

Complaints Monitoring 2020/21

Summary

To report on the Council's corporate complaints monitoring arrangements, lessons learned from complaints and Local Government Ombudsman complaints received for the financial year 2020/2021.

Portfolio: Corporate

Wards Affected: All

Recommendation

The Performance and Finance Scrutiny Committee is advised to note and comment on the complaints reported for 2020/21.

1. Key Issues

- 1.1 The Performance and Finance Scrutiny Committee receive a comprehensive annual report on the Council's complaints monitoring arrangements, lessons learned from complaints received and complaints received by the Local Government Ombudsman (LGO).

2. Supporting Information

Current Position

- 2.1 Most complaints received are dealt with informally under Stage 1 of the Council's complaints policy.
- 2.2 Stage 2 complaints are formal complaints normally identified when the complainant is unhappy with the outcome of the informal complaint. These complaints are dealt with by the relevant (Executive) Head of Service. Should a complainant be dissatisfied with the outcome of a Stage 2 complaint, they can request the matter is considered by the Chief Executive under Stage 3 of the complaints policy.
- 2.3 In 2020/21, 28 formal complaints were made to the Council at Stages 2 and 3.
- 2.4 The table below details the formal complaints made for the period 1st April 2020 – 31st March 21, by quarter year and dealt with in accordance with the Council's complaints policy.
- 2.5 The figures for the same period in 2019/20 have also been included in the table as a comparison.

	2019/2020	2020/2021
Total for Quarter 1 (April – June)	3	5
Total for Quarter 2 (July – September)	4	10
Total for Quarter 3 (October to December)	3	3
Total for Quarter 4 (January – March)	7	10
Total for year	17	28

2.6 To give some perspective to the number of complaints received against contacts managed, calls into the Contact Centre, Revenues and Benefits and Theatre numbered 71287 for the same period. Face to face visits were low, due to restrictions brought about by Covid 19 and the Contact Centre being closed to the public at the time. Interactions across email, web and face to face accounted for another 10,955 contacts.

2.7 Complaints by Service Area.

Number of complaints received	2019/20	2020/21
CEO Office		2
Community	1	1
Finance	1	3
Regulatory	12	21
Corporate	1	
Legal	1	1
Transformation	1	
Total	17	28

The Regulatory service always generate a high number of complaints given the controversial nature of the services within this area.

2.8 There was an increase in the number of complaints across the Regulatory service. The teams had to manage long term sickness, the departure of a Senior Planning Officer and the retirement of the Tree Officer. In addition, staff were involved in the daily Covid Welfare Cell work. Interim measures were taken, including the appointment of a consultant Planning Officer and consultant Tree Officer.

Complaints by Department within the Service Area

Service Area	Department	Stage 2	Stage 3	Total
CEO Office			2	2
Community	Environmental Health	1		1
Finance	Revenues and Benefits	3		3
Regulatory	Development Control	10	2	12
Regulatory	Planning	1		1
Regulatory	Private Sector Housing	4		4
Regulatory	Housing Enforcement		1	1

Regulatory	Family Support	1		1
Regulatory	Housing	2		2
Legal	Building Control	1		1
Total		23	5	28

Service Standard

2.9 Of the 28 complaints received:

- All were acknowledged within 2 days.
- 27 were resolved within 10 days.
- 1 complaint took longer than 10 days to investigate, however the Customer was made aware of the reason for delay.

Complaint Status

2.10 Of the 28 complaints received:

- 21 were not justified
- 4 were part justified
- 3 were justified.

Lessons Learned

2.11 From the 7 complaints, that upon analysis were considered justified or part justified. 5 related to operational matters and the lessons learned from these complaints are set out below.

Below are the lessons learned;

Stage 2 Development Control/Regulatory

2.12 Complaint regarding lack of communication from the Planning department - part justified.

This complaint concerned a Certificate of Lawfulness application for a swimming pool business. The complainant experienced significant delays awaiting his decision, mainly caused by Covid and resource. Whilst procedurally no errors were made, managing the agent's expectations, and clearly communicating the expected timescale for a decision in a proactive way would have been beneficial.

Stage 2 and Stage 3 Corporate Enforcement/Regulatory

2.13 This complaint concerned an enforcement complaint relating to earth bunds - part Justified

The complaint was part justified due to a perceived lack of action and failure to keep the complainant fully updated. However, there was no fault of the Council by not taking formal enforcement action. Whilst the Council has a statutory duty to investigate enforcement complaints, formal enforcement action is discretionary. In

this instance, a retrospective application was received, which is one mechanism to resolve a breach.

