

Report of the Executive Director

COMPLAINTS REPORT 2020/211. Purpose of report

To provide members with a summary of complaints made against the Council.

2. Detail

This report outlines the performance of the Council in dealing with complaints, including: at stage one, managed by the service areas, at stage two, managed by the Complaints and Compliments Officer and at stage three passed to the Local Government Ombudsman (LGO) or Housing Ombudsman (HO).

- Appendix 1 provides a summary of the Council's internal complaint statistics.
- Appendix 2 provides a summary of the complaints investigated by the Council formally under stage two of the Council's formal complaint procedure.
- Appendix 3 provides a summary of the complaints determined by the Ombudsman.

Of the 365 stage one complaints received overall, 59 were investigated under the stage 2 complaints procedure and 11 were investigated by the LGO. Under the stage 2 complaints procedure, 40 complaints (68%) were not upheld, six complaints (10%) were partially upheld, 12 complaints (20%) were upheld and one was withdrawn. Further details can be found in appendix 2. The Ombudsman investigated 11 complaints made against the Council. Nine complaints were recorded as not upheld, resulting in no further action being required by the Council and two complaints were upheld. Further details can be found in appendix 3.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil

APPENDIX 1

Complaints received

The table below shows the figures for the overall complaints received in 2020/21 and the previous 2019/20 figures are shown in brackets for comparison.

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure Ltd	Members
Number of Stage 1 complaints	365 (449)	281	9	75	-	25*
No. of complaints investigated under Stage 2	59 (41)	49	6	4	-	-
No. of complaints determined by the Ombudsman	11 (9)	10	1	-	-	-

*member complaints follow a separate process to the Council's formal complaints process. These figures have not been included in the overall complaints statistics.

The Council has registered a total of 365 stage 1 complaints in the year 1 April 2020 to 31 March 2021, compared to 449 in the year 2019/20. The number of complaints concluded under stage 2 of the complaints procedure is 59, compared to 41 in 2019/20, and 11 complaints, compared to 9 in 2019/20 have been determined by the Local Government Ombudsman and the Housing Ombudsman Service.

Time taken to acknowledge receipt of stage one complaints (3 working day target)

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure Ltd	Members
Number of complaints acknowledged on the same day	255 (291)	196	6	53	-	-
Number of complaints acknowledged within one to three days	96 (142)	72	2	22	-	25*
Number of complaints acknowledged after three working days	14 (16)	13	1	-	-	-

*member complaints follow a separate process to the Council's formal complaints process. These figures have not been include in the overall complaints statistics.

255 stage 1 complaints (70%) were acknowledged on the same day. 96 (26%) were acknowledged in one to three days and 14 (4%) took more than three working days to acknowledge.

All 25 complaints regarding members were acknowledged within three working days.

The Council has seen an improvement in the time taken to acknowledge complaints, through continued use of electronic facilities in order to keep complainants updated as to the progress of their complaint.

Time taken to respond to stage 1 Complaints (15 working day target)

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure Ltd
Less than 5 working days	83 (121)	20	4	59	-
5 to 10 working days	55 (56)	47	3	5	-
10 to 15 working days	206 (247)	193	2	11	-
More than 15 working days	21 (25)	21	-	-	-

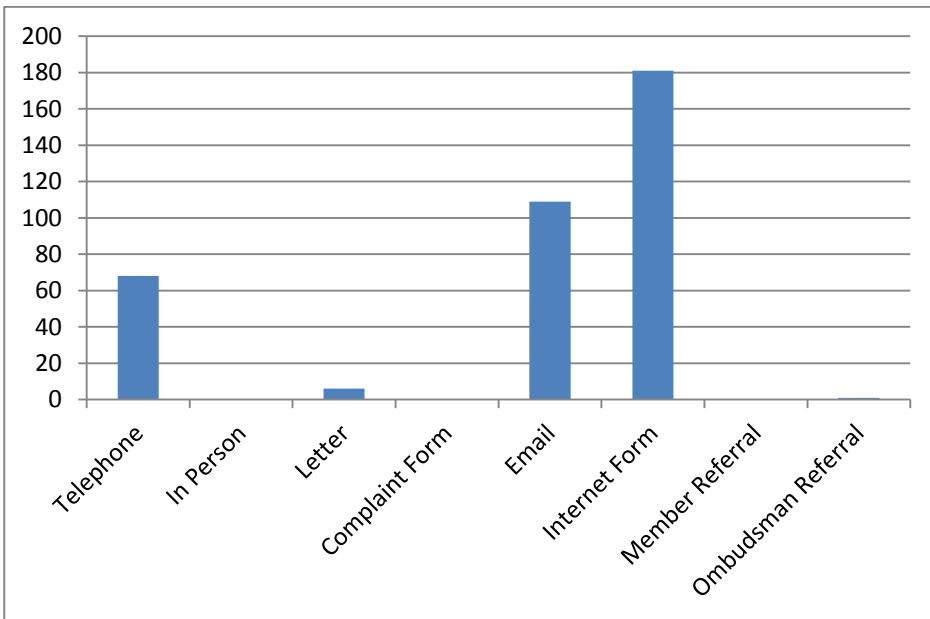
83 stage 1 complaints (23%) were responded to in less than five working days, 55 (15%) within five to ten days, 206 (56%) within ten to fifteen working days. 21 (6%) took longer than fifteen working days to provide a response. In these cases, the Heads of Service are asked to write to complainants to advise that a response will take longer and provide the complainant with an estimated timescale for completion.

