

**Report of the Executive Director**

<b>COMPLAINTS REPORT 2021/22</b>
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1. Purpose of Report

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

2. Recommendation

**The Committee is asked to NOTE the report.**

3. 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 244 stage one complaints received overall, 41 were investigated under the stage 2 complaints procedure and 10 were investigated by the LGO. Under the stage 2 complaints procedure, 30 complaints (73%) were not upheld and 11 complaints (27%) were upheld. Further details can be found in appendix 2. The Ombudsman investigated 10 complaints made against the Council. 8 complaints were recorded as not upheld, resulting in no further action being required by the Council and 2 complaints were upheld. Further details can be found in appendix 3.

4. Financial Implications

Head of Finance Services were as follows:

There are no financial implications.

5. Legal Implications

There are no direct legal implications arising from this report.

6. Background Papers

Nil.

## APPENDIX 1

**Complaints received**

The table below shows the figures for the overall complaints received in 2021/22 and the previous 2020/21 figures are shown in brackets for comparison.

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Executive Director</b>	<b>Liberty Leisure Ltd</b>
Number of Stage 1 complaints	<b>244</b> (365)	96	126	21	1
No. of complaints investigated under Stage 2	<b>41</b> (59)	19	18	3	1
No. of complaints determined by the Ombudsman	<b>10</b> (11)	2	7	1	-

The Council has registered a total of 244 stage 1 complaints in the year 1 April 2021 to 31 March 2022, compared to 365 in the year 2020/21. The number of complaints concluded under stage 2 of the complaints procedure is 41, compared to 59 in 2020/21, and 10 complaints, compared to 11 in 2020/21 have been determined by the Local Government Ombudsman and the Housing Ombudsman Service.

**Time taken to acknowledge receipt of stage one complaints (5 working day target)**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Executive Director</b>	<b>Liberty Leisure Ltd</b>
Number of complaints acknowledged within 5 working days	<b>244</b>	96	126	21	1
Number of complaints acknowledged over 5 working days	-	-	-	-	-

244 stage 1 complaints (100%) were acknowledged on the same day.

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 (10 working day target)**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Executive Director</b>	<b>Liberty Leisure Ltd</b>
Less than 10 working days	181	80	82	18	1
Over 10 working days	63	16	44	3	-

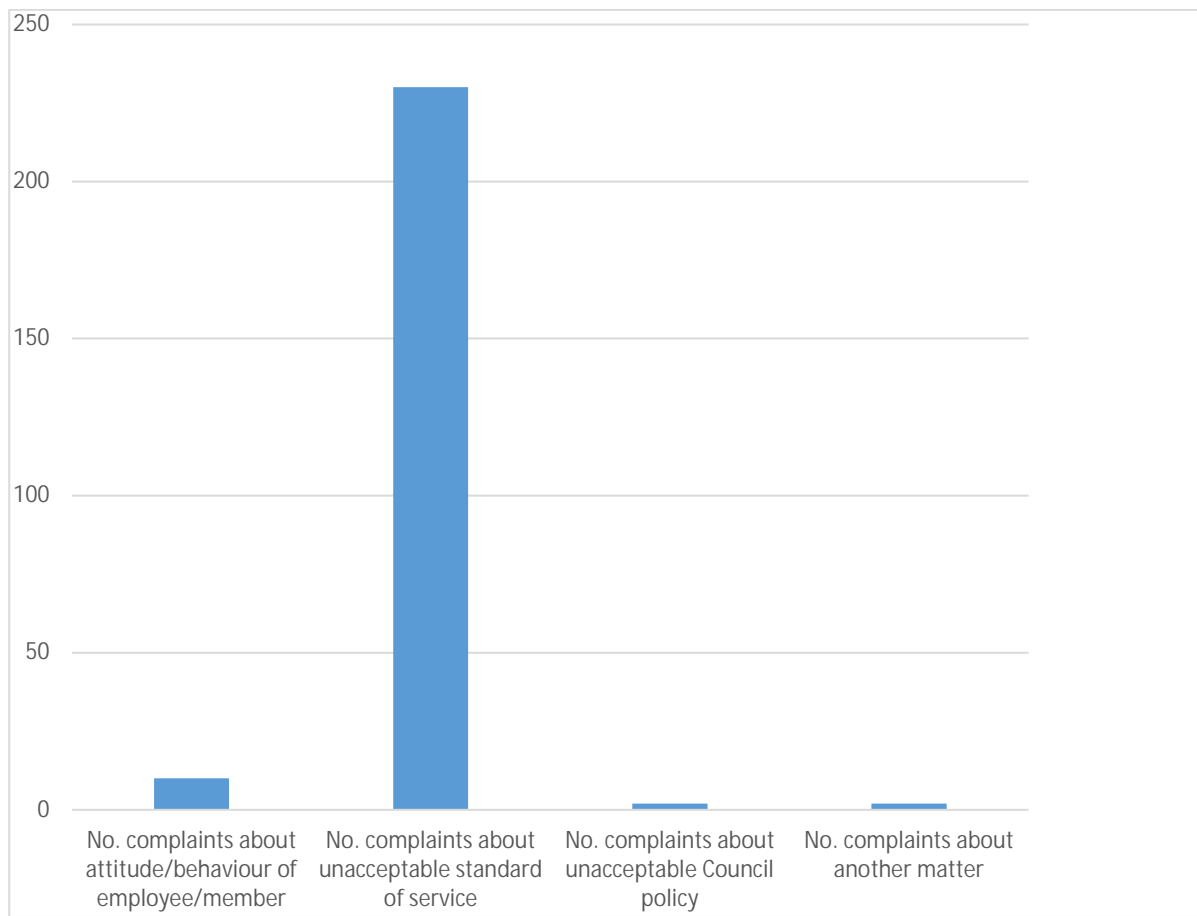
181 stage 1 complaints (74%) were responded to in 10 working days. 63 (26%) took longer than fifteen working days to provide a response. In these cases, the Heads of Service are asked to write to complainants to advise that a response will take longer and provide the complainant with an estimated timescale for completion.

