

## **WAVERLEY BOROUGH COUNCIL**

### **RESOURCES OVERVIEW & SCRUTINY 27 SEPTEMBER 2022**

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**Title:**

**Review of Complaints Closed in 2021/22**

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**Portfolio Holder:** Cllr Paul Follows, Leader of the Council, Policy & Governance, Communications and Emergency Response

**Head of Service:** Robin Taylor, Head of Policy & Governance

**Key decision:** No

**Access:** Public

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**1. Purpose and summary**

This report provides a summary of the complaints received by Waverley that were closed during 2021/22, the Council's performance in responding to those complaints and, where applicable, the lessons learned. Complaints about Waverley's services received by the Local Government and Social Care Ombudsman and the Housing Ombudsman in 2021/22, are addressed in a separate report on this agenda.

**2. Recommendation**

It is recommended that the Resources Overview and Scrutiny Committee considers the information in this report and passes any comments and recommendations to the Executive.

**3. Reason for the recommendation**

To allow the Committee to consider the complaints dealt with in 2021/22 and draw to the attention of the Executive any issues that require further attention.

**4. Background**

4.1 Since 1 April 2018 the Council's complaints' process comprises two stages, level 1 and 2. If the complainant remains unsatisfied at the end of Level 2 they have the option of taking the matter to the Local Government and Social Care Ombudsman or the Housing Ombudsman.

4.2 The tables below show the number of complaints closed during 2021/22 at each level and the percentage of the total number of complaints for each service.

4.3

<b>Service</b>	<b>Level 1</b>	<b>%</b>
Business Transformation	2	1%
Commercial Services	9	5%
Environmental and Regulatory Services	16	8%
Finance and Property	18	9%
Housing Delivery and Communities	3	2%
Housing Operations	88	46%
Planning and Economic Development	56	29%
Policy and Governance	0	0%
<b>Total</b>	<b>192</b>	<b>100%</b>

<b>Service</b>	<b>Level 2</b>	<b>%</b>
Business Transformation	0	0%
Commercial Services	3	3%
Environmental and Regulatory Services	6	6%
Finance and Property	4	4%
Housing Delivery and Communities	5	5%
Housing Operations	26	27%
Planning and Economic Development	53	54%
Policy and Governance	1	1%
<b>Total</b>	<b>98</b>	<b>100%</b>

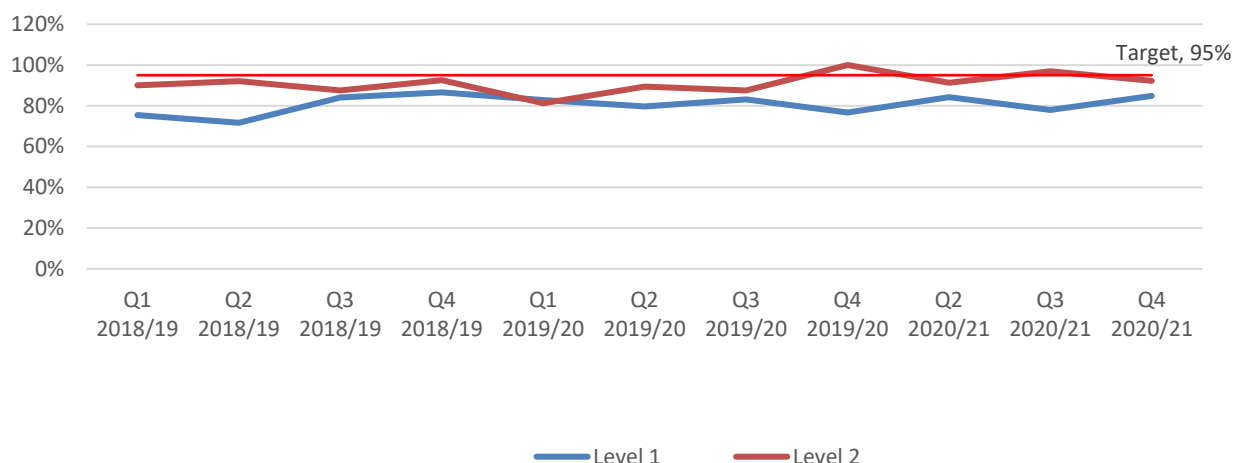
66% of all complaints closed in 2021/22 were resolved at Level 1 compared with 64% the previous year.

