


Agenda Item No:	7	
Committee:	Overview and Scrutiny	
Date:	10 October 2022	
Report Title:	Annual Ombudsman Letter and 3Cs process	

## 1 Purpose / Summary

To update Members on the annual statistics in relation to the Local Government and Health and Social Care Ombudsman (LGO) and the Council's corporate '3Cs' procedure. This explains how we deal with the comments, compliments, correspondence and complaints we receive.

## 2 Key issues:

- On an annual basis the Ombudsman forwards to the Council a summary of complaints received from members of the public. This is also copied to the Chairman of Overview and Scrutiny.
- The LGO made five decisions relating to service provided by Fenland District Council during 2021/22. Anyone can refer a complaint to the LGO as long as they have been through the Council's 3C's process. No complaints were upheld. In 2020/21 we had 0 upheld decisions.
- In 2021/22, 3Cs received 494 pieces of contact. 208 were complaints; a 7% decrease from 2021/22. 68 pieces of correspondence (17% less than in 2021/22) and 218 compliments (26% less than in 2021/22) were received. Overall, contact through 3Cs was down by 23% compared to the previous year.

## 3 Recommendations

- It is recommended that the Overview and Scrutiny Panel consider and note the statistics in relation to the Ombudsman and 3Cs process.

<b>Wards Affected</b>	All
<b>Forward Plan Reference</b>	n/a
<b>Portfolio Holder(s)</b>	Cllr Steve Tierney, Portfolio Holder for Transformation & Communications

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<b>Background Paper(s)</b>	LGO Annual Report 2021/2022 <a href="https://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews">https://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews</a>

## An overview of the Council's 3Cs process

### 1. Our 3Cs process

1.1 Our corporate 3Cs procedure is the framework used for managing comments, compliments, correspondence and complaints across the Council. We aim to provide a fair, consistent and structured process to enable customers to give their views and receive an accurate response. The feedback we receive is used to monitor performance and improve our services.

1.2 Customers can contact the 3Cs team by:

- Completing an online or paper 3Cs form
- Emailing [3cs@fenland.gov.uk](mailto:3cs@fenland.gov.uk)
- Phoning our contact centre
- Through their local councillor

1.3 The process for managing each type of contact is summarised in the table below:

Type of contact	Procedure
Comment	A comment is a brief statement of fact or a suggestion received by a customer. It is recorded under the 3Cs process and then passed to the relevant service area for consideration. If appropriate, the service area will contact the customer directly to discuss their comment further.
Compliment	A compliment is a positive comment about the service received. It may refer to an individual or a wider team. A compliment is recorded under the 3Cs process and is then passed to the relevant officer or team. We can use compliments from customers to improve what we do.
Correspondence	<p>Correspondence is two-way communication between a customer and the council. If its content forms a service request, it is referred directly to the appropriate service area for resolution outside of the 3Cs process.</p> <p>The majority of correspondence managed under the 3Cs system is from the MP's office and local councillors. Correspondence is acknowledged within five working days of receipt. It is passed to an appropriate officer who will respond within ten working days.</p>
Complaint	<p>A complaint is dissatisfaction with the service received from an individual, team or from the council as a whole. The complaints process can be up to three stages long.</p> <p><b>Stage 1</b></p> <ul style="list-style-type: none"><li>• Customer contacts 3Cs</li><li>• 3Cs sends an acknowledgement to the customer within 5 working days. This contains the name of the officer responding to their complaint and the deadline for response (10 working days from acknowledgement)</li><li>• Officer responds directly to customer. This is stored in the 3Cs system as a Stage 1 response</li></ul>

