

Report of the Interim Strategic Director

COMPLAINTS REPORT 2018/20191. 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 against it at stage one to service departments, at stage two Complaints and Compliments Officer and at stage three to the Local Government Ombudsman (LGO).

- 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 LGO.

The Council has seen an overall improvement in the management of the complaints service. Through the enhanced use of digital technology, the Council has raised the number of complaints being acknowledged within 3 working days. The number of complaints acknowledged on the same day has risen from 160 in 2017/18 to 182 in 2018/19. The number complaints acknowledged after three working days has been reduced from 20 in 2017/18 to 18 in 2018/19, marking an improvement in meeting the 3 working day target and improving communication as a whole for the service.

Of the 344 complaints received overall, 30 were investigated under the stage 2 complaints procedure and 4 were investigated by the LGO. Under the stage 2 complaints procedure, 20 complaints (67%) were not upheld, 4 complaints (13%) were partially upheld and 6 complaints (20%) were upheld. Further detail can be found in appendix 2. The LGO investigated 4 complaints made against the Council. 3 complaints (75%) were recorded as not upheld and no further action was required by the Council.

Recommendation

The Committee is asked to NOTE the report.

Background papers

Nil

APPENDIX 1

Complaints received

	Total	Chief Execs	Deputy Chief Execs	Interim Strategic Director	Liberty Leisure Ltd	Members
Number of Stage 1 complaints	344 (276)	171	42	115	11	5
No. of complaints investigated under Stage 2	30 (23)	21	4	4	1	-
No. of complaints determined by the Ombudsman	4 (3)	4	-	-	-	-

This table shows the figures for the overall complaints received in 2018/19 and the previous 2017/18 figures are shown in brackets for comparison.

The Council has registered a total of 344 stage 1 complaints in the year 1 April 2018 to 31 March 2019, compared to 276 in the year 2017/18. The number of complaints concluded under stage 2 of the complaints procedure is 30 (compared to 23 in 2017/18), and 4 complaints (compared to 3 in 2017/18) 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	Interim Strategic Director	Liberty Leisure Ltd	Members
Number of complaints acknowledged on the same day	182 (160)	95	17	65	6	-
Number of complaints acknowledged within one to three days	143 (96)	71	20	47	5	-
Number of complaints acknowledged after three working days	18 (20)	5	4	9	-	-

182 stage 1 complaints (53%) were acknowledged on the same day. 143 (42%) were acknowledged in one to three days and 18 (5%) took more than three working days to acknowledge.

The Council has seen an improvement in the time taken to acknowledged complaints. The Council has made better use of electronic facilities in order to keep customers updated as to the progression of their complaint.

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

	Total	Chief Execs	Deputy Chief Execs	Interim Strategic Director	Liberty Leisure Ltd	Members
Less than 5 working days	134 (100)	24	20	88	2	-
5 to 10 working days	82 (40)	28	10	43	1	-
10 to 15 working days	85 (76)	59	5	13	8	-
More than 15 working days	43 (60)	38	3	1	-	-
Carried Forward/ extension required	15 (-)	15	-	-	-	-

