

MAIDSTONE BOROUGH COUNCIL

CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

6 NOVEMBER 2012

REPORT OF THE HEAD OF CHANGE AND SCRUTINY

Report prepared by Ellie Kershaw

1. REVIEW OF COMPLAINTS APRIL-JUNE 2012

1.1 Issue for Decision

1.1.1 To consider the Council's performance in dealing with complaints during April-June 2012.

1.2 Recommendation of the Head of Change and Scrutiny

1.2.1 That the Committee notes the performance in relation to complaints and agrees action as appropriate.

1.2.2 That the Committee note the compliments received by teams and individual officers within the Council.

1.3 Reasons for Recommendation

1.3.1 In order to ensure that complaints are being dealt with effectively and within corporate timescales it is important that a monitoring mechanism is in place.

1.3.2 Details of the complaints received broken down by service area, timeliness and category can be found at Appendix A. Complaints have been categorised, but many complaints will be about more than one element (e.g. both policy and staff attitude).

1.3.3 During the period April-June 2012, 139 **Stage 1** complaints were closed, of which 131 (94%) were responded to in time. This is an improvement from 88% in the previous quarter. A further two complaints were recorded by the complaints system as being responded to late but this was not the case – there were problems accessing the system to close complaints formally.

1.3.4 Of the complaints responded to outside the target time three were about Development Management, three about Housing Services, and one each about Parking Services and Revenues.

- 1.3.5 The services which dealt with the highest number of complaints were:
- Waste Services (36, including two which were due to Contact Centre error)
 - Economic Development (18)
 - Development Management (16, including one which was due to Gateway error)
 - Housing Services (15)
- 1.3.6 Waste Services receive an understandably high number of complaints given the number of residents served. This quarter an unusually high number of complaints were received by this service (36 compared to an average of 21 per quarter last year and 14 in last year's Q1), though this still represents only 0.0016% of collections.
- Two of these complaints were due to Contact Centre error though dealt with by Waste Services.
 - Thirteen of the complaints were about the garden waste sacks not being strong enough and starting to decompose. This has now been addressed through changes to the garden waste service.
 - Thirteen of the complaints were primarily about missed collections, missed waste during a collection, or failure to return for a missed bin. Of these five were not genuine misses, but were due to bins not out or in the wrong place (or a collection not actually being due).
- 1.3.7 Economic Development received eighteen complaints this quarter compared to a total of three during the whole of last year. All of these complaints were related to changes in the High Street area, including a new kerb being the same colour as the road and therefore a hazard, trips and falls or near misses due to the works, the impact of works on local businesses, the standard of the works, and the closure of disabled bays in Pudding Lane.
- 1.3.8 Development Management received sixteen complaints, of which one was due to Gateway error. Four of the complaints were from customers unhappy with planning decisions.
- 1.3.9 Housing Services received fifteen complaints. Three of the complaints were from customers unhappy about housing points allocation decisions. The service is currently working to develop a new system for classifying appeals as opposed to complaints.
- 1.3.10 Six Parking complaints were about policy, of which three were about the way visitor parking permits run on a yearly cycle so that sometimes people buy a permit at the full price yet it is valid for only a few months. We recommend that this policy is reviewed on

the grounds of value for money and providing services that are customer focused.

- 1.3.11 Five Revenues complaints were about service but no particular trend is apparent among these.
- 1.3.12 Five Environmental Enforcement complaints were about staff, in all cases litter enforcement officers. In four cases bodycam footage was reviewed by a manager and deemed to show that officers had behaved professionally and courteously; in the fifth there was no bodycam footage, the officers were interviewed by a manager and denied claims they had been sarcastic to the complainant.
- 1.3.13 Twenty **Stage 2** complaints were processed in this quarter. Eighteen (90%) were answered on time. This is a slight improvement from 88% in the previous quarter. Of the Stage 2 complaints, eight were about Development Management, four about Revenues, four about Housing Services, two about Waste Services, and one each about Spatial Planning and the Hazlitt Theatre.
- 1.3.14 A breakdown of **complaints satisfaction surveys** can be found at Appendix B. 109 surveys were sent out and 40 (37%) have been returned. Eighteen (45%) of the respondents were very satisfied or satisfied, which is an improvement from 31% last quarter. Seven were neither satisfied nor dissatisfied. Fifteen were dissatisfied or very dissatisfied.
- 1.3.15 Six dissatisfied or very dissatisfied respondents and one satisfied respondent said their complaint was not understood. One customer said that the response to a complaint about garden sacks had not taken into account the fact that it was a recent issue but it is not clear whether this was mentioned in the original phone complaint – this was answered in a later phonecall. Another customer's accompanying letter raised several issues which have been passed on for a stage 2 response. In the other 4 cases it seems that the complaint was responded to fully and no further action can be taken without more information from the customer.
- 1.3.16 Two dissatisfied or very dissatisfied respondents and one who was neither satisfied nor dissatisfied said their complaint was not responded to within ten days, but records show that all of these complaints were closed on time.
- 1.3.17 Some other survey respondents also wrote comments:
- Two respondents were unhappy that the Council had not admitted any fault (one when poll cards were not received, one concerning dangerous High Street kerbs).