Type of contact	Procedure
	<p>If the customer is dissatisfied with the response, their complaint is escalated to Stage 2.</p> <p><b>Stage 2</b></p> <ul style="list-style-type: none"> <li>• Customer receives acknowledgement within 5 working days</li> <li>• Complaint passed to manager of the officer who provided a Stage 1 response. The deadline for response is 10 working days from acknowledgement</li> <li>• Officer responds directly to customer. This is stored in the 3Cs system as a Stage 2 response</li> </ul> <p>If the customer is dissatisfied with the response, their complaint is escalated to Stage 3. This is the final stage in the complaints process.</p> <p><b>Stage 3</b></p> <ul style="list-style-type: none"> <li>• Customer receives acknowledgment within 5 working days</li> <li>• Complaint passed to CMT lead for response. The deadline for response is 15 working days from acknowledgement</li> <li>• CMT lead responds directly to customer. They state that this is final response within our 3Cs process and give contact details for the LGO as a final course of redress. Their response is stored in the 3Cs system as a Stage 3 response.</li> </ul> <p>The next section explains the LGO process.</p>

- 1.4 Contact was split into three high level service areas:
- Communities, Environment, Leisure and Planning (CELP)
  - Growth and Infrastructure (GI)
  - Policy, Resources and Customer Services (PRCS)

Due to incorporating many frontline services, CELP has the largest volume of correspondence and complaints.

- 1.5 The table below provides a comparison of contact between 2021/22 and 2020/21:

	2020/21	2021/22	Variance
Compliments	294	218	-26%
Correspondence	82	68	-17%
Complaints	224	208	-7%
<b>TOTAL</b>	<b>643</b>	<b>494</b>	<b>-23%</b>

- 1.6 The table below shows a summary of which service areas received complaints and how many complaints they received during 2021/22.

### Summary of Service Area Complaints

<b>CELP (Communities, Environment, Leisure, and Planning)</b>	<b>Complaints 2021/2022</b>
Cemeteries	4
Community Support	2
Environmental Health	14
Housing	15
Open Spaces	9
Planning Compliance	5
Planning Development	19
Refuse & Recycling	54
Street Cleansing	6
Street Scene	1
Trade Waste	1
	<b>130</b>
<b>GI (Growth and Infrastructure)</b>	<b>Complaints 2021/2022</b>
Assets & Projects	1
	<b>1</b>
<b>PRCS (Policy, Revenues and Customer Services)</b>	<b>Complaints 2021/2022</b>
Back Office	11
Benefits	10
Customer Services	11
Revenues	45
	<b>77</b>
	<b>Total 208</b>

- 1.7 We have analysed all the complaints across service areas for patterns or trends throughout the year. For example, more than one complaint relating to a specific location or topic. No common patterns or themes have been identified.

- 1.8 The table below shows greater detail for all service areas receiving more than 12 complaints, i.e. averaging more than one a month over the last year.

<b>CELP (Communities, Environment, Leisure and Planning)</b>	<b>Complaints 2021/2022</b>
<b>Environmental Health</b> <ul style="list-style-type: none"> <li>• Health &amp; Safety</li> <li>• Nuisance</li> <li>• Staff</li> <li>• Other</li> </ul> <p>No common patterns with complaint topics, locations, or time of year. All 14 complaints were different.</p>	<b>14</b> <ul style="list-style-type: none"> <li>1</li> <li>2</li> <li>5</li> <li>6</li> </ul>
<b>Housing</b> <ul style="list-style-type: none"> <li>• Homelessness</li> <li>• Private rented</li> <li>• Staff</li> <li>• Other</li> </ul> <p>No common patterns with complaint topics, locations, or time of year. All 15 complaints were different.</p>	<b>15</b> <ul style="list-style-type: none"> <li>4</li> <li>3</li> <li>1</li> <li>7</li> </ul>
<b>Planning Development</b> <ul style="list-style-type: none"> <li>• Applications</li> <li>• Decisions</li> <li>• Policy</li> <li>• Staff</li> <li>• Other</li> </ul> <p>No common patterns with complaint topics, locations, or time of year. All 19 complaints were different.</p>	<b>19</b> <ul style="list-style-type: none"> <li>2</li> <li>3</li> <li>5</li> <li>1</li> <li>8</li> </ul>
<b>Refuse &amp; Recycling</b> <ul style="list-style-type: none"> <li>• Assisted collections</li> <li>• Bin deliveries</li> <li>• Bin not returned</li> <li>• Contamination</li> <li>• Garden Waste</li> <li>• Missed bins</li> <li>• Vehicles</li> <li>• Staff</li> <li>• Other</li> </ul>	<b>54</b> <ul style="list-style-type: none"> <li>5</li> <li>2</li> <li>5</li> <li>1</li> <li>9</li> <li>20</li> <li>2</li> <li>4</li> <li>6</li> </ul>

