



# ADUR & WORTHING COUNCILS

Joint Audit and Governance Committee  
26 September 2024

Key Decision No

Ward(s) Affected: All

## **Annual Review of Corporate Complaints and Customer Feedback Report 2023/24**

### **Report by the Director for Housing and Communities**

#### **Executive Summary**

##### **1. Purpose**

- This report provides an overview of compliments and complaints received by the councils for the financial year 2023-24 including trend analysis.
- It sets out an update on progress and improvements to the feedback process and policy and what steps are planned over the coming year to embed a feedback driven culture.
- This is an annual corporate overview report but will cover the implementation of the Housing Ombudsman's (HO) Complaint Handling Code which became statutory on the 1 April 2024 and the work towards the implementation of Local Government and Social Care Ombudsman (LGSCO) Complaint Handling Code which comes into force on the 1 April 2026.
- [Report can be found here.](#)

##### **2. Recommendations**

###### **2.1 Recommendation**

- Members are asked to consider this report which is for information only

- Members are asked to continue to support the implementation and compliance of the Housing Ombudsman's Complaint Handling Code and the work towards the implementation of the Local Government and Social Care Ombudsman Complaint Handling Code.

### **3. Context**

- 3.1. Customer feedback is important and an opportunity to learn. This report is the annual report presented to members and provides an overview of formal complaints and compliments received by the councils for the financial year 2023-24. A report was presented to members in March (See background papers for link) outlining the new code of conduct and appointing a member for each council as "Member Responsible for Complaints".
- 3.2. Both quantitative and qualitative customer feedback is collected by many areas of the councils. Quantitative data is the most commonly collected (e.g. the number and types of calls received by the customer service team, and how long they take to answer and resolve). Qualitative data collected is often in the form of surveys that are used to ask our customers what they think of the service that they have received.
- 3.3. This is the annual report for complaints and compliments and reports on formal complaints and compliments logged through the customer feedback system and does not report on service enquiries or any other queries dealt with as business as usual.
- 3.4. During the financial year 2023-24 the organisation commenced an ongoing restructure which included reorganising both directorates and services including the addition of Assistant Directors.
- 3.5. The customer feedback system is built on the Human Resources (HR) system. The system is not agile, so changes in organisational design and structure are not reflected in the reporting. This should be considered when interpreting the data and is why there are complaints that have no directorate.
- 3.6. Other considerations are the implementation of the Housing Ombudsman Complaint Handling Code which became statutory from 1 April 2024. As part of the code there are two key areas
  - How we handle complaints

- A duty to learn from our complaints
- [Complaints Report](#)

3.7. Prior to the adoption of the new Complaint handling code, the Council worked to a 10 day response time. These response times will be referenced throughout this report , as this report reflects performance in 2023-24.

#### 4. Customer Feedback - Compliments

4.1. Compliments are logged when an officer or service has gone over and above what the resident or service user expected. Thank you messages for doing the day to day job are not logged although these expressions of appreciation are also collated and passed to the teams.

<b>Number of compliments logged per year per directorate</b>				
<b>Directorate</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>
<b>Housing and Communities</b>	104	172	208	305
<b>Sustainability and Resources</b>	80	109	195	264
<b>Place</b>	23	43	38	86
<b>Chief Executive</b>	3	0	0	2
<b>No Directorate</b>	106	151	139	24
<b>Totals</b>	316	475	580	681

#### 5. Customer feedback - Complaints

5.1. A complaint is defined as *“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents”*.

- 5.2. Council officers have thousands of interactions with residents on a daily basis in the community, on the phone, in our receptions and digitally. Contextually, the number of complaints we receive is low, but increasingly more complex.
- 5.3. Complaints can be about a process or interaction. In both cases we use insight from complaints to identify processes that need improvement. We have an obligation to demonstrate to the regulator that we learn from complaints, and a duty to our residents to mitigate the risk of recurrence.
- 5.4. The council's have a two stage process. Since adopting the new code on April 1st 2024 the following response times must be adhered to.

**Stage 1** - Complaints must be acknowledged, defined and logged at stage 1 within 5 working days of the complaint being received. A full response to stage 1 complaints must be given within 10 working days.

