

MAIDSTONE BOROUGH COUNCIL

**STRATEGIC LEADERSHIP AND CORPORATE SERVICES OVERVIEW
AND SCRUTINY COMMITTEE**

4 MARCH 2014

REPORT OF THE HEAD OF POLICY AND COMMUNICATIONS

Report prepared by Sam Bailey

**1. REVIEW OF COMPLAINTS OCTOBER-DECEMBER 2013
(QUARTER 3)**

1.1 Issue for Decision

- 1.1.1 To consider the Council's performance in dealing with complaints during October-December 2013 (quarter 3).

1.2 Recommendation of the Head of Policy and Communications

- 1.2.1 That the Committee notes the performance in relation to complaints, in particular:
- i. The high number of complaints received by Development Management this quarter (paragraphs 1.5.9-1.5.12)
 - ii. The high number of complaints that were responded to out of time for Development Management this quarter (paragraph 1.5.12)
 - iii. The high number of complaints received by Parks and Leisure this quarter (paragraphs 1.5.13 -1.5.14)
 - iv. The high number of stage 2 complaints received this quarter (section 1.7)
 - v. Improvements made as a result of complaints this quarter (section 1.6)

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).
- 1.4 Quarter 3 Performance
- 1.4.1 Details of quarter 3 complaints handling performance can be seen in Appendix A.
- 1.4.2 During quarter 3 161 Stage 1 complaints were closed, of which 147 (91.3%) were responded to in time. This represents an 8% decrease in the overall number of complaints received this quarter compared to the previous quarter. This also represents a decrease in performance in terms of answering complaints within target time of 5.8%, as in quarter 2 97.1% of complaints were answered within target time.
- 1.4.3 Of the 14 complaints responded to outside the target time:
- One was about Council Tax
 - Five were about Development Management
 - One was about Environmental Enforcement
 - One was about Licensing
 - Three were about Parks and Leisure
 - Three were about Housing Options
- 1.4.4 The reasons for these complaints being responded to out of time included:
- A complaint for Environmental Enforcement was closed late because it was relating to an issue that has been ongoing for several years. This made it problematic to investigate. The complainant was kept up to date with the progress of the complaint during the investigation.
 - One of the complaints that was closed late for Housing Options was closed late because it was originally wrongly raised as a stage 2 complaint, when actually it should have been a new stage 1 complaint. This was not noticed until after ten working days had passed, however once this had been noticed the complainant was written to informing them of the situation.
 - One complaint which was allocated to Council Tax was responded to late because the complainant was requesting information from many different departments across the council. The complaint took longer than usual to respond to

in order to ensure each element of the complaint was investigated and responded to in detail.

1.5 Trends Identified and Action Taken

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

- Environmental Services (53);
- Development Management (22);
- Parks and Leisure (17);
- Housing Options (16); and
- Parking Services (12).

1.5.2 Comparative figures for complaints can be seen in Appendix D, showing:

- complaints received in quarter 2 of 2013/2014;
- complaints received year to date;
- complaints received in quarter 3 of 2012/2013; and
- total number of complaints received for 2012/2013.

1.5.3 Environmental Services had the highest number of complaints this quarter. The number of complaints received by Environmental Services has decreased compared to quarter 2. This trend was expected as the new waste collection rounds have become more established and problems have been resolved. However the number of complaints remains high compared to quarter 3 of 2012/2013.

1.5.4 Environmental Services received 53 complaints this quarter. Of these 53 complaints:

- 48 were about service;
- 2 were about staff; and
- 3 were about time taken.

1.5.5 Of the 53 complaints for Environmental Services, 51 of them were about waste collection. Of the two complaints not about Environmental Services, both of these complaints were actually about Environmental Enforcement and had been wrongly allocated. However the same Head of Service is responsible for both areas so were still answered correctly. Of these two complaints:

- One was about the parking of an Environmental Enforcement van in the town centre; and
- One was from a complainant who had previously received a litter fine; and had claimed to witness Litter Enforcement

Officers dropping litter in the town centre.

1.5.6 Of the remaining complaints for Environmental Services, the following trends have been identified:

- 23 were about repeated missed collections;
- 5 were about how long it was taking for new bins to be delivered; and
- 3 were about the temporary closure of Tovil Recycling Centre

It is worth noting that 12 complaints mentioned that the complaint was directly linked to the new waste contract; either in the original complaint or the complaint response. However it is worth considering that the new Waste Collection contract will have played a part in many of the complaints, as it is still early on in the new contract. There were no other correlations in the complaints for Environmental Services.

