

Report of the Portfolio Holder for Resources and Personnel Policy

Complaints Report 2023/241. Purpose of Report

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

2. Recommendation

Cabinet is asked to NOTE the report.

3. Detail

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

- **Appendix 1** provides a summary of the Council's internal complaints 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 407 stage one complaints received overall, 73 were investigated under the stage 2 complaints procedure and nine were investigated by the LGO. Under the stage 2 complaints procedure, 34 complaints (47%) were not upheld, 37 complaints (51%) were upheld and two were withdrawn (2%). Further details can be found in **Appendix 2**. The Ombudsman investigated eight complaints made against the Council. One complaint was recorded as not upheld, resulting in no further action being required by the Council, five complaints were upheld and two are still under investigation. Further details can be found in **Appendix 3**.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

The cost of compensation is charged either directly to the service or recognised in a central corporate budget. There are no additional financial implications associated with this report. Any significant additional budgets required, above virement limits, would require approval by Cabinet.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The new Housing Ombudsman's "Complaint Handling Code" became statutory on 1 April 2024, meaning that Landlords are now obliged by law to follow its requirements. Section 40 of the Social Housing (Regulation) Act 2023 introduces this statutory provision by amending Schedule 2 (2) (1) to the Housing Act 1996. A key change the Act introduced is to have scrutiny and oversight embedded in the process, this will be done by the incorporation of a Member Responsible for Complaints (MRC).

The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the Council's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings. In addition to the Complaints Handling Code, it is important to note that the Council's approach to handling complaints is within the parameters of the following key pieces of legislation: Part III of the Local Government Act 1974 and Chapter 6 of the Localism Act 2011 (for Housing Services complaints).

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

7. Union Comments

The Union comments were as follows:

Not applicable.

8. Climate Change Implications

The climate change comments were:

Not applicable.

9. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

Not applicable.

11. Background Papers

Nil.