

## OVERVIEW OF COMPLAINTS RECEIVED - ANNUAL UPDATE

### Executive Summary

The Overview and Scrutiny Committee agreed that it would be helpful to receive a regular report giving brief details of formal complaints received by the Council. This would enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.

This report sets out brief details of complaints received between 1 January 2023 and 31 December 2023. Appendix 1 details the complaints received by Woking Borough Council.

### Recommendations

The Committee is requested to:

**RESOLVE That** the report be noted.

The Committee has the authority to determine the recommendation(s) set out above.

**Background Papers:** Council's Complaints Procedure.

**Reporting Person:** Gareth John, Director of Legal and Democratic Services  
Ext. 3077, E Mail: Gareth.John@woking.gov.uk

**Contact Person:** Gareth John, Director of Legal and Democratic Services  
Ext. 3077, E Mail: Gareth.John@woking.gov.uk

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## Overview of Complaints Received - Annual Update

### 1.0 Introduction

- 1.1 It has been agreed that the Overview and Scrutiny Committee should have a regular report giving brief details of formal complaints received by the Council. This would enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the area(s) of activity identified.
- 1.2 Officers report corporate and housing complaints in the Performance Management report that the Committee receives. The report is published on the Council's website.

### 2.0 The Council's Complaints Procedure

- 2.1 A copy of the Council's Complaints Procedure can be found at:

<https://www.woking.gov.uk/council-and-democracy/customer-care-and-feedback>

- 2.2 A complaint is an expression of dissatisfaction. It could relate to:

- a failure to deliver a service;
- a delay in providing a service;
- a poor quality of service;
- a failure to comply with Council policies; or
- the conduct or behaviour of a member of staff.

- 2.3 Not everything is considered a complaint. For example, a first-time request for a service. The complaints procedure will not apply to any correspondence received in respect of planning applications and the merits of the application. These will be treated as objections to the planning application in question.

- 2.4 The Complaints process was reviewed in 2023 and the process was amended. When a complaint is received, it is allocated to a manager within the relevant service. This is called Stage 1. The complaint is acknowledged within five working days' of receipt, and details of the Officer who will investigate it are provided to the complainant. Subject to any exceptional complexity about the complaint, the target date for a response to be provided is twenty (20) working days. If this is not possible, the complainant will be advised of the date by which he/she will receive a full reply.

- 2.5 There is a right of appeal to Stage 2 if the complainant has reasons to believe that the complaint should be reconsidered. In order to proceed to Stage 2 the reasons for a reconsideration must be specified Stage 2 criteria. The following now applies:

- The complainant has twenty-eight (28) days (from the date of the Council's final letter response to the original complaint) to submit the Right of Appeal (Stage 2)
- The review will be undertaken by a member of the Corporate Leadership Team.
- The criteria for a Stage 2 appeal must meet at least one of the following criteria:
  - we made our decision based on inaccurate facts that could change our decision;
  - the complainant has new and relevant information that was not previously available and which might change our decision:

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- we overlooked or misunderstood parts of the complaint or did not take account of relevant information which could change our decision.

- 2.6 If the complainant remains dissatisfied with the outcome under the Council's Complaints Procedure, he/she can refer the matter to the Local Government and Social Care Ombudsman or Housing Ombudsman (as appropriate).
- 2.7 If a complaint relates to a service provided by a contractor, the complainant must submit it to the contractor under the contractor's complaints procedure. Once this process has been completed, the complainant can request a review under the Council's Complaints Procedure as outlined above.

### 3.0 Complaints received by the Council in 2023

- 3.1 Corporate complaints are reported in the quarterly Performance Management report that the Committee receives. The report is published on the Council's website.
- 3.2 A table containing a summary of the complaints can be found at Appendix 1.
- 3.3 In the period of 1 January 2022 to 31 December 2023, the Council received 74 complaints through its Complaints Procedure. The previous year the Council received a total of 81 complaints. A general downward trend is noted (2021 there was a total of 93 complaints).
- 3.4 Of the above complaints a total of 14 complainants have made a request for a review of the original response to their complaint since January 2023; each was reviewed by a member of the Corporate Leadership Team for consideration. In 2022 the total request for reviews was 17.
- 3.5 It should be noted that it would not be appropriate for the Committee to review the circumstances of, or decisions reached in respect of, individual complaints. The purpose of submitting this report is to assist the Committee in identifying possible topic areas for future scrutiny.
- 3.6 It is pleasing to report that there was a decrease in Corporate complaints during 2023.
- 3.7 Ombudsman complaints are reported to the Standards and Audit Committee annually.
- 3.8 In accordance with the Constitution, the Monitoring Officer, in consultation with the Chief Executive, will settle any compensation payments for alleged or actual maladministration found against the Council as determined by the Local Government and Social Care Ombudsman and Housing Ombudsman.

### 4.0 Contractor Complaints/ Key Performance Indicators

- 4.1 Joint Waste Solutions have provided an overview of the complaints received in 2023 which is set out for information in Appendix 2.

### 5.0 Housing Complaints

- 5.1 The Council's Housing complaints are reported quarterly in the Performance Management Report.
- 5.2 An overview of the complaints received in 2023 can be found in the Q3 Performance Management report considered by the Committee at its meeting on 28 February 2024. The report sets out information by quarter and in Q4 of 2022/23, Q1, Q2, and Q3 of 2023/24 there were 71 housing complaints received.

## 6.0 Corporate Strategy

- 6.1 This report supports the Corporate Plan and emerging Corporate Strategy. This report into the Council's Corporate Complaints supports both openness and transparency in the Council's governance procedures.

## 7.0 Implications

### Financial

- 7.1 None.

### Legal

- 7.2 Whilst there are no specific legal implications, it is noted that the Monitoring Officer reviews and assesses the annual complaints and as such is able to ensure the council's powers are being exercised within the required legal parameters.

### Equalities and Human Resources

- 7.3 There are no human resource or training and development implications arising from the recommendations in this report.

## 8.0 Engagement and Consultation

- 8.1 It would not be appropriate to undertake a consultation or engagement exercise on the content of this report.

## 9.0 Conclusions

- 9.1 Submitting an annual report to the Committee on complaints received will enable the Committee to identify whether there are any common themes arising from the complaints. If so, the Committee could then consider whether it should scrutinise the category or area of activity identified through the data.

REPORT ENDS