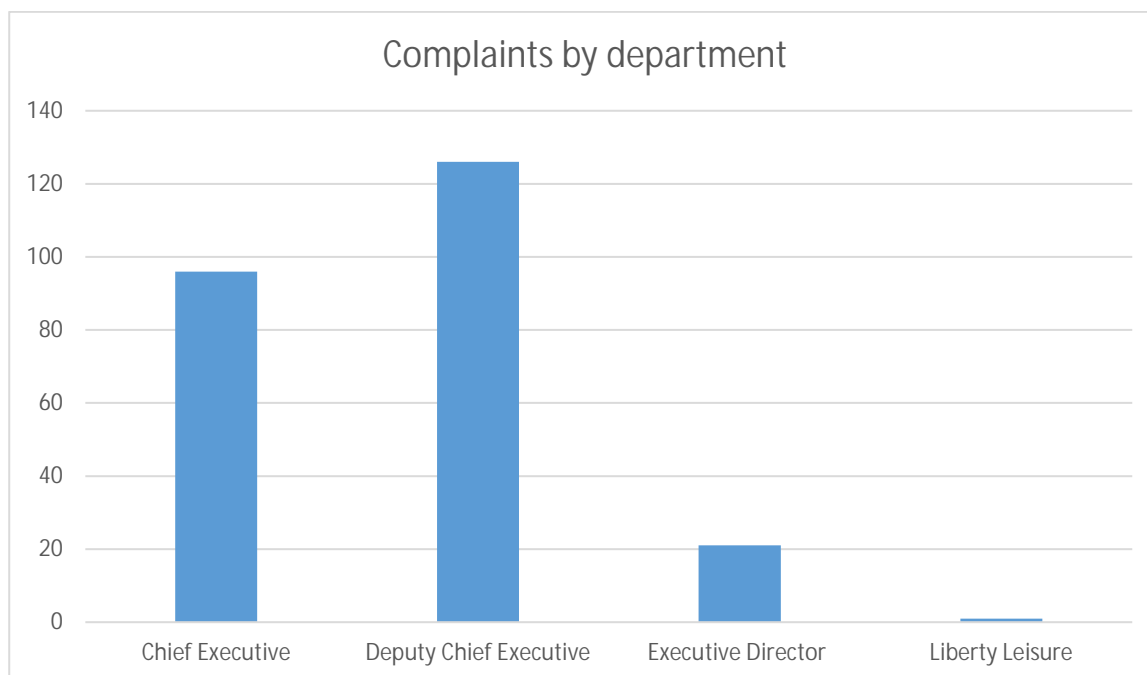
Reasons for delays could include:

- 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)

**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	<b>41</b> (59)	20	17	3	1

**Time taken to acknowledge to stage 2 complaints (5 working day target)**

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
Acknowledged within 5 working days	<b>41</b>	20	17	3	1

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

	Total	Chief Execs	Deputy Chief Execs	Executive Director	Liberty Leisure
Responded in 20 working days	<b>28</b>	12	13	3	-
Responded in more than 20 working days	<b>13</b>	8	4	-	1

41 complaints were investigated and responded to under stage 2 of the formal complaint procedure. 100% were acknowledged within five working days and 28 (68%) 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.

(This list is not exhaustive)

### **Equalities Monitoring**

Of the 244 stage 1 complaints recorded, 39 were completed with the monitoring data.\*

#### Gender

Male – 17  
 Female – 22  
 Not stated - 205

#### Age groups

<17 – 0  
 18–24 – 2  
 25–29 – 2  
 30–44 – 8  
 45–59 – 12  
 60–64 – 1  
 65+ – 5  
 Not stated – 214

