

**North Tyneside Council**  
**Report to Cabinet**  
**Date: 16 September 2024**

**Title: Annual Corporate Complaints report 2023-24**

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<b>Portfolio(s):</b> Deputy Mayor	<b>Cabinet Member(s):</b> Cllr Carl Johnson
<b>Report from Service Area:</b>	<b>Corporate Strategy and Customer Service</b>
<b>Responsible Officer:</b>	<b>Haley Hudson, Interim Director Corporate Strategy and Customer Service</b> <b>Tel: (0191) 643 5724</b>
<b>Wards affected:</b>	<b>All</b>

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**PART 1**

**1.1 Executive Summary:**

The Authority delivers millions of transactions and services each year to its residents, businesses and visitors. The number of complaints received each year is a very small proportion of the total number of transactions delivered; however, the Authority sees each and every complaint as an opportunity to listen and shows how it cares and acts upon the views and concerns of its customers.

At its meeting of 18 March 2024, Cabinet reviewed and refreshed its Complaints Procedure, producing a joint Corporate and Housing Complaints Procedure which reflected the changes to new Complaint Handling Codes from the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS), both launched in February 2024.

The new Codes mean some changes for the Authority in how complaints are managed and how complaint activity is scrutinised by the new role of Member Responsible for Complaints (MRC) and Cabinet, as the Governing Body for complaints.

The Annual Complaints Report 2023-24 is attached to this report at Appendix 1 and summarises the closed customer complaints the Authority received between April 2023 and March 2024.

The LGSCO's Annual Review of complaints for North Tyneside Council 2023-24, is attached to this report at Appendix 2 and shows continued proactive and responsive working between the Authority and the Ombudsman.

Cabinet approved the Housing and Property Services Annual report 2023-24 at its meeting of 24 June 2024, which detailed complaint activity about housing issues, as well as learning and service improvements as a result.

Since 2019-20 customer complaints received by the Authority have reduced by 55%. 589 complaints were received by the Authority during 2023-24, 10% lower than the 649 received in the previous year.

## **1.2 Recommendation(s):**

It is recommended that Cabinet:

- (1) agrees the Annual Complaints Report for 2023-24 attached to this report at Appendix 1, and agrees to its publication on the Authority's website; and
- (2) notes and receives the Local Government and Social Care Ombudsman's Annual Review of complaints concerning North Tyneside Council for 2023-24 attached to this report at Appendix 2 and agrees to its publication on the Authority's website

## **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 2 August 2024.

## **1.4 Council Plan and Policy Framework**

This report supports the priorities in the 2021 – 2025 Our North Tyneside Plan, which sets out bold ambitions for ensuring that the Borough's residents, businesses, environment and economy continue to thrive; making North Tyneside an even greater place to live, work and visit by 2025. The plan outlines a vision of building a better North Tyneside, looking to the future, and listening to and working better for residents.

Listening and learning from all customer feedback, including that from complaints, continues to be an integral part of this ambition.

## **1.5 Information:**

### **1.5.1 Background**

- 1.1.1.1. Complaints are defined as dissatisfaction with the service provided by the Authority, or lack of action taken by the Authority or its employees. It can also include failure to achieve specific standards of service.
- 1.1.1.1. During 2023-24 the Authority reviewed its joint Corporate and Housing Complaint Procedure ensuring it was aligned to the newly published Complaint Handling Codes from the Local Government and Housing Ombudsmen Service. This was a recommendation following the Annual Complaints Report in 2022-23 and Cabinet approved the new joint procedure at its meeting of 18 March 2024.
- 1.1.1.2. Cabinet also approved the closure of the Customer Service Programme at its meeting in March 2024. The Programme, established in May 2019, created an organisation wide effort to bring to life two of the Authority's values – 'we listen' and 'we care' to deliver even better customer service and experience. This continues to be a key priority for the Elected Mayor and is based on the experience and feedback from residents, customers, colleagues and Elected Members. The Authority understands the cost of not getting customer service and experience right, both in terms of poorer outcomes for customers, and the cost to the organisation in time and resources spent.
- 1.1.1.3. Complaints provide the Authority with essential insight into what is working well and what is not, identifying learning opportunities that inform future planning and service delivery. All customer feedback, including complaints, is an opportunity to show how the Authority listens to and cares about its customers.
- 1.1.1.4. One of the ways the Authority shows this is by doing everything possible to resolve complaints for its customers fairly, early and as efficiently as possible. The Customer First Office, introduced in 2022, reviewed their working practices for complaints in April 2024, in line with the new joint Complaints Procedure and the Authority's customer promise, demonstrating an Authority that listens and cares.
- 1.1.1.5. In addition to complaints, the Customer First Office manages service requests from customers who simply need something to be put right. Whilst not

categorised as complaints, service requests provide additional information to the Authority about a customer's experience and assists with the delivery of service improvement.