Reasons for delays could include:

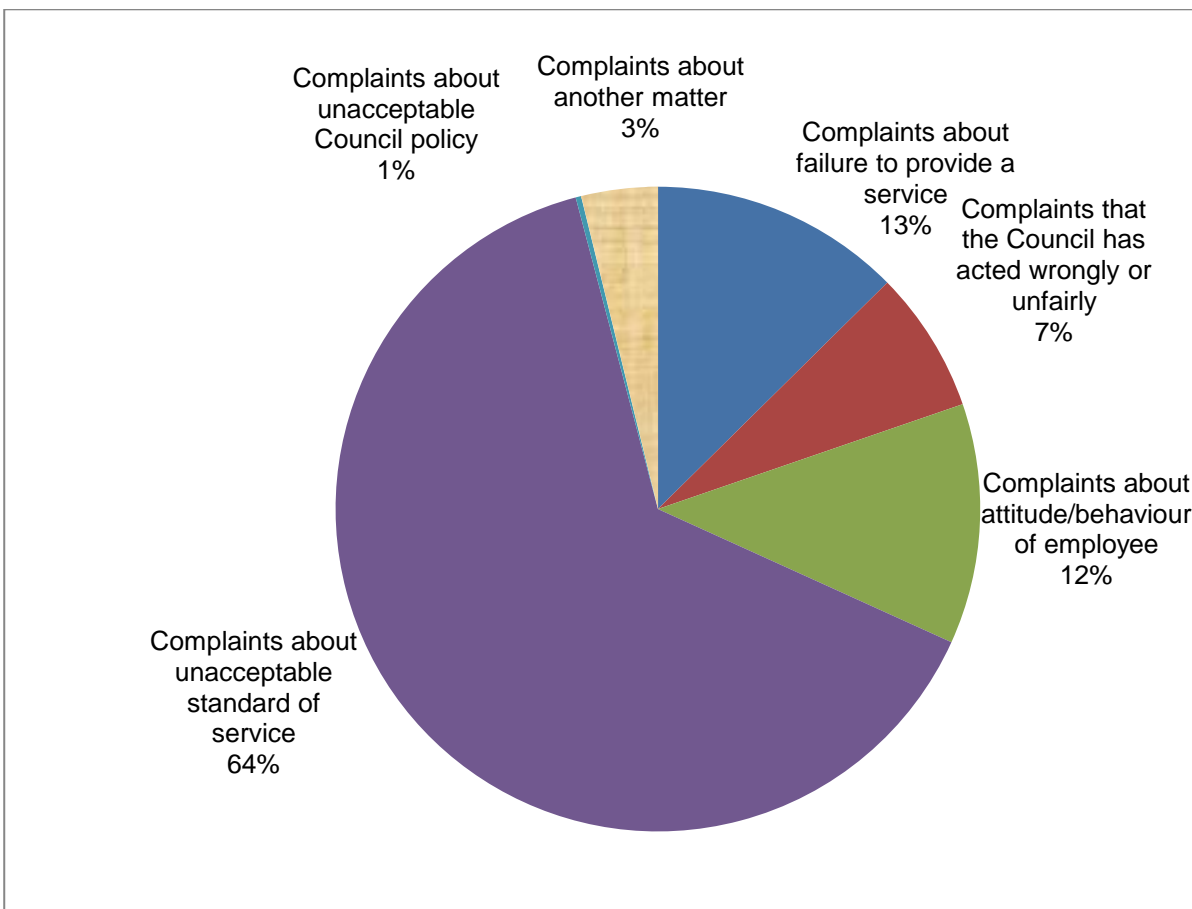
- Further information being required from the complainant.
- Complexity of the complaint including in-depth research required.
- Resource issues.
- COVID-19 pandemic.

(This list is not exhaustive)

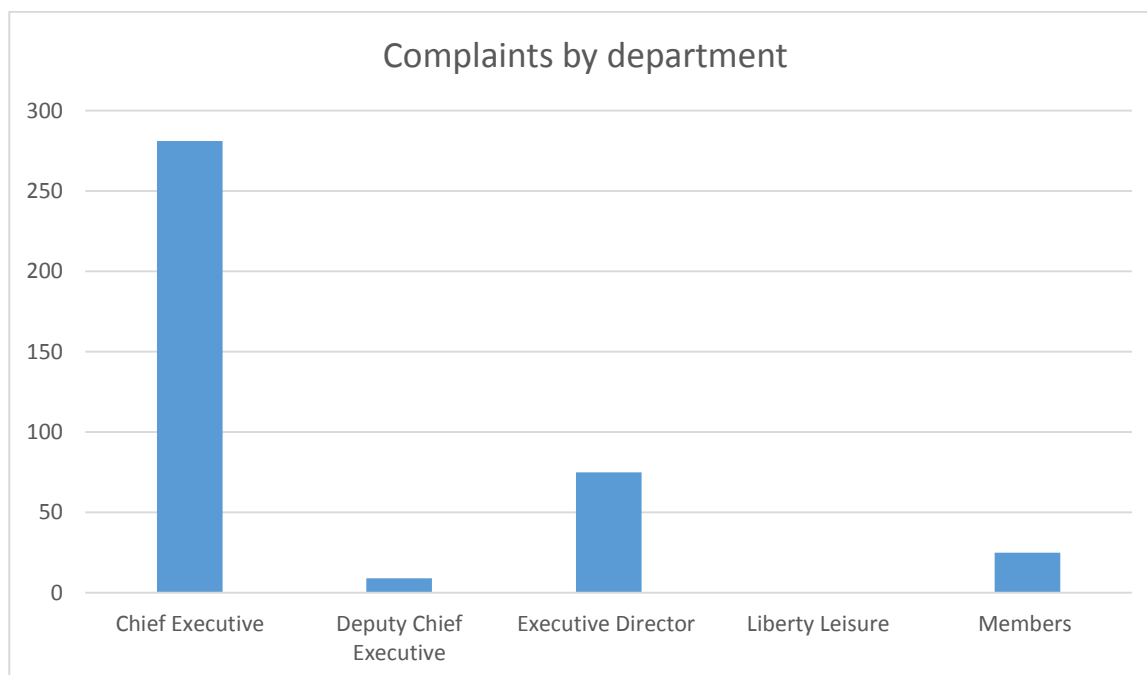
How the complaints were made



What the complaints were about



Complaints by department



Number of stage 2 complaints

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
Number of Stage 2 complaints	59 (41)	48	6	5	-

Time taken to acknowledge to stage 2 complaints (3 working day target)

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
Acknowledged within 3 working days	59	48	6	5	-

Time taken to respond to stage 2 complaints (20 working day target)

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
Responded in less than 10 working days	2	1	-	1	-
Responded in 11 to 20 working days	28	21	3	4	-
Responded in	29	26	3	-	-

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
more than 20 working days					

59 complaints were investigated and responded to under stage 2 of the formal complaint procedure. 100% were acknowledged within three working days and 30 (51%) were responded to within the 20 working day timescale. All the complainants who received their responses after 20 working days were informed that there would be a delay and were informed of the reason.

