

MAIDSTONE BOROUGH COUNCIL

CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

5th FEBRUARY 2013

REPORT OF THE HEAD OF CHANGE AND SCRUTINY

Report prepared by Sam Bailey

1. REVIEW OF COMPLAINTS QUARTER 3 OCTOBER-DECEMBER 2012

1.1 Issue for Decision

1.1.1 To consider the Council's performance in dealing with complaints during October- December 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 notes 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). Where this is the case, they are categorised according to the largest element of the complaint

1.3.3 During the period October-December 2012, 102 **Stage 1** complaints were closed, of which 98 (96%) were responded to in time. This is an improvement on last quarter where 93% were answered in time. Four complaints were responded to outside of target time this quarter.

1.3.4 Of the complaints responded to outside the target time, one was about Development Management, one was about Economic

Development, one was about Housing Services and one was about Parking Services. The complaint out of time for Economic Development was out of time by one day; however during the time the complaint was open four visits to the site were made by Contractors and a contract Project Manager. During these visits the complainant was kept up to date with the progress of the complaint.

1.3.5 The services that dealt with the highest number of complaints were:

- Environmental Enforcement (21)
- Parking Services (15)
- Housing Services (14)
- Development Management (9)
- Economic Development (6)
- Benefits (6)

1.3.6 There were no services with particularly high numbers of complaints this quarter; however there are a number of trends that can be noticed quarter to quarter.

1.3.7 Environmental Enforcement received the most complaints this quarter (21). Of these complaints, sixteen were about staff conduct, three were about policy, one was about service and one was about lack of contact.

- The 16 complaints about staff conduct were all regarding the conduct of Litter Enforcement Officers. Litter Enforcement Officers wear bodycameras, which take CCTV footage of all their engagements with the public. Fifteen of these complaints resulted in the CCTV footage of the engagement with the complainant reviewed, and in each of these cases the officer was found to be acting professionally, courteously and within the Council's rules and codes of conduct. One incident was referred to XFOR, the contractor that employs the LEOs, to deal with internally. XFOR investigated the complaint and found no wrongdoing by the LEO.
- Of the remaining complaints for Environmental Enforcement regarding policy, lack of contact and service, there were no significant trends, with all other complaints being on unrelated matters.

Even though there were no clear trends in the complaints, and all but one of the complaints regarding staff conduct were not upheld after reviewing bodycamera footage, there was an increase in the amount of complaints received about environmental enforcement from the previous quarters. Environmental Enforcement received eight complaints in Q1, twelve complaints in Q2 and twenty one

complaints in this quarter. This demonstrates a trend of gradual increase in complaints against this service. This is despite the number of fines issued and number of Litter Enforcement Officers being employed remaining stable over these quarters. It is thought that the reason for this is there is perceived to be a hardening attitude towards receiving fines; £75 is seen as a lot of money, especially as household budgets are being squeezed because of the current economic situation. Another factor for this quarter in particular is that this quarter included the Christmas period, with people even more reluctant to receive a £75 fine than usual. Despite this, Environmental Enforcement have recognised the trend and XFOR are providing additional customer care training for all of the Litter Enforcement Officers.

1.3.8 Parking Services received 15 complaints this quarter. Of these, six were about staff, five were about policy and four were about service.

- Of the six complaints about staff conduct, in five of the cases individual Civil Enforcement Officers (CEOs) were interviewed and their behaviour monitored, however no further action was taken. One complaint regarding staff conduct, resulting in disciplinary action by Apcoa, the contractor who employs the CEOs for the Council.
- The complaints regarding policy and service were all about unrelated matters, and there were no correlations in these complaints

The level of complaints, and the level of PCNs issued for this service have both remained relatively stable over Q1, Q2 and Q3.

1.3.9 Housing Services received fourteen complaints. Of these, one was about service, six were about policy, four were about staff, one was about time taken, one was about lack of contact and one was about discrimination.

- Of the six complaints about policy, two were from customers who were dissatisfied about their data relating to their housing application being shared with third parties. In the complaint response it was highlighted to these customers that they had already agreed to data sharing on forms that were filled out during their housing application. Permission was withdrawn for third party data sharing for these customers, but customers were warned that this may delay their applications for housing.
- Two housing officers each received two complaints about their conduct. One officer received a complaint about not referring to a letter written the previous day, which an apology was sent in the response letter; and the second complaint was about the

sort of question asked by the officer in an interview. However following an interview with the officer, they were found to have acted appropriately. The other officer who received two complaints had a complaint alleging a rude manner in the way they spoke to a customer; the other was about lack of contact from that specific officer. The first was responded to by assuring the customer that the officer had completed thorough customer service training and that the Council had confidence that the officer acted appropriately, and the second complaint response informed the customer that various members of the housing team had attempted to contact the customer on several occasions.