- Two respondents were unhappy that the garden waste bags would not be changed. The complaint response had suggested using bins instead. One of these respondents was unhappy that no refund for extra bags needed had been offered.
- One person states that a road sweeper has not yet swept the road, but the original complaint was about the quality of the garden waste sacks, leading to the customer being provided with an extra roll for double bagging.
- One customer who was injured by a temporary sign on the High Street commented that 'Kent Highways denied liability, MBC denied liability, and contractors have not responded.' This comment was forwarded to John Foster who contacted the contractor, who agreed to provide compensation.
- One customer said he was 'still' awaiting data requested as a FOI request as part of his complaint. In fact this was a repeat of an earlier FOI request which had been declined on data protection grounds. A response was sent to the complainant within sixteen working days of receipt of this further FOI request, clarifying the issue and confirming that earlier information provided was accurate.
- One customer sent with his survey response a long letter reiterating concerns about insufficient disabled parking bays in the town centre, saying that the bays listed in the complaint response were unsuitable as they are too far from shops or from seats. He also stated that different levels of footpath make an unspecified street a 'black spot' and asked why disabled people cannot drive both ways between King Street and the High Street. As the customer has previously raised similar issues which eventually went to the Ombudsman, the Head of Legal Services decided not to take this complaint to Stage 2 as the customer has not specifically requested this.

1.3.18 21 complaints raised potential **safety issues:**

- Thirteen complaints were about the safety of the High Street works and the new paving. Of these ten were specifically about the kerb near the bus stops being the same colour as the road and thus easy to trip over. As well as severe bruising, grazes and damage to clothing/spectacles, customers injured included an elderly lady who broke one ankle and damaged ligaments in the other and spent six weeks in a nursing home, another with a broken ankle, a lady who had to have stitches to her lip, a lady who broke a knee cap and spent a while in hospital in a full leg cast, a gentleman with facial injuries and a lady with a damaged hand. Customers also reported injuries to acquaintances who had not complained themselves and people said that shopkeepers, bus drivers and taxi drivers state that trips are very frequent.

- One customer complained about a dangerous sign at what he thought was a 'pedestrian entry point' to a carpark containing a bottlebank, closed on Sundays. In fact this is an unauthorised access route and the customer was advised that he should not use it.
- One customer complained that the temporary accommodation provided for her and her baby was unsafe, with mice and drug users, and said her violent ex-partner may be in the area. The complaint response reported that a thorough risk assessment had been done on the accommodation, and the customer's ex-partner was not housed in the vicinity.
- One customer complained that very hot tarmac in Mote Park was unmarked, and her dog ran onto it and was burnt. She also said that truck drivers in the area were careless. The complaint was referred to the contractor and the customer was asked to contact the Council if no response was received within a week.
- One customer alleged that the Council had failed to respond to child neglect, but this was found to be unsubstantiated by examination of a complex series of responses to issues raised by the customer (who is classified as a vexatious complainant).
- One complaint to Spatial Planning was about a listed building which had collapsed into the road – the complainant said that the Council had been negligent in securing it several years ago. The complaint response said that it had not been possible to carry out works to the structure as the owner could not be identified.
- A customer complained about an MBC van parked on the pathway near a school. The officers involved have been reminded that they should have arranged the works for when children were not entering or leaving the school.

1.3.19 Six complaints were *primarily* about **alleged discrimination** or about unfair disadvantage for people with protected characteristics:

- One customer complained that the kiosks in the Gateway are too high for a customer in a wheelchair, particularly when entering PINs. The height of one machine has now been reduced and the customer has been updated.
- One customer complained about the closure of disabled parking bays in Pudding Lane. This is discussed in the final bullet point of 1.3.17 above.
- One customer complained that there were not enough spaces for wheelchairs at the Hazlitt Theatre (contrasting it to the Marlowe Theatre). The Council's Stage 2 response explained that installing more disabled spaces would compromise emergency exits, and that the Theatre tries to sell disabled space tickets last to give people a chance to book. The Theatre has one

wheelchair space for every 88 spaces which is a greater proportion than at the Marlowe Theatre.

- One customer felt that the questions and language used by a housing officer were discriminatory and offensive – the officer seems to have queried whether the customer was a British citizen. The complaint respondent assured her that the officer has received full training in completing interviews in a respectful manner, and apologized if she felt that the in-depth questions which must be asked were offensive.
- One customer reported problems accessing streets around Maidstone in a disability scooter. This issue was referred to KCC as a highways matter.
- One customer complained to Parks and Leisure about the lack of parking for blue badge holders by the lake, especially as members of fishing and model boat clubs could park there. The response highlights disabled parking areas connected to the lake by a DDA-compliant footpath, and states that club members are now requested to park in another area.