Reason for the delays included:

- Further information being required from the complainant or officers.
- Complexity of the complaint.
- Resource Issues.
- COVID-19 pandemic.

Equalities Monitoring

Of the 365 stage 1 complaints recorded, 181 were completed with the monitoring data.

Gender

Male – 77
 Female – 77
 Not stated - 27

Age groups

<17 – 0 45–59 – 41
 18–24 – 8 60–64 – 8
 25–29 – 8 65+ – 32
 30–44 – 14 Not stated – 70

Ethnic Groups

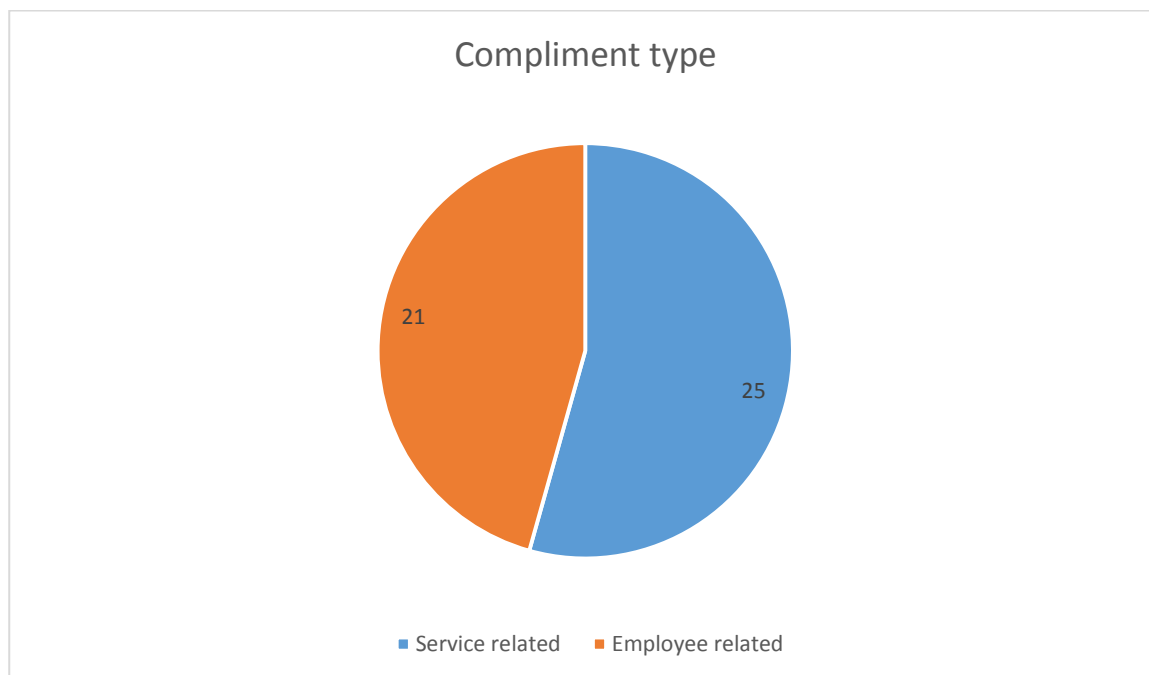
British – 112
 Indian – 4
 Caribbean - 5
 Not stated – 57
 Any other White – 3

Long term health problem that limits daily activity?

Yes – 46
 No – 79
 Not stated - 56

Compliments

There have been a total of 46 compliments registered in the period, 21 of which were in relation to specific employees and 25 were related to the service received.



A new system has been introduced to aid with the capturing of compliments. The system has been simplified and reworked to ensure all compliments are being recorded.

All staff members have been reminded of the necessity to record compliments as and when they are received.

Breakdown of complaints and compliments by department and section

Chief Executive's department

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Communities	2	-	-	-
Development Control	36	11	3	1
Environmental Health	2	2	1	-
Garage Service	1	-	-	-
Housing and Income	39	1	-	-
Housing Operations	34	9	2	15
Housing Options	19	1	-	1
Housing Repairs	136	23	4	10
Housing Services and Strategy	3	-	-	-
Neighbourhood Services	7	-	-	-
Private Sector Housing	1	1	-	-
Strategy and Performance	1	-	-	-
Total	281	48	10	27

Deputy Chief Executive's department

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Benefits	2	-	-	-
Bereavement	2	1	1	-
Customer Services	1	1	-	-
Revenues	4	4	-	-
Total	9	6	1	-

Executive Director's Department

Service Areas	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Waste and Recycling	59	-	-	18
Parks and Environment	13	-	-	-
Data Protection	1	1	-	-
Democratic Services	3	3	-	1
Elections	1	1	-	-
Total	75	5	-	19

Service Area	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Kimberley Leisure Centre	-	-	-	-
Bramcote Leisure Centre	-	-	-	-
Chilwell Leisure Centre	-	-	-	-

Standards

Area	Stage 1 Complaints
Members	25*

*member complaints follow a separate process to the Council's formal complaints process. These figures have not been include in the overall complaints statistics.

Financial Settlements

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
Stage 1	-	-	-	-	-
Stage 2	8	8	-	-	-
Ombudsman	2	2	-	-	-
TOTAL	10	£2,760	-	-	-

APPENDIX 2

Stage 2 – Formal Complaints

1. Complaint against Housing Repairs

Acknowledgement – 2 working days

Response – 28 working days

Complaint not upheld

Complaint

The concern raised was that the Housing Repairs Team had not adequately attended to a repair regarding the complainants shower.

Council's response

The Council had attended the complainant's property on multiple occasions and found no issue with the shower. The complainant's issue related to the water pressure, however this was working correctly.

2. Complaint against Democratic Services

Acknowledgement – 1 working day

Response – 20 working days

Complaint not upheld

Complaint

The concern raised was that the Council knowingly submitted and allowed members to vote on incorrect minutes.

Council's response

The Council's members voted on an amendment to the minutes as per the Council's standing orders.

3. Complaint against Housing Repairs

Acknowledgement – 1 working day

Response – 22 working days

Complaint upheld

Complaint

The concern raised was that the Housing Repairs Team had not adequately attended to a leak in the complainant's roof.

Council's response

The Council had attended the complainant's property to repair the leak in the roof. However, only a temporary solution was provided and no repair had been booked to permanently repair this issue.

