

2022/23

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 2022 to 31 March 2023.

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.

Following the restrictions imposed during the Covid pandemic, our methods of service delivery began to return to normal after a varied delivery throughout 2020-2021 and the start of 2022 when we had continued to adapt to operational restrictions. Our staff have worked hard to maintain a high level of service required to meet our statutory obligations. These included the 2023 Revaluation of Non-Domestic properties which came into effect from 1 April 2023, the Scottish Local Government elections in May 2022 and the introduction of Voter Authority Certificates for certain elections, such as UK Parliamentary elections, which came into force from May 2023.

An area of our service delivery particularly impacted this year was valuation. This was, in part, due to the 2023 Revaluation and the issue of Revaluation Notices to all Non Domestic properties in the Lothian area. Although site visits and surveys commenced again, appeals for Valuation Roll and Council Tax continued to be affected. The Valuation Appeal Committee (VAC) which was suspended for a period in 2021-2022 continued to hear cases that could not be heard previously. This process has been further impacted by the introduction of a new Scottish Courts and Tribunal Service for Council Tax and Non-Domestic Rates appeals with effect from 1 April 2023 which replaced the previous VAC. There are a number of cases awaiting to be heard through this new service.

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?

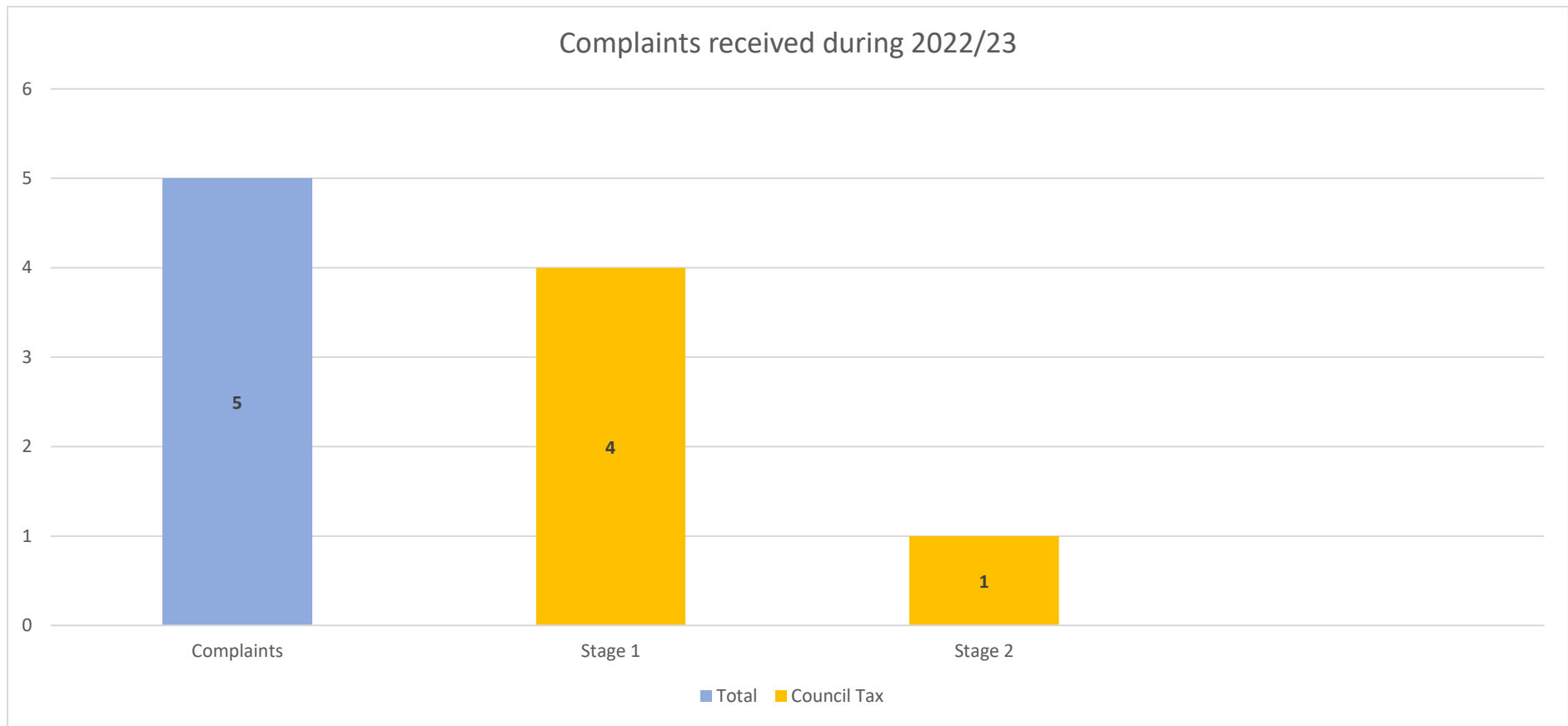
You can complain about things like:

