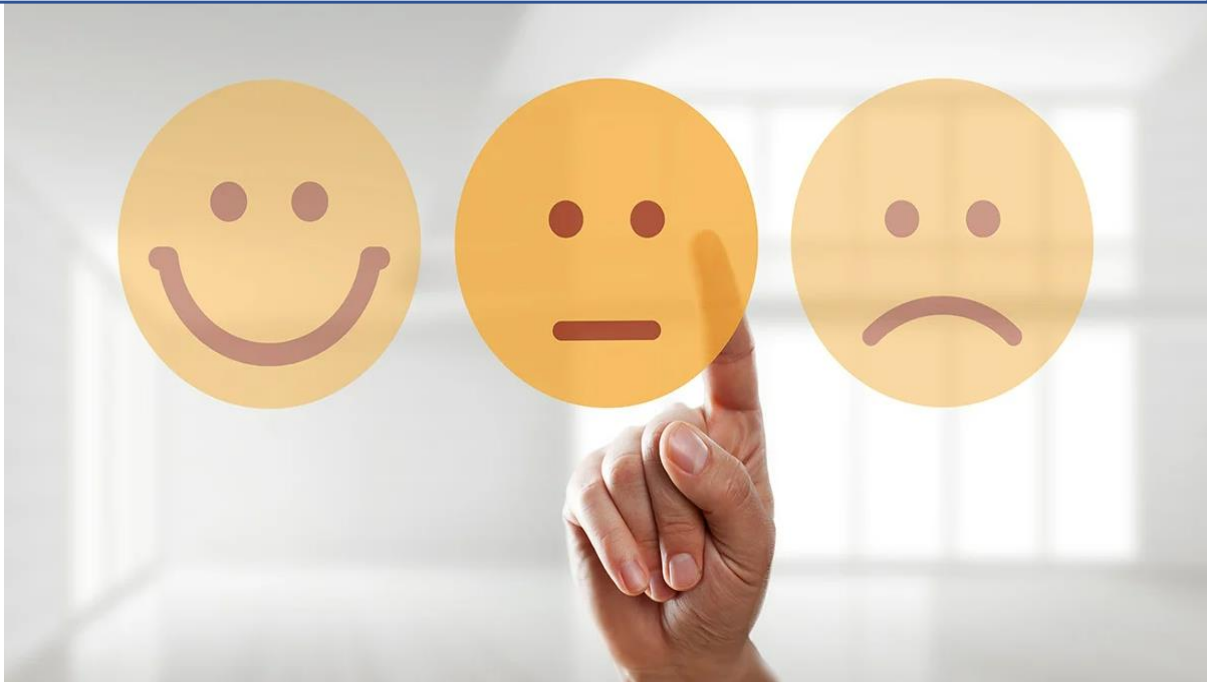


2021/22

## Learning from Customer Complaints



Annual Report

## Introduction

Lothian Valuation Joint Board, along with all other Scottish Local Authorities, follow a model complaint handling procedure which is determined by the Scottish Public Sector Ombudsman (SPSO). This report presents how Lothian Valuation Joint Board has performed against four key performance indicators set by the SPSO and provides details about improvements to our services along with positive feedback from our stakeholders.

The report covers the period from 1 April 2021 to 31 March 2022. This period continued to see the effects and restrictions caused by the global pandemic, however during this time, Lothian Valuation Joint Board (LVJB) continued to operate and provide a quality service to its stakeholders.

The Assessor for LVJB is responsible for the valuation of all commercial and domestic properties within the Edinburgh, East Lothian, Midlothian and West Lothian Council areas. The Assessor is also the Electoral Registration Officer for these areas with responsibility for compilation and maintenance of the Electoral Register.

Our methods of service delivery varied throughout the year where we continued to adapt to any operational restrictions. Our staff worked hard to maintain a high level of service and to meet our statutory obligations such as the Scottish Parliament Elections in May 2021.