An apology was offered and the repair was booked.

Governance Services Recommendation

The complaint highlighted the necessity for the Housing Department to maintain records sufficiently in order to follow up progress on repairs. Housing staff were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

4. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 23 working days
Complaint partially upheld

Complaint

The concerns raised was that the Housing Repairs Teams had not adequately repaired a garage door.

Council's response

The Council had attended the complainant's garage and noted that the garage lock was faulty and that the door frame was damaged. The lock was replaced, however, due to the COVID-19 pandemic the Council's garage door supplier was not operating. The complainant was offered the option to relocate garage sites or wait until the supplier was operating fully so that the door could be replaced.

5. Complaint against Housing Income

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that the Housing Income Officer was rude in their correspondence.

Council's response

The e-mail correspondence between the Housing Income Officer and the complainant was polite and the professional. There was no evidence to suggest that the Housing Income Officer had been rude to the complainant when carrying out their duties.

6. Complaint against Private Sector Housing

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that Private Sector Housing Officers were rude to the complainant and disrespectful to their property. Additionally, the Council had not offered adequate advice in relation to the complainant's homelessness issue.

Council's response

The e-mail correspondence between the Private Sector Housing Officer and the complainant was polite and the professional. When carrying out an inspection of the complainant's property the two Officers did not recall any reason to suspect causing upset to the complainant. The complaint in relation to the conduct of the Officers was received 10 months following the inspection.

Additionally, the Council had offered the complainant advice on their homelessness issue and set up a meeting with the complainant to review their case. The complainant did not attend this meeting.

7. Complaint against Bereavement Services

Acknowledgement – 1 working day
Response – 30 working days
Complaint upheld

Complaint

The concerns raised were that the Council had buried a recently deceased in the complainant's pre-purchased grave plot. The complainant stated it was their mother's dying wish that they be buried next to each other.

Council's response

It was found that the recently deceased's grave plot had overlapped with the complainant's due to an increase of casket sizes and widening of graves to prevent the grave walls collapsing. The plots were not remapped to accommodate this and the bereavement team had noted that the complainant's grave plot no longer existed but did not take action. The pre-purchased grave plots are the property of the owner in perpetuity. The Council has a legal obligation to provide the grave which it can no longer do.

The Council offered the complainant a full refund of the grave at £745 and an additional payment of £1000 in settlement of the complaint in addition to a new grave plot within the area at no cost.

Additionally, the Council offered the complainant the option of exhuming their mother and extending that grave plot so that they could be buried together. The cost of the exhumation would be paid for by the Council if the complainant wished to undertake this option.

The complainant did not accept these offers.

Governance Services Recommendation

The complaint highlighted that pre-purchased grave plots maybe have been subject to a similar issue in which the grave plots no longer exist due to a general widening of the plots. It was recommended an audit of all pre-purchased grave plots be undertaken to established if they still exist. This has been completed.

8. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 23 working days
Complaint not upheld

Complaint

The concern raised was that the Housing Repairs team had not undertaken a repair to a drain that ran to the back of their property.

Council's response

It was found that the drain was a public surface water drain belonging to Severn Trent with a blockage occurring on the private land owner behind the complainant's property. The Council had notified Severn Trent and private land owner of the issue and requested that they undertake maintenance work to the drain.

9. Complaint against Planning Services

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concerns raised were that the Planning Team had not undertaken an appropriate site visit to a neighbouring development and that they had not taken the complainant's objections into account.

Council's response

It was found that the Planning Officers had undertaken a visit to the development in which the complainant's relationship to the property could be viewed. The complainant requested that the Officer visit their property to view the development but this was refused citing the national guidelines surrounding the COVID-19 pandemic. There is no legal requirement for the Planning Team to undertake any site visits to the property.

Additionally, the complainant's objections were included in the Officers report.

10. Complaint against Democratic Services

Acknowledgement – 3 working day
Response – 7 working days
Complaint not upheld

Complaint

The concern raised was that the Complaint Teams had "cherry picked" the complainant's issues.

Council's response

It was found that all complaints had been responded to appropriately. The complainant had specifically asked for certain issues to be responded to. A full response was received for the issues raised in the first instance.

11. Complaint against Council Tax

Acknowledgement – 1 working day
Response – 11 working days
Complaint not upheld

Complaint

The concern raised was that the complainant had been issued a Council Tax penalty during the COVID-19 pandemic.

Council's response

It was found that the penalty had been charged correctly as there had been no legislative change to the Council Tax process.

12. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 12 working days
Complaint not upheld

Complaint

The concern raised was that the Housing Repairs Team did not attend a leak to the complainant's toilet. The complainant paid a private plumber to attend the issue.

Council's response

It was found that when the repair was reported to the Council the complainant stated that the leak could be contained. An emergency repair was scheduled for the next working day. However, on the day of the repair complainant cancelled the booking as they had paid a private contractor to attend to the issue.

The Council would have undertaken the repair if given the opportunity.

13. Complaint against Housing Operations

Acknowledgement – 3 working day
Response – 33 working days
Complaint partially upheld

Complaint

The concerns raised were that the complainant was offered a property that was subsequently withdrawn. Additionally, the complainant was able to bid on a property that was already allocated.

Council's response

It was found that due a technical issue with the Council's bidding system the complainant was able to bid on a property that was already allocated. The property was offered to the complainant but was later withdrawn as it had already been allocated.

To remedy the issue, the complainant was offered a direct let. However, this property was withdrawn as the tenant who agreed to move as part the direct let, no longer wished to move.

An apology was offered and the complainant was offered £150 compensation for these issues. The offer was accepted.

14. Complaint against Housing Operations

Acknowledgement – 3 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that there were extended delays in the Housing Team responding to the complainant's enquiries and that they had been discriminated against due to their health issues.

Council's response

It was found that the complainant's enquiries had been dealt with within 2-3 working days. There was no evidence of any discrimination against the complainant.

15. Complaint against Housing Repairs

Acknowledgement – 3 working day
Response – 29 working days
Complaint not upheld

Complaint

The concerns raised were that the Housing Repairs Team had not dealt with the complainant's mould issues. Additionally, the complainant stated that they had not been offered any properties despite being a band 2 on the waiting list.

Council's response

It was found that the Housing Repairs Team had attempted on multiple occasions to gain access to the property to treat the mould issue but were unsuccessful in gaining access.