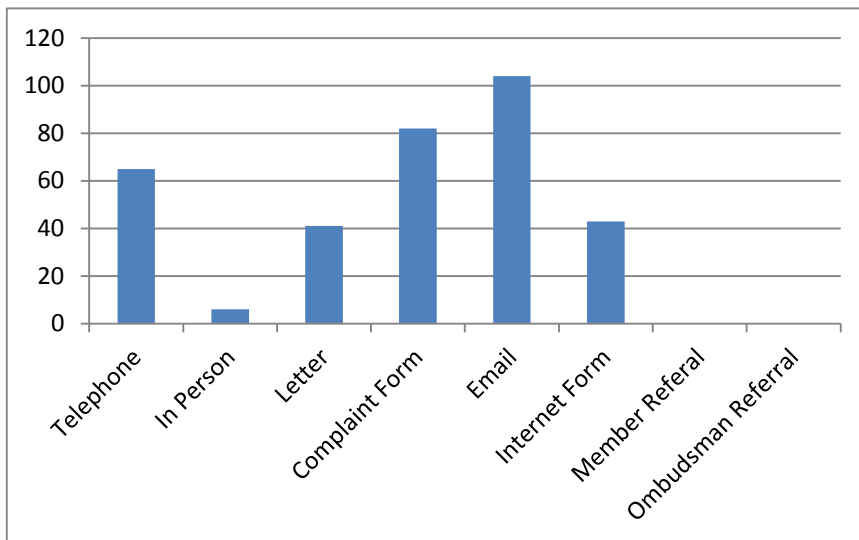
134 stage 1 complaints (39%) were responded to in less than five working days, 82 (23%) within five to ten days, 85 (25%) within ten to fifteen working days. 43 (12%) took longer than fifteen working days to provide a response. In these cases, the Heads of Service are asked to write to complainants to advise that a response will take longer and provide the complainant with an estimated timescale for completion.

Reasons for delays could include:

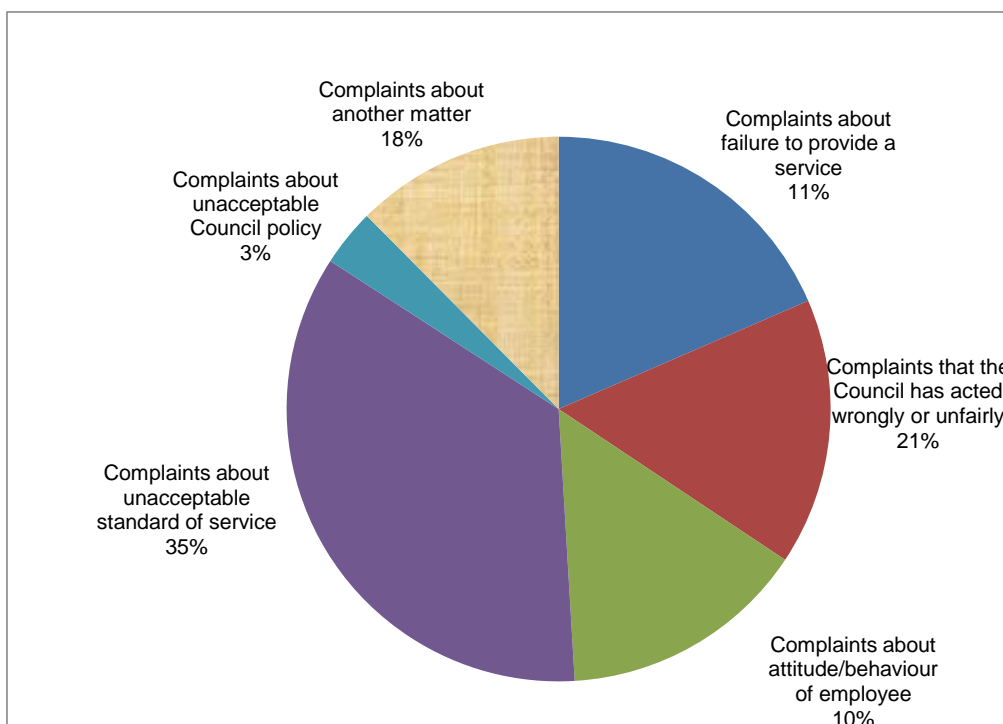
- Further information is required from the complainant
- Complexity of the complaint
- Key officers being unavailable (out of office)

(This list is not exhaustive)

How the complaints were made



What the complaints were about



Number of stage 2 complaints

	Total	Chief Execs	Deputy Chief Execs	Interim Strategic Director	Liberty Leisure	Members
Number of Stage 2 complaints	30 (23)	21	4	4	1	-

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

	Total	Chief Execs	Deputy Chief Execs	Interim Strategic Director	Liberty Leisure	Members
Acknowledged within 3 working days	30	21	4	4	1	-

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

	Total	Chief Execs	Deputy Chief Execs	Interim Strategic Director	Liberty Leisure	Members
Responded in less than 10 working days	-	-	-	-	-	-
Responded in 11 to 20 working days	10	6	2	2	-	-
Responded in more than 20 working days	20	15	2	2	1	-

30 complaints were investigated and responded to under stage 2 of the formal complaint procedure. 100% were acknowledged within three working days and 10 (33%) 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 told the reason. The main factors in delays being involved in complaint response are, further information being required from the complainant or officers, the complexity of the complaint and key officers not being available to interview.

