

# Annual Report - Ombudsman Report 2023-2024

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## 1.0 INTRODUCTION

- 1.1 As a Council we want to provide high quality, accessible and responsive services that deliver what matters most to our diverse communities. We know that timely responses lead to increased customer satisfaction and enhances our reputation as a caring organisation that listens to its population.
- 1.2 The effective handling of customer complaints across the organisation enables the Council to be open and transparent, respond in the right way, make the best use of resources and make well-informed decisions.
- 1.3 Since the implementation of a new Complaints Case Management Recording System in November 2021, we have continued to work with services embedding a new 'listening culture' which is changing staff behaviours and holding managers more accountable for complaint handling. We aim to become better at listening to complainants; learning from complaints and improving the customer's experience when they make a complaint.
- 1.4 Future Sheffield is the Sheffield city Council's programme for transformation and organisational development. It is a long-term approach to change with a focus on improving the experiences of residents, businesses and customers we serve and for our workforce.

As part of Future Sheffield, in April the Strategy & Resources Committee approve the Customer Experience Strategy. It sets out the Council's commitments, expectations and plans as once Council to achieve a great customer experience for all.

It aims to enhance the quality, accessibility, and responsiveness of services provided by Sheffield City Council.

It focuses on improving complaint handling by embedding a 'listening culture' that holds managers accountable and encourages learning from complaints.

The strategy supports the transformation of complaint management through the implementation of a new Complaints Case Management Recording System and continuous collaboration across departments. This approach not only aims to increase customer satisfaction but also drives change by fostering a culture of openness, transparency, and continuous improvement.

- 1.5 We welcome complaints as an opportunity to improve our services. Indeed, our definition of a complaint is "any expression of dissatisfaction whether justified or not," which is deliberately wide to ensure that complaints are recognised and are properly addressed. We also encourage positive feedback on the services we provide.

- 1.6 The Feedback & Complaints Team in Customer Services is responsible for the development and implementation of policy and procedures on complaints. In addition, the Team acts as the Council's liaison point with the Local Government & Social Care Ombudsman (LGSCO), Housing Ombudsman (HO) and Parliamentary & Health Service Ombudsman (PHSO).

The Ombudsmen provide a free, independent and impartial service. They consider complaints about the administrative actions of local authorities. They cannot question what a council has done simply because someone does not agree with it. However, if they find something has gone wrong, such as poor service or service failure, and that a person has suffered as a result, they recommend a suitable remedy.

The LGSCO's powers are set out in the Local Government Act 1974, as amended. The HO's powers are set out in the Housing Act 1996, as amended. The PHSO's powers are set out in the Parliamentary Commissioner Act 1967, as amended, and the Health Service Commissioners Act 1993, as amended.

## **2.0 SUMMARY**

- 2.1 This report provides an overview of the complaints received, and formally referred and determined by the Ombudsmen during the twelve months from 1 April 2023 to 31 March 2024.
- 2.2 The report also identifies future developments and areas for improvement in complaint management.
- 2.3 The report is presented by the Director of Customer Experience and communities - the appointed senior executive who oversees Sheffield City Council's complaint handling performance and who is responsible for the oversight of the Council's Corporate Feedback & Complaints service.

## **3.0 COMPLAINTS OVERVIEW 2023/24**

- 3.1 Overall, the Council and its strategic delivery partners (Amey and Veolia) dealt with 8634 complaints through the corporate complaints process in 2023/24. This represents a 10% decrease on the 9514 complaints reported the previous year.
- 3.2 Amey/Veolia accounted for 32% of complaints received 2023/24. Neighbourhood Services accounted for 55% of the complaint received 2023/24. Repairs & Maintenance was the service with the highest number of complaints (34% - 2974).
- 3.3 A separate annual complaints report was presented to the Strategy & Resources Policy Committee in July 2024 which provided more detailed information and commentary on the Council's local complaint handling during 2023/24.

## **4.0 OMBUDSMAN COMPLAINTS/ENQUIRIES**

- 4.1 The LGSCO received 148 complaints and enquiries about Sheffield City Council and its strategic delivery partners during 2023/24.
- 4.2 This is 19% increase on previous year. A breakdown of complaints/enquiries by category is provided at [Appendix A \(Table 2\)](#). The LGSCO received the most The LGSCO received

148 complaints 4.3 The Housing Ombudsman does not publish the number of complaints/enquiries they receive about individual landlords/authorities, but the Council's Feedback and Complaints Team have recorded 44 complaint referrals/enquiries from the HO during 2023/24.

