

**TITLE OF REPORT:** Annual Report - Corporate Complaints and Compliments Procedure 2015/16

**REPORT OF:** Mike Barker, Strategic Director, Corporate Services and Governance

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### Summary

The report provides an analysis of complaints and compliments recorded by the Council and the Gateshead Housing Company in the year ended 31 March 2016.

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### Background

1. The Cabinet has referred the report to the Corporate Resources Overview and Scrutiny Committee as part of the performance management process, in order to ensure that the process is operating satisfactorily.
2. The Council sees comments, complaints and compliments as an important part of performance management. To make it easier for people to express their views we have a corporate complaints and compliments procedure and it is publicised in the Council News, posters in council facilities and on both the internet and intranet. The Gateshead Housing Company has its own complaints and compliments procedure.

### Procedure

3. The procedure has three steps, the first of which 'problem solving', relies on the quick resolution of complaints by employees and their managers and does not require the complaint to be recorded. At the second step the complaint is recorded, there is a formal investigation into the complaint and a written response is sent to the complainant usually within twenty working days. The final step enables those complainants who remain dissatisfied to request the Chief Executive (or Managing Director of the Gateshead Housing Company) to carry out an independent review of the matter.
4. The report focuses upon recorded complaints and compliments with information about the distribution of complaints and compliments across the Council and the categories of complaints.

5. This does not include complaints about statutory Social Services and Children's Services matters which are investigated under their own separate legal requirements.

### **Complaints Received**

6. Over the year 1 April 2015 – 31 March 2016:
  - 387 complaints were recorded
  - 723 compliments were recorded
  - 32 complaints were the subject of an independent review by the Chief Executive of the Council and the Managing Director of the Gateshead Housing Company undertook 14 reviews.

### **Issues Arising**

7. A number of points can be noted arising from the statistics for 2015/16:
  - 387 complaints were recorded in 2015/16 compared with 477 in 2014/15 a decrease of 90.
  - 723 compliments were recorded for the year 2015/16 compared to 779 in 2014/15 – a decrease of 56.
  - The number of complainants requesting a review of their complaint by the Chief Executive increased by eleven to 32 in 2015/16. The Managing Director of the Gateshead Housing Company carried out 14 reviews in 2015/16 compared to 15 in 2014/15.
  - 78.8% of all complaints were recorded against the category of quality of service.
  - The proportion of complaints found to be fully justified increased from 21.1% in 2014/15 to 41.6% in 2015/16.
  - In addition, the proportion of complaints found to be partially justified increased from 12.4.0% in 2014/15 to 13.6% in 2015/16.
  - Most importantly, the Council's managers used the information gained through the monitoring of complaints to improve the provision of services.
  - The computerised recording system made it easier to track and respond to complaints. However, this system now requires an upgrade that reflects the new structure of the Council and provides improved statistical interrogation and analysis.
  - There has been a decrease in the number of complaints recorded by the Council during 2015/16. Additionally, there has been a decrease in performance of the percentage of complaints resolved within target timescales for the both the Council and the Gateshead Housing Company from 88% in 2014/15 to 82.7% in 2015/16.

### **Local Government Ombudsman**

8. During the course of 2015/16, the Local Government Ombudsman (LGO) investigated 24 complaints. Of these 17 were closed following a detailed response from the Council, 5 were not upheld and 2 were upheld partially or fully. Councillors will note that a summary of those cases upheld has been

presented to the Cabinet. Each case has provided learning opportunities in terms of reviewing policy, maintenance of records, the operation of systems and the provision of guidance and training to staff. The Council maintains a good working relationship with the LGO and all cases have now been settled to their satisfaction and the complainants.

### **Supporting Local Scrutiny**

9. Councillors may be aware that throughout the year the LGO has produced a number of focus reports. These highlight particular subjects or systemic issues coming from casework. They draw on lessons learned from complaints and have included recommendations on good practice. These reports have been used to inform reviews and case studies undertaken by the Council's overview and scrutiny committees. The LGO has also established a new Councillors' Forum that brings together councillors from across the political spectrum to help the LGO better understand the needs of Councillors and to help them act as champions when undertaking their scrutiny roles. They have also, in consultation with the Local Government Association, produced a workbook for Councillors that can be accessed via the LGA's website.

### **Future Developments at the LGO**

10. In 2015, the LGO and Parliamentary and Health Services Ombudsman set up a joint team who are trained to work in both health and social care investigations to enable a more streamlined investigative approach. A report on its first year in operation has been published.
11. The Government published its response to its consultation on a public service Ombudsmen in December 2015 on its proposal that a single Ombudsman scheme should be created for all public services in England. The Government has indicated that it intends to publish a Draft Public Service Ombudsman Bill as soon as reasonably possible.

### **The Housing Ombudsman**

12. From 1 April 2013 the Localism Act 2011 extended the jurisdiction of the Housing Ombudsman to cover all social landlords, including Councils. The Housing Ombudsman is able to consider complaints in so far as they relate to the provision or management of housing. The Local Government Ombudsman (LGO) continues to investigate complaints about allocations and the lettings policy.
13. Details of the Housing Ombudsman Scheme have previously been reported. As Councillors are aware, if a tenant wishes to escalate a complaint to the Housing Ombudsman he must do so via a 'designated person' or wait a period of eight weeks prior to direct submission. The scheme envisages that 'designated persons' will promote and assist in the resolution of complaints.
14. During 2015/16, the Council has been contacted by the Housing Ombudsman in respect of 12 cases. Of these six are ongoing, one has been resolved

without the need for a full investigation by the Housing Ombudsman, two had not exhausted the Housing Company's complaints procedure, one was an enquiry which was referred back to the Housing Company as a complaint had never been registered, one was transferred to the Local Government Ombudsman as it was deemed not to be in the remit of the Housing Company and one was fully investigated and the Housing Ombudsman concluded that the Council had taken reasonable steps to address the complaint.

### **Recommendation**

15. The Corporate Resources Overview and Scrutiny Committee is asked to endorse the information in the Annual Report and satisfy themselves that the Corporate Complaints and Compliments Procedure is operating satisfactorily.