Equalities Monitoring

Of the 344 stage 1 complaints recorded, 142 were completed with the monitoring data.

Gender

Male – 48
 Female – 70
 Not stated - 24

Age groups

<17 - 1	45–59 – 31
18–24 – 14	60–64 – 8
25–29 – 12	65+ – 10
30–44 – 24	Not stated – 42

Ethnic Groups

British – 102
 Indian – 3
 Caribbean -1
 African - 1
 Irish/Traveller - 1
 Not stated – 33
 Any other Asian – 1

Long term health problem that limits daily activity?

Yes – 28
 No – 70
 Not stated - 44

Compliments

There have been a total of 61 compliments registered in the period. 48 of which were in relation to specific employees and 13 were related to the service received.

Financial Settlements

	Total	Chief Execs	Deputy Chief Execs	Interim Strategic Director	Liberty Leisure
Stage 1	1	£75	-	-	-
Stage 2	2	-	£200	£50	-
Ombudsman	1	£600	-	-	-
TOTAL	4	-	-	-	-

Breakdown of complaints and compliments by department and section**Chief Executive's department**

Section	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Communities	1	-	-	-
Development Control	31	5	1	5
Environmental Health	1	-	-	1
Garage Service	1	-	-	-
Housing Options	30	-	-	8
Housing Repairs	61	3	-	9
Leaseholder Services	-	1	-	-
Neighbourhood Services	36	11	1	19
Private Sector Housing	1	1	1	-
Strategy and Performance	8	-	-	2
Town Centre Management	-	-	1	-
Licensing	1	-	-	-

Deputy Chief Executive's department

Section	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Benefits	7	2	-	-
Capital Works	2	-	-	6
Customer Services	1	1	-	1
Revenues	29	-	-	-
Parking Services	2	1	-	-
Bereavement Services	1	-	-	-
Finance Services	-	-	-	1

Interim Strategic Director

Section	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Human Resources	1	1	-	-
Waste and Recycling	80	1	-	3
Parks and Environment	19	-	-	1
Freedom of Information	1	1	-	-
Data Protection	11	1	-	-
ICT	1	-	-	-
Administrative Services	1	-	-	5
Civic	1	-	-	-

Liberty Leisure Ltd

Section	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Chilwell Leisure Centre	1	-	-	
Kimberley Leisure Centre	6	1	-	
Bramcote Leisure Centre	4	-	-	

Standards

Section	Stage 1 Complaints	Stage 2 Complaints	Ombudsman Complaints	Compliments
Community Trigger	-	-	-	-
Members	5	-	-	-

Stage 2 – Formal Complaints

1. Complaint against Human Resources

Acknowledgement – 3 working days
Response – 26 working days
Advised that extension was required
Complaint not upheld

Complaint

The concern raised is that after the complainant left their job at Broxtowe Borough Council, they would like to be reinstated into their previous or a similar role to the post they were performing while employed at Broxtowe Borough Council. The complainant stated this offer was extended to them by a Human Resources employee.

Response

The Council were unable to determine if any offer of employment was offered to complainant as the named Officer no longer worked for the authority. It was stated to the complainant that the Council could not offer any employment to them without the correct recruitment procedures being followed.

2. Complaint against Private Sector Housing

Acknowledgement – 3 working days
Response – 16 working days
Complaint not upheld

Complaint

The concern raised is that the complainant was provided inaccurate information in regards to the minimum sizing for rooms available to rent at their property. This information caused them to evict their tenants and sell the property causing financial loss.