An area of our service delivery particularly impacted was valuation. Site visits and surveys were suspended and appeals, for Valuation Roll and Council Tax were also affected as the Valuation Appeal Committee (VAC) was suspended for a period which meant that cases could not be heard. This process has now recommenced.

All staff remain extremely busy and with limited resources, prioritisation of work has been necessary. With very strict statutory deadlines on certain aspects of our work it was inevitable that certain areas of our service delivery would be impacted. We accept that all stakeholders have high expectations of our service delivery, but the reality is that not all functions can be delivered when resources are limited, and work pressures are extreme.

**Appendix 1** contains our performance against the SPSO's Performance Indicators.

*To access our frequently asked questions or to view our suite of documentation and information relating to how we handle complaints, go to our website at:*

<https://www.lothian-vjb.gov.uk/complaints/>

## Complaints process

Complaints can be either Stage 1, which are usually straightforward issues and must be dealt within 5 days or less, or Stage 2, which are usually about more complex or serious issues and can take up to 20 days for a response to be provided. If a customer is not satisfied with a Stage 2 response, they can refer their complaint to the SPSO, who will consider the issues raised and investigate the matter.



## What is a Complaint?

Lothian Valuation Joint Board's definition of a complaint is:

any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf

## What can I complain about?

You can complain about things like:

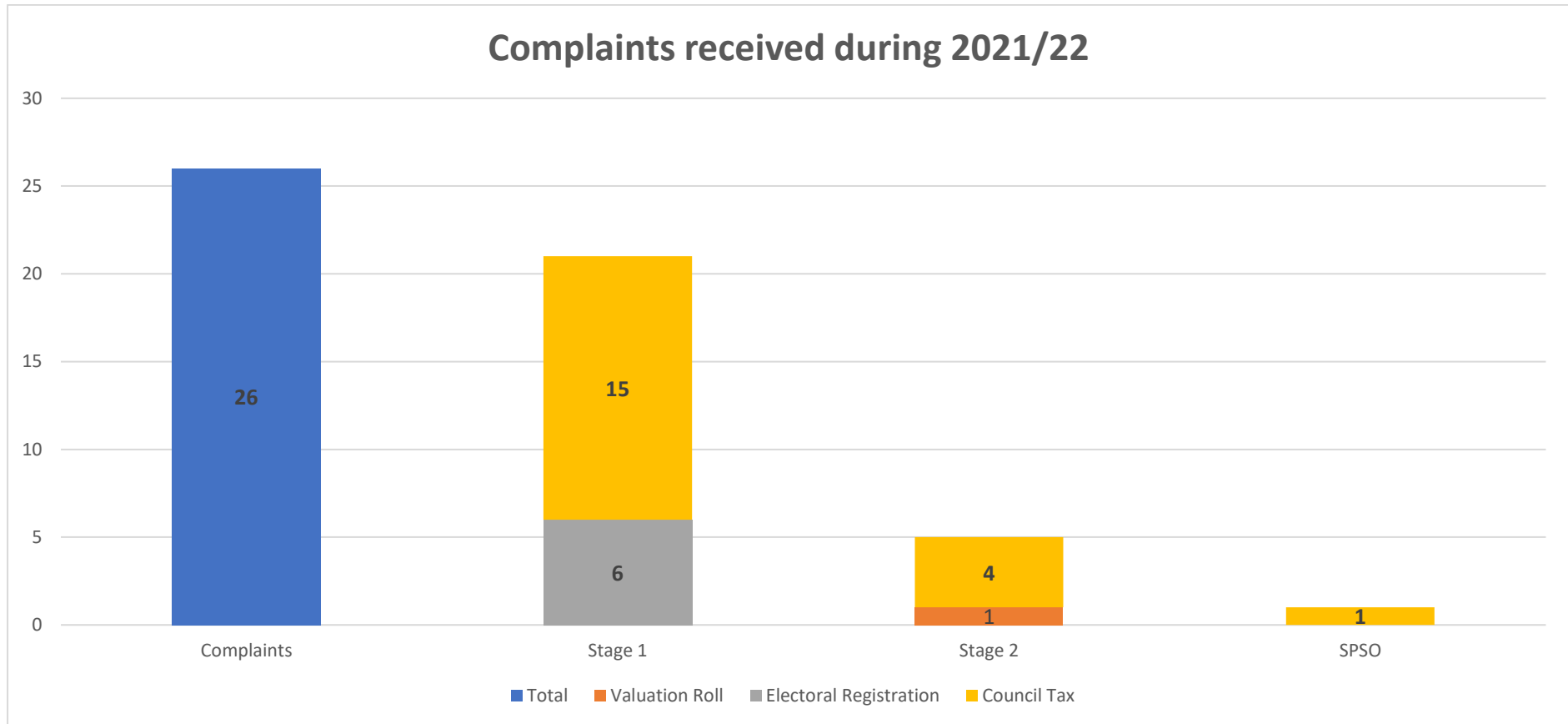
- failure or refusal to provide a service
- failure to properly apply law, procedure or guidance when delivering services
- failure to follow the appropriate administrative process
- conduct, treatment by or attitude of a member of staff