- 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
 - such as freedom of information and subject access requests, or;
 - an established appeal process, such as a disagreement against information on council tax, non-domestic rates and the electoral register
- disagreement where a statutory right of appeal, complaint or challenge exists – such as a disagreement, challenge or objection concerning an information notice or its related civil penalty, the valuation roll, the valuation list or the electoral roll and its associated overseas and absent voters lists
- 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](#)



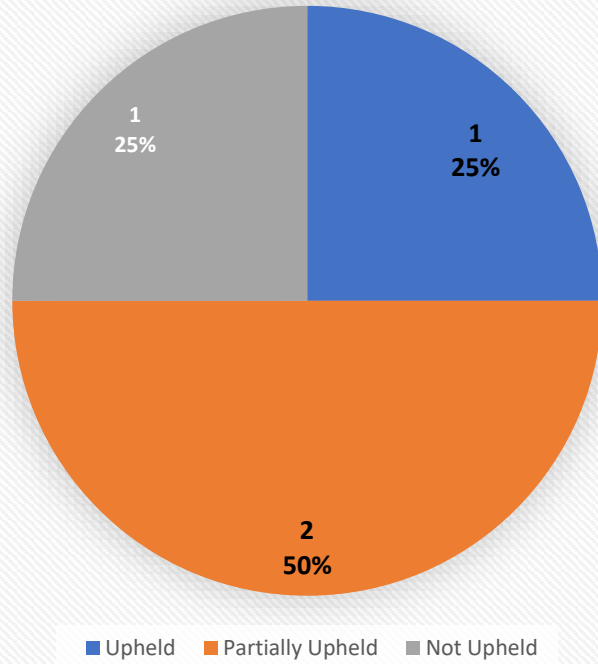
Notes

All the complaints received during this period were in relation to our Council Tax service.

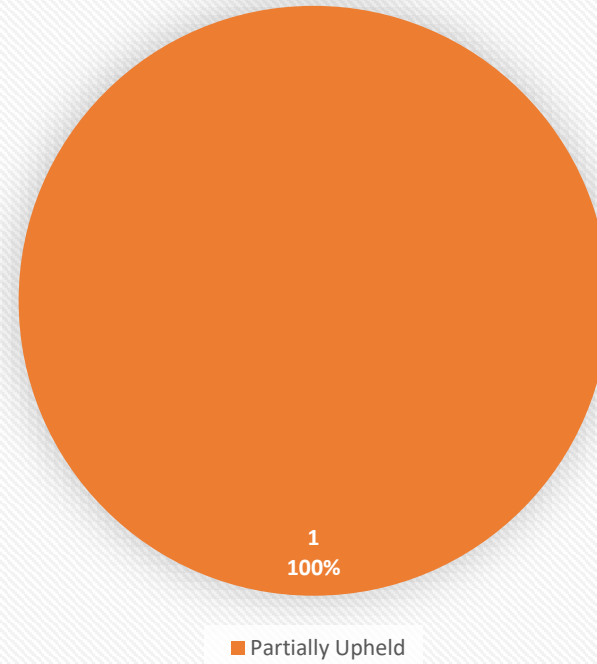
There was **1** complaint that related to our Council Tax service area which was escalated to stage 2 at the request of the stakeholder.

We did not receive any complaints relating to Valuation Roll or Electoral Registration.

Stage 1 Complaints Resolution



Stage 2 Complaints Resolution



Notes

80% of all complaints were closed at stage 1. There were no resolved complaints.

There were no complaints received at stage 2.

20% of all complaints were closed at stage 2 (Escalation).

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 we assisted the stakeholder in contacting the relevant party in order to resolve the issue raised. Two of the complaints received in this period also related to the actions or a service provided by a different organisation.

Copies of the quarterly report including KPI performance is approved by the senior management team and uploaded to the LVJB website.

Upheld Complaints - 1

The complaint which was upheld related to our Council Tax function.

The complaint was due to the length of time taken to include a new property on the Valuation List. It took 4 months from the date of entry indicated by the Council Tax Payer. This delay was in part, due to staff absences. We apologised to the Council Tax payer and the property was added to the Valuation List as soon as it was brought to our attention.

Whilst there is a statutory process in place to band new properties and add these properties to the Valuation List, there was a delay in this procedure that caused upset and inconvenience to the Council Tax Payer therefore we had fallen short of the high level of service we aim to provide in this instance.

