

**OVERVIEW OF COMPLAINTS RECEIVED - BIENNIAL UPDATE**

**Executive Summary**

The 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 how complaints are dealt with, and gives brief details of those received since 1 July 2018.

**Recommendations**

That the report be noted

The Committee is requested to:

**RESOLVE That** the report be noted.

The Committee has the authority to determine the recommendation(s) set out above.
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**Background Papers:** Council's Complaints Procedure

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**Date Published:** 21 January 2019

## Overview of Complaints Received – Biannual 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://old.woking.gov.uk/council/about/customercaresstandards/comments>

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. Her 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 Management Group. The decision of the CMG 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 since 1 July 2018

- 3.1 A table containing a summary of the complaints can be found at Appendix 1. Together with a graph illustrating trends.
- 3.2 In the period of 1 April 2017 to 27 November 2017, the Council received 55 complaints through its Complaints Procedure. The Council received a total of 69 complaints through its Complaints Procedure between 27 November 2017 and 1 July 2018. The Council has received 40 complaints between 1 July 2018 and 31 December 2018. The Council logged 44 matters as complaints. Of these, 2 were objections to a planning permission and as such dealt with in connection with the consideration of the planning application. A further 2 matters were requests for a review of the decision. The requests for a review were erroneously logged as new complaints.
- 3.3 Of the above complaints a total of 5 complainants have made a request for a review of the original response to their complaint since July 2018. No complaints were referred to a member of CMG for consideration. It should be noted that one matter was referred to the Council's insurance company as the letter was a pre-action letter in respect of a claim for damages. This compares with eight requests for a review in the previous six months with one being referred to a member of CMG.
- 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.

### 4.0 Complaints received by the New Vision Homes since 1 July 2018

- 4.1 A table containing a summary of the complaints can be found at Appendix 2. Together with a graph illustrating trends.
- 4.2 In the period of 1 April 2017 to 27 November 2017 New Vision Homes received 88 complaints through its Complaints Procedure. New Vision Homes received a total of 82 complaints through its Complaints Procedure between 27 November 2017 and 1 July 2018. In the period 1 July to 31 December New Vision Homes received a total of 55 complaints.
- 4.3 Again, as above, 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. Equally, this report is not intended to provide Key Performance Indicators or be used as a contract performance tool.

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### 5.0 Complaints to Joint Waste Solutions

5.1 Joint Waste Solutions have provided information in respect of the number of complaints they have received for the first time. They have logged the following service failures, for example reports of missed collections. Following receipt of a service failure 9 people raised a complaint formally.

Month	Service Failure ie missed collection	Complaint
Jul	86	1
August	88	2
September	56	2
October	60	1
November	42	2
December	50	1

5.2 Of the above no complainants have submitted a complaint to WBC following a complaint to JWS.

### 6.0 Implications

6.1 Financial

None.

6.2 Human Resource/Training and Development

None.

6.3 Community Safety

None.

6.4 Risk Management

None.

6.5 Sustainability

None.

6.6 Equalities

None.

6.7 Safeguarding

None.

### 7.0 Conclusions

7.1 Submitting a six-monthly 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 area(s) of activity identified.

REPORT ENDS