<p>Missed Bins:</p> <p>The missed bins complaint figure was 20. As part of the transformation programme, we have worked with the environmental team to improve reporting process to try and reduce the number of complaints. We appreciate there will always be a number of missed bins, however by improving the reporting mechanism and information we provide to customers we anticipate that the number of complaints will reduce. We now have a 'real time' reporting mechanism for customers to report missed bins.</p> <p>Between 1 April – 31 August 2022 we have had 5 missed bin complaints.</p> <p>None of the other complaints were linked and there were no common patterns with complaint topics, locations, or time of year.</p>	
<b>PRCS (Policy, Revenues and Customer Services)</b>	<b>Complaints 2021/2022</b>
<p><b>Revenues</b></p> <ul style="list-style-type: none"> <li>• Bailiff</li> <li>• Bill query</li> <li>• Discount / Exemptions</li> <li>• Payments</li> <li>• Staff</li> <li>• Other</li> </ul> <p>Bill query (22 complaints) and Other (16 complaints). We have looked at each of these complaints and they are all individual cases that are not linked or any patterns.</p> <p>None of the other complaints were linked and there were no common patterns with complaint topics, locations, or time of year.</p>	<p><b>45</b></p> <p>1</p> <p>22</p> <p>2</p> <p>3</p> <p>1</p> <p>16</p>

- 1.9 Members receive a quarterly performance report within the Portfolio Holder Briefing document. This provides a quarterly cumulative comparison of contact between the current and previous financial year.
- 1.10 A monthly report is produced to measure response times for correspondence and complaints. It also measures how many complaints are progressed past a Stage 1.
- 1.11 The Council produces an Annual Report after full complaints data is available for the previous financial year. This is available for the public to view on our website.

## **2. The Local Government Ombudsman (LGO)**

- 2.1 Customers can contact the LGO if they have made a complaint and are dissatisfied with our response(s). The LGO will only investigate complaints that have fully completed our 3Cs procedure and relate to our services. They will *not* investigate if:
- The complainant has known about the issue for over 12 months but hasn't complained
  - The matter has not affected the complainant personally or caused them an injustice
  - The issue affects most people in the Fenland area
  - The complainant should have appealed or taken legal action (e.g. a tribunal, appeal to the Planning Inspectorate)
  - The complaint is about personnel matters (e.g. employment issues)
- 2.2 If a customer makes contact, the LGO Assessment team will then ask us to check if the customer has completed our 3Cs process. They will ask for copies of customer contact and our responses.
- 2.3 If the Assessment team decides further investigation is needed, the complaint information will be passed to a LGO investigator. They will ask further questions and may request further information.
- 2.4 Once the investigator thinks they have got enough information to make a fair decision, they will share a draft with the Council and the complainant. Both parties then have the opportunity to comment on this decision and share further relevant information.
- 2.5 Following this, a final decision will be made. Depending on complexity, this process usually takes about 26 weeks. There are 6 possible decision types:
- Uphold the complaint and give recommendation(s) about how the organisation should put it right
  - Uphold part of the complaint
  - Uphold the complaint but not make any recommendations as the organisation has already put things right
  - Uphold the complaint but not make any recommendations because the fault has not had a significant effect on the complainant
  - Not to uphold the complaint
  - The complaint cannot or will not be investigated



