

MAIDSTONE BOROUGH COUNCIL

CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE

8TH JANUARY 2012

REPORT OF THE HEAD OF CHANGE AND SCRUTINY

Report prepared by Sam Bailey

1. REVIEW OF COMPLAINTS July- September 2012

1.1 Issue for Decision

1.1.1 To consider the Council's performance in dealing with complaints during July-September 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).

1.3.3 During the period July-September 2012, 151 **Stage 1** complaints were closed, of which 140 (93%) were responded to in time. Complaints closed in time were down 1% this quarter, from 94% in Q1.

1.3.4 Of the complaints responded to outside the target time three were about Housing Services, three were about Economic Development, two were about Environmental Health, one was about Parks and Leisure, one was about Development Management and one was about Planning Enforcement. Of these out of time complaints, only in the case of one Environmental Health complaint was the

customer updated on the progress of their complaint. The reason given by Environmental Health was that they were waiting to interview the Officer the complaint was concerned with. Services should remember that if a complaint will take more than 10 days to deal with, the customer should be kept informed of the reasons and told when to expect a full response.

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

- Waste Services (31)
- Economic Development (26)
- Housing Services (15)
- Environmental Enforcement (12)
- Parking Enforcement (10)
- Revenues (9)

1.3.6 Waste Services receive an understandably high number of complaints given the number of residents served. Waste services received 31 complaints this quarter, compared to 36 last quarter. This is an improvement, however, still high compared to the average of 21 per quarter last year. This represents a very low number compared to the amount of collections made;

- Fourteen of the complaints were about Garden Waste sacks. These complaints were regarding the quality, cost or availability of the sacks. The garden waste sacks have now been replaced by compulsory garden waste wheelie bins;
- Four complaints were regarding the perceived disadvantages of the new garden waste wheelie bins. Concerns were raised about the price of them, problems with manoeuvrability of the bins for the elderly and disabled and issues with where to store them. These concerns have been addressed through the new scheme offering smaller bins, promoting the sharing of bins with neighbours for those with capacity or space issues, offering assisted collections for the elderly and disabled and making sure residents are aware of the alternatives, such as home recycling;
- Eight complaints were about missed collections, of which four were genuine misses;
- The other four complaints about missed collections: One was not justified due to the missed collection reported before the crew had got to the property; One was about garden waste being collected as refuse, however this could not be substantiated as the GPS showed the garden vehicle collecting in the road; One was about garden waste not being collected,

however, the complaint was really about the council's policy of not collecting waste contained within the refuse bin; and one was about missed collections, however the bin had contained non-recyclable waste.

- 1.3.7 Economic Development received 28 complaints this quarter, with 25 of them relating to trips and falls due to the new paving in the Town Centre. Safety assessments have been carried out, with the latest one carried out independently from the Council. All of these assessments have found the scheme safe for pedestrians. However, due to the number of complaints about falls in the King Street area in particular, the Council have replaced the granite blocks in the carriageway with black tarmac to provide maximum distinction between the different heights of the carriageway and pavement. Since this work has been carried out there have been no new reports of falls in this location. The Council continues to monitor the situation.
- 1.3.8 Housing Services received fifteen complaints. There were two complaints regarding the conduct of staff at Mark Insulations who were implementing the 'Heatseekers' scheme, which was endorsed by the Council. There were allegations of staff cold calling and hard selling to residents. Housing raised this issue with Mark Insulations, who investigated the issue and the complaints were upheld. The Council subsequently removed their endorsement from the scheme, and Mark Insulations have removed any reference to Maidstone Borough Council in their literature. No further complaints have been reported on this issue. There were two complaints about length of time on the waiting list, but both complainants did not have enough points to secure housing. There were two complaints about points allocations; one of which was requesting a breakdown of how points were allocated and one was a complaint after an appeal was turned down. There were no other significant trends in complaints for Housing Services.
- 1.3.9 Environmental Enforcement received twelve complaints. Of these, eleven were about staff conduct. Eight of these were complaints about Litter Enforcement Officers' interaction with the public. Once bodycam footage had been reviewed by managers within the department, it was decided that staff had acted appropriately and professionally in each case.
- 1.3.10 Parking Enforcement received ten complaints. Four of these were about staff conduct. Of the staff conduct complaints, two concerned behaviour towards members of the public. The incidents involved two different Officers, and in each instance the Officer was interviewed about the incident. Whilst no proof was found to support the allegations, their performance is being

monitored. Two complaints about Staff Conduct were about staff not using discretion; however, the complainants were reminded that discretion cannot be exercised by Civil Enforcement Officers, and should there be mitigating circumstances they will be considered in an appeal.

