

Appendix A - COMPLAINTS MONITORING REPORT 2021/22

Purpose of Report

This report contains data regarding the council's formal Corporate Complaints Procedure from 2019/20, 2020/21 and 2021/22.

Reporting on corporate complaints was postponed due to the pandemic when there was a temporary suspension of some complaint activities.

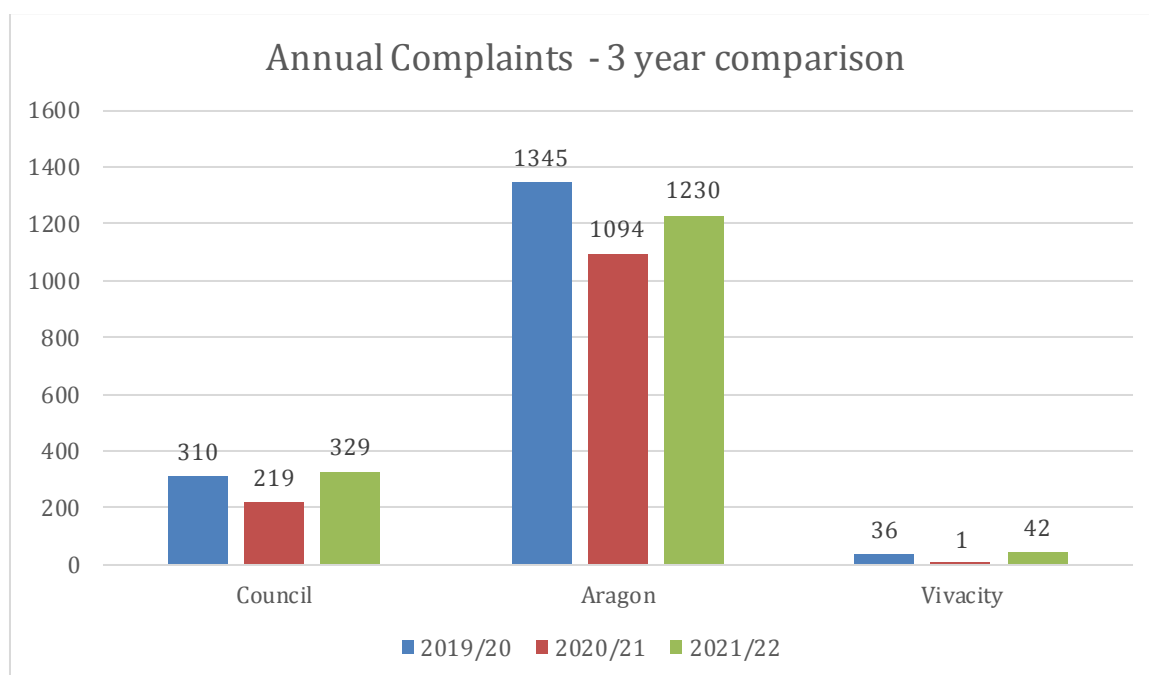
The overall volumes are provided for 2019/20 & 2020/21 with more detailed analysis provided for 2021/22.

As well as complaints following the council complaints process it also provides brief data about complaints received by Aragon and Vivacity who deliver some council services and have their own distinct complaint procedures.

Not included here are statutory complaints for both Adults and Children's Social Care which are reported to separate scrutiny committees. There are also many statutory Appeals and review processes; issues following these routes which are not counted as complaints and are not reported here.

Complaint Volumes

Figure 1. – Total corporate and partner complaints received 2019/20 – 2021/22



Overall complaints to the council have returned to pre-covid levels. The same can be seen regarding complaints about waste and ground maintenance services provided by Aragon which saw a reduction during the year 2020-21 as some services were reduced due to the resource pressures on the provision of waste services during the pandemic.

Vivacity volumes during 2020-21 were not obtained as the service reverted to the council during that year. The service is now split into two providers, with Culture services provided by the City College and Sports services managed by Peterborough Limited. The volume for 2021-22 is the total of complaints across both these services