**Stage 2** - If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the complaint procedure.

Stage 2 is the final response.

Requests for stage 2 must be acknowledged, defined, and logged at stage 2 of the complaint procedure within 5 working days of the escalation request being received. A full response to stage 2 complaints must be given within 20 working days.

If the customer is not satisfied with the Stage 2 response they can contact either the Local Government Ombudsman or the Housing Ombudsman Service to ask for an independent review.

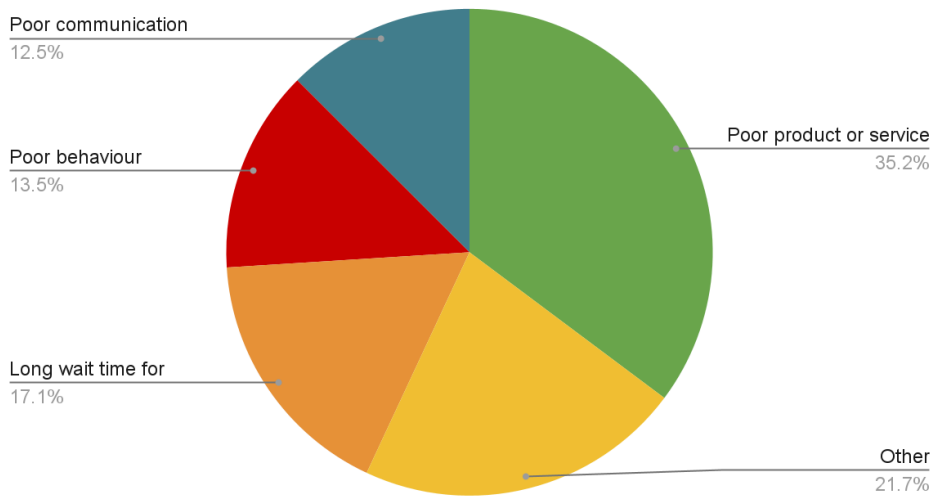
## **6. Stage 1 complaints**

- 6.1. Stage 1 complaints increased by 14.7% in 2023-24 when compared to the previous financial year. Volume of complaints has increased steadily year on year.
- 6.2. 3.3 of the HO code states high volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.

<b>Number of stage 1 complaints logged per directorate</b>				
<b>Directorate</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>
<b>Housing and Communities</b>	99	166	188	250
<b>Sustainability and Resources</b>	77	98	164	217
<b>Place</b>	20	30	29	70
<b>Chief Executive</b>	0	0	0	1
<b>No Directorate</b>	78	107	92	5
<b>Totals</b>	274	401	473	543

- 6.3. There were 543 stage 1 complaints logged in 2023-24 and 39% (212) were with Operations and Sustainability. Housing and Housing, Homelessness and Prevention show as two services for reporting purposes but both are effectively the Housing Service and received 35.4% (192) meaning that over 70% of all complaints are received by these two services.
- 6.4. The largest increases in volume are Housing and Operations and Sustainability (61 and 59 respectively). The largest increase in percentage when compared to the previous financial year are Place and Economy increasing by 164.7% (17 in 2022-23 to 45 in 2023-24) and Housing increasing by 68.2% (131 in 2022-23 to 192 in 2023-24). Some services have seen a drop in complaints in 2023-24 with Resident Services seeing complaints fall by 34.9% from 86 complaints in 2022-23 to 56 complaints in 2023-24
- 6.5. Complaints are categorised into five categories.
- Poor communication
  - Poor behaviour,
  - Poor product or service,
  - Long wait time and
  - Other.

### Reason category for complaints



6.6. Corporately the aim in 23/24 was to complete a stage 1 complaint within 10 working days from the date that the complaint is received. 77.5% of complaints were answered within the corporate aim of 10 working days or by the date that was agreed with the resident. There are differences across directorates with only 59.6% of complaints within Housing and Communities currently answered within 10 working days.