- 1.3.11 Revenues received nine complaints. Six complaints were about service; however there were no clear trends within this data.
- 1.3.12 Sixteen **Stage 2** complaints were processed this quarter. Eleven (69%) were answered on time. This is a decrease in performance of 21% compared to the previous quarter (eighteen responded in time out of a total of twenty). Of the Stage 2 complaints, Five were about Waste Collection, two were about Building Control, three were about Economic Development, one was about Benefits, two were about Housing Services, one was about revenues and two were about Parks and Leisure.
- 1.3.13 A breakdown of **complaints satisfaction surveys** can be found at Appendix B. 102 surveys were sent out and 36 (35%) were returned. Fourteen (39%) of the respondents were very satisfied or very satisfied, which is a slight decrease from the previous quarter (45%). Two respondents were neither satisfied nor dissatisfied. Seventeen (47%) respondents were dissatisfied or very dissatisfied. Three dissatisfied and nine very dissatisfied respondents said that their complaint was not understood. Of the three dissatisfied respondents, the answers given addressed their issues fully and no further action could be taken without further information from the customer. Of the nine very dissatisfied complainants, one of the complaints was escalated to a Stage 2 and the remaining eight had answers given that addressed their issues fully and no further action could be taken without further information from the customer.
- 1.3.14 Three dissatisfied and three very dissatisfied customers said their complaint was not responded to within ten working days, but records show that all of these complaints were closed on time.
- 1.3.15 Some other survey respondents also wrote comments:
- Two respondents highlighted the fact that garden waste sacks are not fit for purpose if they do not last the whole two week period between collections. The council has now discontinued using garden waste sacks, and will be using garden waste bins only. The complainants were either already aware of this policy, or made aware of this policy;

- A respondent who suffered a fall as a result of the High Street regeneration, and answered 'satisfied' to the survey, suggested that she would have appreciated a personal telephone call asking her how she was recovering from her fall. Economic Development have been made aware of this comment, and they will consider it for future incidents of this nature;
- A respondent answered 'Thank you, I was impressed with how quickly and efficiently the complaint was handled. Much appreciated;'
- One respondent was satisfied with how the complaint was handled, and the outcome was they were offered a discount on a garden waste bin. However the respondent would have liked a Stamped Addressed Envelope to be provided as they had to re-send a cheque for the amended amount due to them already paying for a garden bin by cheque;
- One respondent claimed that the response to their complaint was that they were told to 'contact the person who they have a grievance'. This complainant was unhappy that they were asked to contact the Council for their complaint, when the complaint was about the behaviour of Litter Enforcement Officers working on behalf of the Council. The action taken in this case was that a manager spoke to the Officers in question about the concerns raised by the complainant. The complainant seemed happy with the action taken when informed of the action taken over the telephone.
- One respondent, who had complained about SITA vehicles entering their property and causing damage to it, says that their complaint has been passed on to SITA and the issue has not yet been resolved. The original response informed the customer that they need to raise the complaint with the insurance department with SITA, and if unhappy with the decision it will go to arbitration. The Council has escalated the situation with SITA to ensure that the customer receives feedback from their claim.