1.5.7 The number of complaints received by Environmental Services has decreased compared to quarter 2. This trend was expected as the new waste collection rounds have become more established and some of the problems have been resolved. However the number of complaints remains high compared to quarter 3 of 2012/2013.

1.5.8 The following services saw an increase in complaints compared to quarter 2:

- Bereavement Services;
- Development Management;
- Electoral Registration;
- Finance;
- Housing Options;
- Parks and Leisure; and
- Planning Enforcement.

1.5.9 Development Management received the second highest number of complaints (22) this quarter, and have already received more complaints in the year to date (48 complaints) than in the whole of 2012/2013 (40 complaints). For Development Management:

- Three complaints were about lack of contact;
- Three complaints were about policy;
- Thirteen complaints were about the service received; and
- Three complaints were about staff.

1.5.10 Many of the complaints for Development Management were classified as complaints about Service; however these complaints

were often about multiple aspects of the service they received. Further analysis of the complaints about service revealed:

- Three were about lack of contact from planning officers
- Two were about the time taken to determine planning applications
- Two were about time taken to resolve planning applications and lack of contact from planning officers

There was also a complaint which was classified as lack of contact from planning officers which was also about time taken to determine a planning application.

1.5.11 Four complaints for Development Management were about various issues around determining applications for gypsy and traveller sites. Of the complaints about determining applications for gypsy and traveller sites, two were about staff, one was about lack of contact and one was about policy. Three of these complaints were received about one particular site in Hunton. Of these three complaints:

- One was questioning the way Officers had dealt with the application. The complainant was assured that all relevant planning considerations were taken into account in reaching a recommendation on this application, and that it was dealt with in a fair unbiased way.
- One complaint was expressing dissatisfaction with the Officer's recommendation to approve the application. The application was subsequently rejected at Planning Committee.
- One complaint was that occupants of the site had been living there for some time, even though the site only had temporary permission. The complainant was informed that permanent permission had been granted on appeal to the planning inspectorate in 1995.

None of these complaints were upheld. The other complaint regarding a different application for a gypsy or traveller site was questioning the gypsy or traveller status of the applicant. This complaint was also not upheld.

1.5.12 Development Management also responded to five of their complaints late. Two of these late complaints referred to time taken or lack of contact by planning officers in their original complaint. The reason given for these complaints being late was that it was due to officer workload or annual leave. One of these complaints responded to late was responded to 14 days late, and another was responded to five days late. None of the customers

were kept informed on the progress of their complaint.

- 1.5.13 Parks and Leisure received 17 complaints this quarter, which is an unusually high number for this service. Of these complaints:
- One was about lack of contact;
 - One was about policy;
 - Fourteen were about service; and
 - One was about staff.
- 1.5.14 Eleven of the complaints about service were about 'The Social' music festival which was held in Mote Park during the last weekend of September. The festival generated complaints due to high noise levels. The noise that was generated from the festival was within limits set by the license, and Environmental Enforcement officers were on site to ensure that conditions for the license were met. The issue with the sound coming from the festival was that it was bass heavy. This meant the sound travelled further, and affected nearby properties to a greater extent, than was anticipated when the license was originally granted. Responses to these complainants apologised for the inconvenience the festival caused and assured them that if a similar event was to be held on Mote Park again, further measures would be taken to minimise noise pollution.
- 1.5.15 Housing Options received 16 complaints this quarter. Of these complaints:
- One was about discrimination (discrimination complaints are covered in section 1.9 of this report);
 - Four were about policy;
 - Eight were about service; and
 - Three were about staff.
- 1.5.16 Two complaints (one classified as policy and one classified as service) to Housing Options this quarter related to the scarcity of housing that is available for those in Band D (homeless) of the housing register. The reason for the scarcity is that the quota for advertising Band D properties has already been met for the year, resulting in very few Band D properties now being advertised. There were no other correlations in the complaints for Housing Options this quarter.
- 1.5.17 Although Housing Options saw a slight increase in complaints this quarter compared to quarter 2 of 2013/2014, the number of complaints received appears to be fairly stable. Housing Options appear to be on course to receive a similar number of complaints

compared to 2012/2013.