#### Ethnic Groups

British – 25  
 Bangladeshi - 1  
 Indian – 2  
 Irish – 1  
 Not stated – 215

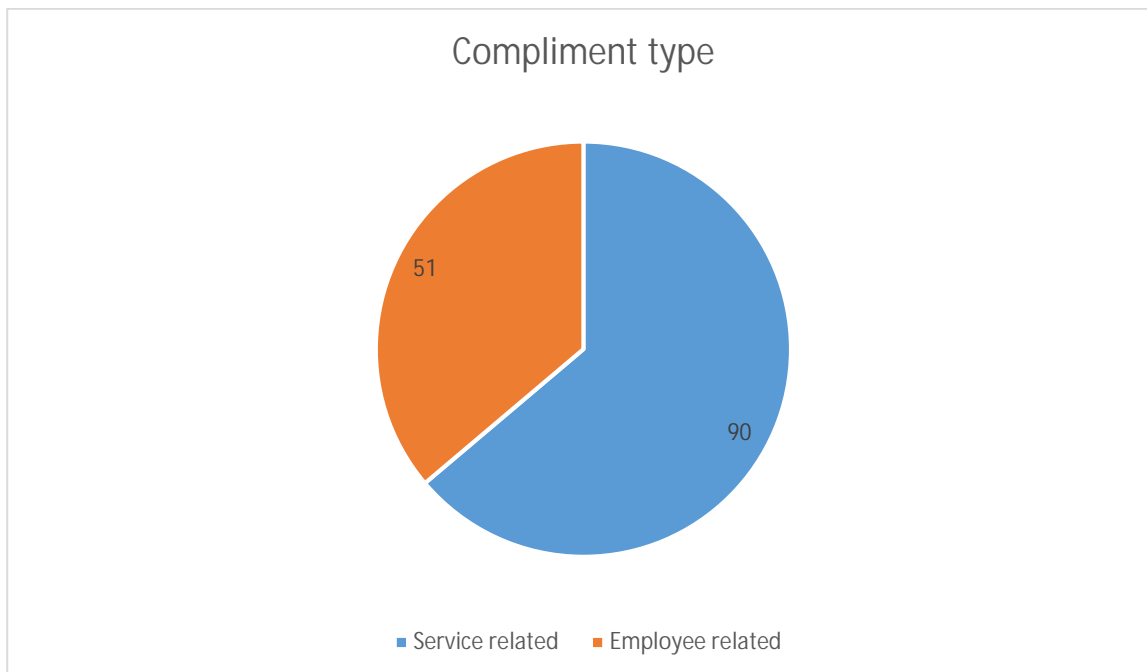
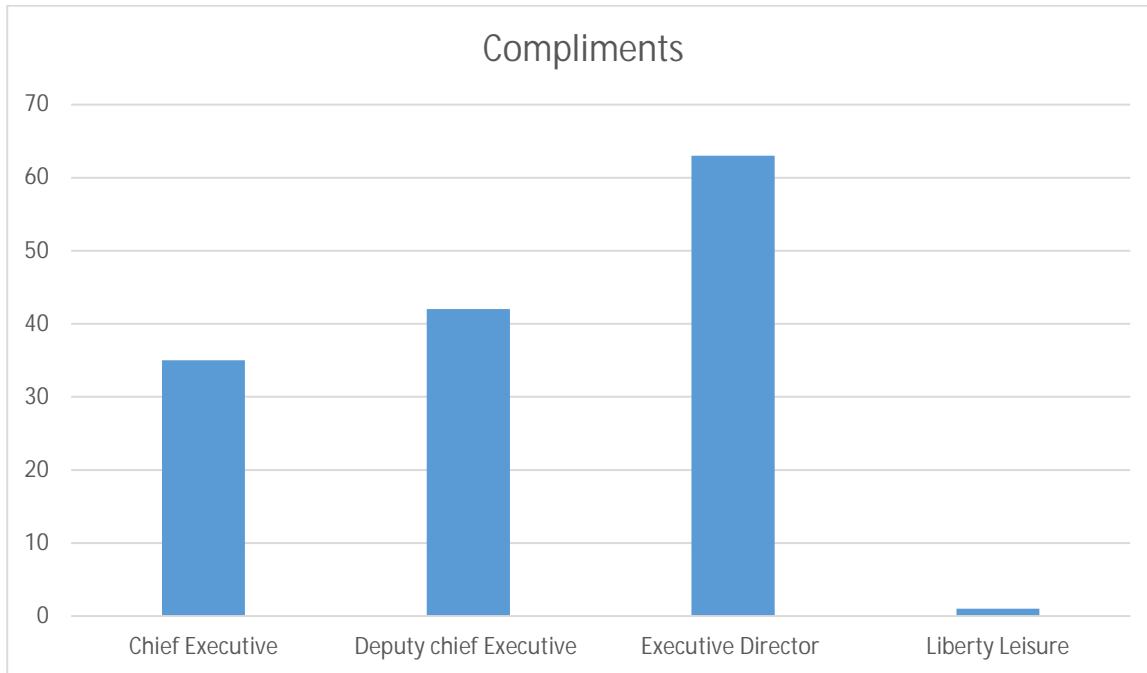
#### Long term health problem that limits daily activity?