Complaints/Enquiries Received	2021/22	2022/23	2023/24
LGSCO	114	124	148
HO*	19	60	44

\* Numbers recorded by Feedback & Complaints Team

- 4.4 The Council's Feedback & Complaints Team recorded a total of 145 complaints received by the LGSCO (101) and HO (44) during 2023/24. The numbers reported by the LGSCO do not match the number recorded by the Council's Feedback & Complaints Team because they include, for example, complainant's who have made an 'incomplete or invalid' complaint or cases where advice was given but details were not shared with the Council.
- 4.5 A breakdown of the 145 complaints recorded by the Feedback & Complaints Team by service area is provided at **Appendix A (Table 1)**. The service areas that generated the largest number of Ombudsman enquiries/referrals during 2023/24 were Repairs & Maintenance (27%), Housing Services (16%); and Adult Social Care (10%).
- 4.6 It is important to note that not all Ombudsman enquiries lead to a formal investigation. In fact, of the 145 complaints recorded by the Council's Customer Feedback & Complaints Team in 2023/24, 82% were concluded without a formal investigation.
- 4.7 Of the 26 (18%) complaints that were formally investigated, the highest numbers were about Education and Skills (7) and Adult Social Care (6).

## 5.0 RESPONSE PERFORMANCE - OMBUDSMAN

- 5.1 The Council's average response time to 65 preliminary ombudsman enquiries in 2023/24 was 8 calendar days (generally 5 working day target but some preliminary enquiries have specific response date on case-by-case basis).
- 5.2 The Council's average response time to 26 initial formal enquiries made by the LGSCO/HO in 2023/24 was 30 calendar days (21 working days) with 93% of responses meeting the original or initial agreed revised deadline (1–2-week extensions agreed).
- 5.3 There were 2 responses that didn't meet the initial or initial agreed revised deadline - one response exceeded the original deadline by 1 working day (Housing related response due on Friday but sent following Monday) and in the other case a second extension had to be requested due to the amount of background documents that needed to be reviewed and labelled (planning enforcement related complaint). Delays in responding are mainly due to late/incomplete service comments and/or the annual leave of key officers.

## 6.0 OUTCOMES

- 6.1 In resolving complaints, we aim to work with the customer to try to achieve their preferred outcome, and when appropriate we will apologise and take remedial action. When the Council is found to be at fault, we will aim to resolve the complaint by putting the customer back into the position they would have been in had the fault not occurred, or by offering another remedy if this is not possible.
- 6.2 During 2023/24, the LGSCO upheld 20 complaints (83% of the complaints they formally investigated). This includes 5 complaints that the LGSCO found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman. A breakdown of all LGSCO decisions is provided at **Appendix A (Table 3)** and details of all the upheld complaints and the remedies and service improvements that were agreed are set out in **Appendix B**. Adult Social Care services accounted for 30% of the complaints upheld by the LGSCO and SENDSARS accounted for 25% of complaints upheld by the LGSCO.
- 6.3 There were no public reports issued by the LGSCO during 2023/24.
- 6.4 During 2023/24, the HO determined 7 complaints and made 20 individual complaint findings in respect of these complaints. A breakdown of the 20 individual findings is provided at **Appendix A (Table 4)**.
- 6.5 The HO found maladministration/service failure in 6 out of the 7 complaints (cases) determined. A summary of the 17 individual maladministration/service failure findings is provided at **Appendix A (Table 5)** with more detail around these findings and the remedies and service improvements that were agreed set out in **Appendix B**. It is of note that 9 out of the 17 findings of maladministration/service failure were in relation to complaint handling (including delays in responding, shortcomings in response letters; and errors in the calculation/payment of compensation).
- 6.6 In total, the Council paid £25,169.85 in compensatory payments and other reimbursements following Ombudsman enquiries in 2023/24 (LGSCO = £10,850 and HO= £14319.85). This compares with £45455.12 paid in 2022/23 and £8445.49 paid in 2021/22.

## 7.0 BENCHMARKING

- 7.1 Looking at LGSCO involvement and how Sheffield City Council compares with other local authorities (**see Appendix A - Table 6 for core city comparison and Annual Letter at Appendix C for overall averages for similar authorities**):
- The LGSCO upheld 83% (20 out of 24) of the complaints that were formally investigated about Sheffield City Council, which is above the 80% average for similar authorities. Core City upheld rates range from 70% -100%.
  - The LGSCO reports this equates to 3.5 upheld decisions per 100,000 residents compared with an average of 4.4 upheld decisions per 100,000 in similar authorities.
  - The LGSCO found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman in 25% (5 out of the 20) upheld cases, which is higher than the average of 10% in similar authorities. Core City rates range from 10% - 29%.
  - In terms of LGSCO recommendations, Sheffield City Council, had a 100% compliance rate in 2023/24, against an average of 99% in similar authorities. Core City rates range from 94% - 100%.
- 7.2 Looking at HO involvement and how Sheffield City Council compares with other local authority landlords (**see Annual Report at Appendix D**):

- The HO reports an 89% maladministration rate for SCC during 2023-24 (this is based on 17 out of 19 complaint findings - excluding 1 outside jurisdiction finding). This is higher than the 73% national maladministration rate and the 78% average maladministration rate for other similar local authority landlords/ALMOs reported by the HO for 2023/24.
- The HO issued 30 remedy/learning orders during 2023-24 (17 x compensation payments; 4 x repairs; 3 x apology; 3 x case review and 3 x other service improvement actions). Sheffield City Council had 100% compliance rate for all orders with target dates April 2023 – March 2024.
- The HO issued 1 Complaint Failure Order during 2023-24. This was due to the Council's unreasonable delay in accepting/progressing a complaint through its process.