Other than these instances there were no trends in the complaints about housing services this quarter. The level of complaints has remained at a relatively stable level throughout the three quarters of the year, with fifteen received in Q1, fifteen received in Q2 and fourteen received in Q3. This is despite the number of new applicants to the housing register increasing each quarter: 485 in Q1, 500 in Q2 and 680 in Q3.

- 1.3.10 Development Management received nine complaints. Four were about service, three were about policy and two were about time taken. There were no trends in the complaints received about this department, and all complaints were about separate cases. This service has received more planning applications in Q2 and Q3 compared to Q1, however the number of complaints has dropped for Q2 and Q3 compared to Q1. This indicates an improvement in performance.
- 1.3.11 Economic Development received six complaints. One complaint was about service and five were about policy. Four of these complaints were regarding falls resulting from the kerb on the High Street being the same colour as the carriageway. This has now been addressed by changing the surface of the carriageway at King Street bus stop (as this is where the majority of the complaints indicated a problem) from paving to black tarmac in order to provide clear contrast between the two different heights of surface. It is worth noting, as a result of these changes the complaints for this service have dropped steeply this quarter, with the previous quarters' figures being eighteen for Q1 and twenty eight for Q2. The situation is continuing to be monitored. Other than the four complaints about the High Street, there were no other trends in the complaints. The remaining two complaints were about unrelated issues.
- 1.3.12 Benefits received six complaints. Two were about service, two were about policy, one was about time taken and one was about lack of

contact. There was no trend in the complaints, each one relating to separate cases with separate issues. The level of complaints has remained stable since last quarter, with six complaints received against this service in Q2. Q2 showed an increase, however, compared to Q1 as there were only two complaints received against this service in that quarter. The level of new housing and council tax benefit claims has remained stable over Q1, Q2 and Q3.

- 1.3.13 Waste Collection saw a dramatic decrease in the amount of complaints received this quarter. Last quarter they received 31 complaints, whereas this quarter they only received 6 complaints. This is mainly due to a lot of complaints against Waste Collection last quarter being about Garden Waste Sacks; which have subsequently been withdrawn. However, complaints about service have also dropped dramatically, from fifteen in Q2 to two in Q3.
- 1.3.14 Thirteen **Stage 2** complaints were processed this quarter. Of these, twelve (92%) were answered within the target time. This is an increase in performance from the previous quarter of 23% (the previous quarter eleven were answered in time out of sixteen). Of the Stage 2 complaints; one was about Building Control, one was about Development Management, two were about Environmental Enforcement, one was about Environmental Health, four were about Housing, one was about Parking Services, one was about Planning Enforcement, one was about Revenues and one was about Waste Collection. The Stage 2 complaint that was answered out of time was a complaint against Building Control. The reason for this complaint being answered out of time was that we were awaiting further evidence from the complainant.
- 1.3.15 The following trends can be observed in stage 2 complaints:
- Waste Collection, Building Control, Benefits, Economic Development and Parks and Leisure all received less stage 2 complaints than the previous quarter. Of these, Parks and Leisure, Benefits and Economic Development received no stage 2 complaints this quarter.
 - Development Management, Environmental Enforcement, Parking Services and Planning Enforcement all received stage 2 complaints this quarter, whereas last quarter they received none.
 - Housing Services saw an increase in stage 2 complaints this quarter. They received four stage 2 complaints this quarter, whereas last quarter they received two.
- 1.3.16 A breakdown of **complaints satisfaction surveys** can be found at Appendix B. 53 surveys were sent out and sixteen (29%) were returned. It should be noted that these are only the satisfaction

surveys for complaints closed in October and November. This is because the satisfaction surveys are sent out in the middle of the following month from when the complaint was closed. Seventeen Satisfaction Surveys were sent out for December complaints, however they have not been included in the total as we have not had any responses for this period. Seven (44%) of the respondents were satisfied or very satisfied. Nine (56%) respondents were dissatisfied or very dissatisfied, two dissatisfied and seven very dissatisfied respondents said that their complaint was not understood. Of the two dissatisfied respondents:

- One complainant said that their concerns had not been addressed, however this has been checked and the concerns raised had been addressed in the response;
- One complainant commented that the Council had 'skirted round the issues', however the concerns raised were addressed in full in the response issued;

Of the seven very dissatisfied complainants:

- One complainant commented that the issue they were raising, which was regarding illegal parking in front of their driveway, had not been understood and that no solutions were proposed. However a solution to this issue- asking the customer to contact the Council if an infringement is spotted so that a Civil Enforcement Officer can be dispatched to offer a fixed penalty notice- was offered in the response.
- One complainant claims that the majority of issues raised in the complaint had been ignored; however this was not the case as all issues were addressed in the response. The customer did not provide further clarification over what parts of the original complaint they felt were ignored.
- One complainant was dissatisfied because their complaint was dealt with by the department they had the issue with, and wanted an independent investigation into the matter. The complainant was offered a Stage 2 complaint in the original response to their complaint, which is carried out independently from the department the complaint is about, however the complainant did not take up this offer.
- One complainant commented that they were not happy with the complaint being referred to a third party, and that no consultation had taken place. The 'third party' the complainant mentioned was an officer from the Council's Parks and Leisure department, who had been conducting extensive correspondence with the complainant, conducted on site visits and proposed to carry out work for the complainant once a formal request had been made. No formal request for this work had been received.

- One complainant clarified their position, and stated that they never claimed the person they complained about was swearing, and suggested a different solution to the problem that the Council had provided.
- One complainant complained about the Revenues department. The response answered the complainants queries in full, and the matter could not be pursued without further information from the complainant which has not been received.
- One complainant had their complaint escalated to Stage 2.

1.3.17 Two very dissatisfied customers said their complaint was not responded to within ten working days and one very dissatisfied responded answered 'not sure' to this question. Records show that the two respondents who answered no to this question had their complaints closed on time. The complaint that the survey respondent answered 'not sure' to this question was closed one day late.

1.3.18 Some other survey respondents also wrote comments:

- One respondent stated that their complaint was misinterpreted, and that they now intended to escalate the complaint in a letter to the head of the department. No further correspondence was received from the complainant.
- One respondent stated that although their complaint was understood and dealt with correctly, they suggested a solution to the problem that they had highlighted. The solution the complainant proposed was to change the time waste was collected as there were problems with access to the cul-de-sac due to parking issues. However the response to the complainant notified them that parking would not be a problem as long as there was a supervisor present to guide the vehicle into the road and avoid risking damage to vehicles.
- Two respondents were dissatisfied with the complaints process in general, detailing lack of consultation and the issue being dealt with by the department they were complaining about as the elements of the process they were unhappy with.
- Two respondents commented that their complaints were not understood and that they were dissatisfied with their replies. However no further action could be taken without additional information from the respondents.
- One comment read 'Overall the service and understanding was good.'
- One comment explained that to get the issue resolved an officer conducted a home visit, and that they were glad that this action resulted in the issue being resolved.
- One comment was from a survey sent out from a complaint about not being notified the electoral register was in street order

not alphabetical by name before travelling to Maidstone to see it. The comment suggested that this information should be relayed to people if they enquire about the electoral register.

1.3.19 Six complaints received this quarter were about **safety**. Four of these complaints were for Economic Development, one for Parking Services and one for Waste Collection:

- One complaint was regarding a Civil Enforcement Officer, working for Apcoa on behalf of parking services, driving without wearing a seatbelt and using a handheld device while driving. This complaint was referred to Acpoa who took disciplinary action. The result of this action cannot be disclosed due to data protection legislation.
- One complaint was regarding a refuse collection vehicle driving dangerously by mounting the pavement. The complaint was thoroughly investigated by Sita, with Sita conducting a follow up interview with the complainant as well as meeting the complainant at their place of work. The investigation found that the complainants claims could not be substantiated, and Sita have written to the complainant to explain why they cannot take any action against any specific employee for this alleged incident.
- One complaint from a customer was about the gullies that were installed during the High Street Regeneration being dangerous. The response highlighted that the Council has already received correspondence on this matter from the customer, but reiterated that a detailed safety audit had been carried out on the gully gratings which found that they comply with relevant safety standards.
- Three complaints were about falls due to the curb and carriageway being the same colour as a result of the High Street Regeneration scheme. This issue has now been resolved by laying black tarmac in the carriageway to provide contrast and prevent falls.