Additionally, at the time of the complaint there were 9 suitable properties for the complainant to bid on but they had not done so.

An offer of assistance with bidding on properties was extended to the complainant.

16. Complaint against Planning Services

Acknowledgement – 3 working day

Response – 30 working days

Complaint partially upheld

Complaint

The concerns raised were that there had been a lack of action from the Planning Team to rectify an issue with the complainant's e-mail's being quarantined with the in Council's ICT system. Additionally, the complainant received multiple requests for information to validate their planning application.

Council's response

It was found that the complainant had notified the Planning Team that their e-mails were being quarantined and this had been acknowledged by the Planning Team. However, there was no evidence of this issue having been resolved.

The issue was passed to the ICT team who have since rectified the problem.

It was reasonable for the Planning Team to request further information regarding the application when it was required.

17. Complaint against Housing Operations

Acknowledgement – 1 working day

Response – 19 working days

Complaint upheld

Complaint

The concerns raised were that there had been a lack of action from the Housing Operations Team to empty the bin stores and clean a communal area in the Spinney.

Council's response

It was found that the cleaning of the communal and bin stores was being undertaken by an external contractor who had not been attending the scheme regularly. The contractor stated this was due to the COVID-19 pandemic.

An audit process for the contractor was set up, such as signing in and out of the complex, to ensure that a level of cleanliness was maintained.

Governance Services Recommendation

The complaint highlighted the need for an audit process to be followed by the Council's contractor. After the implementation of this system there have been no further complaints regarding the cleanliness of the scheme.

18. Complaint against Planning Services

Acknowledgement – 1 working day

Response – 29 working days

Complaint not upheld

Complaint

The concerns raised were that the Council had not followed relevant policies when determining a planning application. Additionally, the Council did not accurately represent the number of objectors.

Council's response

It was found that the policies used to determine the planning application were included in the Planning Committee report. Furthermore, the objections had been summarised within this report, the late items and during a public speaking section of the Committee.

19. Complaint against Housing Repairs

Acknowledgement – 1 working day

Response – 28 working days

Complaint upheld

Complaint

The concerns raised were that there had been delays in plastering work being undertaken at the complainant's property and that there were delays in the kitchen countertops being repaired.

Council's response

It was found that while inspections for the plastering works were undertaken the works were delayed. This was due to the original job being closed due to an admin error and due to the COVID-19 pandemic delaying access.

The kitchen countertops were delayed as conflicting information had been recorded by the Council in relation to the extent of work required to replace the countertops.

An apology was offered and all works were booked and completed.

Governance Services Recommendation

The complaint highlighted the necessity for Housing Services to maintain records sufficiently in order to follow up progress on repairs. Housing staff were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

20. Complaint against Housing Repairs

Acknowledgement – 2 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that there had been a lack of action from the Housing Repairs to replace a damaged fence. Additionally, there had been a lack action regarding a contractor being rude to the complainant following the complainant causing an accident between their two vehicles.

Council's response

It was found that the Housing Repairs Team had installed a 6-foot privacy screen running the length of a shared access at the complainant's property. The Council are only obligated to provide a privacy screen; the rest of the garden fence was replaced with wire.

The Council are only obligated to mark the garden boundary.

Following an incident in which the complainant crashed their vehicle into a Council contractor's vehicle who was in the area, the complainant stated that the contractor was rude toward them. The Council's records showed that the contractor had reported the indecent to the Housing Repairs Teams and stated that they had to leave the area without completing the allocated job as the complainant was being aggressive toward them.

21. Complaint against Democratic Services

Acknowledgement – 2 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that the complainant's complaint was not acknowledged within three working days as stipulated by the Council's complaint procedure.

Council's response

The complainant, being subject to the Persistent and Vexatious Complainants Policy, had contacted an Officer outside of their terms of contact with the Council. Therefore, the Officer was not obligated to respond to this e-mail.

22. Complaint against Housing Repairs

Acknowledgement – 2 working day
Response – 30 working days
Complaint upheld

Complaint

The concern raised was that there was a delay in a leaking porch roof being repaired.

Council's response

It was found that the complainant had reported the leak from 2018 to 2020. Inspections were carried out, however, no follow up action was undertaken to fix the leak.

An apology was offered with £150 compensation, which was accepted. Additionally, remedial works were booked to repair the plastering damaged by the leak.

Governance Services Recommendation

The complaint highlighted the necessity for the Housing Department to maintain records sufficiently in order to follow up progress on repairs. Housing staff were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

23. Complaint against Planning Services

Acknowledgement – 1 working day
Response – 18 working days
Complaint not upheld

Complaint

The concerns raised were that the Council had not followed relevant policies when determining a planning application. Additionally, the Council did not accurately represent the number of objectors or taken into account a Planning Inspectorate's report.

Council's response

It was found that the policies used to determine the planning application were included in the Planning Committee report. Furthermore, the Planning Inspectorate's reports was attached as an appendix to the main Planning Committee report and a summary of these findings was also provided.

24. Complaint against Planning Services

Acknowledgement – 2 working day
Complaint withdrawn

Complaint

The concern raised was that the Planning Department had changed its validation process which meant agents and applicants were required to identify all parties for the notification of a planning application.

Council's response

The validation process was temporarily changed during the COVID-19 pandemic lockdown. When the lockdown ended the process was reversed and the complainant withdrew their complaint.

25. Complaint against Environmental Health

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the Environmental Health Team had not effectively dealt with a noise nuisance issue.

Council's response

It was found that the Environmental Health Team processed the noise complaint in a timely manner in line with the Council's policies.

26. Complaint against Data Protection

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that the Council had not sent the complainant all their requested data as part of a Subject Access Request.

Council's response

It was found that the Council had issued all the complainant's data that had been requested.

27. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 30 working days
Complaint upheld

Complaint

The concerns raised were that there were delays in a repair being undertaken to a hole in a roof which was causing a pest issue. Additionally, the Council had refused to contract a pest control service to deal with the pest issue.

Council's response

It was found that the roof leak had initially been misdiagnosed as a faulty pipe and not a hole in the roof. There were subsequent delays in the roof being repaired following this.

As the Council is responsible for the roof and loft space, the issue of the pests should have been dealt with by the Council.