Response times for stage 1 complaints per directorate			
Directorate	Complaints answered within 10 working days	Complaints answered outside of 10 working days	% within 10 working days
Housing and Communities	115	78	59.6%
Sustainability and Resources	199	15	93%
Place	55	13	80.9%
Chief Executive	0	1	0%
No Directorate	4	1	80%
<b>Totals</b>	<b>373</b>	<b>108</b>	<b>77.5%</b>

- 6.7. When a complaint is completed on the system the responding officer should add an outcome for the complaint. These are “not upheld”, “partially upheld” and “ upheld”. There were 36 cases where no outcome was added.

<b>Outcomes for Stage 1 complaints per directorate</b>						
<b>Directorate</b>	<b>Not upheld (we are not at fault)</b>		<b>Partially upheld (we are partially at fault)</b>		<b>Upheld (we are at fault)</b>	
<b>Housing and Communities</b>	60	37.3%	68	42.2%	53	32.9%
<b>Sustainability and Resources</b>	102	51.3%	37	18.6%	60	30.1%
<b>Place</b>	33	55.9%	18	30.5%	8	13.6%
<b>Chief Executive</b>	1	100%	0	0%	0	0%
<b>No Directorate</b>	2	40%	3	60%	0	0%
<b>Totals</b>	<b>198</b>	<b>44.5%</b>	<b>126</b>	<b>28.3%</b>	<b>121</b>	<b>27.2%</b>

- 6.8. The area with the most responses is operations and sustainability who have a total of 194 responses on the system and of these 49% were either “partially upheld” or “upheld” (95 complaints). The second largest number of responses is from Housing who have 137 and of these 67.9% were either “partially upheld” or “upheld” (93 complaints).
- 6.9. The main reason for finding fault with Housing is due to “delayed/poor timing” with “communication breakdown” second. The service is sighted on this, and will be addressed as part of the service redesign. In Resident services “communication breakdown” was the main reason for finding fault.

## 7. Stage 2 complaints

### 7.1.

<b>Number of stage 2 complaints logged per directorate</b>				
<b>Directorate</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>
<b>Housing and Communities</b>	5	6	20	71
<b>Sustainability and Resources</b>	3	11	31	47
<b>Place</b>	3	13	9	16
<b>Chief Executive</b>	3	1	0	2
<b>No Directorate</b>	28	47	45	4
<b>Totals</b>	42	78	107	140

7.2. There were 140 stage 2 complaints logged in 2023-24. This is an increase of 33 (30.8%) when compared to the same period in the previous financial year with the largest volume received by Housing (both Housing and Housing Homelessness and prevention) with 55 complaints which was 39.3% of the total. Operations and Sustainability received 43 complaints which was 30.7% of the total.

7.3. The categories that are assigned to complaints at a stage 2 are the same as those listed in stage 1 (para. 5.5). The main reason for a stage 2 complaint is for a poor product or service (40%). When looking at individual services 65.1% of Operations and Sustainability complaints are about a poor product or service whilst in Housing, Homelessness and Prevention the main reason for a stage 2 complaint is about poor communication (35.5%)

7.4. The corporate aim is for stage 2 complaints to be responded to within 15 working days. In the financial year 2023-24 123 stage 2 complaints were responded to with 69.1% within 15 working days.



<b>Response times for stage 2 complaints per directorate</b>			
<b>Directorate</b>	<b>Complaints answered within 15 working days</b>	<b>Complaints answered outside of 15 working days</b>	<b>% within 15 working days</b>
<b>Housing and Communities</b>	37	20	64.9%
<b>Sustainability and Resources</b>	31	14	68.9%
<b>Place</b>	12	3	80%
<b>Chief Executive</b>	2	0	100%
<b>No Directorate</b>	3	1	75%
<b>Totals</b>	<b>85</b>	<b>38</b>	<b>69.1%</b>

- 7.5. In summary - the service that has answered the most stage 2 complaints is Housing who answered 44 complaints with 56.8% (25) of these within the 15 working days. The second highest was Operations and Sustainability with 71.4% within 15 working days.
- 7.6. Of the 123 complaints answered in 2023-24 119 have had outcomes added. Corporately 47.9% of stage 2 complaints have the councils as fault to some degree. The directorate with the highest percentage of stage 2 complaints where there was fault is Place where 64.2% were either upheld or partially upheld.