Partially Upheld Complaints - 2

The complaints which were partially upheld related to our Council Tax function.

One complaint was regarding the length of time to receive a response with regard to a query over the condition of a property owned by the Council Tax Payer. The issues they raised were not the responsibility of the Assessor as they related to billing, which is the responsibility of the constituent council, in this case West Lothian Council. There was a delay in our technical team providing a response to the Council Tax Payer regarding their enquiry. This escalated to a Stage 2 complaint, we offered our apology for the delay in our initial response to their enquiry and provided contact details for the constituent council to assist the Council Tax payer in resolving the matter.

The second complaint was relating to the difficulty a Council Tax payer had in contacting a member of the valuation team by telephone. The Council Tax payer had contacted our office believing their new property had not been allocated a band, but this information had already been interfaced with the relative constituent council, in this case East Lothian Council. Many of our staff now work at home on a hybrid working basis, we have implemented a new phone system in order to make telephone contact with our staff (in particular our technical staff) more accessible.

Not Upheld Complaints - 1

The complaint which was not upheld related to our Council Tax function.

The complaint from a Council Tax payer related to a recording made of the Valuation Appeal Committee (VAC) proceedings. We explained to the Council Tax payer we had a lawful basis for making the recording. We subsequently updated our Privacy Notice to provide clear information regarding recordings.

SPSO Review of a Council Tax Complaint received in 2021/22

A CT Payer contacted the SPSO to request that they investigate the handling of their complaint by LVJB. The Stage 2 response to their original complaint was provided in June 2021 with further questions received by the stakeholder extending the time for the last response to their complaint to October 2021. The SPSO contacted LVJB in May 2022 to advise that the stakeholder had raised a complaint with them, and they had investigated. They confirmed the complainant had not raised any concerns with regard to LVJB's administrative functions and advised that they were unable to comment on the Council Tax band as it was not within their remit to do so. The SPSO advised they would not take the matter further.

Not recorded as a Complaint

We received some complaints that were not recorded as a complaint as the issue either related to legislation, there was a statutory procedure in place to deal with the enquiry or it related to another organisation who had responsibility for the issue. These types of complaints are listed under 'what you can't complain about' in our Complaints Handling Procedure.

We received **18** complaints of this category in the period from 1 April 2022 to 31 March 2023. These are the types of the enquiries we received:

- A Council Tax Payer was unhappy the £150 discount was only applied to Band A-D properties. Our technical team checked the Band of the Council Tax payers property, and it was correct.
- We received complaints from Council Tax payers questioning the length of time it would take for their Council Tax appeal to be heard by the Valuation Appeal Committee. It was explained that the legal process can take time and there were only a limited number of cases heard at hearing.
- We received queries from electors regarding opting out of the edited register. The process of opting was explained to them by our electoral administrators.
- An elector complained about the wording of the review letter issued which is issued when we receive information to advise an elector may no longer be resident at the address. The review process was explained to the elector and in this instance the elector was still resident at the address and their name was retained on the register.
- We received a small number of complaint submissions which were relating to matters which were not the responsibility of LVJB. In most cases this was regarding billing or payments of Council Tax or Non-Domestic rates or other enquiries relating to functions that our constituent councils have responsibility for. We contacted the stakeholders to advise how to contact the necessary authority in order to resolve the issue they had raised.

Conclusion

LVJB received very few complaints for the period 1 April 2022 to 31 March 2023. This is an improvement on the slightly higher number of complaints we received for the previous year where we were dealing with the restrictions imposed by the Covid pandemic and the impact that had on our service delivery. We did not receive any complaints in the last 2 quarters for the period 1 October 2022 to 31 March 2023.

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.

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	15/09/2023
Approved by the Corporate Leadership Team	25/10/2023

Appendix 1

SPSO Performance Indicators

Indicator One – Complaints Received per 1,000 of Population

- In 2021/2022 Lothian Valuation joint Board received, processed, and closed **5** complaints
- The population is estimated at around **916,310** *
- This means there were **0.005** complaints per **1,000 population**, or 1 resident in **183,262** made a complaint about our services

* Based on the 2021 mid-year population estimates produced by National Records for Scotland. This figure does not reflect the number of the population eligible to register for the electoral register for Lothian.

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

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

- Average time in working days to respond to complaints at stage 1: **3 working days**
- Average time in working days to respond to complaints at stage 2: **12 working days**
- Average time in working days to respond to complaints after escalation: **12 working days**

Indicator Four: the outcome of complaints at each stage

Stage	Upheld	Partially upheld	Not upheld	Resolved
1	25	50	25	0
2	0	0	0	0
2 (escalated)	0	100	0	0

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