An apology and £300 compensation was offered. This compensation included £150 for the hiring of the pest control service and £150 for the inconvenience caused. This was accepted.

Governance Services Recommendation

The complaint highlighted a knowledge gap within Housing Services regarding the Council's responsibilities as a landlord. Housing staff were reminded of the Council's responsibilities as a landlord in order to minimise further complaints of this nature.

28. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 20 working days
Complaint partially upheld

Complaint

The concerns raised were that there were delays in the right to buy process, the complainant had received another tenant's mail inside their mail, they had been contacted regarding rent arrears despite paying 95% of the time and there were delays in repairs being undertaken.

Council's response

It was found that the delays in the right to buy process had occurred due to the complainant not accepting the Council's offer and requesting a re-valuation of the property. As this is undertaken by the District Valuer, a separate organisation, the Council was unable to determine when this would be completed.

The complainant did receive another tenant's mail within their mail. This was investigated as a data protection breach.

The complainant was in rent arrears and therefore we were obligated to contact the tenant to pay the outstanding rent.

The repairs had been incorrectly logged which resulted in a delay in the repairs being undertaken.

Governance Services Recommendation

The complaint highlighted the necessity for Housing Services to maintain records sufficiently in order to follow up progress on repairs. Housing staff were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

29. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 20 working days
Complaint upheld

Complaint

The concern raised was that there were delays in rubbish being removed from a housing scheme.

Council's response

It was found that the complainant had contacted the Council from 2018 to 2020 for the removal of a broken chair and mattress from the communal area of a housing complex. It was found there were significant delays in these items being removed.

An apology was offered and items were removed.

Governance Services Recommendation

The complaint highlighted the necessity for Housing Services to maintain records sufficiently in order to follow up progress on request for service.

30. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that there had been a lack of action to repair a damaged fence at a housing scheme. The complainant stated that the damage was causing a security issue.

Council's response

It was found that the damage to the fence was minimal and that it did not compromise the security of the scheme. Furthermore, the scheme was locked with access to residents only.

31. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that there had been a lack of action to repair a bathroom leak which had caused significant damage to the complainant's property. Additionally, the complainant was not informed of asbestos within the property.

Council's response

It was found that the Housing Repairs team had attended on the same day every time a leak was reported. It was noted that the amount of water and location did not correspond

with a bathroom leak. An independent plumber attended the property but could not replicate the leak or the damage that was being caused.

The issue was review by the Council's insurer and the issue was dismissed.

It was noted that the complainant was not correctly informed of the asbestos within the property. An apology was offered for this. £750 compensation was offered but made explicit that it was not an admission of liability for the damage caused by the leak. The complainant accepted this offer.

32. Complaint against Council Tax

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that the Council had incorrectly applied the complainant's Council Tax discounts and were incorrectly chasing arrears.

Council's response

It was found that the Council Tax team had applied the complainant's discounts correctly with the information that they had been provided with. The complainant only supplied information for a certain period which the discount had been applied. Following its expiry, arrears were accrued and the complainant was notified at each stage of the necessity to pay.

33. Complaint against Customer Services

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that the Council's telephone queue system was inadequate and that the complainant could not contact the Council's Council Tax team.

Council's response

It was found that the during the period in which the complainant attempted to contact the Council it was experiencing an abnormally high volume of telephone calls. This being 3000 calls over a two-day period. For the same period the year before only 600 calls were received.

A call back was given to the complainant and their issue was dealt with.

34. Complaint against Planning

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that the Council's planning team had not dealt with the complainant's planning application in a professional manner.

Council's response

It was found that the planning team had been in regular contact with the complainant regarding their application. It was found that planning team were asking the complainant to make amendments to their application to make it acceptable for approval.

The case officer was in regular contact with the complainant and their architect. Following the architect's dismissal by the complainant all communication was with the complainant. Subsequently, the Head of Planning met with the complainant to discuss their application.

There was no evidence to suggest the application was not dealt with in a professional manner.

35. Complaint against Housing Repairs

Acknowledgement – 1 working day

Response – 20 working days

Complaint upheld

Complaint

The concerns raised were that there were delays in repairs being undertaken to the property and that the property did not have working electricity when the complainant moved in. This affected their ability to work from home during the COVID-19 pandemic

Council's response

It was found that there were several repairs that were not undertaken before the complainant moved into the property.

An apology and £230 compensation was offered and accepted. This compensation was calculated based on the complainant's wage.

All outstanding repairs were booked and completed.

Governance Services Recommendation

The complaint highlighted the necessity for the Housing Department to maintain records sufficiently in order to follow up progress on repairs. Housing staff were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

36. Complaint against Planning

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the Planning Team had not taken into account the loss of amenity to the complainant by approving a neighbouring planning application.

Council's response

It was found that the Planning Team had undertaken site visits to the development and obtained objections from the surrounding area. However, there was no record of the complainant having requested a site visit to their property. While the Council is not obligated to undertake site visits, it will endeavour to do so when requested.

37. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 30 working days
Complaint partially upheld

Complaint

The concern raised was that the Council had not delivered an appropriate homelessness service.

Council's response

It was found that the Homelessness Team had obtain a new property through a third party provider for the complainant. However, the complainant stated the property was not suitable and had to flee the area due to racial abuse.

A property secured for the complainant within the Council's stock was accepted by the complainant.

However, upon moving into the property, a third party energy company provided the Council with incorrect information which meant that the complainant was without utilities for several days.

An apology and £100 compensation was offered and accepted by the complainant for the inconvenience caused by the lack of utilities.

38. Complaint against Planning

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that there were delays in the Planning Team enforcing an issue of an untidy garden.

Council's response

It was found that the Planning Team had been in regular contact with the owner of the untidy garden. However, the owner was not capable of undertaking the works to the garden and required assistance from the Council.

As the clearance required several people and access through the property, this was put on hold due to the COVID-19 pandemic.

39. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 20 working days
Complaint upheld

Complaint

The concern raised was that there were delays in a door being fixed that was catching on a pipe preventing access to the bathroom.

Council's response

It was found that when the issue was logged initially, it was due to be an emergency repair. However, this was incorrectly logged and then cancelled by the Customer Services Team which resulted in a delay in an operative attending the property.

An operative attended the property and rectified the issue.