## What can't I complain about?

There are some things we cannot deal with through our complaints handling procedure. These include:

- disagreement with a decision where there is a statutory procedure for challenging that decision
- a routine first-time request for a service
- a request for information under the Data Protection or Freedom of Information (Scotland) Acts.
- abuse or unsubstantiated allegations about our organisation or staff where such actions would be covered by our [Unacceptable Actions Policy](#)

## Complaints received during 2021/22



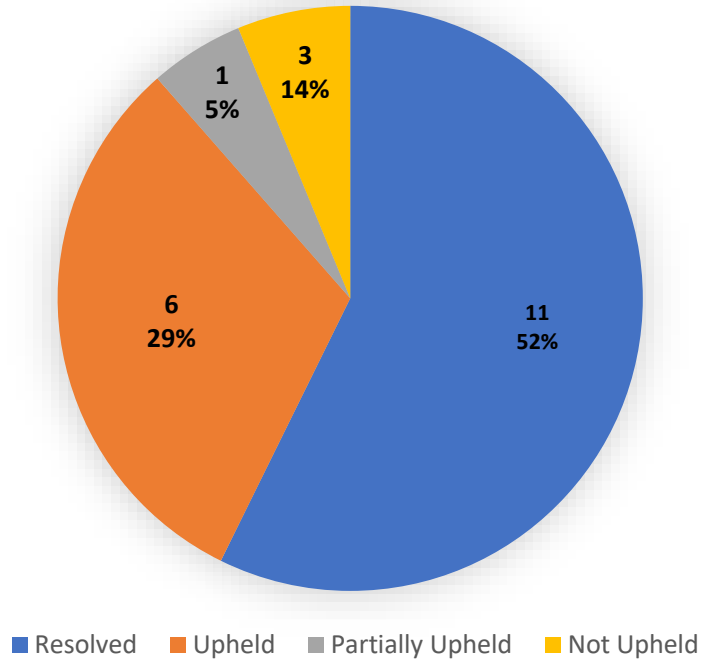
### Notes

There were **3** complaints escalated to stage 2 at the request of the stakeholder that related to our Council Tax service area.