1.3.16 32 complaints raised potential **safety issues**:

- 28 complaints were about the works to the Town Centre, and in particular the kerb and carriageway being the same colour, causing people to trip over. Numerous injuries were sustained, including cuts, bruises and pulled muscles. Economic Development had several safety assessments carried out on this issue, and each time the site was declared safe for pedestrians. Despite this, due to the sheer number of falls, the carriageway has been replaced with black tarmac. The Council continues to

monitor the situation;

- One customer complained about being housed next door to a bail hostel, claiming that it posed a safety risk to her family. The customer was told to refer the matter to the Police if they were concerned about their safety, as the Council does not manage these facilities;
- One customer complained about the driving of a Park and Ride bus driver. The customer claimed that the driver was driving dangerously and nearly caused an accident. The response to the complaint was that the complaint had been passed on to Arriva Southern Counties, who are conducting an investigation and will get in contact with the customer in due course. Arriva Southern Counties investigated the complaint and informed the customer, and the Council, that after looking at CCTV footage it appeared that the customer had failed to give way to the bus at the end of a bus lane, thereby failing to adhere to the Highway Code;
- One customer complained that their child fell out of a swing and injured themselves in the natural play area in Mote Park. The customer also complained that the safety surfacing of the park was installed on an inappropriate base (it is recommended to be installed on a grass base, not woodchip/soil). The response to the complaint included the independent ROSPA report, demonstrating that the equipment was low risk. Furthermore, the response outlines that there is always an element of risk inherent in outdoor play, but the Council strives to balance this risk against the ability for children to experience challenge and sensation in play;
- One customer complained about the lack of emergency lights illuminating paths to emergency exits in the Hazlitt Theatre, and also raised a concern with possible overcrowding in the event of an emergency. In the response the customer was assured that the capacity of the Hazlitt was within legal requirements, and that illumination to emergency exits only comes in the case of an emergency, power cut or anything that causes the main lights to be compromised.

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

- One customer complained to Parks and Leisure about the lack of access for her husband, who is a wheelchair user, to the lake at Mote Park following the regeneration work. The customer was

notified that there were plans to install a dropping off point closer to the lake that should provide easier access;

- One customer complained staff at the Leisure Centre displayed an inappropriate attitude, and used unprofessional language when dealing with their disabled child. The response to the complaint informed the customer that the member of staff involved in the incident was on leave, but investigations are ongoing and if any wrongdoing is found appropriate disciplinary action and/or additional training will be taken to prevent a similar occurrence in the future;
- One customer complained that a Civil Enforcement Officer used racist language toward them. The response to the complaint informed the customer that the Civil Enforcement Officer's conduct would be closely monitored;
- One customer complained that following the regeneration work of the Town Centre, there were now no suitable crossing points for partially sighted people. The response to the complaint informed the customer that this is not the case, and that the crossing outside the Chequers centre had a tactile sensor to aid the blind and partially sighted in crossing the road;
- One complaint to Housing Services, primarily about length of time waiting for housing and length of time waiting for a medical assessor to visit, complaining that the housing a relative was living in was exacerbating current mobility and mental health issues. The customer was advised that there was a suitable house available that their relative had a good chance of securing as long as they provided additional information. However the customer could not get relevant documentation to the Council in time to secure the property in this bidding cycle. The customer was sent the appropriate forms to nominate their relative in the next bidding cycle.

1.3.18 It has been noted several times that some **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. Two complaints had incomplete records this quarter, one from Parking Services and one from Environmental Enforcement. These departments have been reminded to make sure all communications, incoming and outgoing, are recorded in the complaints system.

1.3.19 There were no complaints from **vexatious complainants** this quarter.

1.3.20 Many **compliments** have also been received by the Council this quarter:

- There were three compliments regarding Mote Park. They primarily complimented cleanliness and tidiness, the provision of multiple bins and how nice the new bridge and waterfall look;
- One compliment was regarding Grounds Maintenance. The compliment thanked the crews who de-weeded her area, and commented on how the area is looking a lot nicer now;
- Three compliments were regarding Waste Collection. Two were regarding the excellent service the collection crews provide and one was regarding how quickly a new food bin was received.

1.3.21 The new Complaints System is now running, and all new complaints are now being entered into the new system. However, some complaints for the quarter 3 report will be taken from the old system, as there will still be some complaints that were yet to be closed from the old system at the beginning of quarter 3.

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
2. Staffing
3. Legal

x

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

There were no financial implications for this quarter.

1.8 Appendices

- Appendix A – 2012-13 Q2 Stage 1 Complaints Timeliness and Categorisation
- Appendix B – 2012-13 Q2 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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