## 1.1.2. Corporate Complaints and Improvements in 2023-24

- 1.1.2.1. The Annual Complaints Report at Appendix 1 of this report details further activity from complaints in 2023-24. Section 6 shows the data for that period.
- 1.1.2.2. Complaints have reduced significantly over the last five years, falling 55% to 589 in 2023-24. This reduction runs alongside the Authority's investment into the Customer Service Programme which used feedback from residents, colleagues and Elected Members to improve customer experience across the Authority.
- 1.1.2.3. The Authority's customer promise, a key deliverable from the Customer Service Programme, sets out what customers can expect of Authority services and what they can do if things don't go well.
- 1.1.2.4. 47% of all corporate complaints were upheld during 2023-24, either in full or in part, which is a slight increase from 2022-23. The Authority is keen to learn from every complaint, in particular, where things have gone wrong, and changes required to ensure improvements in future service delivery.
- 1.1.2.5. In June 2024 a new complaint IT system was implemented, vastly improving how data is recorded, and monitored, and the Authority's ability to understand and share learning from complaints.
- 1.1.2.6. A revised Complaint Assurance Framework has been developed to further improve the quality of complaint investigations, responses and learning. This includes quality assurance checks and reviews and regular reporting to Directors, the Member Responsible for Complaints and the Governing Body. The Framework will be fully live from September 2024.
- 1.1.2.7. Over half of all complaints received by the Authority in 2023-24 were for services delivered by the Housing and Property service, an increase of 4% from the previous year. The vast majority of complaints about housing related issues are covered by the Housing Ombudsman Service jurisdiction, who during the year investigated 8 complaints from North Tyneside Council housing tenants.
- 1.1.2.8. Complaints about other Authority services fall under the jurisdiction of the Local Government (LGSCO) Ombudsman. In the 2022-23 Annual Report the Local

Government Ombudsman (LGSCO) said that his office is less likely to carry out investigations into 'borderline' issues. This means that more investigations are likely to be undertaken by the LGSCO that appear to have some merit, and as a result, there is likely to be a higher proportion of findings of fault than is currently the case.

1.1.2.9. In 2023–24 the Ombudsman upheld 12 of 13 complaints received which means that 92% of complaints found fault on the part of the Authority. In a third of the complaints the Ombudsman investigated the Authority had already provided a satisfactory remedy for the customer before the complaint reached the Ombudsman; higher than the national average of 14%.

1.1.2.10. 77% of complaints were resolved at Stage 1 during the period, a reduction of 11% since 2019–20. Increased quality assurance checks of Stage 1 responses as part of the Authority's revised Assurance Framework, will seek reverse this trend in the year ahead.

### 1.1.1. Learning from complaints

1.1.1.1. Sections 7 and 8 of the Authority's Annual Complaints Report 2023–24 details how the Authority has learned from customer feedback in complaints and made service improvements.

- The Special Educational Needs and Disability Team has revisited its processes and shared guidance with schools about how to complete the Annual Review process to improve the experience for children and families. They have also implemented automated email responses to better support families when there is going to be a delay in advice, or if they have any concerns.
- The Housing Repair Contact Centre team have introduced a video diagnosis tool allowing the service to view a customer's home when they report issues which helps them to prioritise required work and plan follow up visits and ensures the customer gets the right service first time. They have also increased resources to resolve issues with condensation, mould, and damp to resolves issues more quickly.
- Practice standards in Children's Social Care have been reviewed for case recording, and audits have taken place to ensure that standards are being met. Adult Social Care have held practice issues sessions with staff focussed on improving communication with customers and their families,

including how they share information and how they record what they have shared.

- IT and Waste Collection Teams have reviewed the assisted bin lift information which has improved the accuracy of who needs assistance, and who doesn't, ultimately reducing the number of missed bins for those needing help.
- Environmental Services have introduced a new inspection procedure for monitoring the condition of trees across the borough and have purchased a new IT system for better data collection, record keeping, and decision making. This will ensure tree works are managed more efficiently, are better coordinated and support improved communication with customers.

1.1.1.1. In response to customer feedback and wider learning and service improvements, the Authority has continued to invest in the Customer First Office, who resolve many customer issues at an earlier stage through an Elected Member or direct customer enquiry, reducing those that may escalate to complaints.

1.1.1.2. Improvements to information on the Authority's website has helped more customers understand the range of ways that they can raise complaints, report issues and have them resolved quickly. Services work together to get things right first time, and where that doesn't happen, work collectively to resolve and fix things.

1.1.1.3. The Authority will continue to embed the new joint Complaints Procedure and the new complaints IT system during 2024 to ensure complaints are handled effectively and efficiently. Reporting to the Member Responsible for Complaints will ensure appropriate scrutiny of the management of complaints and every six months the governing body, Cabinet, will receive an update on performance and outcomes from complaints, with a focus on learning and service improvement.

1.1.1.4. The LGSCO's Complaint Handling Code states that Annual Complaints Report should be reported "through the organisation's governance arrangements", which is the purpose of this report to Cabinet. The Code also requires the Annual Report to be published in the section of the Authority's website relating to complaints together with a response to the Annual Report which should be published alongside the Annual Report on the website.

1.1.1.5. It is proposed that the response to the Annual Complaint Report for 2023-24 at Appendix 1 of this report, subject to Cabinet's approval, will be contained in the Foreword of that Report.