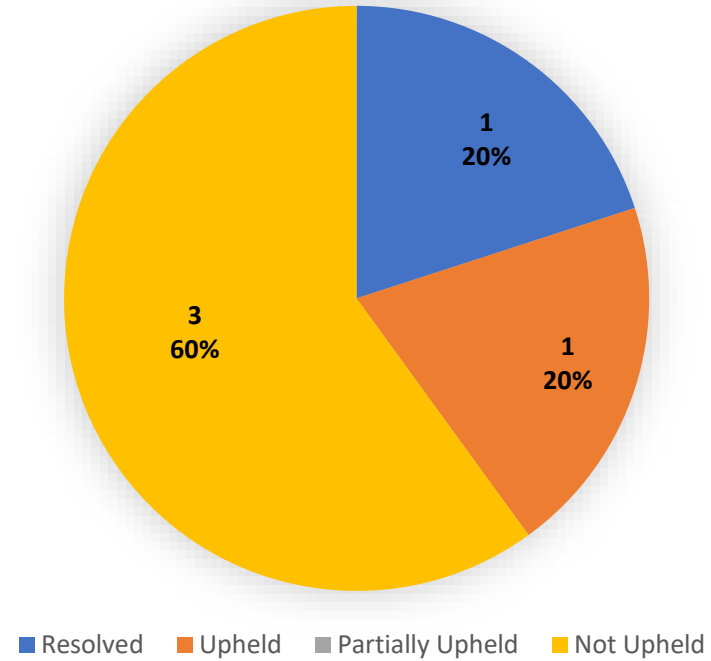
At the request of the stakeholder, **2** complaints were started at stage 2, **1** related to our Council Tax service area and **1** related to our Valuation Roll service area.

A Council Tax complaint was referred to the SPSO as they had exhausted the LVJB's Complaints Procedure.

### Stage 1 Complaints Resolution



### Stage 2 Complaints Resolution



#### Notes

81% of all complaints were closed at stage 1.

19% of all complaints were closed at stage 2.

One complaint that was not upheld as there was no provision in legislation to allow consideration of the request being made, was referred to the SPSO. Following SPSO investigation no grounds were found to the complaint and no further action was taken.

## Learning from Complaints

Reports of the number and type of complaints received are created by the Governance Team and discussed at the bimonthly Governance Committee. This report is then submitted at Corporate Leadership Team meetings where consideration of what has been learned, identification of any trends that require review and any actions we need to take to improve our service are made.

Where the underlying cause of the complaint is not within the Assessor or ERO's power to resolve, for example the wording on forms produced by the Electoral Commission that the ERO is required to use, then this is fed back to the relevant organisation. Copies of the quarterly report including KPI performance is approved by the senior management team and uploaded to the LVJB website.

### Upheld Complaints - 7

One of the complaints related to the electoral registration function. An elector had applied for an emergency proxy application at the Scottish Government Elections in May 2021. The emergency proxy application was received in time and was applied but no communication was made with the elector or their appointed proxy. An apology was made for the lack of communication and a review of our procedures in contacting electors/proxies will be undertaken to ensure that this does not happen at future elections/referendums.

Three of the complaints were related to the length of time to provide a service in relation to our Council Tax function. The Council Taxpayers complained regarding the length of time it had taken to add their new house to the Valuation List. Whilst our service was impacted by the restrictions for coronavirus and our staff were working hard to maintain a level of service in challenging times these complaints were upheld, and we continue to seek improvements in adding new properties within the timescales set.

Two of the complaints were related to the length of time to receive a response in relation to our Council Tax function. We aim to respond to an enquiry within 7 days in accordance with our Customer Service targets. Staff have been reminded of these requirements and we are reviewing our back-office communication procedures. Where the enquiry is regarding our Council Tax proposals, we still aim to respond to enquiries promptly, but it is not always possible to provide an update to the status of an appeal where we are awaiting information from the Valuation Appeal Court (VAC).

### Partially Upheld - 1

This complaint was partially upheld due to the slight delay in providing a response to an enquiry relating to the status of a council tax appeal.

### Not Upheld Complaints - 6

The complaints which were not upheld all related to our Council Tax function.

Most of the complaints were related to a request to amend the Valuation List. The CT Payer's believed the Valuation List did not accurately reflect the details or the banding of their property. The Council Tax legislation did not allow the amendment requested but we did consider the complaint and carried out a review of the band.

One complaint regarded a lack of response to a Council Tax appeal enquiry where the CT Payer was asking for an update on their appeal. After a stage 1 investigation it was found that an email had been received but had gone in the 'junk mail' box of the CT Payer.

