and Stage 2 complaints achieved the council's target of fifteen days, which is an improvement compared to earlier periods and reflects the work that is being done to respond to unsatisfactory performance previously.

3.2.2 See the Quarter 2 Corporate Performance Report on this meeting's agenda for the quantitative data.

#### 3.3 LGSCO

3.3.1 Since the last committee the council has been informed of one LGSCO complaint where it was found at fault. The complaint relates to planning enforcement.

3.3.2 The council was found to not have followed its enforcement policy, which sets out its procedure for dealing with requests for enforcement action. The complainant waited for six months to receive acknowledgement of their request for enforcement action, which should have taken five days. Following the assignment of a case to an officer, it took a further two months and a formal complaint to move the case forward in a meaningful way; again running contra to the council's procedure.

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- 3.3.3 Although there were some extenuating personal circumstances that prevented the council from actively moving the case forward straight away, the council did not inform the complainant of this, and they were left to think the matter had been forgotten.
- 3.3.4 The council agreed to apologise to the complainant and make a modest payment to acknowledge the distress experienced by the complainant and the lengthy delay in progressing the case. Further, the ombudsman's decision in this case was shared with all enforcement officers with a reminder about the customer service requirements set out in the Enforcement Policy.
- 3.3.5 The council provided the evidence requested to the Ombudsman in November 2023, and have received written confirmation that they are satisfied that the remedies have been completed (i.e., the apology, payment, and sharing the decision with the planning enforcement team). There is a process set up for this as part of the council's Ombudsman Complaint handling procedure, which is dealt with by the link officer. In a more recent follow-up action related to this case, the council was found to be following the appropriate process.
- 3.3.6 In addition, the Council will use the lessons learned from this case as part of wider complaint training that is currently being developed.
- 3.3.7 The council is aware of significant gaps in its governance around planning enforcement during the time period of this case (Winter 2021 – Autumn 2022). To address this, it commissioned its internal auditors to review this function as part of the 2023-2024 audit plan. It also appointed a new dedicated Enforcement Officer. Several other procedural improvements have been put in place and actions are being formulated to address observations raised in the audit.

### 3.4 ICO

- 3.4.1 No complaints received.

## 4 Risk Assessment

### Legal or other duties

#### 4.1 Equality Impact Assessment

- 4.1.1 No direct implications. Any equality related complaints will be detailed in the main body of the report.

#### 4.2 Crime & Disorder

- 4.2.1 No direct implications.

#### 4.3 Safeguarding

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4.3.1 No direct implications.

4.4 Dependencies

4.4.1 No direct implications.

4.5 Other

4.5.1 None.

### 5 Financial Implications

5.1 The financial implications of any complaints will be detailed in the relevant sections above.

5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

### 6 Legal Implications

6.1 The legal implications of any complaints will be detailed in the relevant sections above.

6.2 **Legal Officer's comments:** None arising from the contents of this report.

### 7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council.

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** No direct implications.

7.4 **Sustainability Policy & Community Safety Implications:** No direct implications.

7.5 **Partnerships:** No direct implications.

### 8 Background papers

8.1 The documents referred to in compiling this report are as follows:

**Previous reports:**

- None.

**Other papers:**

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- None.