## 8.0 LEARNING

- 8.1 We aim to learn from complaints, so that we do not repeat the same problem. **Appendix B** includes details of the remedies, improvements and changes that have been made following Ombudsman investigations.

Examples of key learning/service improvements include:

- Formal review of complaints policy undertaken in response to complaint handling codes issued by HO/LGSCO. Changes effective from 01/04/24 for Housing and repairs and 01/09/24 for other service areas (**Complaints Team/all services**).
- Case reviews identified learning around record keeping; complaint management and approach to compensation (**Housing**).
- Guidance reviewed and reminders issued to staff around: recording and documenting the decision to not prosecute when a child is not attending the school at which they are on roll at; ensuring there is audit trail for pupils where prosecution is deemed not appropriate; ensuring Alternative Provision is considered when a child is not attending the school they are on roll at, and prosecution is not deemed an appropriate; and roles/responsibilities to notify LA when a child stops attending school, and parents share they are unable to attend due to their health or otherwise (**Inclusion & Attendance/SENDSARS**).
- Learning shared with staff and reminders issued around required actions when dealing with ASB/referrals to ASB Team (**Housing**).
- Internal communication issued incorporating reminders to staff around eligibility criteria for statutory children's social care complaints procedure and recording of associated decision making (**Complaints Team/Children & Families**).
- Case review identified learning and actions around managing leaks and complaints management including: the repairs service to review its approach to handling leaks in communal blocks; the repairs service to monitor repairs and remedies associated with complaints more closely to ensure timely and effective resolution; and refresher training on complaints for the Leasehold Team (**Repairs Service/Leasehold Team**).
- Guidance and reminders issued to Independent Review Panel clerks (school exclusions), to ensure they are aware of the statutory guidance and rights of parent to adjourn meeting until expert is available.
- Reminders have issued to relevant staff regarding the Council's Section 19 Education Act 1996 responsibilities and standing item added to Senior Management Team meetings to ensure further discussions around how the Council they can most effectively discharge these responsibilities (**Inclusion & Attendance/SENDSARS**)

- Blue badge policy reviewed and updated to confirm that accepting GP notifications (if consultants do not respond) becomes current practice (**Customer Services**).
- Follow up work/checks completed with care home around its process of the promotion of fortified drinks and their application. Care plans now stored/accessible digitally (**Adult, Wellbeing & Care Services**).
- Staff reminded that the Council's duty to secure the provision in Section F of EHC Plans is non-delegable (**SENDSARS**).

## 9.0 IMPROVEMENT PLAN/ONGOING DEVELOPMENTS 2024/26

The following provides an update on improvements completed and ongoing developments:

- Continue to support the Customer Experience Strategy which provides the driver for change in the way we manage and handle complaints. [*Ongoing*].
- Complaints (CRM) case management system reviewed to improve user compliance and timeliness of complaint responses: Mandatory fields introduced within CRM to ensure key data is recorded by officers which will improve reporting outputs including recording of remedies/service improvements. Unassigned and open case reports issued weekly to case coordinators and responding/accountable managers [*Completed*].
- Complaints policy and procedures updated in response to Ombudsmen complaint handling codes: New Housing Service Ombudsman Code implemented from 1 April 2024 and soft launch and implementation of new LGSCO Ombudsman Code in Sept 2024 [*Completed*].
- Complaints information/resources on SharePoint site and Intranet/Internet pages updated following policy/procedure updates. Additional Guidance published for Reviewing Managers reinforcing approach to resolution/learning prior to escalation to Ombudsman [*Completed*].
- To continue to embed culture of a listening council via regular reminders, bulletins and communications to staff [*Ongoing*].
- To continue to deliver monthly IT training, advice and support workshops for staff [*Ongoing*].
- To review of complaints case management recording system: Further review of system and forms required as part of CRM upgrade work [*Ongoing*].
- Additional focus and support on the Stage 2 review process - so as to ensure both comprehensive and timely responses are provided to complainants at the final (internal) stage of the process, thus reducing further escalation to the Ombudsman [*Ongoing*].

**Housing & Repairs Services specific improvements:**

- Housing Services (including Repairs & Maintenance) have a Complaints subgroup which is dedicated to ensuring alignment and adherence to the Housing Ombudsman Self-Assessment;
- The Transparency Involvement and Accountability Board (established in Q2 2023) tracks and governs wider service improvements identified in respect of learning from complaints.
- The Planning, Performance & Involvement Team are working with tenant groups to identify areas where the Council can improve. Tenant Satisfaction results have improved in Q1/Q2 2024/25.
- A new Repairs Policy has been agreed by the Housing Policy Committee and will be communicated in Q3/Q4 2024/25.
- A new (Anti-Social Behaviour Policy) has been implemented in June 2024.
- A new Compensation Policy is being developed / Reviewed for consideration & Implementation in Q4 (March 2025).

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