The complainant stated that the advice provided by the Council stated that the rooms were illegal to let.

Response

The Council had issued advice to the complainant in regards to the HMO room sizing, however, it did not state that these rooms were illegal to let. Furthermore, the complainant had contacted the Council several months prior to submitting their complaint that they intended to sell property and remarket it as a family home.

It was determined that the advice issued did not cause the complainant to evict their tenants and sell the property as this was their intention in the first instance and established this before any complaint or room sizing advice was issued.

3. Complaint against Development Control

Acknowledgement – 3 working days

Response – 17 working days

Complaint not upheld

Complaint

The concern raised was that despite the complainant's objection to a planning application, planning permission was granted, which resulted in a wall being erected outside of a window of their property. This has caused a loss of light within their property.

Response

The Council did take into account the objection presented by the complainant, this resulted in the case officer visiting the applicant and requesting that the wall be reduced in height.

The offer was declined by the applicant as the wall was under the statutory height and fell within permitted development. The Council were unable reduce the height of the wall but attempted to do so on the complainant's behalf.

4. Complaint against Waste and Recycling

Acknowledgement – 7 working days

(It was explained the complainant that the Complaints and Compliments Officer was on leave and would acknowledge their complaint on return)

Response – 19 working days

Complaint upheld

Complaint

The concern raised was the Council had failed to empty the complainant's red lidded bin on numerous occasions. Despite reporting this issue to the Council on several occasions that the red lidded bin had been repeatedly missed and the service had not improved.

Response

The Council had missed the complainants red lidded bin on ten separate occasions between 2017 and 2018. This is a monthly collection and resulted in the Council's failure to collect the bin on time for ten months. The complainant contacted the Council about this issue but the service continued to miss the collection.

An apology was offered to the complainant and a personal visit was conducted by the Head of the Environment department. The complainant was offered a £50 gift voucher in recognition of the inconvenience caused. This offer was accepted.

5. Complaint against Parking Enforcement

Acknowledgement – 2 working days

Response – 20 working days

Complaint not upheld

Complaint

The concern raised was that the Parking Enforcement team were unsympathetic toward the complainant when appealing a parking ticket issued while they took their elderly mother to the toilet. The complainant especially stated that the tone of the letter dismissing their appeal was upsetting.

Council's response

The Council had appropriately issued the ticket to the complainant. The letter detailing the decision making process undertaken by the Parking Enforcement and was factual and polite.

6. Complaint against Neighbourhood Services

Acknowledgement – 1 working day

Response – 15 working days

Complaint partially upheld

Complaint

The concern raised that a member of the Neighbourhood Services team performed an unannounced visit to the complainant. Additionally, the complainant states the officer did not present any identification and the complainant queried what checks the Council had undertaken when hiring this officer.

Council's response

It was found that the various teams within the Housing Department were aware that unannounced visits were not to take place with the complainant. However, this was not well documented on internal systems. An apology was offered and records were updated.

The Council were unable to determine if an appropriate level of identification was presented to the complainant as both accounts of this event differed. It was further explained that the Council do carry out the necessary checks when recruiting but the results would not be confirmed or denied due to Data Protection.

7. Complaint against Neighbourhood Services

Acknowledgement – 1 working day
Response – 40 working days
Complaint partially upheld

Complaint

The concern raised was that the Retirement Living Officers had taken ineffective action against a noise nuisance complaint and had not provided any formal feedback in relation to the results of the monitoring.

Council's response

The Council had taken the appropriate steps in monitoring the noise issues that had been raised by the complainant. The complainant had received several personal visits from the Retirement Living Officers and mediation had been attempted with the related parties.

However, no formal feedback had been provided to the complainant in relation to the outcome of their noise nuisance complaints. An apology was offered for this.

As part of this complaint the noise issues were re-examined by Environmental Health, as an independent party, and it was found that the action taken by the Retirement Living Officer was appropriate.

