

OVERVIEW AND SCRUTINY COMMITTEE – 21 FEBRUARY 2022

OVERVIEW OF COMPLAINTS RECEIVED - ANNUAL UPDATE

Executive Summary

The Overview and Scrutiny Committee agreed that it would be helpful to receive a regular report giving brief details of formal complaints received by the Council. This would enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.

This report sets out brief details of complaints received between 1 January 2021 and 31 December 2021. Appendix 1 details the complaints received by Woking Borough Council and Appendix 2 sets out information of complaints received by Joint Waste Solutions and Appendix 3 sets out information of complaints received by New Vision Homes.

Recommendations

The Committee is requested to:

RESOLVE That the report be noted.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers: Council's Complaints Procedure.

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Overview of Complaints Received - Annual Update

1.0 Introduction

- 1.1 It has been agreed that the Overview and Scrutiny Committee should have a regular report giving brief details of formal complaints received by the Council. This would enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.

2.0 The Council's Complaints Procedure

- 2.1 A copy of the Council's Complaints Procedure can be found at:-

<https://www.woking.gov.uk/sites/default/files/documents/council-and-democracy/customer-care-and-feedback/complaintsprocedure.pdf>

- 2.2 A complaint is an expression of dissatisfaction. It could relate to:

- A failure to deliver a service.
- A delay in providing a service.
- A poor quality of service.
- A failure to comply with Council policies, or
- The conduct or behaviour of a member of staff.

- 2.3 Not everything is considered a complaint. For example, a first time request for a service. The complaints procedure will not apply to any correspondence received in respect of planning applications and the merits of the application. These will be treated as objections to the planning application in question.

- 2.4 When a complaint is received, it is allocated to a manager within the relevant service concerned. The complaint is acknowledged within five working days' of receipt, and details of the Officer who will investigate it are provided to the complainant.

- 2.5 The intention is that investigations into complaints are completed within six weeks of allocation to the Officer who will investigate it. If this is not possible, the complainant will be advised of the date by which he/she will receive a full reply.

- 2.6 If the complainant has good reasons to believe that the complaint has not been investigated properly, he/she can appeal and ask for a further review to be undertaken. The appeal has to be submitted within six weeks of the initial determination. The Deputy Monitoring Officer will decide whether there are grounds to support a further review of the complaint. The decision should be made within six weeks of receipt of the request. If the Deputy Monitoring Officer considers that there are grounds for a review, the complaint will be investigated by a member of the Corporate Leadership Group. The decision of the CLT member will be final, and should be made within fifteen working days of the complaint being allocated to him/her.

- 2.7 If the complainant remains dissatisfied with the outcome under the Council's Complaints Procedure, he/she can refer the matter to the Local Government and Social Care Ombudsman or Housing Ombudsman (as appropriate).

- 2.8 If a complaint relates to a service provided by a contractor, the complainant must submit it to the contractor under the contractor's complaints procedure. Once this process has been completed, the complainant can request a review under the Council's Complaints Procedure as outlined above.

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- 2.9 Under the Council's Constitution, the following arrangements exist for dealing with decisions of the Local Government and Social Care Ombudsman and Housing Ombudsman:
- (i) The Monitoring Officer deals with compensation payments which are neither disputed nor significant. This is subject to oversight by the Standards and Audit Committee.
 - (ii) Full Council has responsibility for compensation payments which are disputed or significant.

3.0 Complaints received by the Council in 2021

- 3.1 A table containing a summary of the complaints can be found at Appendix 1. Together with a graph illustrating trends and a comparison with complaints received in 2020.
- 3.2 In the period of 1 January 2021 to 31 December 2021, the Council received 93 complaints through its Complaints Procedure. The previous year the Council received a total of 64 complaints.
- 3.3 Of the above complaints a total of 22 complainants have made a request for a review of the original response to their complaint since January 2021; of these 4 were referred to a member of Corporate Management/Leadership Group for consideration.
- 3.4 It should be noted that it would not be appropriate for the Committee to review the circumstances of, or decisions reached in respect of, individual complaints. The purpose of submitting this report is to assist the Committee in identifying possible topic areas for future scrutiny.
- 3.5 There is an increase in complaints during 2021 and on reviewing some of the specific complaints it has been noted that for example the complaints for Planning stem from a period when there was Covid-19 related staff shortages within the team; another example is that there are four different complaints related to the same traffic issue.
- 3.6 The complaints against specific officers relate to enforcement type issues where the complainant is unhappy about the specific action being taken to ensure legal compliance for example parking issues; or where the complainant may have unrealistic expectations about a service being applicable to their circumstances or the complainant not accepting a proper decision for example in the area of Housing.
- 3.7 Ombudsman complaints are reported to the Standards and Audit Committee annually.

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4.0 Contractor Complaints/ Key Performance Indicators

4.1 Joint Waste Solutions have provided an overview of the complaints received in 2021 which is set out for information in Appendix 2.

4.2 New Vision Homes have provided an overview of the complaints received in 2021 which is set out for information in Appendix 3.

5.0 Corporate Strategy

This report supports the Corporate Plan and emerging Corporate Strategy. This report into the Council's Corporate Complaints supports both openness and transparency in the Council's governance procedures.

6.0 Implications

5.1 Financial

None.

5.2 Legal

Whilst there are no specific legal implications, it is noted that the Monitoring Officer reviews and assesses the annual complaints and as such is able to ensure the council's powers are being exercised within the required legal parameters.

5.3 Equalities and Human Resources

There are no human resource or training and development implications arising from the recommendations in this report

7.0 Engagement and Consultation

It would not be appropriate to undertake a consultation or engagement exercise on the content of this report.

8.0 Conclusions

8.1 Submitting an annual report to the Committee on complaints received will enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the category or area of activity identified through the data.

REPORT ENDS

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