Yes – 16  
 No – 13  
 Not stated - 215

*\*the Council began recording this information on its new complaints system mid 2021/22.*

**Compliments**

There have been a total of 141 compliments registered in the period, 51 of which were in relation to specific employees and 90 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 employees 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**

<b>Service Areas</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Development Control	24	9	2	3
Environmental Health	5	-	-	-
Housing and Income	3	-	-	-
Housing Operations	63	9	-	28
Legal Services	1	1	-	1
Human Resources	-	-	-	3
<b>Total</b>	<b>96</b>	<b>19</b>	<b>2</b>	<b>35</b>

**Deputy Chief Executive's department**

<b>Service Areas</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Capital Works	8	1	-	4
Customer Services	4	-	-	10
Finance Services	1	-	-	1
Housing Repairs	84	13	6	27
Revenues	29	4	1	-
<b>Total</b>	<b>126</b>	<b>18</b>	<b>7</b>	<b>42</b>

**Executive Director's Department**

<b>Service Areas</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Waste and Recycling	9	1	-	8
Administrative Services	-	-	-	12
Bereavement Services	-	-	-	2
Corporate Communication	1	-	-	4
Complaints	1	-	-	3
Democratic Services	-	-	-	5
Elections	-	-	-	2
Parks and Environment	1	-	-	23
Data Protection	8	2	1	-
Health and Safety	1	-	-	-
ICT	-	-	-	3
Parking Services	-	-	-	1
<b>Total</b>	<b>21</b>	<b>3</b>	<b>1</b>	<b>63</b>



**Liberty Leisure Ltd**

<b>Service Area</b>	<b>Stage 1 Complaints</b>	<b>Stage 2 Complaints</b>	<b>Ombudsman Complaints</b>	<b>Compliments</b>
Kimberley Leisure Centre	-	-	-	<b>1</b>
Bramcote Leisure Centre	-	-	-	-
Chilwell Leisure Centre	1	1	-	-
<b>Total</b>	<b>1</b>	<b>1</b>	-	<b>1</b>

**Financial Settlements**

	<b>Total</b>	<b>Chief Execs</b>	<b>Deputy Chief Execs</b>	<b>Executive Director</b>	<b>Liberty Leisure</b>
Stage 1	1	-	£100	-	-
Stage 2	4	-	£736	-	-
Ombudsman	2	-	£1,050	-	-
<b>TOTAL</b>	<b>6</b>	-	<b>£1,886</b>	-	-

**APPENDIX 2**

**Stage 2 – Formal Complaints**

The complaints provided below have been summarised in order to prevent identification of individuals.

**1. Complaint against Housing Operations**

Acknowledgement – 2 working day  
Response – 26 working days  
**Complaint not upheld**

Complaint

The concerns raised were that the Council incorrectly terminated the complainant's tenancy and changed the locks to the property.

Council's response

The Council had correctly served the complainant with a Notice to Quit following investigations that the property had been abandoned. As the complainant did not return to the property during the period in which the Notice to Quit was served the locks were changed following its expiry.

**2. Complaint against Planning**

Acknowledgement – 2 working day  
Response – 30 working days  
**Complaint not upheld**

Complaint

The concerns raised was that the Council did not make reasonable adjustments to make a planning application's plans available to elderly and vulnerable residents.

Council's response

The Council had informed the complainant that the plans were displayed on the Council's website, they were available via appointment in the Council offices and physical copies were available upon request from the duty planner. The plans were as accessible as they could be.

**3. Complaint against Revenues**

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

Complaint

The concern raised was that the Council did not grant the complainant a business grant of £10,000 during the COVID-19 pandemic. The complainant stated that this caused their business to close.

Council's response

The Council investigation found that the complainant's business ceased trading in January 2020. The complainant requested the payment of the COVID-19 grant in May 2020 during the payment period starting in March 2020 during national lockdown. As the business ceased trading before national lockdown and before the payment period started, the complainant was not eligible for the grant.

**4. Complaint against Housing Repairs**

Acknowledgement – 1 working day  
Response – 15 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council did not adequately repair the complainant's garage.

Council's response

It was found that the Housing Repairs Team had inspected the garage, cleared vegetation from the roof but were unable to find any visible damage to the roof. An inspection of the garage interior was requested to assess any further issues but the complainant did not make contact with the Council to arrange this. During the course of the complaint investigation the complainant terminated the tenancy.

**5. Complaint against Housing Repairs**

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

Complaint

The concern raised was that the Council did not adequately repaired the leak in the complainant's roof.

Council's response

It was found that while inspections had been undertaken to the complainant's roof, there had been delays in the repairs being undertaken. This delay had caused property damage to the complainant's belongings.

An offer of £250 compensation was made. However, the complainant has yet to accept this offer. Furthermore, the Housing Repairs Team were reminded of the responsibility to book repairs in a timely manner.

**6. Complaint against Housing Repairs**

Acknowledgement – 3 working day

Response – 20 working days

**Complaint upheld**

Complaint

The concerns raised were that the Council did not adequately deal with a domestic abuse incident that left the complainant's property in a state of disrepair and that an offer of a new property was not dealt within an adequate time frame.

Council's response

It was found that once the complainant had notified the Council of a domestic abuse issue that caused the property to enter a state of disrepair. They were offered immediate access to a refuge. This offer was accepted and the complainant did not wish to return to the property. The complainant was subsequently entered on the bidding process as a high priority for other properties.

The Council subsequently found a suitable property for the complainant. However, the complainant was only notified of this property a day before the bidding was due to close. An apology was offered to the complainant for the lack of communication regarding the new property.

The relevant Housing Employees were reminded of the responsibility to maintain accurate records and to communicate with tenants in a timely manner.

