

FINANCE AND POLICY COMMITTEE

16TH SEPTEMBER 2024



Subject: CORPORATE COMPLAINTS MONITORING
REPORT FOR 2023/24

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 2023/24 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 2023/24.

4. SUMMARY OF PROGRESS – CORPORATE COMPLAINTS 2023/24

- 4.1 During 2023/24 there was an increase in the number of corporate complaints in comparison with the previous year but the upheld rate remained the same at 33%.

Year	Number of complaints	Number upheld or partially upheld	Percentage upheld or partially upheld
2023/24	15	5	33%
2022/23	9	3	33%
2021/22	12	4	33%

- 4.2 **Tables 1, 2 and 3 in Appendix 1** set out further information on the corporate complaints received during 2023/24.

5. **LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) – ANNUAL REVIEW LETTER 2024**

- 5.1 The LGSCO Annual Review 2024 Letter, received 17th July 2024, sets out the annual statistics on complaints made to the LGSCO about Hartlepool Borough Council (HBC) for the year ending 31st March 2024. 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 2023/24 the LGSCO received 21 complaints or enquiries about HBC, which is an increase of 3 on the previous year.
- The LGSCO made decisions on 19 of these complaints or enquiries during 2023/24 and the outcomes were:

Decision	Number
Referred back for local resolution	6
Closed after initial enquiries	11
Upheld	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.

- Further detail on the 2 complaints upheld is provided in **Table 4 in Appendix 1**.
- This means that both of the complaints received and investigated by the LGSCO were upheld and therefore the upheld rate is 100%. This is higher than the zero upheld rate in 2022/23 and higher than the average upheld rate for LGSCO complaints investigated across similar authorities which is 79%. However, our numbers are very small (just two investigated complaints in 2023/24 and 2022/23) and this can skew the percentage figure significantly.
- When calculated as a rate of upheld decisions per 100,000 residents our rate is 2.1. The average for our similar authorities is 4.6 upheld decisions per 100,000 residents.
- There have been 9 complaints upheld in the last 5 years out of a total number of 98 complaints received by the LGSCO. This represents an upheld rate of 9% of the total number received by the LGSCO over the 5

year period. Of the 22 complaints that went on to be investigated by the LGSCO over the past 5 years the upheld rate is 41%. Further details are provided in **Appendix 1 Table 5 and Table 6**.

- 5.3 Once a corporate complaint investigation has been completed the complainant is advised of their right to approach the LGSCO. The fact that few complainants choose to do so provides reassurance that our approach to corporate complaints is robust.
- 5.4 The LGSCO has recently released their Complaint Handling Code. This Code is currently being piloted by a number of authorities across the country and will be used across all of the LGSCO caseload from 1st April 2025. We are awaiting further guidance to be released by the LGSCO and will look to amend our policy and procedure where necessary with the view to being ready to follow the Complaints Handling Code by 1st April 2025.

6. REVIEW OF COMPLAINTS POLICIES ACROSS THE COUNCIL

- 6.1 There are a number of complaints policies in place across the council including:
- Corporate Complaints, Comments and Compliments Policy
 - Public Health Complaints Policy (statutory)
 - Children's Social Care Complaints Policy (statutory)
 - Adult Social Care Complaints Policy (statutory)
 - Housing Management Service Complaints Policy (statutory related to our role as a social landlord)
- 6.2 We will reviewing all of the policies where necessary to ensure that they are fit for purpose, fulfil our statutory duties where necessary and are easily accessible for the public as well as meeting the new LGSCO Complaints Handling Code. This is likely to 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.
SUBSIDY CONTROL	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 2023/24.

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 (18th September 2023 - Corporate Complaints Monitoring Report for 2022/23).

12. CONTACT OFFICERS

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Sign Off:-

Managing Director	Date: 13 August 2024
Director of Finance, IT and Digital	Date: 13 August 2024
Director of Legal, Governance and HR	Date: 13 August 2024

Table 1: Corporate complaints received in 2023-24

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Number of Corporate Complaints	Number of Corporate Complaints Upheld
Total Number of Corporate Complaints	5	4	1	5	15	5
Finance, IT and Digital Services (FIT&DS) Department	2	0	0	0	2	1
Development, Neighbourhood and Regulatory Services (DN&RS) Department	3	2	1	5	11	3
Children's and Joint Commissioning Services (C&JCS) Department	0	2	0	0	2	1
Adult and Community Based Services (A&CBS) Department	0	0	0	0	0	0