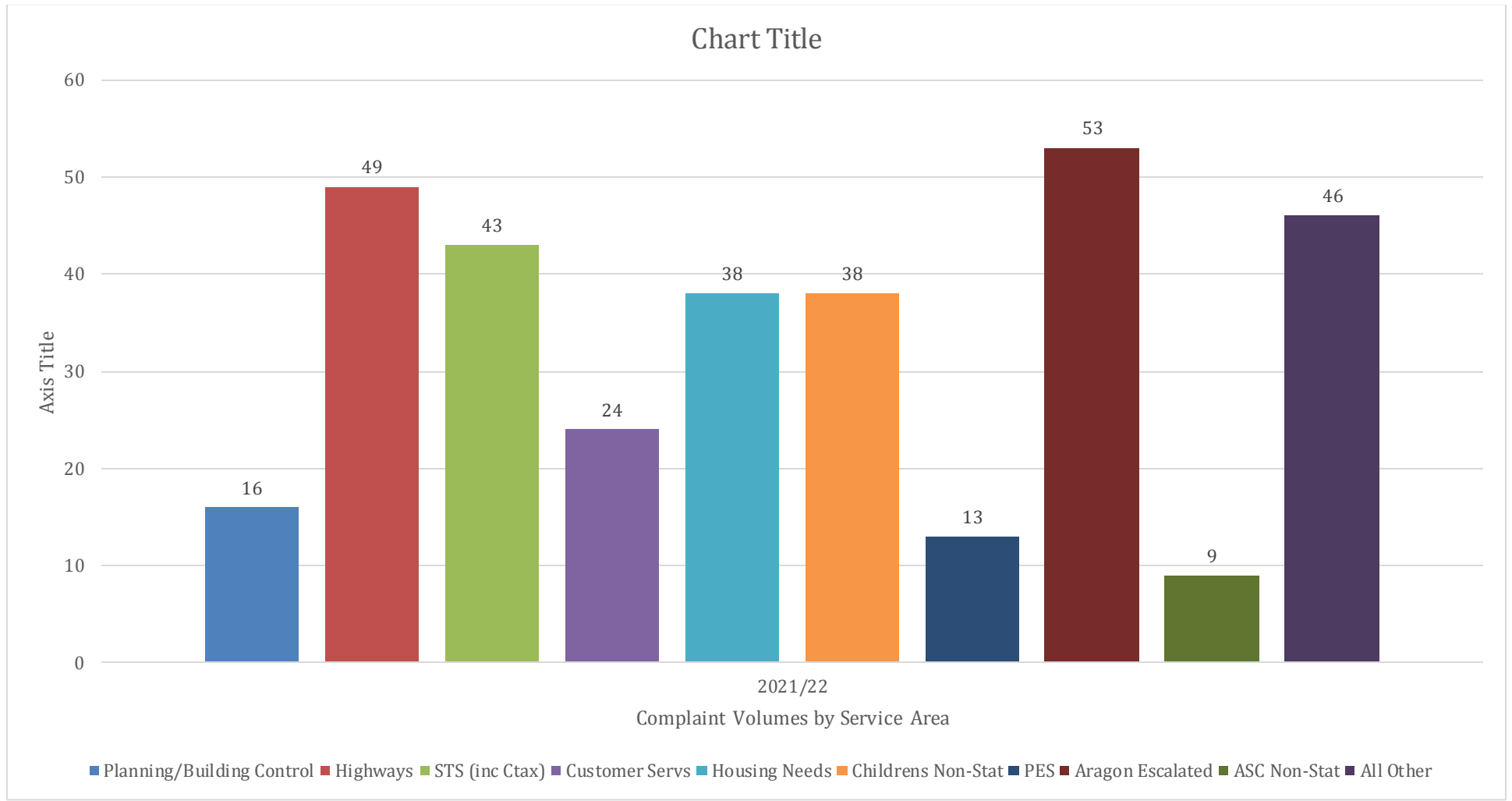
Complaint Volumes by Service Area

Over the past 12 months there has been some reorganisation within directorates which is ongoing.

To illustrate where the highest volumes of complaints are received the following chart is organised into main service areas rather than directorates.

One of the areas that has seen a rise in complaints last year is waste escalations. These complaints will firstly be reviewed under the Aragon complaints process but if the customer remains dissatisfied, they can ask for a review by the council's Client manager. Where the customer is complaining about a policy change by the council rather than the service provided by Aragon this is also dealt with by the Aragon client manager. The suspension of the Brown bin service in particular was responsible for a large volume of complaint escalations.

Figure 2: Complaint Volumes by Key Service Areas – 2021-22



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Complaint Stages & Outcomes

Local Resolution Stage

- An informal verbal response within 5 days,
Or
- Formal Stage 1 written response within 20 working days

Review Stage

- Review by the Chief Internal Auditor
- Optional Investigation by a compliance officer
- Sign off by the Director of Governance

The table below details the stage at which complaints were resolved over the past year, with the previous year's figures shown for comparison.

