

Wednesday, 5 February 2025

## Report of the Assistant Director - People

### Comments, Compliments and Complaints Update

#### Exempt Information

None

#### 1. Purpose

The purpose of this report is to provide the committee with an overview of the council's policy and procedures for comments, compliments and complaints including the requirements of both the Housing and Local Government and Social Care Ombudsman.

#### 2. Recommendations

It is recommended that committee endorse the contents of this report.

#### 3. Executive Summary

At the request of the Chair, this report provides committee with an overview of the comments, compliments, and complaints policy and procedures approved by Cabinet in August 2024.

As a Council we want to recognise where excellent service has been provided and work hard to improve service where it is not as good as it should be. The policy focuses on learning from complaints as well as volume and aims to promote a culture of effective complaint handling and compliance with legislation.

The policy ensures a consistent procedure with defined service levels and standards, offering multiple communication channels for customers through a robust governance framework.

The policy has a two-stage complaint process, allowing escalation to the ombudsman where appropriate. Customers can submit complaints via various channels, including online forms, telephone, email, or in-person. Third-party submissions with customer permission are also accepted.

Once received complaints are addressed promptly, with acknowledgment within five working days and detailed investigations are carried out by designated officers. Full responses should then be provided within 10 working days at stage one and 20 working days at stage two.

Performance is monitored robustly with improvements made where appropriate. The policy aims to improve service quality, address root causes of complaints, and identify training opportunities, contributing to overall organisational performance enhancement.

More detail on the policy and associated procedure can be found in section four of this report.

## **4. Comments, Compliments and Complaints Policy and procedures**

The Comments, Compliments and Complaints policy was updated and approved by Cabinet in August 2024. The update was triggered by the implementation of new codes of practice by both the Housing and Local Government and Social Care Ombudsman in April 2024. The full policy can be found at Appendix 1.

The policy and procedures seek to move towards a strategic focus on learning from complaints rather than on the number received, thus supporting and empowering the right culture around complaint handling and more effective resolutions for customers, while adhering to legislation requirements such as the Housing Ombudsman Complaint Handling Code.

The policy ensures there is a consistent procedure in place, with defined levels and standards of service. The process is widely used by customers and provides a vehicle for feedback to be given to the Council and in return, provides a framework in which the Council can respond whilst ensuring the process is subject to effective governance. The dynamic and flexible approach allows each complaint to be investigated on its own merits, providing the best approach for each complainant.

### **4.1 How customers access us to make a complaint**

Customers and our residents have several channels in which complaint can be made, these are detailed within the policy and available on the council's website.

A summary of these channels is detailed below.

- Complete a Comments, Compliments and Complaints form via our MyTamworth customer portal.
- Telephone 01827 709709.
- Email [complaints@tamworth.gov.uk](mailto:complaints@tamworth.gov.uk)
- Write to us at Marmion House, Lichfield Street, Tamworth, Staffordshire, B79 7BZ.
- Ask any member of staff to assist.

We also accept complaints from third parties who have the customers permission to act on their behalf in making the complaint. (This can be from any person, for example a relative, friend, councillor or MP).

### **4.2 The complaints process**

Complaints are facilitated through the Information Governance team; an approach supported by the Housing Ombudsman.

When complaints are received, they are reviewed, defined, logged and acknowledged within 5 working days. Once accepted, they are passed to a designated officer within a service area. This officer reviews all the issues raised in the complaint and makes a determination based on investigation. The designated officer may resolve the complaint by phone or in person promptly in line with policy and the complaint handling codes, which will be followed up in writing.

The Information Governance team will, within 10 working days at stage one and 20 working days at stage two (subject to any extension) provide a full response to the customer, including details on how the complainant can escalate their complaint.

### **4.3 Performance monitoring**

As a Council we want to recognise where excellent service has been provided and work hard to improve service where it is not as good as it should be.

Performance is reported through the [performance reports](#) presented to Corporate Scrutiny Committee and endorsed by Cabinet on a quarterly basis. By recording and analysing complaint data we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

### **4.4 Ombudsman**

The council is covered by two ombudsman services:

#### **4.4.1 The Housing Ombudsman Service**

The Housing Ombudsman can consider a complaint from an individual that is, or has been, in a landlord and tenant relationship with a landlord that is a member of the Housing Ombudsman Scheme.