- 2.6 The LGO will write to the Council and customer to explain their decisions. If the Council is at fault, they may ask us to put things right (if we haven't already). This may involve:
- Apologising to the complainant
  - Providing a service to the complainant that they should have had
  - Making a different decision (that it should have made before)
  - Reconsidering a decision that wasn't made properly
  - Improving our procedures so similar issues don't happen again
  - Making a payment
- 2.7 The LGO does not have legal powers to force organisations to comply with their recommendations – however, most Council's do. Their decisions are available to view on their website. They release an Annual Report for each authority every year.
- 2.8 The LGO states that complaint volume figures should not be used in isolation to evaluate corporate health. High volumes of complaints can show that an organisation is open to learning. In contrast, low complaint volumes can show that an organisation is not receptive to user feedback. By monitoring trends and customer feedback, we are able to quickly change processes if they are not working as well as they should.
- 2.9 Between April 2021 and March 2022, the LGO made 5 decisions relating to services provided by Fenland District Council. The table below shows the complaints that the LGO made a decision on in 2021/22:

Service	Decision made	Decision
Benefits & Tax	June 2021	Advice given
Planning & Development	October 2021	Closed after initial enquiries
Other	October 2021	Advice given
Environmental Services	November 2021	Closed after initial enquiries
Environmental Services	November 2021	Referred back for local resolution

- 2.10 Between April 2021 and March 2022 we had no LGO complaints upheld.



## **Why we produce the report**

We are proud to publicise our Compliments, Correspondence and Complaints (3Cs) Annual report to the public, to ensure that our customers can see how we are performing and the level of service they can expect if they do contact us. We want to encourage our customers to give feedback, which we use to monitor and improve the services provided. Our 3Cs process monitors the number of Compliments, Correspondence and Complaints we receive and the time it takes for us to reply to those enquiries. This helps us to understand the levels of enquiries we receive, whether we are providing a timely service and if we are getting it right first time. Monitoring this information allows us to identify trends and adapt our service to the needs of our customers, which enables us to provide an efficient service.

## **Compliments**

During 2021/22 the Council received 218 compliments from members of the public. The number of compliments received during 2021/22 reflects our commitment to provide services that our customers want and our efforts to provide excellent customer service and go that extra mile.

All compliments received are shared with staff and are used to help us understand what our customers perceive our strengths are as a Council. This helps us to continue to do more of what we are good at and exceed our customers' expectations.