8. Complaint against Freedom of Information

Acknowledgement – 1 working day
Response – 18 working days
Complaint partially upheld

Complaint

The concern raised was that the Council had withheld information in relation to the sale of land and that there had been delays in responding to Freedom of Information requests.

Council's response

The Council had correctly withheld the requested information based on current legislation. However, it was noted that there had been delays in responding to Freedom of Information requests and an apology was offered.

9. Complaint against Planning

Acknowledgement – 2 working days
Response – 11 working days
Complaint not upheld

Complaint

The concern raised was that the Planning department had not issued the complainant a consultation letter for their neighbour's development, their objection had not been properly accounted for and that the development was not in accordance with the approved plans.

Council's response

The Council records showed that consultation letters had been generated and posted within the statutory timeframe. While Council can guarantee posting of consultation letters it cannot guarantee their delivery.

The Council had identified the complainant's objections and the case officer had imposed conditions on the application to minimise any loss of amenity.

10. Complaint against Customer Services

Acknowledgement – 1 working day
Response – 19 working days
Complaint not upheld

Complaint

The concern raised was that a Customer Services officer was rude to the complainant when they attempt to register a housing repair request. Specifically, that the call was terminated while the complainant was registering their repair issue

Council's response

It was found that the Customer Services officer was polite and offered the appropriate advice to the complainant and had booked the repair for the following day. The complainant was not satisfied with this response and became aggressive. The call was ended appropriately based on the behaviour of the complainant.

11. Complaint against Planning

Acknowledgement – 1 working day
Response – 29 working days
Complaint not upheld

Complaint

The concern raised was that parking issues had not been fully investigated to a recently granted planning application and site notices for the application were not on display.

Council's response

The Council had conducted several parking surveys over the course of a week and weekend to fully explore the issues surrounding parking. It was deemed that parking issues were acceptable and permission was granted.

Site notices were recorded as being on display. Contact was received by a resident to state that one notice had been removed and it was subsequently re-established by the Planning Department shortly after this notification was received. As no further comments

were received it was deemed that the site notices remained in place for the necessary time.

12. Complaint against Neighbourhood Services

Acknowledgement – 3 working days

Response – 57 working days

Complaint not upheld

During the course of the investigation the complainant contacted the Complaints and Compliments officer threatening to commit suicide. The complaint was put on hold for a number of weeks to ensure the welfare of the complainant was catered for.

Complaint

The concern raised was that the Council had acted upon the complainants reports of Anti-Social Behaviour.

Council's response

The Council's records showed that while the complainant had reported issues of ASB with their neighbour, the Council's requests for diary sheets detailing these issues were not submitted and therefore no further action could be taken. The Housing Officers were in regular contact with the complainant requesting these details but they were not forthcoming. General advice was issued over the telephone but no formal action could be taken in the absence of any evidence being submitted.

13. Complaint against Housing Repairs

Acknowledgement – 3 working days

Response – 32 working days

Complaint partially upheld

Complaint

The concern raised was that the Council had not sufficiently dealt with an issue of damp and property subsidence. The property subsidence had caused plaster in several rooms to become loose.

Council's response

The Council's records show the damp issues were minimal only and could be caused by the lack of the ventilation in the property. It was found that an air brick had been blocked from the inside and these works had not been undertaken by the Council.

The property had experienced a level of subsidence and further monitoring was being undertaken by the Council and a chartered surveyor. The Council agreed to rectify any issues with plaster while this monitoring was being undertaken but there was a delay in doing so. An apology was offered for this delay.

14. Complaint against Leasehold Services

Acknowledgement – 1 working day
Response – 31 working days
Complaint upheld

Complaint

The concern raised was that the Council's contractor had not delivered satisfactory work and there was a delay in rectifying the remedial works caused by poor workmanship. The complainant also complained that an invoice for the works had not been placed on hold while the work was disputed.