- 1.5.18 The other services (Bereavement Services, Electoral Registration, Finance and Planning Enforcement) that saw an increase in complaints all received 3 or less complaints, and all historically receive a low number of complaints overall. There were no other trends or common issues in the complaints for these services.
- 1.5.19 The number of complaints received by Customer Services has also decreased compared to quarter 2 of 2013/2014. This is due to the decrease in calls as teething problems with the new waste collection contract have been resolved.
- 1.5.20 Two complaints received by Customer Services were about wait times for the contact centre. One of these complaints was made by a Parish Council. The complaint responses agreed that performance in terms of answering calls had not been adequate, but assured customers that we were working hard to address this problem. Performance figures for the contact centre show this to be correct, as the average wait time for calls into the contact centre has reduced from 276 seconds in quarter 2 to 95 seconds in quarter 3.
- 1.5.21 Environmental Enforcement have seen a slight decrease in complaints compared to quarter 2 of 2013/2014. Complaints for Environmental Enforcement appear to be on a downward trend compared to 2012/2013.

1.6 Improvements

- 1.6.1 An improvement was made as a result of a complaint made to Parks and Leisure. A customer complained that they had ended up locked in Cornwallis park after it was closed. In response to this complaint, signs were produced that clearly warn park users that the park is locked at dusk. These signs have now been put up in Cornwallis park.
- 1.6.2 An improvement was made to the missed collection form on the website as a result of a complaint. An error in the way the form operates was spotted as a result of the complaint, and the necessary improvement was made to ensure it would work properly in the future.

1.7 Stage 2 Complaints

- 1.7.1 A stage 2 complaint investigation is initiated at the request of a complainant if a complainant is not satisfied with the resolution of their complaint at stage 1.

- 1.7.2 A stage 2 complaint investigation is carried out by the Head of Policy and Communications. This is so that the complaint can be investigated by a senior manager who is independent from the department being complained about.
- 1.7.3 39 stage 2 complaints were received this quarter. All stage 2 complaints were responded to on time this quarter. A breakdown of stage 2 complaints can be found at Appendix C.
- 1.7.4 Of these stage 2 complaints, 16 were justified. Two stage 2 complaints resulted in payments or refunds to the complainant this quarter. Details of these payments/ refunds can be found in Appendix D.
- 1.7.5 The number of stage 2 complaints was high this quarter, and represents a 144% increase compared to quarter 2, when 16 were received in total.
- 1.7.6 61 Stage 2 complaints were received in total for 2012/2013. The number of stage 2 complaints received for 2013/2014 currently stands at 78. For the year to date, 42.3% of complaints have been found to be justified at stage 2.
- 1.7.7 A representative from the Local Government Ombudsman has delivered training to managers across the council; with a particular focus on those managers that receive the highest volume of complaints. The aim of this is to improve complaint resolution at stage 1 and to reduce the number of complaints that go to stage 2.
- 1.7.8 Courses on complaint handling by telephone have also been arranged by the Learning and Development Team. Frontline staff who deal with complaints most often have been attending these training sessions.

1.8 Complaints Handling Satisfaction

- 1.8.1 A breakdown of complaints satisfaction surveys can be found at Appendix B. For quarter 3, 48 complaint satisfaction surveys were returned. This represents a response rate of 29.8%.
- 1.8.2 One survey for parking services had multiple answers selected, so has been counted for the purpose of the response rate, but not counted towards the figures for complaint handling satisfaction.
- 1.8.3 36.2% of respondents were satisfied or very satisfied with the way their complaint was handled. 10.6% of respondents were neither satisfied nor dissatisfied. 53.2% of respondents were dissatisfied or very dissatisfied with the way in which their complaint was

handled.

- 1.8.4 Of the services that had complaint satisfaction surveys returned, Environmental Services had the highest complaint handling satisfaction rate. Environmental Services had 50% of respondents satisfied or very satisfied with the way in which their complaint was handled, 20.8% of respondents neither satisfied nor dissatisfied and 29.2% of respondents dissatisfied or very dissatisfied.
- 1.8.5 Some complainants made comments on their satisfaction surveys:
- Four complainants gave further context to their complaints; but did not request a stage 2 complaint
 - Two complainants stated that further letters were to follow, however no stage 2 complaint requests were received
 - Four complainants made comments about how satisfied they were with their complaint responses
 - Three comments resulted in Stage 2 complaints
 - Two comments further expressed their dissatisfaction with the council
 - One complainant stated they never received a response from Conways, our contractor for the lower High Street works. This comment was followed up and Conways sent a response to the complainant
 - One complainant stated they still had not received their pre application advice, however our records show that this advice had indeed been given
- 1.9 Safety
- 1.9.1 Seven complaints received this quarter were about safety. Of these complaints, two were about Parks and Leisure, two were about Economic Development, one was about Environmental Services and two were about Parking Services. There were no recurring issues or correlations in these complaints.
- Two complaints were about falls. One of these falls happened on the lower High Street and one happened on a footbridge over the river Medway. One of these complaints were dealt with by Economic Development and one was dealt with by Parks and Leisure.
 - One complaint was about the way in which a Civil Enforcement Officer (CEO) from Parking Services issued a fine, which the complainant alleged was dangerous. However the complainant actually ran over the CEO's foot in

the process.