They look at complaints from social housing residents about their landlords' actions and provision of housing management. They decide whether they can consider a complaint case-by-case depending on the case's facts and the evidence available to them.

The Housing Ombudsman has a Complaint Handling Code which became statutory on 1 April 2024, meaning that all members of the Housing Ombudsman Scheme are obliged by law to follow its requirements. The Housing Ombudsman also has a legal duty to ensure landlords' complaint procedures and responses are compliant with the Code.

In addition, an annual complaints performance and service improvement report is presented to Cabinet each year to meet the requirements of the Housing Ombudsman.

The report includes:

- An annual self-assessment against the Housing Ombudsman Complaints handling code to ensure the council's complaints policy meets their requirements
- A qualitative and quantitative analysis of our complaint's performance including a summary of the types of complaints we have refused to accept.
- Any findings of non-compliance with the code.
- Details of service improvements made as a result of the learning from complaints.
- Any annual report about our performance from the Ombudsman; and
- Any other relevant reports or publications

The annual report will be presented to Cabinet by no later than the end of June each year. It will also be published on our website, together with any comments made by our Cabinet.

#### **4.4.2 Local Government and Social Care Ombudsman (LGSCO)**

The LGSCO investigate complaints about most council services, even if they are delivered by a contractor.

The LGSCO also has a complaint handling code but unlike the Housing Ombudsman the code is for guidance purposes and is not subject to a legal duty.

Each year the LGSCO issue each local authority with a letter regarding their performance in respect of enquiries or complaints made against a council.

#### **4.5 Members responsible for complaints**

The Leader of the Council and the portfolio holder responsible for housing, homelessness and planning are our Members Responsible for Complaints (MRC) and will have regular information about the complaints we receive and how we have handled these.

The expectation is that the MRC is responsible for ensuring that complaint handling drives service improvement for residents and learning and business improvement for the organisation.

The role of the MRC is to champion a positive complaint handling culture and build effective relationships with complaints teams, residents, its audit committee as well wider teams and the Housing Ombudsman Service.

The MRC should seek assurances from the complaints team and where appropriate the operational teams that complaints are being managed, change is happening and that residents are being heard through the process.

The Members Responsible for Complaints will also support and encourage a positive complaint handling culture which reflects the need for all relevant staff to:

- Have a collaborative and co-operative approach towards handling complaints, working with colleagues and across departments
- Take collective responsibility for any shortfalls identified through complaints rather than blaming others, and
- Act within professional standards for engaging with complaints.

#### **4.6 Audit and Governance Role**

The constitution states that one of the functions of this committee is the council's complaints procedure and as such policy and procedural matters relating to this are brought to this committee.

The chair of the committee also receives the annual LGSCO letter reporting on the council's performance in matters that have been referred to them, the letter is issued annually in July and a full report is presented in September or October of each year.

The Housing Ombudsman Service only issues organisations with a letter detailing performance if 5 or more cases investigated are found to have service failure, maladministration or severe maladministration. To date the council has not been issued with such a letter.

With the introduction of the Housing Ombudsman complaint handling code last year and the associated statutory requirements, Audit and Governance will receive in May/ June each year the annual complaints performance and service improvement report and self-assessment against the complaint handling code.

#### **Options Considered**

Not applicable

#### **Resource Implications**

There are no direct human or financial resource implications as a result of this report

### **Legal/Risk Implications**

If the requirements of the complaint handling code are not met there is a risk that a complaint handling failure order will be issued.

### **Equalities Implications**

An Equality, Social Inclusion and Health Impact Assessment (EQSHIA) accompanies this report at appendix 2

### **Environment and Sustainability Implications (including climate change)**

There are no direct environmental or sustainability implications as a result of this report

### **Background Information**

[Complaint Handling Code 2024 | Housing Ombudsman Service](#)  
[Member Responsible for Complaints \(MRC\) | Housing Ombudsman](#)

### **Report Author**

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### **Appendices**

Appendix 1 Comments, compliments and complaints policy  
Appendix 2 Equality, Social Inclusion and Health Impact Assessment

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