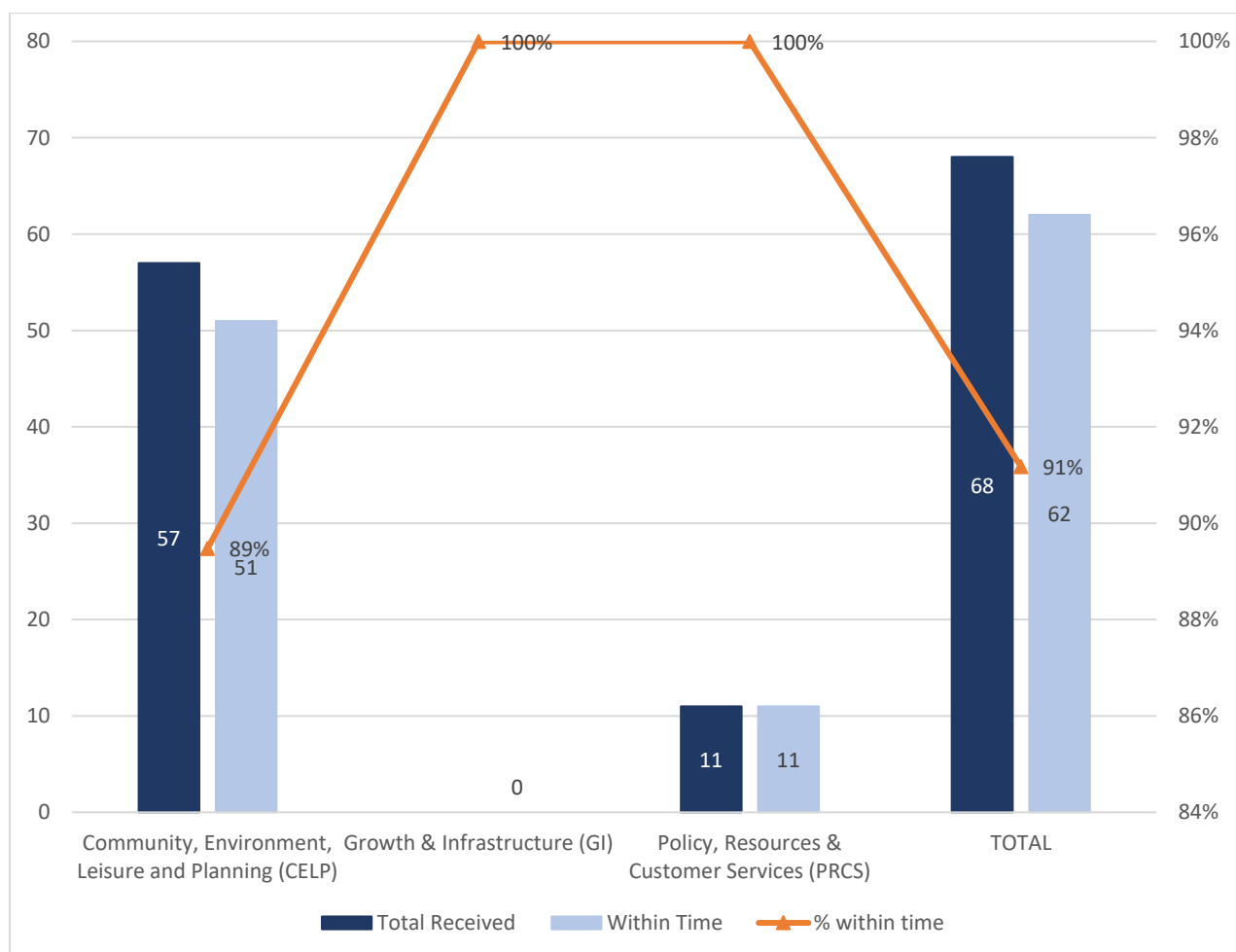
## Correspondence

During 2021/22, 3Cs set a target for the council to respond to 90% of all customers Correspondence within 10 working days. We felt that if we achieved this target we would be providing excellent customer service. During 2021/22, the Council replied to 91% of correspondence within 10 working days as detailed in the table below.

The data collected has provided us with valuable information on which services our customers contact most frequently and the reasons for this contact. This data is used by each team to review the information that is available for customers to access themselves via our Website and Social Media sites. Further detail and information is also available via our telephone contact centre. This proactive approach has reduced the number of written enquiries coming in.