## Resolved Complaints - 12

Most of the resolved complaints involved our electoral registration function and were related to prescribed wording used in our electoral registration forms or online forums. We understood the issues raised by electors and were able to explain the mechanisms behind our processes which enabled these issues to be resolved. One complaint was regarding the manual addressing of an envelope to an elector which had been delivered to a neighbour's address. Although it is difficult to establish whether this was an addressing or delivery issue, we listened to the elector's concerns and have updated our checking procedures for the issue of mail to ensure the accuracy and quality of the information.

A complaint regarding our Valuation Roll function was in reference to the length of time taken to reach a decision regarding serviced apartments, in part due to coronavirus which prevented a site visit. The Assessor resolved this at stage 2 - formal complaint with the stakeholder. These were unique circumstances due to coronavirus.

With regards to our Council Tax function a quick resolution was achieved, and an on-the-spot apology provided as there had been a slight delay in providing a service.

## Conclusion

LVJB actively learn from the complaints we receive and analyse the nature of these complaints to see if there are trends or any learning outcomes that can be reflected on.

We try to find a resolution to the complaints we receive, and many of our complaints are resolved with the stakeholder in a positive way.

Most of our complaints are resolved at stage 1 with few complaints escalated to stage 2.

The statutory functions undertaken by the Assessor and Electoral Registration Officer are covered by several different appeal mechanisms, such as Non-Domestic Valuation and Council Tax Appeals and certain aspects of Electoral Registration. Representations under these are not recorded as complaints. The resolution of these appeals can be confrontational or adversarial but, despite this, our staff have shown their professionalism and knowledge and the relatively low number of complaints received regarding the level and quality of service provided across all our functions is an indication of this.

Although we do not consider statutory procedures such as appeals under our Complaints Handling Procedure, we will consider a complaint regarding our level or quality of service and if there has been a delay in providing a service or a delay in replying to a request for a service.

Our staff worked hard to maintain a good quality of service in difficult circumstances due to the restrictions imposed by the Scottish Government relating to the coronavirus pandemic. We received a small number of complaints in relation to our functions, particularly our Council Tax function, some were in relation to Council Tax appeals as the Valuation Appeal Committee was suspended due to the coronavirus pandemic and this meant that appeals were and still are awaiting a date for the committee.

We provide an online form on our complaints page so that our stakeholders can comment on our service quality as well as other methods of contact such as, email, telephone, in writing or in person.

We are working to improve our communication with stakeholders and to deliver our services in line with our guidelines after considering the learning outcomes from the complaints we received. Many of our stakeholders have provided positive feedback when we responded to their complaint.

Created by the Governance Team	16/09/2022
Approved by the Corporate Leadership Team	26/09/2022



## Appendix 1

### SPSO Performance Indicators

#### Indicator One – Complaints Received per 1,000 of Population

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- In 2021/2022 Lothian Valuation joint Board received, processed, and closed **26** complaints
- The population is estimated at around **912,490**
- This means there were **0.028** complaints per **1,000 population**, or roughly **1** resident in **35,100** made a complaint about our services

#### Indicator Two - the number and percentage of complaints at each stage that were closed in full within the set timescales of five and 20 working days

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- The number of complaints closed at stage 1 within 5 working days as % of total number of stage one complaints: **95%**
- The number of complaints closed at stage 2 within 20 working days as % of total number of stage one complaints: **100%**
- The number of escalated complaints within 20 working days as % of total number of stage 1 complaints: **100%**

#### Indicator Three - the average time in working days for a full response to complaints at each stage

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- Average time in working days to respond to complaints at stage 1: **2 working days**
- Average time in working days to respond to complaints at stage 2: **19.5 working days**
- Average time in working days to respond to complaints after escalation: **11 working days**

#### Indicator Four: the outcome of complaints at each stage

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Stage	Upheld	Partially upheld	Not upheld	Resolved
<b>1</b>	29	5	14	52
<b>2</b>	20	0	60	20
<b>2 (escalated)</b>	33.3	0	33.3	33.4

*As a % of all complaints closed (at each stage)*