

REPORT TITLE: Corporate Customer Standards Annual Report 2024/5

Meeting:	Corporate Governance and Audit Committee
Date:	28 November 2025
Cabinet Member (if applicable)	Nosheen Dad
Key Decision Eligible for Call In	No No
<p>Purpose of Report: To provide an update on performance for the year 2024/5 incorporating the Local Government Ombudsman’s annual report, and to update on plans to introduce the Local Government Ombudsman’s Code.</p>	
<p>Recommendations</p> <ul style="list-style-type: none"> To consider and note this report which presents the complaints outcomes for 2024/5 To note the whistleblowing outcomes (Appendix 4) To consider and note the plans to introduce the Local Government Ombudsman complaints code to Kirklees (Appendix 3) <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> Performance broadly consistent with previous years In line with previous agreement to adopt the voluntary Local Government Ombudsman’s code as good practice 	
<p>Resource Implications:</p> <p>None initially, will be monitoring the impact of the introduction of the Ombudsman’s Code as we move forward.</p>	
<p>Date signed off by <u>Executive Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?</p>	<p>Rachel Spencer Henshall 23.10.2025</p> <p>Kevin Mulvaney 10.11.2025</p> <p>Samantha Lawton 23.10.2025</p>

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes, no personal information included within the report.

1. Executive Summary

1.1 Complaint Handling Performance

1.1.1 Kirklees Council's complaints performance for 2024/25 remained broadly consistent with the previous year, indicating that the current complaints procedure is functioning effectively. Key performance indicators such as response times, escalation rates, and upheld complaints show stability, with some areas of improvement in early-stage resolution and service-specific learning outcomes.

1.1.2 Comparative analysis with other councils suggests Kirklees is performing within expected norms, particularly in areas such as repairs, housing management, and anti-social behaviour. While tenant satisfaction remains an area for development, the council has taken steps to improve communication and responsiveness.

1.2 Adoption of the Local Government Ombudsman's Complaint Handling Code

1.2.1 The council is preparing to adopt the Ombudsman's Complaint Handling Code through a revised **two-stage complaints process**. This will bring Kirklees in line with best practice standards and enhance transparency and accountability.

1.2.1 Key actions include:

- **Enhanced Monitoring:** Greater emphasis will be placed on tracking complaints throughout their lifecycle to ensure timely resolution and learning.
- **Governance & Oversight:** Strengthened reporting mechanisms to senior leadership and tenant panels.
- **Public Engagement:** Plans to improve accessibility and feedback mechanisms to align with the Code's expectations for service improvement.

1.3 Whistleblowing

1.3.1 A summary of whistleblowing activity and cases are provided

2. Information required to take a decision

2.1.1 The Local Government Ombudsman (LGO) publishes its annual report in July each year. This report for ELT and Corporate Governance and Audit Committee follows this schedule and also considers third stage complaint received during the year 2024/25.

2.1.2 The report also addresses "Whistleblowing" matters which have been notified through the Councils corporate process.

2.1.3 The report also contains as an appendix a report on Housing Services complaints, which are handled through slightly different processes.

2.1.4 The overall number of complaints in the various forms are as follows

Complaint type	2023/24	2024/5	Section
Third (Final) Stage Corporate complaints	81	90	3
Childrens services statutory second stage complaints	6	3	5
Adult Services Complaints	95	87	

Second (Final) Stage Housing complaints	190	250	4
Total	372	430	
Complaints formally investigated by the Ombudsman	21	17	2
Complaints formally investigated by Housing Ombudsman	8	49	4
Total Externally Assessed Complaints	29	66	

There are currently three Corporate Complaint Stages, two stages for Housing, three Statutory Childrens complaint stages and Adults Service have one complaint stage (as set out in the Care Act), although they have introduced a follow up stage if the resident returns to them.

2.1.5 The Local Government Ombudsman considers general, Adults and Statutory Childrens Complaints, while the Housing Ombudsman considers Housing complaints

2.1.6 It is important to note that comparing complaint volumes across Housing, Corporate, Adults, and Children’s services is challenging. Each service area currently has a different definition of the “final” stage before a complaint may be escalated to the Ombudsman. Additionally, the impact of complaints on day-to-day living varies significantly between services, and some functions include formal appeals processes that are separate from the complaints procedure.

2.2 The Ombudsman - complaints volumes, cases upheld and local comparative information

2.2.1 The Local Government Ombudsman oversees most kinds of complaints against the activities of local authorities.

2.2.2 The ultimate sanction the Ombudsman may apply is to issue a formal report against a council.

There were no formal reports issued against Kirklees Council in 2024-25. The last formal report against Kirklees Council was published in October 2018.