- One complaint for Parks and Leisure was about a complainant cutting their arm on a metal pergola in the town centre. This structure was subsequently removed.
- One complaint for Parking Services was about an injury sustained in a car park due to a metal spike. However it was found that the land where the injury was sustained was not council owned land.
- One complaint for Economic Development was about pedestrian safety on the High Street, asking for clarification on several points regarding pedestrian crossings and traffic regulations. This information was supplied to the complainant.
- One complaint was against Environmental Enforcement (but logged as Environmental Services) about an Environmental Enforcement van being parked in a bus stop, meaning that buses were having to drop passengers off in the road. The response apologised and assured the complainant that the responsible officer had been identified and action taken.

1.10 Discrimination

- 1.10.1 Two complaints were *primarily* about alleged discrimination or about unfair disadvantage for people with protected characteristics. These complaints were about Parking Services and Housing Options. Neither were upheld.

1.11 Unreasonable or unreasonably persistent complainants

- 1.11.1 There were no complaints received from unreasonable or unreasonably persistent complainants this quarter.

1.12 Compliments

- 1.12.1 Many compliments have also been received by the Council this quarter. Numbers of compliments received for departments that have also received complaints this quarter are detailed in Appendix E. Details of these complaints can be found below:

- Council Tax received a compliment from a customer, thanking them for helping them set up their council tax account

- Grounds Maintenance received a compliment for doing a wonderful job cutting down a hedge backing onto the customer's property
- Customer Services received three compliments:
 - One compliment was thanking one customer service assistant in particular for staying in late to process a payment for the customer
 - The web team received a compliment for resolving a complaint swiftly
 - A customer gave the team in the Gateway a box of chocolates to thank them for finding their item of lost property
- Environmental Services received 12 compliments:
 - Two were thanking the team for sorting out problems with missed collections swiftly
 - Four were thanking collection crews for a good service, including working hard on a Saturday
 - Three compliments were for cleansing teams, thanking them for their hard work
 - One was thanking the bulky item collection crew for a fast and efficient collection
 - One compliment was for the workers at the Tovil recycling centre
 - One compliment was for swiftly removing some fly tipping that had been reported

1.12.2 In addition to those compliments detailed in Appendix E; two departments received compliments but no complaints this quarter. These departments are Legal Services and Communications:

- An officer from Legal Services received a letter of thanks from a resident for the help given to them whilst trying to resolve a property dispute
- Communications received two compliments via twitter for the speed and efficiency in dealing with enquiries from the council's social media

1.12.3 A letter was published in the Kent Messenger on the 13th December praising the Maidstone Borough Council commercial waste service as 'efficient and cost effective'.

1.12.4 Four compliments were received via Twitter and one compliment was received via Facebook this quarter.

1.13 Methods of Contact

1.13.1 Complaints were received by the following methods of contact this quarter:

- 1 (0.6%) was made by social media
- 47 (29.2%) were made by email
- 8 (5.0%) were made face to face
- 28 (17.4%) were made by post
- 77 (47.8%) were made by telephone

1.14 Payments

1.14.1 The cost of payments, compensation, refunds and cancelled charges as a result of complaints in October-December 2013 are set out in Appendix D.

1.15 Alternative Action and why not Recommended

1.15.1 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.

1.16 Impact on Corporate Objectives

1.16.1 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.

1.17 Risk Management

1.17.1 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 Strategic Leadership and Corporate Services Overview and Scrutiny Committee. Monitoring is carried out by the Research and Performance Officer.

1.18 Other Implications

1. Financial
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

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1.18.1 Financial Implications

All financial implications are set out in Appendix D

1.19 Appendices

Appendix A: Quarter 3 2013/2014 Complaints Categorisation and Timeliness

Appendix B: Quarter 3 2013/2014 Complaints Satisfaction Surveys

Appendix C: Quarter 3 2013/2014 Stage 2 Complaints

Appendix D: Quarter 3 2013/2014 Payments

Appendix E: Quarter 3 2013/2014 Complaints Comparison Figures and Compliments

IS THIS A KEY DECISION REPORT?

Yes

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No

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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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