There were also a number of complaints which, whilst not primarily about discrimination, contained references to it; Four people complaining primarily about service or policy in Housing Services mentioned that they have mental health problems which might be exacerbated – one lady resented implications that because she had mental health problems she was delusional about neighbor noise. Two complaints about the waste service also referred to disability (heavy bins not being an acceptable alternative to weak garden waste sacks, and a missed bin at a pullout). Two people complaining about the behaviour of Environmental Enforcement litter officers said that they might make vulnerable people feel particularly uncomfortable, with one lady suggesting that the officer concerned liked to feel power over women. One complainant about the condition of the High Street works also noted that they made navigation in a wheelchair difficult.

1.3.20 It has been noted several times that many **complaints records** are incomplete, which causes problems in analysis and when complainants refer back to earlier communications. Reminders to improve this have been included in core briefs. Where Q4 complaints records were incomplete or insufficiently detailed, the complaint holder was asked to improve them. It is suggested that CLT raise this issue with Heads of Service.

1.3.21 Officers have previously been reminded to ensure that the relevant box is ticked on the Complaints system if the complainant alleges discrimination. Of the six complaints alleging discrimination, four had a box ticked (not always the correct one). Six of the nine other complaints mentioning a protected characteristic had a box ticked.

As complaints will not be checked individually once the new IT system is in place, officers will need to ensure these boxes are ticked where relevant.

1.3.22 Some complaints were logged as being dealt with by the wrong team – these have been reclassified. In four other cases, further investigation found that the complaint resulted from error by a team other than the one dealing with the complaint (in all cases the Gateway/Contact Centre). These have been classified according to the team which dealt with the complaint (in order to give an accurate picture of response times), but a note has been included where the complaint resulted from the error of another team. A complaint which was passed to KCC as a highways issue was also logged. Those who log and respond to complaints should check that they are assigned to the correct team.

1.3.23 Many **compliments** have also been received by the Council this quarter.

- Eight compliments were made to Waste Services for consistent good service or going beyond the call of duty.
- There were six compliments about improvements in Mote Park, including new bins, signage, landscaping, the swing park, the café, new paths and the wooden bridge and waterfall. Comments included, 'I just wanted you to know that it is greatly appreciated and that the Council have done a wonderful job here. Thank you'; 'Have lived in Maidstone all my life and spent many, many, hours in the park as a boy in the 1950s and cannot praise the improvement too much.' Another customer wrote in to say thank you for the prize received after he completed the Mote Park survey.
- There was also a compliment about Brenchley Gardens – 'We think the gardens look superb and it's lovely to stroll around them. Please pass on our thanks to Trevor Brockway and his colleagues in the Parks team for all their hard work.'
- Three compliments were received by the Contact Centre, including one thanking Cerian Norton and one thanking Christine Riley.
- A customer who did not speak fluent English wrote to thank the Council for the help he received at the Gateway, saying 'I just love to say you're AMAZING and a BIG thank you for being there for me ☺'.
- Two compliments were made to Grounds Maintenance for working to make areas look much more pleasant.
- One customer wrote to thank those involved in organising the Olympic torch relay celebrations – 'A great time was had by all.'
- A member of Boxley Parish Council praised the refurbishment work tendered to MBC's Depot team at Weavering Diamond Jubilee Orchard. The support provided by Doug Brown, Darren Rouse and the team was described as 'brilliant' and 'totally

professional'. The writer added, 'Local authorities are often soft targets for criticism and people forget the good things that they do so I'm more than happy to praise and thank MBC when I can.'

- Notable feedback from a customer centricity focus group praised the Cleansing team, 'MBC council does well... by 7am the streets are clean again, despite being in chaos the night before. Seeing that makes you feel marvellous.'
- A compliment was also received about a Democratic Services polling clerk during voting.

1.3.24 The new Complaints System is now running and users are being added to the new system by IT.

1.4 Alternative Action and why not Recommended

1.4.1 The Council could choose not to monitor complaints handling but this would impact severely on the Council's ability to use complaints as a business improvement tool.

1.5 Impact on Corporate Objectives

1.5.1 Customer service is a core value and one of the Council's priorities is Corporate and Customer Excellence. Management of complaints is critical to the success of this objective.

1.6 Risk Management

1.6.1 Failure to manage complaints in a robust fashion represents a service, financial and reputational risk to the Council. Regular reports are produced for CLT and also presented to the Corporate Services Overview and Scrutiny Committee. Monitoring is carried out by the Senior Corporate Policy Officer.

1.7 Other Implications

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety

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7. Human Rights Act
8. Procurement
9. Asset Management

Two customers were offered money to cover parking tickets. One customer was offered an ex gratia payment of £100 by the Planning department. For the two businesses which complained about the business impact of the High Street works, one was referred to the insurers and one was referred to the Valuation Office Agency to determine whether business tax rebates could be granted. A lady injured on the High Street was granted compensation for damaged clothing by the contractor. Three court summons fees were withdrawn/refunded by Revenues. The Parking team waived an administrative fee of £10.

1.8 Appendices

Appendix A – 2012-13 Q1 Stage 1 Complaints Timeliness and Categorisation

Appendix B – 2012-13 Q1 Complaints Satisfaction Surveys

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because:

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Wards/Parishes affected:

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