**7. Complaint against Housing Repairs**

Acknowledgement – 1 working day

Response – 20 working days

**Complaint upheld**

Complaint

The concerns raised were that there had been delays in repairs being undertaken. These were repairs to a kitchen worktop, repairs to the front door and repairs kitchen taps.

Council's response

It was found that there had been delays in the repairs being undertaken and the repairs were not done on the specified day that they were book.

An apology was offered and the repairs were booked. Furthermore, the Housing Repairs Team were reminded of the need to undertake repairs in a timely manner.

## **8. Complaint against Revenues**

Acknowledgement – 1 working day

Response – 20 working days

**Complaint not upheld**

### Complaint

The concerns raised were that the complainant's Council Tax was too high and does not reflect the Council's spending.

### Council's response

The complainant was informed that Council Tax is set by a number of factors and factors determined by Nottinghamshire County council. The Council has a legal obligation to collect this charge.

The complainant was provided with the Valuation Office details to complain about their Council Tax banding.

## **9. Complaint against Housing Repairs**

Acknowledgement – 1 working day

Response – 25 working days

**Complaint not upheld**

### Complaint

The concern raised was that the complainant's vinyl floor was not replaced when they started their tenancy.

### Council's response

It was found that a pre-tenancy check was undertaken to the property before it was let and the floor was serviceable. Following the complaint, a further inspection was undertaken and identified that a small portion of the floor required re-sealing. This was undertaken and the floor remained in a serviceable condition.

## **10. Complaint against Planning**

Acknowledgement – 2 working day

Response – 23 working days

**Complaint not upheld**

### Complaint

The concern raised was that the Council did not adequately investigate an issue of planning enforcement.

Council's response

The Council records indicated that the Enforcement Team had performed several visits to the site that the issue had been raised. It was found that the development was in line with the approved plans and the complainant was appropriately communicated with regarding these findings.

**11. Complaint against Planning**

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

Complaint

The concern raised was that the Council inappropriately investigated an issue of planning enforcement at the complainant's property. Additionally, during this investigation the Council breached GDPR regulations.

Council's response

The Council is required to investigate issues of planning enforcement when reported. The Council had obtained the necessary evidence to suggest that a breach in planning legislation had occurred.

Furthermore, following investigation, there was no evidence to suggest a breach in GDPR had occurred.

**12. Complaint against Housing Operations**

Acknowledgement – 2 working day  
Response – 30 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council had not appropriately investigated an issue of their parent's flat flooding.

Council's response

The Council's records indicated that that the Housing Repairs Team had visited the affected property within an adequate time to investigate the issue of flooding. It was identified that the property was flooding due to an issue caused by a property above the complainant's parent.

The Housing Repair's Team were working with the Housing Operations Team to rectify the issue and an offer was extended for a property move for the complainant's mother. This was declined.

**13. Complaint against Planning**

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

Complaint

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

Council's response

The Council's records indicated that the Council had requested formal notice from the complainant of evidence of their neighbour's being notified of the planning application in order to satisfy the Council's validation process. The correspondence between the complainant and the Council was polite and factual.

**14. Complaint against Housing Operations**

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

Complaint

The concern raised was that the Council had not dealt with the complainant's complaint of Anti-Social Behaviour correctly.

Council's response

The Council's records indicated that the issue reported was a one off incident and while it was recorded, there was no evidence to suggest it was reoccurring in nature to meet the threshold to begin a formal ASB investigation.

The complainant was kept up to date with this conclusion.

**15. Complaint against Housing Repairs**

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

Complaint

The concern raised was that the Council had not adequately dealt with an issue of flooding at a garage site. Additionally, the flooding had rendered the garages unusable.

Council's response

The Council's records indicated that the Council had attempted remedial works to repair the garage site to stop the flooding. However, the work undertaken had not stopped the flooding and the garages remained unusable during periods of heavy rain fall.

The complainant was credited two month's rent in settlement of the complaint.

**16. Complaint against Housing Operations**

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

Complaint

The concern raised was that the Council had not adequately dealt with a request to install a six-foot fence within a communal garden.

Council's response

The Council's records indicate that the area in which the complainant requested a fence was a communal garden attached to a block of flats. The Council refused this request correctly as tenants are not able to individually occupy communal areas.

**17. Complaint against Housing Repairs**

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

Complaint

The concern raised was that the Council had not adequately replaced the complainant's front door lock following an attempted break in.

Council's response

The Council's records indicated that the Council had recorded that an attempted break in had occurred and a job was logged for the Council to replace the front door lock.

However, the records indicated that while the job had been logged as a replacement of the existing lock, the Housing Repairs Team attempted to install an additional lock on the door. While trying to install the lock it was determined that door was not suitable for it.

No further work was undertaken to the door which resulted in the complainant hiring an external contractor to replace the existing lock.

The complainant was reimbursed £186 that was paid to the external contractor to carry out the work.



**18. Complaint against Governance**

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

Complaint

The concern raised was that the Council had not allowed the complainant to register a verbal Subject Access Request (SAR).

Council's response

Following investigation, it was noted that the Council used out of date legislation when determining to refuse the complainant's verbal SAR. The current legislation allows for individuals to make verbal SARs.

An apology was offered and the Council's policies were updated. The Council subsequently registered the complainant's SAR correctly.