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

- One complaint was about the leisure centre incorrectly advising a customer of the existence of a hearing loop system for hearing aid users during an event held there. The customer was advised that there was a loop when there wasn't. The response to the customer apologised for the confusion, clarified that there was no loop system at the Leisure Centre and assured the customer that staff had now been made aware of this fact so that accurate information could be provided. The customer was also advised

that the Leisure Centre would now be reviewing the situation, and examining the feasibility of installing a loop system in the Leisure Centre.

- One complaint mentioned that the complainant felt they were being discriminated against because their housing needs due to their disability and ongoing health issues were not being met. The complainant mentioned that this was because they were constantly being misinformed and documents kept on going missing. The response to the complainant requested further details in order to investigate the complaint fully, however no further details were received from the complainant.

- 1.3.21 It has been noted in previous reports that many **complaints records** are incomplete, which causes problems in analysis and when complainants refer back to earlier communications. There were no incomplete complaints records this quarter. This will continue to be monitored.
- 1.3.22 There were no complaints received from **vexatious complainants** this quarter.
- 1.3.23 Many **compliments** have also been received by the Council this quarter:
- Spatial Planning were asked to give a presentation on sustainable development to a group of 16 year old French Students with limited knowledge of English. The students' teacher sent them an email saying 'Thank you very much for a great presentation. It was very useful and my students enjoyed it very much'.
 - A customer wrote a hand written letter praising the exemplary professional conduct and understanding, kind and patient manner of Natalie Smith who works in the Gateway Team within Customer Services. The customer noted that not only had she show exemplary conduct towards the customer in question, she had also witnessed her acting in a kind and caring way to many other members of the public.
 - A compliment was received by email about Hayley Hibbert who works in the contact centre. The customer praised Hayley for being extremely polite and professional, taking the time to answer all of the customer's questions and managing their expectations accordingly.
 - Waste Collection received eight compliments. These compliments were about thanking contractors for returning waste sacks; thanking the whole team for doing a great job, remarking 'there's always such kindness'; thanking the contractors for delivering bins; thanking contractors for the excellent service they provide when they come back to empty

the customer's bin after missed collections; thanking the team for a common sense approach to delivering the service; thanking whoever initiated the waste 'app' for mobile devices and two compliments thanking the collection crews for delivering an excellent service.

- A compliment was received about John Lawton, who works in the contact centre. The customer found John very helpful and understanding, explaining the problem clearly and quickly and offered to deal with any further problems on this issue personally.
- A customer sent a compliment on the self-serve system. The customer was impressed about the speed and efficiency of the system, as the customer reported a bag of rubbish dumped near their house at 7pm and the rubbish was removed by 9.30am the next morning.
- A compliment was received about Janusz Kowalski, who is the Grounds Maintenance Operative responsible for maintaining Clare Park. The customer said that it is always a pleasure to walk their dog around the park, with the park free of litter, shrubs pruned and paths clear of leaves. The customer said it is a joy to see a hard working, conscientious and dedicated person at work.
- A compliment was received about Christine Riley who works in the Contact Centre. The customer for being a lovely helpful lady, and remarked that you do not find many with such excellent customer service skills.

1.3.24 Two services received more compliments than complaints this quarter. Customer Services received two complaints and five compliments and Waste Collection received six complaints and eight compliments.

1.3.25 The new Complaints System is now running, and updates that improve its functionality are being introduced step by step. The report for this quarter was taken from data entirely from the new Complaints System. There was a complaints audit conducted on the old complaints system, and there were found to be four complaints that were still open. These were investigated and found to be complaints that should have been closed. All correspondence was uploaded for these complaints and they were formally closed on the 17th December 2012.

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.

1.7 Other Implications

1. Financial	X
2. Staffing	
3. Legal	
4. Equality Impact Needs Assessment	
5. Environmental/Sustainable Development	
6. Community Safety	
7. Human Rights Act	
8. Procurement	
9. Asset Management	

1.7.1 Financial Implications

A £300 payment was approved on 2/11/12 on recommendation of the Local Government Ombudsman. This is due to Planners making an error in applying a light test, saying the proposed development passed the test when in fact it should have failed.

1.8 Appendices

Appendix A – 2012-13 Q3 Stage 1 Complaints Timeliness and Categorisation
Appendix B – 2012-13 Q3 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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