Stage 2 Development Control/Regulatory

- 2.14 Complaint regarding lack of communication from case officer for an overdue planning application - Justified.

The complaint was upheld due to a delay with the complainant receiving her planning application decision, not because of a lack of communication. The lady accepted that Covid had impacted on target dates, but the decision was still late due to sheer volume of workload. The lady was given incorrect verbal advice on timescales for call backs and complaint responses, but it is unclear who she spoke to. However, the case officer correctly communicated the delay with the agent.

Stage 2 Development Control/Regulatory

- 2.15 Complaint regarding the lack of contact from the planning officer for a pre application enquiry - Justified

This complaint concerned a delay with obtaining a pre-application meeting as part of the standard fee paid service. The delay was significantly beyond the expected service response time and consequently the fee was returned. Whilst this delay was caused by capacity and resource, clearly communicating the amended timescale earlier and agreeing a meeting date in a proactive way would have been beneficial.

- 2.16 In addition to the immediate lessons learned from complaints. We are committed to a fundamental review and refocus on customer service. Plans are already underway to fully evaluate our performance, including all that we can learn from complaints to support us in this direction of travel. It is the intention to implement revised service standards where appropriate, fully supported by a new programme of training and staff development, recognising customer service as a professional skill to be developed in order to support excellent service provision.

Local Government Ombudsman complaints

- 2.17 Following the response to a Stage 3 complaint, if the complainant remains dissatisfied with the outcome, then their recourse is via the Local Government Ombudsman.
- 2.18 In 2020/21 The LGO investigated and concluded 7 complaints and enquiries in respect of Surrey Heath Borough Council services.

- 1 Not Upheld
- 3 Referred back to Surrey Heath for local resolution
- 3 Closed after initial enquiries
- No recommendations were due for compliance in this period.



0% of complaints we investigated were upheld.

This compares to an average of 53% in similar authorities.

0

upheld decisions

Statistics are based on a total of 1 detailed investigations for the period between 1 April 2020 to 31 March 2021

[View upheld decisions](#)

- 2.19 It is reassuring to see that none of the 7 complaints considered by the LGO were upheld given the below extract taken from their website in respect of all Annual Reviews;

The 'widening cracks' in local government complaint handling are being highlighted in the Local Government and Social Care Ombudsman's annual review of complaints 2020-2021, published today.

Over the past year, the Ombudsman has upheld a greater proportion of investigations – 67% – than ever before. This continues an upward trend since the Ombudsman started publishing it's upheld rate.

Despite being closed to new complaints at the height of the first COVID-19 lockdown, and so registering fewer complaints than recent years, the Ombudsman still received 11,830 complaints and enquiries from members of the public.

The investigations undertaken over the past year have led to 3,104 recommendations to put things right for individuals.

Perhaps more importantly, there were 1,488 recommendations for councils to improve their services for others – such as revising procedures and training staff. This is a higher proportion of the total number of recommendations than previous years and suggests Ombudsman investigations are increasingly finding systemic problems rather than one-off mistakes with local government services.

Significantly, the Ombudsman is still seeing high levels of compliance with its recommendations, with councils carrying out those recommendations in 99.5% of cases.

- 2.20 By comparison, the number of complaints received by the LGO for all Surrey Districts and Boroughs during 2020/21 can be seen in the following table;

Complaints and Enquiries Received (by Category) 2020-21

Authority Name	Adult Social Care	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environmental Services, Public Protection and Regulation	Highways and Transport	Housing	Planning and Development	Other	Total
Elmbridge Borough Council	0	0	1	0	0	0	1	5	0	7
Epsom & Ewell Borough Council	0	1	2	0	5	0	0	4	0	12
Guildford Borough Council	1	1	3	0	1	0	2	4	0	12
Mole Valley District Council	0	0	0	0	1	0	0	5	0	6
Reigate & Banstead Borough Council	0	2	0	0	2	2	0	6	0	12
Runnymede Borough Council	0	0	1	0	2	0	6	1	0	10
Spelthorne Borough Council	0	0	4	0	1	0	2	2	0	9
Surrey County Council	24	0	8	70	1	18	1	2	1	125
Surrey Heath Borough Council	0	2	0	0	2	0	1	1	0	6
Tandridge District Council	0	3	2	0	2	0	4	8	0	19
Waverley Borough Council	0	1	0	0	2	0	4	7	0	14
Woking Borough Council	0	2	1	1	1	1	3	2	0	11

Notes

These statistics include all complaints and enquiries that were received from 01 April 2020 to 31 March 2021.

To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year.

Some cases are received and decided in different business years. This means the number of complaints and enquiries received may not match the number of decisions made.

Annexes	None
Background Papers	
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