Governance Services Recommendation

The complaint highlighted the necessity for Customer Services Team to maintain records sufficiently in order to follow up progress on repairs. Customer Services Team were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

40. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 25 working days
Complaint not upheld

Complaint

The concern raised was that they were offered a property that was not suitable for their needs.

Council's response

It was found that the property was offered based on the information provided by the complainant. When a property viewing was undertaken and the complainant expressed that it was not suitable for their needs they were offered a period to think about the property before they accepted or rejected it.

The complainant subsequently made the decision to accept it.

41. Complaint against Environmental Health

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that an Environmental Health Officer was dismissive of their noise complaint.

Council's response

It was found that the Environmental Health Officer had actioned and been in regular contact with the complainant regarding their noise complaint.

42. Complaint against Planning

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that a planning application was determined under delegated powers instead of by the Planning Committee.

Council's response

It was found that the application was due to be heard at the Planning Committee as the developer had not agreed to pay a Section 106 contribution. However, once this contribution had been agreed it was not required to be heard at the Planning Committee.

Additionally, the application was not called in by the ward members.

43. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that a contractor working on behalf of the Council had damaged the complainant's cooker while moving it.

Council's response

It was found that the contractor denied causing any damage to the cooker. The contractor suggested that the matter be dealt with through their business insurance.

44. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 20 working days
Complaint upheld

Complaint

The concerns raised was that scaffolding erected next to the complainant's property was causing them to lose satellite signal.

Council's response

It was found that the scaffolding had been erected to complete roofing works at the neighbouring property. However, due to the COVID-19 pandemic the works were not undertaken and the scaffolding was in place for a significant amount of time.

An apology and £180, equivalent to the satellite bill, was offered and accepted.

45. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concerns raised were that the Council were not dealing with an Anti-Social Behaviour complaint against the complainant appropriately.

Council's response

It was found that the Council had written to complainant on several occasions as a noise complaint had been registered against them. The Council is obligated to investigate and contact tenants when complaints are raised against them.

46. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the Housing Repairs Team had not adequately dealt with an issue of the complainant's garden flooding.

Council's response

It was found that the Housing Repairs team had attended the property on several occasions to deal with the flooding. This included installing several drains and issuing sandbags when required.

47. Complaint against Council Tax

Acknowledgement – 1 working day
Response – 30 working days
Complaint partially upheld

Complaint

The concern raised was that the Council Tax Team have incorrectly issued the complainant a Council Tax bill.

Council's response

It was found that a mistake had been made with the complainant's bill. Due to the COVID-19 pandemic and limited post days, the incorrect bill was not removed from the post and the complainant was subsequently issued an incorrect bill and a correct bill.

An apology was offered and the amount owed was clarified.

48. Complaint against Planning

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the Planning Team have failed to enforce a planning application.

Council's response

It was found that while planning permission had been granted, as no works had commenced to the development there were no conditions to enforce.

49. Complaint against Council Tax

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the Council Tax Team had incorrectly applied a Council Tax levy on an empty second property.

Council's response

It was found that the complainant had a second property that had been empty for more than 5 years. The levy was correctly applied in line with the Council's policies.

50. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the complainant's property, obtain via mutual exchange, was in a state of disrepair.

Council's response

It was found that the complainant had signed for the property in its current condition as part of the mutual exchange process. The waiver signed indicated a number of repair issues that Council was not obligated to undertaken as these alterations/damages were caused by the previous tenant.

Ultimately, the complainant accepted the property in its current state.

51. Complaint against Housing Repairs

Acknowledgement – 1 working day

Response – 30 working days

Complaint not upheld

Complaint

The concerns raised was that there had been a lack of action to repair a garage leak.

Council's response

It was found that the garage was in a state of disrepair from the point of the complainant's tenancy starting. While the Council were aware of the significant leaks within the garage no repairs were undertaken before the commencement of the tenancy.

An apology and £100 compensation was offered and accepted. Additionally, the remaining rent account for the garage was cleared at £156.64.

52. Complaint against Housing Operations

Acknowledgement – 1 working day

Response – 20 working days

Complaint not upheld

Complaint

The concerns raised was that the Council had not consulted with the complainant regarding a change of tenancy type within a block of flats.

Council's response

It was found that the complainant, being a leaseholder, was not a statutory consultee. Therefore, as a private householder, the Council did not have to consult with them regarding the change of tenancy types within the block of flats.

The Council records showed that all statutory consultees had been contact via telephone and letter.

53. Complaint against Housing Repairs

Acknowledgement – 1 working day

Response – 30 working days

Complaint upheld

Complaint

The concerns raised were that there had been a lack of action to fix various repairs within the complainant's property. These include a roof leak, a cold working shower, a faulty immersion heater, mould within bedrooms and condensation on windows.

Council's response

It was found that while various inspections were undertaken for the various repairs ranging from 2016 to 2021, no follow up works were booked to repair the issues.

An apology and £350 compensation was offered. This offer has yet to be accepted.

The repair works are currently being undertaken.

Governance Services Recommendation

The complaint highlighted the necessity for Housing Services to maintain records sufficiently in order to follow up progress on repairs. Housing staff were reminded to action repairs following inspections through diary management and the bookings system in order to minimise repeats of the error.

It has been requested that the Head of Asset Management and Development undertake an internal audit of the repairs function to determine where the issue is occurring.

54. Complaint against Housing Repairs

Acknowledgement – 1 working day

Response – 20 working days

Complaint not upheld

Complaint

The concern raised was that there had been a lack of action to fix noisy plumbing in the complainant's property.

Council's response

It was found that the Council had attended the property on several occasions to investigate and repair the noisy plumbing. This was undertaken in timely manner.

55. Complaint against Elections

Acknowledgement – 1 working day

Response – 20 working days

Complaint not upheld

Complaint

The concerns raised were that a Household notification letter issued to the complainant indicated that they were not the head of their household as their name did not appear at the top.

Council's response

It was found that the letter issued includes all people registered within the household in alphabetical order. This was in line with statutory guidance.

56. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that a property offer was withdrawn unfairly.

Council's response

It was found that the Housing Team during the complainant's application required investigation into their local connection to the Broxtowe area. It is a requirement that all tenants have a connection to local area in order for them to be eligible to be housed.

The property offers are explicit in stating that all offers are provisional until signed and that any offer may be withdrawn until signed.