**19. Complaint against Revenues**

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

Complaint

The concern raised was that the Council had incorrectly managed the complainant's Council Tax account.

Council's response

The Council's indicated that the complainant had notified the Council that they had vacated a property and they were no longer liable for the Council Tax. However, the Council requested from the complainant the name of the new occupier or the name of the landlord.

The complainant obtained this information and provided this the Council Tax Team. However, a delay occurred in the complainant's name being removed from the property records and this resulted in a further payment occurring.

An apology was offered and the payment was reimbursed. An additional £100 compensation was offered in recognition of the time taken to remedy the mistake.

**20. Complaint against Housing Repairs**

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

Complaint

The concern raised was that there had been significant delays in plastering work being undertaken at the complainant's property.

Council's response

The Council indicated that the plastering work was due to take place but contact had not been made by the Council's external contractor. The Council's records were incomplete and did not indicate when the works were due to complete.

An apology was offered and the works were booked in correctly. Furthermore, the relevant Housing Repairs Team employees were reminded to maintain accurate records.

**21. Complaint against Housing Operations**

Acknowledgement – 1 working day  
Response – 27 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council had not adequately dealt with the complainant's homelessness application and the temporary accommodation offered to the complainant was not fit for purpose.

Council's response

The Council indicated that the Homelessness Team had adequately dealt with the complainant's homelessness application. The complainant was provided with extended deadlines for submissions in recognition of the vulnerabilities registered for the household.

The accommodation records indicated that all items were present and clean with no damages. However, it was reported that the fridge door was missing a shelf. As a gesture of goodwill, the fridge was replaced on the same day.

**22. Complaint against Housing Repairs**

Acknowledgement – 1 working day  
Response – 15 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council had not provided the complainant with copies of an asbestos report for their property.

Council's response

The Council's indicated that the report had been provided on the day of inspection. The complainant stated that this did not happen.

The report was further provided as part of the stage 1 complaint investigation. However, the complainant stated that they did not receive the report.

The report was further provided following the conclusion of the stage 2 complaint.

**23. Complaint against Planning**

Acknowledgement – 1 working day  
Response – 15 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council had not assisted the complainant with support regarding a planning application encroaching on their land.

Council's response

The Council indicated that the complainant was provided with advice regarding the potential encroachment. This being to seek independent legal advice. Furthermore, the encroachment was highlighted to the planning applicant and revised plans were submitted dealing with the issue.

**24. Complaint against Housing Operations**

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

Complaint

The concern raised was that the Council had incorrectly terminated the complainant garage tenancy.

Council's response

The Council's records indicated that the complainant had accrued rent arrears for their garage. The Council subsequently issued a Notice to Quit (NTQ). Following the expiration of the NTQ the tenancy was terminated as payment toward the rent was not made. The Council correctly followed the process for terminating a tenancy due to rent arrears.

**25. Complaint against Housing Repairs**

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

Complaint

The concern raised was that there were delays in a repair being undertaken to a leak.

Council's response

The Council's records indicated that while works were being undertaken at the complainant's property, a damp patch was noticed by the operative. This was reported and the leak was identified and dealt with the following day. There is no indication of the leak having been reported before it was identified by the operative.

**26. Complaint against Housing Repairs**

Acknowledgement – 1 working day  
Response – 25 working days  
**Complaint upheld**

Complaint

The concern raised was that their property was in a state of disrepair when the complainant moved in.

Council's response

The Council's records indicated that while works were being undertaken at the property, there were delays in several of the repairs being undertaken before the property was signed to the complainant.

An apology was offered, the works were undertaken and £200 compensation was offered.

**27. Complaint against Capital Works**

Acknowledgement – 1 working day  
Response – 10 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council installed a Christmas light on a lamp post outside the complainant's property.

Council's response

The Council's records indicated that the light was install in a residential area, on a lamp post that was capable of supporting a light. The Council regularly installs Christmas lights in residential areas.

**28. Complaint against Planning**

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

Complaint

The concern raised was that the Council incorrectly approved a planning application at the Council's Planning Committee and that there was a conflict of interest between members of the Planning Committee and Housing Committee

Council's response

The Council's records indicated that members of the Housing Committee and Planning Committee attended a meeting that approved a Council led development.

However, legislation allows for members to attended multiple Committees. There was no evidence of any conflict of interest having arisen from the meetings.

Furthermore, the planning application was fully detailed in the report presented to the Planning Committee. Ultimately, members decided the application was acceptable.

**29. Complaint against Housing Repairs**

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

Complaint

The concern raised was that the Council incorrectly fitted a new garage door.

Council's response

The Council's records indicated that the complainant's garage door had become damaged was due to be replaced. However, the contractor mistakenly fitted the door to the wrong garage. The complainant subsequently refused to pay the rent until the door was correctly fixed. This resulted in the complainant accruing arrears.

The Income Collection Team incorrectly agreed to halt any recovery action against the complainant.

Due to COVID-19 there was a subsequently delay in a new garage door being sourced. The door was correctly fitted when it was obtained.

An apology was offered and the arrears that had accrued were written off. The Income Collection Team were reminded of their responsibility to not let tenants accrue arrears and the need to continue any collection processes.