## 1.6 Decision options:

The following decision options are available for consideration by Cabinet:

### Option 1

To agree the recommendations set out in paragraph 1.2 of this report.

### Option 2

Not to agree with the recommendations set out in paragraph 1.2 of this report.

Option 1 is the recommended option.

## 1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

All local authorities providing social service functions are legally required to publish an annual report on complaints received and the Local Government and Social Care Ombudsman's Annual Review of its complaints.

The recommendations ensure that the Annual Complaints Report 2023-24 has been reported through Authority's governing body, Cabinet, and that it is published on the section of its website relating to complaints.

## 1.8 Appendices:

If there is more than one Appendix, these should be referred to as follows:

Appendix 1: North Tyneside Council Annual Complaint Report 2023-24'

Appendix 2: The Local Government Ombudsman's Annual Review of complaints about North Tyneside Council 2023-24'.

## 1.9 Contact officers:

Ruth Barfoot, Senior Manager Customer Experience, tel. (0191) 643 7350  
Eilidh Cook, Complaints Manager, tel. (0191) 643 5363  
David Mason, Head of Finance (Deputy S151 Officer), tel. (0191) 643 3293

## 1.1. Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) Corporate and Housing Services Complaint Procedure 2024  
<https://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/Complaining%20about%20all%20other%20council%20services%2C%20including%20housing.docx>
- (2) The LGSCO Review of Local Government Complaints July 2023  
<https://www.lgo.org.uk/assets/attach/6627/Annual-Review-of-Local-Government-Complaints-2023-24.pdf>
- (3) Report to Cabinet - We Listen, We Care - Customer Service Programme End of Phase Three 18 March 2024  
<https://democracy.northtyneside.gov.uk/documents/s17365/Cabinet%20Report%20Customer%20Service%20Programme%20March%202024.pdf>
- (4) The Local Authority Social Services Complaints (England) Regulations 2006 and Guidance (Children)  
<http://www.legislation.gov.uk/uksi/2006/1738/contents/made>
- (5) The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and Guidance (Adults)  
[http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/DH\\_120361](http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/DH_120361)
- (6) The NHS Bodies and Local Authorities Regulations 2012  
<http://www.legislation.gov.uk/uksi/2012/3094/introduction/made>

## PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

### 2.1 Finance and other resources



There are no financial or other resource implications arising directly from this report. The delivery of the service is provided for from existing budget provision. Compensation payments, where necessary, are funded from existing budgets in the relevant service areas.

## **2.2 Legal**

The Local Government Act 1974 established the Local Government Ombudsman which has subsequently become the Local Government and Social Care Ombudsman (LGSCO). The role of the LGSCO is to investigate complaints from members of the public alleging they have suffered injustice because of maladministration and/or service failure.

The Social Housing (Regulation) Act 2023 requires all local authorities as social landlords to be members of the Housing Ombudsman Service Scheme. The purpose of the Scheme is to enable tenants and other individuals to have complaints about the Authority investigated by the Housing Ombudsman Service (HOS). The HOS' role is to resolve disputes involving members of the Scheme and their tenants including making awards of compensation.

As stated, both the LGSCO and the HOS have published revised Code of Complaints which the Authority is expected to adhere to when dealing with complaints made to the Authority.

The consideration of the Annual Complaints Report for 2023-24 and the response to that report is a matter for Cabinet as is the consideration of the LGSCO's Annual Review of the Authority's complaints handling procedure.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

The findings from the Authority's 2023-24 Annual Complaint Report, have been shared with the Authority's Senior Leadership Team and the report will be shared with Cabinet Members for Housing, Adult Social Care and Supporting and Protecting Children prior to the Cabinet meeting of 16 September 2024.

Service management teams across the top five complaint areas, have provided feedback on lessons learned, improvements made and priorities for 2024-25.

### 2.3.2 External Consultation/Engagement

The 2023-24 Annual Complaint Report will be published on the Authority's website, if approved by Cabinet alongside the Authority's response to the Report.

### 2.4 Human rights

The service promotes equal access to complaint services and opportunities to contribute to service improvement.

### 2.5 Equalities and diversity

The Authority promotes equal access to complaint services and opportunities to contribute to service improvement. Material is available in different formats and officers actively help those with individual needs as required.

A Business as Usual Equality Impact Assessment has been completed, and is published on the Authority's website;

<https://democracy.northtyneside.gov.uk/documents/s17254/EqIA%20BAU%2023%20-%2024%20form%20CFO%20Complaints%20v4.pdf>

Equality monitoring is undertaken so that the Authority can ensure it meets the needs of people with protected characteristics across all of the borough's communities.

### 2.6 Risk management

Risks associated with this report are being managed as part of the Authority's risk management process. A specific corporate risk regarding changes in Ombudsman codes is owned, reviewed and managed at the highest level and is reported to SLT, Cabinet and Audit Committee on a 6 monthly basis.

### 2.7 Crime and disorder

There are no crime and disorder implications arising directly from this report.

### 2.8 Environment and sustainability

There are no environment and sustainability implications arising from this report

### PART 3 – SIGN OFF

- Chief Executive
- Director(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Interim Director of Corporate Strategy and Customer Service