Council's response

The Council's records showed that the work undertaken had been substandard and there had been significant delays in rectifying the issues caused. The Council reduced the cost of the invoice to reflect the inconvenience caused to the complainant and renewed a flat roof as a gesture of goodwill. Additionally, the invoice had not been placed on hold while these issues were disputed. An apology was offered for this mistake.

15. Complaint against Data Protection

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

Complaint

The concern raised was that not all the complainant's personal information was released as part of a series of Subject Access Requests (SAR).

Council's response

The Council's records showed that all the requests had been responded to within the statutory timeframes with each SAR having a specific response, as requested by the complainant.

16. Complaint against Neighbourhood Services

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

Complaint

The concern raised was that the Council had not been in contact with the complainant in relation to ASB and repair issues.

Council's response

The Council's records showed that the Housing officers had been in regular contact with the complainant by e-mail, telephone and conducting personal visits to their property. The complainant had missed several prearranged appointments and had not responded to requests for further evidence. It was found that Housing Officers had responded to the complainant's e-mails and telephone calls in a timely manner.

17. Complaint against Planning

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

Complaint

The concern raised was that the Council had not taken enforcement action against a developer for deviating from the proposed landscaping plan and for not ensuring protection of tree roots.

Council's response

The Council's records showed that the Planning Department had been in regular contact with the developer to ensure that the landscaping plan was adhered to and that the trees were protected during the development. As the development company closed before completion of the scheme the Council were unable to enforce any conditions established within the planning permission.

18. Complaint against Kimberley Leisure Centre

Acknowledgement – 1 working day
Response – 36 working days
Complaint not upheld

Complaint

The concern raised was that a swimming instructor had caused the complainants child to become upset and distressed during their swimming lesson.

Council's response

The Council records showed that the complainant's child was causing disruption in the class. The swimming instructor had repeatedly requested that child listen to their instruction for their safety and the safety of the other children. The complainant's child was spoken to individually to ensure that they understood that the instruction and that they were safe within the water. It was deemed that appropriate action was undertaken by the instructor to ensure all were safe within the swimming pool.

19. Complaint against Planning

Acknowledgement – 1 working day
Response – 31 working days
Complaint not upheld

Complaint

The concern raised was that the Council had not taken enforcement action to ensure drainage was sufficient from a neighbouring property to the complainants.

Council's response

The Council records showed that the Planning department had been in regular contact with the complainant in regards to the drainage issues they had reported. The Council had referred to the matter to Erewash Borough Council and Nottinghamshire County Council as the responsible authorities for ensuring highways and building control regulations. Both Erewash and Nottinghamshire County Council concluded the drainage was sufficient and the enforcement case was closed.

The Planning department conducted a personal visit to the complainant to explain the outcome of this case.

20. Complaint against Neighbourhood Services

Acknowledgement – 1 working day
Response – 31 working days
Complaint not upheld

Complaint

The concern raised was that the Council placed an injunction against the complainant which places them in "poor light". Additionally, a members of the Housing Team had physically assaulted the complainant resulting in permanent injury.

Council's response

The Council records showed that the complainant entered the Council building to be interviewed in regards to their housing situation. The complainant became agitated and threw a table at the Housing Officers. The complainant was restrained by the Housing Officers until the police arrived. The complainant was taken to court for these actions and injunction awarded against them.

The complaint was not upheld as there were several witnesses to the altercation and the complainant's actions led to an injunction against him.

21. Complaint against Neighbourhood Services

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

Complaint

The concern raised was that the Council had removed the complainant from the Council's housing register despite having a legitimate local connection.

Council's response

It was found that the complainant had been removed from the housing register while having a legitimate local connection through employment in the borough. An apology was offered, the complainant restored to the register and officers reminded of the need to follow the Allocations Policy.

22. Complaint against Neighbourhood Services

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

Complaint

The concern raised was that the Council moved the boundary between the complainant's and their neighbour's property without consultation. Additionally, the complainant did not agree with the decision to move the boundary.