**30. Complaint against Liberty Leisure**

Acknowledgement – 1 working day  
Response – 24 working days  
**Complaint not upheld**

Complaint

The concern raised was that an employee at Chilwell Olympia had acted in a discriminatory way toward the complainant.

Council's response

The Council's records indicated that the complainant had attended Chilwell Olympia for the use of a badminton court. However, during the booking, an employee at Chilwell Olympia were notified that the complainant and their party had occupied courts that were not assigned to them.

The employee requested that the complainant only use the court that had been booked for their party to ensure all guest could use the facilities that had been paid for.

**31. Complaint against Housing Repairs**

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

Complaint

The concern raised was that there had been significant delays in the Council attending to a leak in the roof at the complainant's property. This had caused significant internal damage to the complainant's decoration.

Council's response

The Council's records indicated that a persistent leak had been reported since 2015 to 2022 by the complainant. The Housing Repairs Team had undertaken repairs to the leak but these had been unsuccessful.

It was identified that the cladding had failed and was causing the leak to return. It was found that the issue should have been identified sooner in order for it to be rectified sooner.

An apology was offered and the necessary works were scheduled. Additionally, the complainant was offered £1,000 compensation and free redecoration works.

This offer was rejected.

**32. Complaint against Legal Services**

Acknowledgement – 1 working day  
Response – 26 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council had seized and destroyed the complainant's belongings following their illegal encampment on Council property.

Council's response

The Council's records indicated the items were seized and placed into storage for a period of time following an injunction from Nottinghamshire Court. The complainant was notified that the items could be obtained if a fee was paid for their storage, but these items would be destroyed if the fee was not paid within the timeframe. As the fee was not paid the items were destroyed.

**33. Complaint against Data Protection**

Acknowledgement – 1 working day  
Response – 15 working days  
**Complaint not upheld**

Complaint

The concern raised was that the Council had not correctly responded to a SAR.

Council's response

The Council's records indicated that the information request by the complainant had been provided recently outside of the SAR process and therefore the Council was not required to provide it again.

During the investigation, it was decided to release a second copy of the information.

**34. Complaint against Environment**

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

Complaint

The concern raised was that the Council had not rectified an issue of bins being left on the highway of a town centre.

Council's response

The Council's records indicated that the Environment Team had been liaising with local business for the need to remove the bins from the highway following the collection. Additionally, alternative collection methods were established to ensure the bins would not be left on the highway.

**35. Complaint against Planning**

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

Complaint

The concern raised was that the Council did not take into account the complainant's objections when approving a neighbouring planning application.

Council's response

The Council's records indicated that the Planning Team had assessed the application appropriately and performed the necessary visits to the site. Furthermore, the complainant's objections were summarised and considered as part of the case officers report.

**36. Complaint against Housing Operations**

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

Complaint

The concern raised was that the Council did not correctly action the complainant's reports of ASB. This caused the complaint to move to a private property and they should no longer be liable for their rent arrears.

Council's response

The Council's records indicated that the Housing Operations Team had correctly investigated reports of ASB in a timely manner. The records indicated that following the



initial report of ASB the complainant elected not to take the matter further and the ASB file was closed.

The complainant remains liable for any rent arrears.

**37. Complaint against Housing Repairs**

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

Complaint

The concern raised was that the Council did not adequately repair a leak to a bedroom window from 2020.

Council's response

The Council's records indicated that the Housing Repairs Team attended all reported leaks and actions were undertaken to remedy them. The Council's records showed that no further reports had been issued from 2020.

However, an operative was requested to attend the property to determine if further works were required.

**38. Complaint against Housing Operations**

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

Complaint

The concern raised was that the Council did not conduct a consultation in relation to the demolition of two garage sites correctly.

Council's response

The Council's records showed that all local residents and garage owners received consultation letters and questionnaires in a timely manner. Furthermore, all comments received were passed to the Council's Housing Committee for a decision as to whether the site was acceptable for demolition.

**39. Complaint against Revenues**

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

Complaint

The concern raised was that the Council incorrectly managed the complainant's Council Tax account.

Council's response

The Council's records showed that the complainant contacted the Council to have a student exemption discount applied to their property. The Council requested the relevant student certificates as the Council Tax Team were unable to locate the named individuals on the student register. The complainant provided the information to the Council but the information was incorrectly recorded. This resulted in the complainant being charged incorrectly.

An apology was offered and the records were updated correctly. Furthermore, the payment was reimbursed.

The relevant Revenues Team employees were reminded of the need to record information correctly.

**40. Complaint against Planning**

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

Complaint

The concern raised was that the Council did not adequately investigate a Planning Enforcement issue at a tennis centre.

Council's response

The Council's records showed that the complainant contacted the Council to state that the tennis centre had changed its use from sports and recreation to child care.

The records showed that the Council's Planning Enforcement Team had visited the tennis centre to investigate the issues raised. However, it was determined that the tennis centre had not changed its primary use and was used for sports and recreation. The complainant was informed of this outcome in a timely manner.

**41. Complaint against Housing Repairs**

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

Complaint

The concern raised was that the Council did not adequately investigate a noisy boiler. As this boiler located in a bedroom it caused the complainant distress.