### Correspondence Received

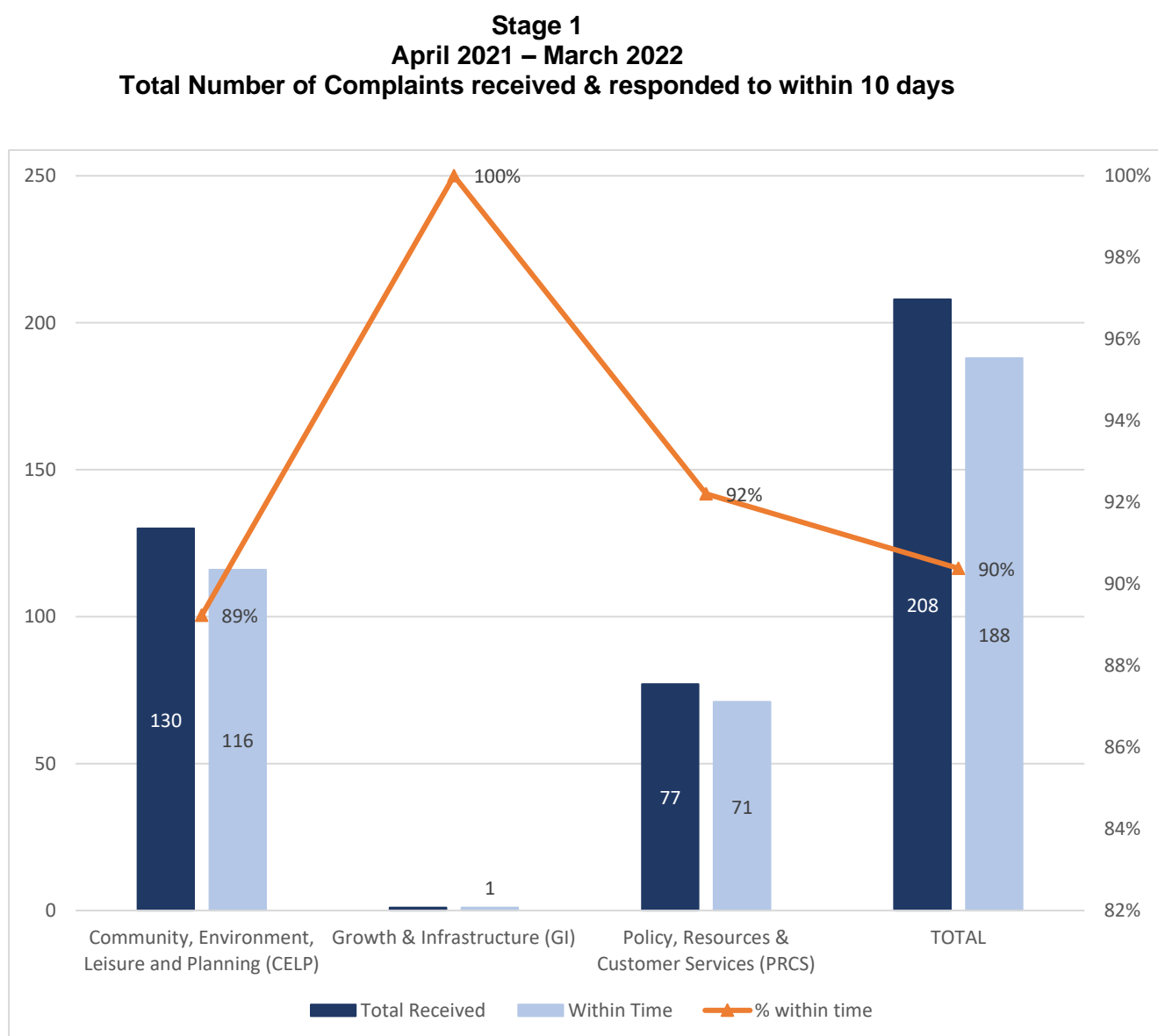
April 2021 – March 2022



## Complaints

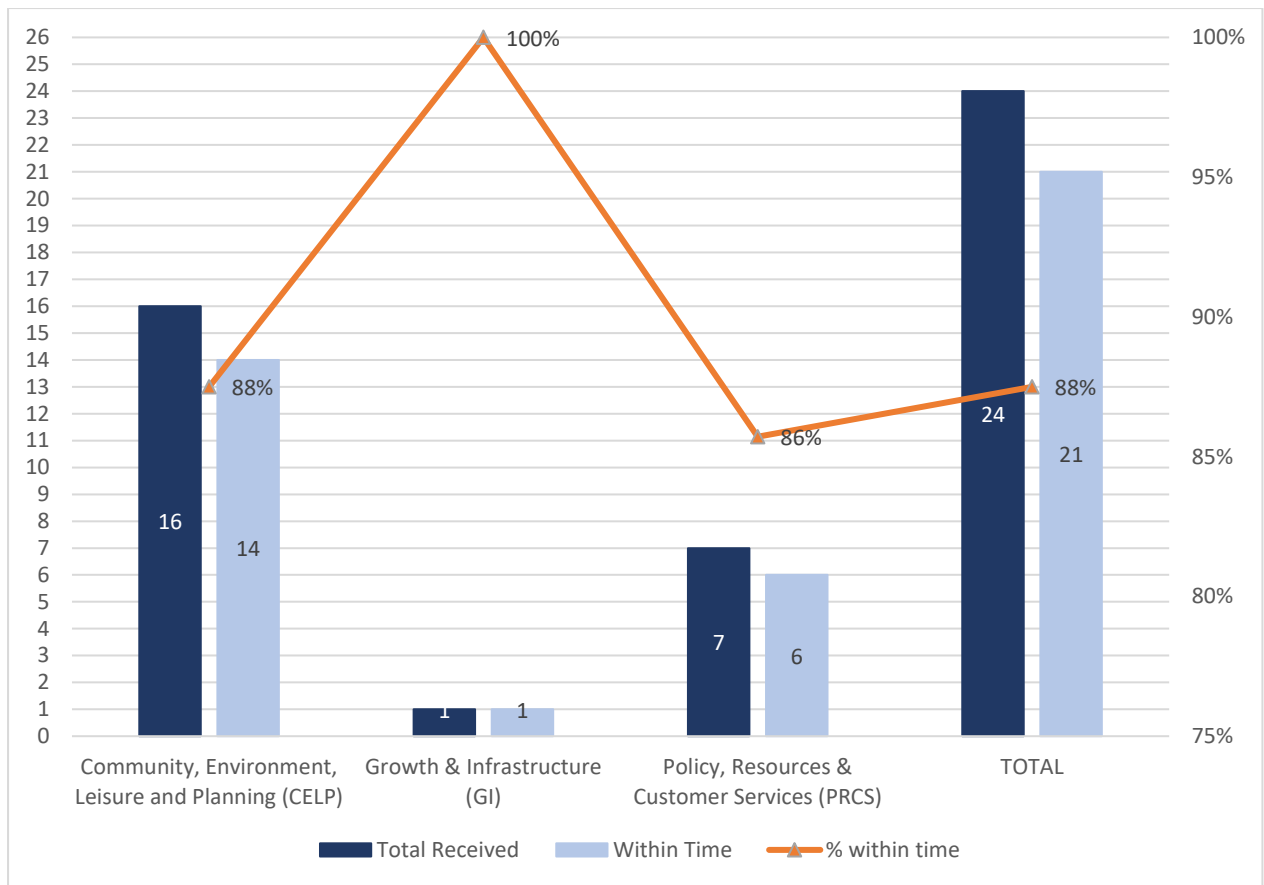
During 2021/22, the Council received 208 complaints. Our 3Cs complaints process has three stages in total. The Council aims to fully resolve issues at Stage one.

Of the 208 complaints received, 188 were dealt with at Stage 1, 24 customers escalated their complaint to Stage 2 and 15 escalated their complaint to Stage 3.