<b>Outcomes for Stage 2 complaints per directorate</b>						
<b>Directorate</b>	<b>Not upheld (we are not at fault)</b>		<b>Partially upheld (we are partially at fault)</b>		<b>Upheld (we are at fault)</b>	
<b>Housing and Communities</b>	30	53.6%	19	33.9%	7	12.5%
<b>Sustainability and Resources</b>	22	51.6%	11	25.6%	10	23.3%
<b>Place</b>	5	35.7%	8	57.1%	1	7.1%

<b>Chief Executive</b>	1	50%	0	0%	1	50%
<b>No Directorate</b>	4	100%	0	0%	0	0%
<b>Totals</b>	<b>62</b>	<b>52.1%</b>	<b>38</b>	<b>31.9%</b>	<b>19</b>	<b>16%</b>

7.7. Place and Economy have the highest percentage of stage 2 complaints where some element of fault was found (either upheld or partially upheld) with 66.7%. Operations and Sustainability also found fault in 52.5% of cases.

7.8. The main reason for escalating complaints to a stage 2 was delayed/poor timing.

## 8. Ombudsman complaints

8.1. Customers who are not satisfied with a stage 2 response can contact the ombudsman to review their complaint in a fair and independent way. There are two ombudsmen that a customer can go to and they can potentially ask both to investigate in certain circumstances. These are the Local Government Ombudsman (LGO) and the Housing Ombudsman (HO). They each deal with different types of service complaints.

The LGO investigates:

- Planning and Building Control
- Some housing issues
- Housing benefit
- Council tax
- Environment and waste
- Neighbour nuisance and antisocial behaviour
- Transport and highways
- Social care
- Some education and schools
- Children's services

The LGO will generally not investigate until the council has had the opportunity to try and resolve the complaint.

8.2. The HO investigates:

- Disputes involving the tenants and leaseholders of social landlords
- Leasehold services
- Rent/service charges

- Moving to a property - tenancy/transfer/mutual exchange
- Tenant behaviour
- Repairs/housing standards
- Environmental health issues at a property
- Complaints about housing staff
- Councils' handling of the complaints process

A complaint can be referred to the HO as soon as the formal process from the councils has been completed.

- 8.3. Either ombudsman can decide to reopen a case up to a year after it has been completed and can take up to a year to come to a final decision i.e. most of the cases in this report were initially stage 1 complaints in 2022-23 or earlier. We will not see the full impact on the ombudsman cases of increase in the number of stage 1 complaints in 2023-24 until the annual report 2024-25 or beyond.

## **9. Ombudsman reporting**

- 9.1. All cases are calculated from the date that the ombudsman case was closed on the customer feedback system. This may not align with the ombudsman's own dates as they use a different system but for consistency and accuracy of reporting and to show trends, this report is based on the dates in our system.
- 9.2. A copy of the report can be found [Here](#)

## **10. Local Government Ombudsman Cases**

- 10.1. The LGO has contacted the councils regarding complaints in 20 cases in 2023-24 which is less than 2022-23 when they contacted the councils in 30 cases.
- 10.2. When the LGO contacts the councils at an initial stage they will ask for specific information to allow them to decide if they will investigate further or if they will close the case at this stage. If they decide not to investigate they will send a decision notice detailing why they will not investigate and close the case as "not upheld". If they decide to investigate further they will ask more detailed questions and require further documentation in order to make their decision. They will then make their decision based on the evidence provided by both the complainant and the councils. At this stage they will issue a decision notice where the complaint is either "not upheld" or they will find the councils "at fault". If they find "at fault" they will issue a list of remedies that they wish the councils to evidence that they have done and depending on the impact and severity they may award financial recompense.

8.3 The annual complaint report has been received by the LGSCO. The LGSCO categorise as below and their full report can be found: [Annual LGSCO complaint report](#).

**Complaints upheld** - The Ombudsman uphold complaints when they find fault in an organisation's actions, including where the organisation accepted fault before they investigate. They include the total number of investigations completed to provide important context for the statistics.