Council's response

The Council's records showed that the complainant contacted the Council to state that the complainant's boiler made a loud noise when being turned on.

The records showed that the Council's Housing Repairs Team visited the property in a timely manner on two occasions to inspect the boiler. The boiler was in full working order and the noise was normal for a boiler being turned on.

However, it was agreed that the complainant be placed on a waiting list for the boiler to be moved from the bedroom to more suitable location.

**Stage 3 - Ombudsman Complaints**

**1. Complaint against Housing Repairs (stage 2 No 25) (upheld by the Council)**

Complaint

The concern raised was that there were delays in a repair being undertaken to a leak.

Ombudsman's conclusion

The HO recognised that while damp works had been undertaken at the complainant's property and the damp/leak had not been identified by the complainant, it found fault in the subsequent delay in the leak being rectified.

The HO requested that £300 be paid to the complainant.

**Complaint upheld.**

**2. Complaint against Planning (stage 2 No 10) (not upheld by the Council)**

Complaint

The concern raised was that the Council did not adequately investigate an issue of planning enforcement.

Ombudsman's conclusion

The LGO were satisfied the Council carried out a proper investigation into the enforcement complaint and considered the range of enforcement options open to it. The Council explained its decision to the complainant and recorded its reasons for the decision to close the enforcement complaint.

**The complaint was not upheld.**

**3. Complaint against Housing Repairs (stage 2 No 4) (not upheld by the Council)**

Complaint

The concern raised was that the Council did not adequately repaired the complainant's garage.

Ombudsman's conclusion

The HO were satisfied the Council carried out a proper investigation into the repair of the garage.

**The complaint was not upheld.**

**4. Complaint against Housing Repairs (complaint concluded in 2020/21) (not upheld by the Council)**

Complaint

The concern raised was that the Council did not adequately deal with an issue of the complainant's garden flooding.

Ombudsman's conclusion

The HO were satisfied the Council carried out a proper investigation into the flooding of the complainant's garden. It was found that the flooding was caused by a private dyke flooding. The Council installed extra drains and provided sand bags during heavy flooding periods. It was noted that the Council's legal team were attempting to locate the owner of the dyke in order for it to be cleared.

**The complaint was not upheld.**

**5. Complaint against Housing Repairs (complaint concluded in 2020/21) (upheld by the Council)**

Complaint

The concern raised was that the Council did not adequately dealt with an issue a persistent roof leak.

Ombudsman's conclusion

**This complaint is still under investigation.**

**6. Complaint against Housing Repairs (complaint concluded in 2020/21) (upheld by the Council)**

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.

Ombudsman's conclusion

The HO identified fault with the issues raised in line with the Council's previous findings. The HO recommended that the Council pay £850 compensation. This was broken down into, £375 for the delays in the repairs, £125 for the frustration caused and the £350 originally offered by the Council.

**Complaint upheld**

**7. Complaint against Planning (complaint concluded in 2020/21) (not upheld by the Council)**

Complaint

The concerns raised were that there had been a lack of action to investigate an issue of Planning Enforcement.

Ombudsman's conclusion

The LGO found that there was no fault in the Council's assessment that there was no grounds for enforcement action.

**Complaint not upheld**

**8. Complaint against Governance (stage 2 No 18) (upheld by the Council)**

Complaint

The concern raised was that the Council had not allowed the complainant to register a verbal Subject Access Request (SAR).

Ombudsman's conclusion

The complainant withdrew the complaint during its investigation.

**Complaint withdrawn**

**9. Complaint against Revenues (complaint concluded in 2020/21) (not upheld by the Council)**

Complaint

The concern raised was that the Council had not adequately administered the complainant's Council Tax correctly.

Ombudsman's conclusion

The LGO had found that the complainant's circumstances and benefit entitlements had changed during the period in which was complained. As a result, the Council has reissued bills and set up new payment arrangements. While this was confusing for the complainant it was not due to Council fault.

**Complaint not upheld**

**10. Complaint against Housing Repairs (complaint concluded in 2020/21) (not upheld by the Council)**

Complaint

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

### Ombudsman's conclusion

The repair was undertaken in April 2020 and it was found that the shower was not faulty but operated at low pressure. The Council, as a gesture of goodwill replaced the shower to determine if it was faulty. The replacement shower operated in the same fashion. The HO recognised that the low pressure was not the responsibility of the Council.

The HO found fault in the Council's decision to not attend the shower repair in the first instance during the pandemic and despite the complainant having alternate bathing arrangements. It further found fault that the Council did not adequately repair the shower despite the finding that the shower was not faulty and the recognition that the low pressure was not the Council's responsibility.

Furthermore, the HO found fault that the Council did not adequately consider the complainant's mobility issues or offered the complainant an Occupational Health assessment. The Council did not have evidence of mobility issues on the complainant's tenancy records.

The Council challenged the HO's decision as it believed the evidence provided did not justify their findings of fault. Furthermore, the Council requested to know if the HO had undertaken such assessments as they had suggested the Council should have done when determining the complaint. HO responded by stating that they did not undertake any of the assessments suggested.

In line with the HO's recommendation, the Council has issued an apology to the complainant and issued £200 of compensation.

### **Complaint upheld**