- 4.4 Housing Operations and Planning and Economic Development received the highest number of complaints, a total of 114 and 109 respectively. This is an increase when compared with the total of 106 and 76 for 2020/21. As in previous years, the majority of the Housing complaints concerned property maintenance and responsive repairs and in Planning they concerned Development Management.

## **5. Waverley's performance in responding to complaints**

- 5.1 The corporate target currently states that 95% of all complaints should be responded to within 10 working days of receipt at Level 1 and within 15 working days of receipt at Level 2. This target has been in place for many years and continues to set a challenging level of performance. The following table shows the performance over the past three years.

### Performance of Responding to Level 1 and Level 2 Complaints 2018/19 - 2021/22



5.2 In 2021/22 84% of all closed complaints were responded to within the target timescales which is the same percentage for 2020/21. Performance at each level was as follows:

Level 1 - 79%

Level 2 - 94%

5.3 Officers have discussed whether there is a case for changing the target, but it has been concluded that it should be possible to improve performance by closer monitoring of complaints by the individual Service Complaints Administrators and the increased use of automatic reminders which are now possible following the implementation of a new database.

## 6. Outcome of complaints closed in 2021/22

6.1 The following table gives information on the outcome of the complaints closed in 2021/22.

Service	Not upheld	Partly upheld	Upheld	Total
Business Transformation	0	1	1	2
Commercial Services	10	2	0	12
Environmental and Regulatory Services	3	7	12	22
Finance and Property	13	6	3	22
Housing Delivery and Communities	4	2	2	8
Housing Operations	49	16	49	114
Planning and Economic Development	70	25	14	109
Policy and Governance	0	1	0	1
<b>Total</b>	<b>149</b>	<b>60</b>	<b>81</b>	<b>290</b>

The assessment of whether a complaint is upheld, partly upheld or not upheld is often a subjective matter, and this judgement is made by the officer investigating

the complaint. Overall, 51% complaints were not upheld, 21% were partly upheld and 28% were upheld. As in previous years, the majority of housing operations complaints that were partly upheld or upheld concerned the service provided by contractors in respect of responsive repairs and property services.

## **7. Remedying complaints**

7.1 When seeking to remedy a complaint that has been upheld or partly upheld, the Council follows the advice of the Local Government and Social Care Ombudsman that the remedy offered should, as far as possible, put the complainant back in the position he or she would have been in but for the fault that has been identified. An apology will always be offered but in appropriate circumstances the complainant may be reimbursed for any expenditure they have incurred as a result of poor service by the Council or its contractors.

## **8. Lessons learned from complaints**

8.1 Learning lessons from complaints is an important part of improving Waverley's services and these are recorded on the complaints database. Lessons learned are looked at and actioned on a case-by-case basis. Changes that need to be made to policies, procedures or other administrative processes are identified by the officer investigating the complaint. These changes are then discussed with the relevant Head of Service who will ensure that all necessary action is taken to avoid a recurrence of the problems identified by the complainant.

8.2 Annexe 1 gives some examples of lessons learned in 2021/22. Many lessons learned concerned procedural/administrative issues and the need to improve communications with the customer.

## **9. Relationship to the Corporate Strategy and Service Plan**

9.1 Investigating complaints provides the Council with an opportunity to keep under review and improve the quality of its services to the community and is a key part of understanding residents' need. Lessons learned from complaints help the Council to meet its priorities of promoting high quality public services accessible for all and the health and wellbeing of our communities.

## **10. Implications of decision**

### **10.1 Resource (Finance, procurement, staffing, IT)**

None

### **10.2 Risk management**

Complaints can highlight areas where there are reputational and operational risks.

### **10.3 Legal**

There are no legal implications associated with this report. The Council's complaints handling process complies fully with best practice and the most recent guidance from the Local Government and Social Care Ombudsman. The process also meets the requirements of the Housing Ombudsman Complaint Handling Code

#### **10.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary, across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010. However, complaints investigations can help to ensure that the Council delivers its services to all customers in a fair and equal way, and that any shortfall is rectified immediately.

#### **11. Climate emergency declaration**

There are no implications in this report that relate to carbon neutrality.

#### **12. Consultation and engagement**

Not applicable.

#### **13. Other options considered**

None.

#### **14. Governance journey**

The report and observations from the Resources Overview and Scrutiny Committee will be submitted to the next meeting of the Executive.

#### **Annexes:**

Annexe 1 – Lessons learned from complaints closed in 2021/22

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#### **Background Papers**

There are / are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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Agreed and signed off by:  
Legal Services: date  
Head of Finance: date  
Strategic Director: date  
Portfolio Holder: date