

FINANCE AND POLICY COMMITTEE

18TH SEPTEMBER 2023



Subject: CORPORATE COMPLAINTS MONITORING
REPORT FOR 2022/23

Report of: Monitoring Officer

Decision Type: For information

1. COUNCIL PLAN PRIORITY

Hartlepool will be a place:

- with a Council that is ambitious, fit for purpose and reflects the diversity of its community.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to inform Finance and Policy Committee of the 2022/23 outturn position in relation to corporate complaints and those considered by the Local Government and Social Care Ombudsman (LGSCO).

3. BACKGROUND

- 3.1 Within the Corporate Complaints, Comments and Compliments Policy there is a requirement to report to elected members on the number of complaints received by the Council along with the final outcome of those complaints. This report outlines the complaints received in 2022/23.

4. SUMMARY OF PROGRESS – CORPORATE COMPLAINTS 2022/23

- 4.1 During 2022/23 there was a decrease in the number of corporate complaints received in comparison with the previous year.

Year	Number of complaints received	Number upheld or partially upheld	Percentage upheld or partially upheld
2022/23	9	3	33%
2021/22	12	4	33%
2020/21	7	3	43%

4.2 **Tables 1, 2 and 3 in Appendix 1** set out further information on the corporate complaints received during 2022/23.

5. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) – ANNUAL REVIEW LETTER 2023

5.1 The LGSCO Annual Review 2023 Letter, received 19th July 2023 sets out the annual statistics on complaints made to the LGSCO about Hartlepool Borough Council (HBC) for the year ending 31st March 2023. The data shows both the complaints and the enquiries that the LGSCO has recorded along with any decisions they have made.

5.2 In summary:

- In 2022/23 the LGSCO received 18 complaints or enquiries about HBC, which is a reduction of 6 on the previous year.
- The LGSCO made decisions on these complaints or enquiries during 2022/23 and the outcomes were:

Decision	Number
Incomplete/Invalid	1
Advice given	1
Referred back for local resolution	5
Closed after initial enquiries	10
Detailed investigation	2
Total	19

Please note the number of complaint enquiries the LGSCO received during the year does not always match the number of decisions made as not all complaints investigations were completed within the same year.

- Of the 2 complaints subject to detailed investigation, neither were upheld and further detail is provided in **Table 4 in Appendix 1**.
- The zero uphold rate is lower than the 20% uphold rate of 2021/22 but the numbers are very small with only 2 complaints undergoing a detailed investigation (compared to 5 in 2021/22).
- There have been 8 complaints upheld or partly upheld in the last 5 years out of a total number of 102 complaints received by the LGSCO. This represents an uphold rate of 8% of the total number received over a 5 year period. If we look at the 25 complaints that were investigated in detail over the past 5 years the uphold rate is 32%. Further details are provided in **Appendix 1 Table 5 and Table 6**.

- The uphold rate across similar authorities in 2022/23 is 72% meaning that our performance is well above average both in 2022/23 and over the past five years. As in previous years Hartlepool Borough Council has the lowest upheld rate across the North East at 0% with the other 11 authorities ranging between a 50% and 100% uphold rate.

5.3 Once a complaint investigation has been completed the complainant is advised of their right to approach the LGSCO. The fact that few complainants do so provides reassurance that our approach to corporate complaints is robust. Another indicator of the robustness of our approach is the fact that very few of the complaints investigated by the LGSCO are upheld.

5.4 The LGSCO is currently developing a Complaint Handling Code. The LGSCO has been working closely with the Housing Ombudsman in order to mirror their Complaint Handling Code which was launched this year. The LGSCO will be going out to consultation with all Local Authorities and other interested parties in the autumn with a view to launching the Code by April 2024. We will be responding to the consultation and will amend our policy as necessary when the final code is launched.

6. REVIEW OF COMPLAINTS POLICIES ACROSS THE COUNCIL

6.1 We are currently undertaking a review of a number of complaints policies across the council including:

- Corporate Complaints, Comments and Compliments Policy
- Public Health Complaints Policy
- Children's Social Care Complaints Policy
- Adult Social Care Complaints Policy
- Housing Complaints Policy

6.2 We are reviewing all of the policies to ensure that they are fit for purpose, fulfil our statutory duties where necessary and are easily accessible for the public. This will involve developing simpler public facing documents that are easy to understand and accessible to all. We are also keen to strengthen our early resolution process to help ensure that issues that are brought to our attention are dealt with as quickly and efficiently as possible.

7. UNREASONABLE CUSTOMER BEHAVIOUR POLICY UPDATE

7.1 At present there are no residents on restricted contact with the Council through the unreasonable customer behaviour policy.

8. OTHER CONSIDERATIONS/IMPLICATIONS

RISK IMPLICATIONS	No relevant issues.
FINANCIAL CONSIDERATIONS	No relevant issues.
LEGAL CONSIDERATIONS	No relevant issues.
CHILD AND FAMILY POVERTY	No relevant issues.
EQUALITY AND DIVERSITY CONSIDERATIONS	No relevant issues.
STAFF CONSIDERATIONS	No relevant issues.
ASSET MANAGEMENT CONSIDERATIONS	No relevant issues.
ENVIRONMENT, SUSTAINABILITY AND CLIMATE CHANGE CONSIDERATIONS	No relevant issues.
CONSULTATION	No relevant issues.