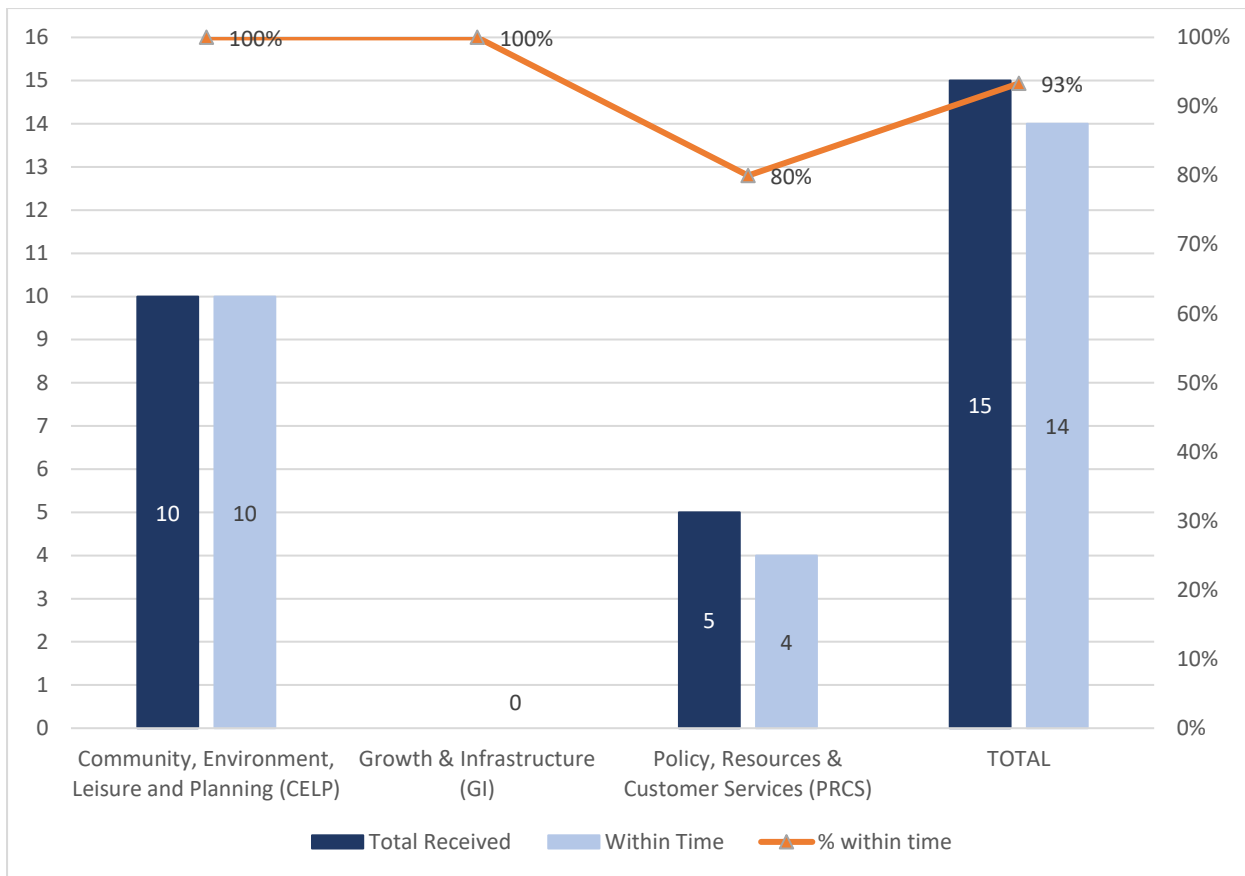
The above table shows the number of complaints by service area, received and responded to within set performance targets; this is also shown as a percentage.

**Stage 2**  
**April 2021 – March 2022**  
**Total Number of Complaints received & responded to within 10 days**



The above table shows the number of complaints by service area, received and responded to within set performance targets; this is also shown as a percentage.

**Stage 3**  
**April 2021 – March 2022**  
**Total Number of Complaints received & responded to within 15 days**



The above table shows the number of complaints by service area, received and responded to within set performance targets. This is also shown as a percentage.

During 2021/22, we monitored the complaints process to ensure the public were kept informed, treated with respect and dignity and to ensure a consistent approach was being applied. When a complaint was received a discussion was held with the service team to resolve the complaint as soon as possible. This has had a positive effect for both the customer and the Council and is reflected by the number of people escalating their complaint past Stage 1.

A further part of the Council's 3Cs process is to gain an understanding from the service teams about the actions they have taken to reduce a repeat occurrence. This small review after each complaint this has enables teams to identify potential future issues.

Each complaint that has escalated past Stage 1 is reviewed. The focus is on understanding the issues that are affecting the complainant and to explore all possible avenues to remedy the complaint.

As part of the review, we also look to identify processes or tasks which could be amended to improve the customer journey. This information feeds into the corporate transformation programme.

## Local Government Ombudsman Complaints and Enquiries

A part of the 3Cs service is the investigation and response management of all Local Government Ombudsman (LGO) enquiries that Fenland District Council (FDC) receives. The following table shows the total LGO enquires that FDC received for individual service areas and decisions made during 2021/22.

### LGO Decisions made

Between April 2021 and March 2022, the LGO made 5 decisions relating to services provided by Fenland District Council. The table below shows the complaints that the LGO made a decision on in 2021/22:

Benefit and Tax	Planning and Development	Environment Services	Other	Total
1	1	2	1	5

Service	Decision made	Decision
Benefits & Tax	June 2021	Advice given
Planning & Development	October 2021	Closed after initial enquiries
Other	October 2021	Advice given
Environmental Services	November 2021	Closed after initial enquiries
Environmental Services	November 2021	Referred back for local resolution

Between April 2021 and March 2022, we had no LGO complaints upheld.