**50% of complaints were upheld**

**2 Upheld decisions**

**This represents 1.8% upheld decisions per 100,000 residents**

**The average for authorities of this type is 1.2% upheld decisions per 100,000 residents.**

**Statistics are based on a total of 4 investigations for the period between 1 April 2023 to 31 March 2024.**

**Compliance with recommendations** - The Ombudsman have recommended ways for organisations to put things right when faults have caused injustice and monitor their compliance with their recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern. Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. The Ombudsman encourages the early resolution of complaints and give credit to organisations that accept fault and find appropriate ways to put things right.

**No recommendations were due for compliance in this period.**

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and the Ombudsman agreed with how it offered to put things right. The Ombudsman encourages the early resolution of complaints and give credit to organisations that accept fault and find appropriate ways to put things right.

**In 0% of upheld cases the Ombudsman found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.**

**Statistics are based on a total of 2 upheld decisions for the period between 1 April 2023 to 31 March 2024.**

**This compares to an average of 21% in similar organisations.**

## **11. Housing Ombudsman Cases**

- 11.1. The HO has contacted the councils regarding complaints in 9 cases in 2023-24 which is 1 less than 2022-23.
- 11.2. When the HO contacts the councils at an initial stage they will ask for specific information to allow them to decide if they will investigate further or if they will close the case at this stage. The case can be reopened if the HO does contact at a later date.
- 11.3. Currently all 9 cases are showing as being at initial enquiry stage meaning the Council has answered all questions required and is now awaiting further communication from the HO. The HO has been in touch during May 24 for two of the cases although it hasn't indicated if it will be taking these further.

## **12. Financial Implications**

- There are no financial implications as a direct result of this report.

## **13. Legal Implications**

- The Housing Ombudsman Scheme is approved by the Secretary of State under section 51 of, and Schedule 2 to, the Housing Act 1996 (as amended by the Localism Act 2011 and the Building Safety Act 2022). The Act requires social landlords, as defined by section 51(2) of the Act, to be members of an approved scheme. It is mandatory for all local authorities and registered social housing providers to be members of the Ombudsman Scheme. There have been previous versions of the Complaint Handling Code, however the revised version became statutory from 1 April 2024 meaning that landlords are obliged by law to follow its requirements in accordance with the Social Housing (Regulation) Act 2023.
- The Local Government Ombudsman has asserted it has the power to issue "advice and guidance about good administration" to organisations under section 23(12A) of the Local Government Act 1974. Therefore, the LG&SC Code will be considered statutory guidance. The Code will be statutory for all councils. The Code will not apply to other bodies in

the Ombudsman's jurisdiction such as fire and rescue authorities and private care providers.

### **Background Papers**

- [Housing Ombudsman Complaint Handling Code](#)
- [Local Government and Social Care Complaint Handling Code](#)
- [Creating a positive complaints culture: a new code for complaints handling](#)
- [Corporate complaints procedure](#)

### **Officer Contact Details:-**

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## **Sustainability & Risk Assessment**

### **1. Economic**

- Matter considered and no issues identified

### **2. Social**

#### **2.1 Social Value**

- A robust and easy to access feedback system gives a voice to those who need to complain. Through an equality risk assessment, other channels have been made available for those that need to access the system but don't have access to the online feedback system.

#### **2.2 Equality Issues**

- Adur and Worthing collect equality data. This data will highlight queries about access and participation.
- The council is subject to the general equality duty set out in section 149 of the Equality Act 2010. This duty covers the following protected characteristics: age, gender, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation.

#### **2.3 Community Safety Issues (Section 17)**

- Better complaints handling and learning will ensure that procedures are robust and adhered to council wide. Community safety issues will be addressed quickly and root cause investigated.

#### **2.4 Human Rights Issues**

- Matter considered and the human right to have concerns thoroughly investigated and addressed will be supported throughout the complaints process. Appointing two member champions (MRC's) will create an additional layer to ensure that appropriate action is taken.

### **3. Environmental**

- Matter considered and no issues identified

### **4. Governance**

- There is a risk to Adur and Worthing Councils' reputation by not investigating complaints thoroughly or acting on the lessons learned.
- Non-compliance could result in the Ombudsman issuing complaint handling failure orders.
- [Policy on dealing with non-compliance with the Ombudsman's orders](#)