Figure 3: Stage where Complaints Resolution Achieved

Complaint Stage where the complaint was resolved	2019/20	2020/21	2021/22
Informal	29	31	82
Stage 1	246	153	215
Stage 2 review*	15	10	13
LGO	11	18	10
Withdrawn	9	7	9
Totals	310	219	329

Complaint Outcomes

Complaint Outcomes at Local Resolution Stage

Figure 4 - Complaint Outcomes at Local Resolution Stage						
Local Resolution Stage	Upheld	Partially Upheld	Not Upheld	Withdrawn	TOTALS	% where some fault identified
Informal	25	23	39	0	87	55%
Formal	47	61	119	9	236	46%

*Although 329 complaints were logged 6 of these bypassed local resolution stage going directly to the LGSCO or Stage 2 review

The uphold rate demonstrates that service failures are recognised and rectified. A transparent organisation should aim to learn from its failures and identify service improvements for the future.

Recognising fault at the earliest opportunity will also ensure that complaints are resolved promptly leading to increased customer satisfaction and less escalation of complaints to the review stage and ultimately to the Ombudsman.

If more complaints are resolved informally the number of Stage 2 reviews should fall further as complainants feel listened to and are willing to work with the service to reach a resolution.

Complaint Outcomes at Review Stage

There were 16 cases which escalated to review in 2021/22. This is 5% of complaints that were received and is a fall from the escalation rate in previous years which was nearer to 10%.

The reviewer at stage 2 will be provided with all the correspondence between the complainant and service to independently determine if the service have responded to all points and have offered the opportunity to discuss the complaint to try to reach resolution. It is not a reinvestigation. In most cases the reviewer finds that it is not necessary to investigate the matter any further and the council can confirm its final position and offer the complainant the opportunity to refer the matter to the LGSCO if they remain dissatisfied.

This year following review 5 cases were passed for Independent Investigation. Figure 5 details the outcomes of these 5 cases.

Figure 5. Outcomes from Stage 2 Investigations 2021-22				
	Service	Outcome	Complaint Detail	Actions taken
1	Highways	Partially Upheld	Lack of updates and conflicting information following Highways TRO	Main issues not upheld but apology given for delays in replying to correspondence
2	Building Control	Partially Upheld	Unhappy with what they have been advised and want refunds for works they have commissioned following incorrect information from Planning & Building Control	Compensation paid, Apology given, review of Building Control service will be conducted
3	Business Rates	Partially Upheld	Unhappy with how their business rates has been handled. Accusation of financial deception and bullying and threats.	Reminder to staff given that the policy of applying payments against the oldest debt first should be transparent and should be explained to customers who are requesting an alternative allocation of their payments. Some system improvements also recommended and agreed.
4	Building Control	Partially Upheld	Unhappy and feel Council have failed to follow Parliamentary Legislation and their own processes regarding enforcement at a neighbouring property	Agreement that council will undertake an independent survey of premises. Apology for Building Controls failure to update complainant, offer of compensation for distress caused by lack of information. Recommendation to review policy around contact with complainants by Building Control. Undertaking to provide more transparent information about what the threshold is for enforcement to be considered.
5	Highways	Not Upheld	Resident asked for compensation for noise from roadworks into the evening when resident needed to sleep as was a night worker.	

Local Government and Social Care Ombudsman Decisions 2021-22

The Local Government and Social Care Ombudsman (LGSCO) reviews complaints they receive from residents about council services.

Every year the Ombudsman sends an Annual Letter to each council to detail the enquiries they have received for that council and the investigations that have taken place. This letter is sent to the Chief Executive, the council Leader, the Chair of the relevant Scrutiny Committee and the Link Officer (Complaint Manager).

Within the Annual Letter the LGSCO provide performance data against three Key Areas:-

- **Complaints Upheld**
- **Compliance with Recommendations**
- **Satisfactory Remedy provided by the Authority**

The number of enquiries that the LGSCO has received about Peterborough City Council has fluctuated over the past 5 years but has always remained below 50 in any year.

In 2021-22 they received 36 complaints (39 in 2020-21) about Peterborough City Council. These complaints will be drawn from the corporate complaints process but also from Adult Social Care and Children's Social Care complaints which are not included in this report.

This number is a small proportion of the complaints that were considered by the council in these 3 complaint areas – a total of 445 complaints across all 3 complaint processes.

The complaints they decide to investigate must first satisfy their eligibility criteria which includes

- The complaint must be within their jurisdiction
- The complaint must be submitted to them within 12 months (in most cases)
- There must be some personal injustice to the complainant

Complaints Upheld

In 2021-22 only 4 out of 10 cases investigated for PCC were Upheld by the LGSCO.