As the complainant had not signed for the property, it was correctly withdrawn.

57. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 30 working days
Complaint upheld

Complaint

The concern raised that the complainant had been unsuccessful bidding for properties. Additionally, the complainant felt they had been given false information by the Housing Team.

Council's response

It was found that the while bidding on properties as a band 2 tenant, the complainant had been unsuccessful. The Complainant had been asked to provided further information that would move them into a band 1 by the Housing Team

However, the circumstances of the individual would not be sufficient enough to move bands. This information was being requested needlessly and giving the complainant a

raised expectation. Furthermore, the complainant was not informed of multiple properties that they were eligible to bid on.

An apology was offered to the complainant.

Governance Services Recommendation

Housing Staff are to be reminded of their responsibilities in only requesting information when it is required and of providing housing details to potential tenants.

58. Complaint against Housing Operations

Acknowledgement – 1 working day
Response – 30 working days
Complaint not upheld

Complaint

The concern raised was that the Housing Team and not dealt with their Anti-Social Behaviour complaint.

Council's response

It was found that the issue that was raised was a criminal matter and the complainant was advised to contact the Police. The Police further reported that no evidence to support the complaint and the complaint was subsequently closed.

59. Complaint against Planning

Acknowledgement – 1 working day
Response – 20 working days
Complaint not upheld

Complaint

The concern raised was that a member of staff abused Council procedures to register a planning enforcement case against the complainant.

Council's response

It was found that the planning enforcement issue was raised privately and not as a member of staff. The enforcement issue was dealt with within regular time frames.

APPENDIX 3

Stage 3 - Ombudsman Complaints

1. Complaint against Housing Repairs (the stage 2 was concluded in 2019/20)

Complaint

The complainant complained that the Council had failed to undertake repairs to remedy an issue of damp which was causing damage to property.

Ombudsman's conclusion

The Housing Ombudsman concluded with the stage 2 complaint that there had been significant delays in the Council attending to repairs to remedy the damp issues.

The Housing Ombudsman did not consider the £600 offered at stage 2 to be sufficient and requested a payment of £700 be paid.

This was undertaken.

The complaint was upheld.

2. Complaint against Housing Operations (the stage 2 was concluded in 2019/20)

Complaint

The complainant complained that the Council wrongly withdrew an offer of a property.

Ombudsman's conclusion

The Local Government Ombudsman found that while the Council had withdrawn the property correctly as it did not meet the complainant's needs, it had given the complainant a raised expectation as the letting process had started. It noted that further properties were offered to the complainant that suited their needs but these were not accepted.

The Local Government Ombudsman recommended that a payment of £100 be issued to the complainant for the inconvenience of the original offer being withdrawn.

This was undertaken.

The complaint was partially upheld.

3. Complaint against Planning (stage 2 no16)

Complaint

The complainant complained that they had received multiple request for information to validate their planning application.

Ombudsman's conclusion

The Local Government Ombudsman found that it was reasonable to request further information to validate the planning application.

The complaint was not upheld.

4. Complaint against Planning (stage 2 no18)

Complaint

The complainant complained that the Council had not followed relevant policies when determining a planning application. Additionally, the Council did not accurately represent the number of objectors.

Ombudsman's conclusion

The Local Government Ombudsman found that all policies and objections were taken into consideration.

The complaint was not upheld.

5. Complaint against Housing Repairs (stage 2 no1)

Complaint

The complainant complained that the Council had not taken action to repair a shower and its low pressure.

Ombudsman's conclusion

The Local Government Ombudsman found that was insufficient evidence to investigate the issue.

The complaint was not upheld.

6. Complaint against Bereavement Services (stage 2 no7)

Complaint

The complainant complained that the Council had buried a recently deceased in the complainant's pre-purchased grave plot. The complainant stated it was their mother's dying wish that they be buried next to each other.

Ombudsman's conclusion

The Local Government Ombudsman found that there was no further information or remedy they could provide that had not already been offered as part of the stage 2 complaint.

The Local Government Ombudsman stated that:

"The Ombudsman will not investigate Mrs X's complaint that the Council has allowed another person to be buried partly in her cemetery plot. This is because the Council has offered a suitable remedy for Mrs X's injustice and we cannot say it must exhume the other person from their grave as she would like."

The complaint was not upheld.

7. Complaint against Housing Operations (stage 2 no17)

Complaint

The complainant complained that there had been extended delays in the Housing Team responding to the complainant's enquiries and that they had been discriminated against due to their health issues.

Ombudsman's conclusion

The Local Government Ombudsman found that the complainant's enquiries had been responded to in a timely manner and that there was no evidence of discrimination against them.

The complaint was not upheld.

8. Complaint against Environmental Health (stage 2 no25)

Complaint

The complainant complained that the Environmental Health Team had not effectively dealt with a noise nuisance issue.

Ombudsman's conclusion

The Local Government Ombudsman found that the complainant's enquiries had been responded to in a timely manner and that there was no evidence of fault on the Council's behalf. It noted that sufficient evidence had not been received from the complainant for the Council to act upon the noise issue.

The complaint was not upheld.

9. Complaint against Housing Repairs (stage 2 no20)

Complaint

The complainant complained that there had been a lack of action from the Housing Repairs to replace a damaged fence. Additionally, there had been a lack action regarding a contractor being rude to the complainant following the complainant causing an accident between their two vehicle.

Ombudsman's conclusion

The Housing Ombudsman found that the Council had repaired the fence satisfactorily and in accordance with its policies. This being that a privacy screen was erected by the shared passageway and all other fences were to mark the boundary only.

The Housing Ombudsman considered it did not have the authority to investigate a traffic accident.

The Complaint was not upheld.

10. Complaint against Planning (stage 2 no34)

Complaint

The complainant complained that the Council's planning team had not dealt with their planning application in a professional manner.

Ombudsman's conclusion

The Local Government Ombudsman found that there was insufficient evidence to indicate that there was fault in the planning process. Additionally, as the complainant had started the appeal process with the Planning Inspectorate the Local Government Ombudsman had no authority to investigate the issue further.

The Complaint was not upheld.

11. Complaint against Housing Repairs (stage 2 no1)

Complaint

The complainant complained that the Council had not taken action to repair a shower and its low pressure.

Ombudsman's conclusion

This complaint has not yet been concluded.