9. RECOMMENDATIONS

- 9.1 Finance and Policy Committee are recommended to note the update on complaints received during 2022/23.

10. REASONS FOR RECOMMENDATIONS

- 10.1 Finance and Policy Committee have responsibility for the monitoring of the Corporate Complaints, Comments and Compliments Policy and the Unreasonable Customer Behaviour Policy.

11. BACKGROUND PAPERS

- 11.1 Finance and Policy Committee (21st November 2022 - Corporate Complaints Monitoring Report for 2021/22).

12. CONTACT OFFICERS

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Sign Off:-

Managing Director	Date: 29.8.23
Director of Finance, IT and Digital	Date: 29.8.23
Director of Legal, Governance and HR	Date: 18.8.23

Table 1: Corporate Complaints received in 2022-23

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Number of Corporate Complaints Received	Number of Corporate Complaints Upheld / Partly Upheld
Total Number of Corporate Complaints	3	0	2	4	9	3
Finance, IT and Digital Services (F,IT&DS) Department	1	0	0	0	1	1
Development, Neighbourhood and Regulatory Services (D,N&RS) Department	1	0	1	2	4	0
Children's and Joint Commissioning Services (C&JCS) Department	0	0	1	2	3	2
Adult and Community Based Services (A&CBS) Department	1	0	0	0	1	0

Table 2: Historical Comparison of Corporate Complaints

	2018/19		2019/20		2020/21		2021/22	
	Number of complaints	Upheld / Partly Upheld	Number of complaints	Upheld / Partly Upheld	Number of complaints	Upheld / Partly Upheld	Number of complaints	Upheld / Partly Upheld
Total Number of Corporate Complaints	23	9 (39%)	25	11 (44%)	7	3 (43%)	12	4 (33%)

Table 3: Details of Corporate Complaints Upheld / Partly Upheld in 2022-23

Dept.	Complaint Description	Outcome of complaint
F,IT&DS	Council Tax complaint alongside complaint about officers	Partly upheld - Investigation showed that there were no issues with how the council tax had been calculated, the main officer dealing with the case dealt with it correctly. A training need was highlighted for other staff within the section and there was to be consideration of the potential to record phone calls in the future.
C&JCS	Alleged that the bidding process for housing was not fair and equitable, there were no properties available in a preferred location and it was taking too long to match to suitable property.	Partly upheld - An apology and financial redress was provided to the complainant. A new computer system was reviewed after 3 months to ensure it was working correctly.
C&JCS	Dissatisfied with the fair access protocol (education) and lack of communication.	Upheld - An apology and financial redress was provided to the complainant. The complainant was informed that some process had already been reviewed and new arrangements put in place. The Fair Access Protocol is to be revised.

Table 4 – Outcome of LGSCO Complaints 2022-23 – Detailed Investigation only

Reference	Description of complaint	Outcome	Date completed
Not upheld after detailed investigation (2 complaints)			
21 011 869	Complaint about the handling of his council tax accounts including attachment of earnings order, liability for council tax bills, fairness over joint liability and lack of empathy.	Council was not at fault in the way his accounts were handled and the way the council comminuted with him on these matters	24/04/22
22 012 514	Refusal of an application for home to school transport.	No fault in the decision to refuse home to school transport.	10/03/23

Table 5: Historical Comparison of Complaints and Enquiries Received by LGSCO for the last 5 years – Hartlepool

	Adult Care Services	Benefits and Tax	Corporate and other services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
2022/23	3	0	3	10	1	0	0	0	1	18
2021/22	5	1	3	6	1	1	1	2	0	20
2020/21	4	1	2	2	0	1	1	4	1	16
2019/20	4	2	3	8	2	2	0	2	0	23
2018/19	5	4	4	5	2	4	1	0	0	25

Table 6: Historical Comparison of Decisions Made by LGSCO for the last 5 years - Hartlepool

	Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed after Initial Enquiries	Detailed Investigations			Total	Average uphold rate (%) of similar authorities
					Not Upheld	Upheld	Uphold Rate		
2022/23	1	1	5	10	2	0	0%	19	72%
2021/22	0	0	5	15	4	1	20%	25	64%
2020/21	1	0	7	4	1	3	75%	16	NA
2019/20	0	2	3	10	6	3	33%	24	NA
2018/19	0	1	6	11	4	1	20%	23	NA

Table 7 - North East Local Authorities – 2022/23 LGCSO comparison

	Number of detailed investigations	Complaints Upheld		Upheld cases where the authority provided a satisfactory remedy before the complaint reached the Ombudsman (%)	Cases we were satisfied the authority successfully implemented our recommendations to remedy the complaint (compliance rate) (%)
		Number	Percentage	Percentage	Percentage
Hartlepool	2	0	0%	N/A	N/A
Durham	22	11	52%	9%	100%
Northumberland	19	16	84%	25%	100%
Newcastle	10	7	70%	29%	100%
Sunderland	8	4	50%	0%	100%
Gateshead	14	8	57%	0%	100%
South Tyneside	6	4	67%	0%	100%
North Tyneside	11	10	91%	20%	100%
Darlington	9	6	67%	17%	100%
Stockton	10	7	70%	14%	100%
Middlesbrough	11	8	73%	0%	89%
Redcar & Cleveland	11	11	100%	0%	86%