This Uphold rate of 40% compares favourably with an average of 64% in similar organisations (Unitary Authorities). This is the lowest uphold rate for the past 4 years.

Often if the LGSCO record a complaint as Upheld, they may be agreeing with the council who have already Upheld the complaint but may recommend a different remedy. Even if they do not uphold all parts of the complaint the complaint will be recorded as Upheld by the LGSCO. Unlike Local Authorities the LGSCO do not mark complaints as partially Upheld

Below in Figure 7 is the detail of the 4 complaints which the LGSCO recorded as Upheld in 2021-22

Figure 7. Complaints Upheld by the LGSCO 2021-22

Service Area	Date of decision	Type of Complaint	Recommended Actions
Planning	04.01.22	Unhappy that an extension to a neighbouring property has flouted building regs and has encroached over their boundary.	Compensation awarded for delays in updating complainant by the planning service - that was already offered but rejected by complainant.
Education	07.04.21	Lack of education for young person due to failures in providing suitable support	Recommendations included paying the family compensation for the use of the young person to spend on education they missed, requiring the SEN service to implement an action plan to ensure EHCPs are being produced to statutory timescales and improve its record keeping.
Children's Social Care Services	22.10.21	Delays in the assessment process for care and support for a young person leading to gaps in provision.	As case had subsequently been resolved a small compensation payment for the delay was awarded.
Adult Care Services	11.05.21	Concerns over the standard of care provided to an elderly relative in their home by a care provider commissioned by the council. Failure of the council to monitor and review the issue promptly	Some instances found where standard of care was poor. Council was slow to resolve this with care provider. Apology given and Compensation for distress caused to complainant awarded.

All the above cases were complaints from a previous year. This is common as an Ombudsman investigation can take several months so will commonly be completed in a subsequent year to the year the complaint was made to the council.

Compliance with Recommendations

The Ombudsman has introduced a requirement that Local Authorities must update them within 3 months confirming delivery of the agreed actions on each upheld case. Compliance with this requirement is included in the LGSCO annual letter.

Where departments fail to evidence the delivery of actions required by the Ombudsman within the requested timescale the LGSCO will record this as late compliance.

The central complaints office set targets for completion of any LGSCO recommendations and vigorously chase services to ensure compliance.

Compliance with this requirement is expected to be 100% by the LGSCO and this year the council met this requirement.

In one case a remedy that was awarded by the LGSCO, a small compensation payment was refused by the complainant. In this case the LGSCO advised they would mark this case as ***Remedy incomplete but satisfied.***

Satisfactory Remedy provided by the Authority

In their annual letter the LGSCO also provides performance data on where an organisation had upheld the complaint previously and the LGSCO agreed with how it offered to put things right.

In 2021-22 the average for Unitary Authorities against this indicator is 11%. However, the score for PCC was recorded as 0%. This is an area that we need to improve.

The council would have exceeded the average level for Unitary Authorities this year in this indicator if even one of the four complaints that were Upheld had already had a suitable remedy identified prior to the complaint being investigated by the Ombudsman.

To improve in this area there needs to be a mechanism that ensures that adequate remedies are always considered fully before a complaint exhausts the council's complaints process.

This proposed change is detailed in **Appendix B.**

Complaint Timescales

One of the key areas of focus with complaints should be on reaching an effective resolution as quickly as possible.

Informal resolution

There has been a marked increase in complaints being handled informally in the past year as several service areas have adopted an 'informal by default' approach.

Informal complaints involve the customer being contacted within 5 working days and resolution agreed – negating the need for a formal written response.

All 87 complaints handled informally were responded to promptly and only 4 escalated to the next stage.

Stage 1 formal responses

Where informal resolution is not achieved or is not appropriate, either due to complexity of the issues, resources available or the preference of the customer, a formal Stage 1 response is provided within a timescale of 20 working days.

In 2021/22 the average response time for a formal response was 19 days.

Review Stage

a) Stage 2 Reviews

When a complainant is not happy with the resolution offered by the service, they can request a review. This review is conducted separate to the service area concerned. Currently the Chief Internal Auditor conducts a review and the majority of these are completed within 5 working days. There were 16 reviews in 2021/22.

b) Stage 2 investigations

If the review outcome is that further investigation is advisable this will be passed to the compliance team to proceed. Where an investigation is conducted it is the aim to conclude this within 30 working days.

There were 5 investigations in 2021/22 but only 1 case was responded to within this timeframe.