Council's response

The Council's records showed that the Housing Officer had visited the complainants to explain to them the intention of moving the boundary as it was not equidistant between the two properties. The housing officer wrote to the complainant to confirm the intention to move the boundary. Ultimately, the setting of boundaries between Council properties remains the decision of the Council.

23. Complaint against Neighbourhood Services

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

Complaint

The concern raised was that the Council had not installed a ramp at the complainant's property as part of an aids and adaptations project. Additionally, the Council had not widened the complainant's pathways for their mobility scooter.

Council's response

The Council does not install ramps for mobility scooters at Council properties as they pose a significant fire risk. The complainant's housing application indicated that they were not a wheel chair user and the step was not sufficient enough to adapt for a ramp. Without medical evidence to support the complainant the Council could not undertake any adaptation works. The Council would not undertake any adaption works for a mobility scooter.

Additionally, the Council could not undertake a widening of the pathway for the mobility scooter for the same reasons outlined above. It was explained that the complainant could undertake these widening works themselves with the Council's permission and at their own expense.

24. Complaint against Neighbourhood Services

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

Complaint

The concern raised that the Council had inadequately dealt with an issue of subsidence at their property and that the property was no longer suitable for their medical needs. The complainant had requested that they leave the property.

Council's response

It was found that the complainant's property was subsiding and period of observation was needed and requested by an independent surveyor. The repairs to the property could not be undertaken with the complainant still in property and they were placed as a band 1, urgent priority on the Council's housing register.

The complainant was subsequently informed that they were receiving a direct let on property in a retirement living complex.

The property offered under the direct let was not suitable for their needs and was withdrawn. It was found that the Housing Department had mismanaged the complainant's expectations on lettings process. An apology and £300 compensation was offered. These were declined by the complainant.

25. Complaint against Benefits

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

Complaint

The concern raised that the Council had incorrectly stopped the complainant's benefits causing them to be financially compromised.

Council's response

It was found that due to an error made by the Benefits Team, the complainant's benefits were incorrectly stopped. It was found that there was no particular reason as to why the benefits were stopped other than an error being made. An apology and £200 compensation was offered and accepted by the complainant.

26. Complaint against Benefits

Acknowledgement – 1 working day

Response – 25 working days

Complaint upheld

Complaint

The concern raised that the Council had incorrectly stopped the complainant's Council Tax support and harassed the complainant in relation to back payments of Council Tax.

Council's response

It was found that the Department of Work and Pensions (DWP) had notified the Council that the complainant had increased assets and subsequently suspended the Council Tax support. The Council had attempted to contact the complainant to request further information in relation to these assets. The complainant did not respond to these requests and the Council Tax support claim was closed, an invoice was issued for the back payment of the Council Tax. After the invoice was not paid, a court summons was issued to the complainant.

The complainant reissued their claim and provided the additional information requested by the benefits team. The complainant stated that there was an issue with the DWP stating that they had increased assets and this was currently being looked into. A note was placed on the complainant's records stating that they did not have increased assets and that their Council Tax support should not be cancelled when receiving notification from the DWP.

The Council received notification from the DWP that the complainant had increased assets and their Council Tax support was suspended despite that note being on the system that this should not happen. The claim was reinstated. However, another notification was received and the claim was suspended again. This was reinstated once the error was noted.

An apology and £300 compensation was offered. This was not accepted by the complainant.

27. Complaint against Neighbourhood Services

Acknowledgement – 1 working day
Response – 33 working days
Complaint not upheld

Complaint

The concern raised was that the Council had not consulted the complainant in relation to the removal of a hedge. Additionally, the complainant felt that the retirement living officers were ignoring them.

Council's response

It was found that the hedge bordering the retirement living complex was removed by the private occupier next door. While permission would have been required by the Council there are no records of permission or seeking permission from the private occupier to remove the hedge. The Council were not able to consult with residents or complainant in relation to the hedge removal as the Council had no prior knowledge of the proposed works.

Additionally, Council records showed that the complainant was visited once or twice a month by the Retirement Living Officers and their telephone calls had been returned in a prompt manner.

28. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response –16 working days
Complaint not upheld

Complaint

The concern raised was that the complainant had been charged an excessive amount for the removal of their belongings from their former property following termination of their tenancy agreement.

Council's response

The Council's tenancy agreement states that upon termination the property should be left in clean and tidy state and all belongings removed. The Council followed the correct tendering process to establish a removal company to remove the remaining belongings. As various large items were left by the complainant, this increased the price for the removal. The cost of the removal was recharged to the complainant.

29. Complaint against Neighbourhood Services

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

Complaint

The concern raised was that following a change to the Council's Allocation Policy the complainant no longer met the local residency connection and was removed from the housing register.

Council's response

Council records showed that the complainant had moved from the borough and into another area. The local residency connection requires an applicant to have been in borough for 3 out of 5 years. The complainant had been out of the borough for over the 3 year period and therefore was removed from the register in line with the Allocation Policy.

30. Complaint against Housing Repairs

Acknowledgement – 1 working day
Response –17 working days
Complaint not upheld

Complaint

The concern raised was that the Council had not informed the complainant of the replacement of their bathroom and that there was delay in moving into their property due to the bedroom ceilings needing to be replaced.

Council's response

Council records showed that the Housing Department had visited the complainant to inform them of the intention to renew the bathroom. However, this appointment was missed by the complainant. The complainant contacted the Council following this missed appointment and were informed that the bathroom was to be renewed.

As part of this complaint the complainant stated that due to the disrepair of the bedroom ceilings they were unable to move into the property until they were repaired. The Council records showed that the complainant had undertaken the work to repair the ceilings of their own accord and had not reported the issue the Housing Repairs Department. Therefore, it was not possible to determine the extent of the repair as there was no record of the damage.

Stage 3 - Ombudsman Complaints

Complaint against Housing

Complaint

The complainant complained that during a clean and clear of their home, items were disposed of that they wanted to keep.

Ombudsman's conclusion

The Ombudsman noted that the Council had undertaken a clean and clear of the complainant's home at their request. The Council undertook this process as the property had been allowed to enter a state of disrepair by the complainant and they could not be discharged from hospital until the property was brought to a reasonable standard. The Complainant and their social worker produced a list of items that were required to be kept. This list of items was signed by the complainant and they informed the Council that all their belongings not on the list could be disposed of.

However, items were not included on the signed list provided by the complainant and were disposed of accordingly. The Council acted under instruction of the tenant to clear the property and all items requested on the signed list were kept. Therefore, the complaint was not upheld.

Complaint against Private Sector Housing

Complaint

The concern raised is that the complainant was provided inaccurate information in regards to the minimum sizing for rooms available to rent at their property. This information caused them to evict their tenants and sell the property causing financial loss.

The complainant stated that the advice provided by the Council stated that the rooms were illegal to let.

Ombudsman's conclusion

The Ombudsman noted that advice had been issued to the complainant in regards to the HMO room sizing, however, it did not state that these rooms were illegal to let.

The complainant had contacted the Council several months prior to submitting their complaint that they intended to sell the property and remarket it as a family home.

It was determined that the advice issued did not cause the complainant to evict their tenants and sell the property as this was their intention in the first instance and before any complaint or room sizing advice was issued.

Complaint against Development Control

Complaint

The concern raised was that despite the complainant's objection to a planning application, planning permission was granted, which resulted in a wall being erected outside of a window of their property. This has caused a loss of light within their property.

Ombudsman's conclusion

The Ombudsman noted that the Council had taken reasonable steps to protect the complainant's amenity and thoroughly explored their objections. The Ombudsman recorded their decision as not upheld, no evidence of fault by the Council.

Complaint against Town Centre Management

Complaint

The complainant complained to the Council that their trial period to trade in a town centre had been cancelled without proper notice and without explanation.

Ombudsman's conclusion

The Ombudsman noted that the Council had mismanaged the complainant's trial period. The Ombudsman recorded their decision as upheld, evidence of fault by the Council. £600 was provided in settlement of this complaint.