

## Learning from Complaints 2023/24

### Quarter 3 – 1 October 2023 to 31 December 2023

	No. of Stage 1 complaint's
No. of Stage 1 complaints received	1
No. escalated to Stage 2	0
Stage 1 – response in 5 working days	3
Average no. of working days to respond	3
Stage 1 - Extended to 10 working days	0
Average no. of working days to respond	0
All stage 1 complaints – Average no. of working days for response	3
Outcome at Stage 1 - upheld/partially upheld/not upheld/ resolved	1 upheld/0 partially upheld/0 not upheld/0 resolved

	No. of Stage 2 complaint's
Stage 2 – no. escalated from Stage 1	0
Stage 2 – response in 20 working days	0
Average no. of working days to respond	n/a
Stage 2 – no. started at Stage 2	1
Stage 2 - response in 20 working days	20
Average no. of working days to respond	20
Total number of Stage 2 complaints	1
Outcome at Stage 2 - upheld/partially upheld/not upheld/ resolved	1 upheld/0 partially upheld/0 not upheld/0 resolved

**Total Complaints submitted: 2**

**No. of Stage 1 complaints as a % of all complaints: 1 (50%)**

**No. of Stage 2 complaints as a % of all complaints: 1 (50%)**

**Complaints resolved as a % of all complaints: 0 (0%)**

**Complaints upheld as a % of all complaints: 2 (100%)**

**Complaints partially upheld as a % of all complaints: 0 (0%)**

**Complaints not upheld as a % of all complaints: 0 (0%)**

**Complaints referred to the Scottish Public Services Ombudsman (SPSO): 0 (0%)**

### **Outcome of Stage 1 Complaints:**

There was 1 stage 1 complaint relating to Council Tax.

Complaint relates to a Point of Sale which increased the Band from C to E. It is not the banding that we are considering as the complaint as there is a separate and distinct route for proposals/appeals under statutory regulations, we would consider grounds which were covered under our Complaint's Procedure.

It is the timescale involved in the Point of Sale being processed that we have considered. The property was bought in December 2021, but we did not receive the sales data until February 2022. The revised band was applied at the end of July but not verified until the beginning of September 2023. This timescale falls short of the level of service we aim to provide, and an apology was made to the CT payer.

*The complaint was **upheld** on the basis that there had been a significant delay in the band increase being processed and the Council Tax payer being notified.*

### **Outcome of Stage 2 Complaints:**

There was 1 stage 2 complaint relating to Council Tax which was started at stage 2.

There were 2 issues raised as grounds for the CT payers complaint which related to a Council Tax appeal. We advised that although we were unable to consider the CT payer's appeal as there is a separate and distinct route for this under statutory regulations, we would consider grounds which were covered under our Complaint's Procedure.

Firstly, there had been not communication or discussion with the CT payer prior to the band of their property being increased. The increase was made due to an error found in the band reduction made in 2006 when the CT payer had purchased the property. Secondly, the documents relating to the original band change were not retained.

An apology for lack of communication prior to the band of the property being increased was provided previously by the staff involved in the initial process to increase the band and subsequently at the first tier tribunal by our advocate. We considered the complaint made after the CT payer did not receive an outcome in their favour at tribunal as a stage 2 complaint. A further apology was provided regarding the lack of contact surrounding the increase of the band and our technical staff were instructed to make contact with CT payers prior to increasing a band due to error in future.

The documents relating to the initial reduction of the band had been destroyed in line with our retention and disposal policy. We did accept that there was a lack of understanding with regard to our policies surrounding document retention and we will provide staff training in this regard. We will also review LVJB's retention and disposal policy.

*The complaint was **upheld** on the basis that there was no communication or discussion with the CT payer prior to the increase in band of their property due to error.*

Created by	Governance Team	22/01/2024
Approved by	Corporate Leadership Team	24/01/2024