Changes to the current complaints process is recommended to ensure complaints that escalate through the whole complaints process can be concluded within the recommended total timescale of 12 weeks.

Appendix B details the proposed changes

Service Improvements

Most complaints where fault is identified can be remedied with an apology or by putting things right such as processing a transaction that has been delayed.

Although service improvements can be identified at any stage of the complaints process, they are more likely to be found where a complaint is fully upheld, and the service need to make changes to prevent this type of issue reoccurring.

Appendix C - provides some examples of the service improvements that have been identified and remedial actions taken by several of the key service areas in 2021/22.

Accessibility

Most complaints are received digitally – the numbers received in 2021/22 were -

- **Email/Online Form – 83%**
- **By Telephone – 12%**
- **By Letter - 4%**

As a service it is more efficient to receive complaints and correspond by email. The council website offers a complaint form which customers can use to make their complaint directly with the complaints team. The majority of complaints received by the council are received by this web form. However, a direct telephone line is also provided so customers that prefer to make their complaint verbally can contact the team direct without going through the council's call centre.

The complaints team will always ensure they obtain both phone and email details from customers so that they can offer services both options in contacting the customer to discuss their complaint. However if the customer does not wish to be contacted by telephone this will be respected.

The team are also able to respond to requests for 'reasonable adjustments' from customers – for example reading the complaint response to a complainant by telephone where there are language or literacy issues.

Complaint Categories

When a complaint is received and accepted it is given a category so that we can evaluate the reasons why customers complain.

The most common cause for complaint is about delays in services being provided so the majority of complaints are recorded under that category but all categories are monitored to identify changing themes in the complaints received so that we can alert service managers to problems.

The categories of complaints received in 2021-22 are shown in Figure 8

Figure 8 – Complaints received by Category 2021-22

Complaint Category	Volume	Uphold Rate	Examples of Upheld cases
Not to Standard	11	63%	<ul style="list-style-type: none"> • Unhappy with quality of City Centre Christmas tree • Lack of notification about impending roadworks
Staff Attitude/Conduct	26	54%	<ul style="list-style-type: none"> • Lack of compassion displayed • Lack of politeness
Breach of Confidentiality	4	25%	<ul style="list-style-type: none"> • Passing data to 3rd party contractor without customer's permission
Denial/Withdrawal of Service	9	22%	<ul style="list-style-type: none"> • Proposed closure of Key Theatre • Not eligible for assessment • Unhappy not eligible for Covid Support fund
Delay/Failed Service	208	58%	<ul style="list-style-type: none"> • Delay in processing Refund • Parking Machine not operating correctly • Multiple complaints about delays due to roadworks • Several cases alleging delays in processing housing applications • Multiple complaints about failure/delays in replying to communication • Several cases alleging delays in assessment of Special Educational Needs
About Legislation	2	0%	<ul style="list-style-type: none"> • How Council tax was calculated • How Selective Licence was introduced
About Policy	47	23%	<ul style="list-style-type: none"> • Large volume of complaints about changes to the Brown Bin service including, increase costs, introduction of cost of 2nd bin, decision to suspend and refund service due to resource shortage. Other waste related policy complaints included policy around not collecting contaminated bins/returning to collect bins not out
Other	5	60%	<ul style="list-style-type: none"> • Unhappy with hours to access the service

Compliments

303 compliments have been recorded in 2021-22 as shown in Figure 9 below. This is lower than recorded in previous years.

Service Area	Number of Compliments External	Number of compliments Internal
Aragon	112	
Household Waste Service	32	
Website Team	2	
Customer Services	57	19
Planning	19	2
Regulatory Services	1	
SEN	2	
Highways	14	
STS (Council Tax, Revs & Bens)	23	2
Law & Governance	5	4
Covid Hub & Track & Trace	2	
Prevention & Enforcement Service	3	
Early Help	1	
Library	1	
Housing Needs	1	
CCTV	1	
Total	276	27

Compliments can be received both from members of the public or external professionals (external) but also from one service to another (internal).

There is a compliment form on the council website which enables customers to send in feedback which is managed by the complaints team who will then share the feedback with the appropriate service.

However, most compliments received have traditionally been received direct to service areas.

In the past the complaints team have requested compliment data from each service area at the end of each year to include in this report. Due to reorganisation of several key service areas, it has been discovered that not all services are keeping local logs of compliments they receive. This is disappointing as it is then not possible to provide a complete picture of the positive feedback that is received across the council. A template compliment log has been resent to all Directors to cascade through their services to record all the compliments they are receiving.

Some examples are shown on **Appendix D**