Table 2: Historical comparison of corporate complaints

	2019/20		2020/21		2021/22		2022/23	
	Number of complaints	Upheld	Number of complaints	Upheld	Number of complaints	Upheld	Number of complaints	Upheld
Total Number of Corporate Complaints	25	11 (44%)	25	11 (44%)	7	3 (43%)	12	4 (33%)

Table 3: Details of corporate complaints upheld in 2023-24

Department	Complaint description	Outcome of complaint
DN&RS	Complaint in relation to the supply of waste bins, issues relating to customer service and the information on the Council website.	Incorrect information on Council website leading to confusion about the cost of purchasing a bin for a new build property – all information has since been updated and a corporate working group set up to review all information on the Council's website to ensure accuracy. Review of process in relation to the updating of the Local Land and Property Gazetteer is ongoing to prevent similar situation occurring in the future. Partial refund to complainant as a goodwill gesture in response to the different information on the website.
DN&RS	Complaint about the reinstatement of a former site compound and poor response from Council and the time taken to facilitate works.	Although the Council was not fully responsible for the reinstatement of the compound it could have pressed more firmly for progress with the responsible party. There was opportunity for the Council to have shortened the process and time taken for the reinstatement works but communication was poor leading to frustration on the complainant's part.
CS&JC	Difficulty in securing correct school placement for children and delay in providing alternative education options when school placements fell through. Complainant felt communication was poor throughout the process.	Complainant received an apology for distress and upset caused due to delays with a financial remedy offered for child's loss of education and distress and upset caused. Schools to be reminded of obligation to notify parents of receipt of applications and decisions made alongside reasons for decisions. Council to ensure improved communication between all parties ensuring fully documented records completed. Dissemination and embedding of reviewed Fair Access Protocol to be actioned.
FIT&DS	Complaint about the treatment received from a security guard in the Civic Centre and the refusal from the security staff to provide identification along with listening in to personal conversations.	Apology made for the Security Guard joining in with complainants conversation with the receptionist. Service improvements have been made to prevent this happening again.

Department	Complaint description	Outcome of complaint
DNR&S	Complaint with regards to the car park at Coniscliffe Road/Duchy Road and the Section 106 agreement within the planning permission and Anti-Social Behaviour issues at the car park.	It was agreed that the transfer of the car park had not been completed as per the Section 106 agreement, the Council is continuing to try and forge a way forward with all parties to finalise this. The element of complaint relating to ASB issues was not upheld as it was identified that the Neighbourhoods Committee report provided the appropriate information and ensured that a full discussion could be held.

Table 4 – Outcome of Local Government Social Care Ombudsman (LGSCO) complaints 2023-24

Reference	Description of complaint	Outcome	Date completed
Upheld (2 complaints)			
23 001 507	The complainant was unhappy about being restricted to bidding for two-bedroom properties and the time that they had been waiting for a property.	Although upheld the complaint was not subject to a detailed investigation by the LGSCO as they were satisfied with the response that the Council had already made to the complaint and the remedy offered to the complainant for the uncertainty and distress caused. The LGSCO also confirmed that there was no fault in the Council's decision to restrict bidding to only two-bed properties as this was in line with the Council's Housing Allocation Policy and Government guidance.	7 June 2023
23 002 352	The complainant was unhappy that the Council refused to consider their complaint that a social worker had presented false information in court.	The LGSCO did not investigate this complaint as the Council agreed to resolve the complaint early by reconsidering the complaint in line with statutory guidance and issuing a new decision.	8 March 2024

Table 5: Historical comparison of complaints and enquiries received by the 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
2023/24	2	0	1	9	1	4	1	3	0	21
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

Table 6: Historical comparison of decisions made by the LGSCO for the last 5 years - Hartlepool

	Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed after Initial Enquiries	Detailed Investigations/Outcome			Total	Average upheld rate (%) of similar authorities
					Not Upheld	Upheld	Upheld Rate		
2023/24	0	0	6	11	0	2	100%	19	79%
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

Table 7 - North East Local Authorities – 2023/24 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	2	100%	50%	N/A
Durham	15	10	67%	40%	100%
Northumberland	26	18	69%	11%	100%
Newcastle	10	7	70%	14%	100%
Sunderland	12	11	92%	36%	100%
Gateshead	4	4	100%	25%	100%
South Tyneside	3	2	67%	50%	100%
North Tyneside	13	12	92%	33%	100%
Darlington	9	8	89%	38%	100%
Stockton	13	8	62%	13%	100%
Middlesbrough	5	3	60%	0%	100%
Redcar & Cleveland	4	3	75%	0%	100%