2.2.3 The Local Government Ombudsman publishes details of every complaint decision six weeks after they are formally made (with rare exceptional cases). We can use this information to compile a table showing West Yorkshire Council outcomes.

2.2.4 For the period 01/04/2024 – 31/03/2025, the Ombudsman considered the following number of cases in West Yorkshire.

Council	Total enquiries received (numbers change on last year)	Complaints formally investigated (change on last year)	Numbers Upheld (% of complaints formally investigated)	Numbers where LGO upheld complaint, but agreed with the remedies in place prior to involvement
Kirklees	109 (+11)	17 (-4)	16 (94%)	5 (31%)
Calderdale	86 (-3)	29 (+9)	22 (76%)	0 (0%)
Bradford	148 (+13)	34 (+5)	26 (76%)	6 (23%)
Leeds	227 (+10)	68 (+9)	62 (91%)	6 (10%)
Wakefield	66 (+7)	10 (-2)	6 (60%)	0 (0%)

Totals (West Yorks)	636 (KMC 17% of total)	158 (KMC 11% of total)	132 (KMC 12% of total)	17 (KMC 29% of total)
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2.2.5 Kirklees compared with West Yorkshire

2.2.6 Kirklees accounts for approximately 19% of the West Yorkshire population, yet the number of Ombudsman complaints from Kirklees residents is lower than might be expected when viewed in the context of the wider region. This trend has remained consistent for over a decade.

2.2.7 Nationally, Metropolitan councils averaged 4.7 upheld Ombudsman complaints per 100,000 residents. Kirklees' figure was 3.6, notably below the national average.

2.2.8 The Ombudsman contacts councils where there are concerns about delays in complaint handling or failure to implement remedies promptly. In West Yorkshire, three councils received such advice this year; Kirklees and one other did not. Combined with the relatively low number of complaints formally investigated and the higher proportion of complaints already remedied, this provides some reassurance that Kirklees' complaints procedure is robust.

2.2.9 A comparison with Yorkshire and Humber is provided in Appendix 1. This again shows Kirklees in the upper half of councils in terms of performance.

2.2.10 Details of each case upheld in 2024/5 are detailed in Appendix 2. The Local Government Ombudsman classes any administrative failing as "upheld" including any facet of the complaint, or if it has been identified at service stage, corporate review or with the Ombudsman.

3: Third Stage Complaint Investigations

3.1 In total 901 cases passed through the Corporate Customer Standards Section in 2024-25, a very similar number to recent previous years.

3.2 As well as respond to third stage complaints, the service provides advice to residents and services on complaint handling, and signposts complainants through the process. Amongst the 901 cases, the service deal with initial complaint enquires which are directed to the appropriate service to be dealt with, unusual enquiries where colleagues are unsure who might respond, advice requests from services about how they might deal with complaint matters, considering residents who might be displaying an unreasonable approach, and repeat/vexatious enquiries.

3.3 Each contact might have any number of return/repeat enquiries within it.

3.4 Third Stage Complaints - investigated internally

Service	2019-20	2020-21	2021-22	2022-23	2023-4 Total and (Upheld)	2024-5 (upheld)
Adults	4	1	1	1	1 (1)	0
Benefits, C Tax & NNDR	7	6	8	6	11 (2)	8 (1)
Corporate and others	12	7	16 (includes	7	3 (1)	5 (1)

			10 business grant)			
Children's and Education	7	2	2	3	18 (12)	17 (9)
Environment & Public Protection	19	19	17	7	22 (6)	26 (3)
Highways and Transport	7	7	12	3	8 (1)	11 (1)
Housing	2	4	5	6	8 (1)	8 (2)
Planning	13	26	22	23	10	15
Total	71	72	83	56	81	90
% Upheld and Part Upheld	21.1%	18%	16.9%	17.8%	33%	18.9%

3.5 There has again been an increase in the number of complaints received, and the numbers upheld have returned to longer term trends. It is worth noting that not all complaints considered by the Ombudsman go through the third stage process (some go through the other complaints process, some enter after a formal appeals process, occasionally they are considered prior to third stage).

3.6 The year saw an elevated number of complaints in waste collection and SEND. There was also a small increase in highways and planning complaints in year.

3.7 Special Educational Needs provision is a national issue, and in common with many council areas, backlogs of needs assessments had built up. The Service are catching up with work items, which had led to an increase in the number of assessments and therefore the numbers disagreeing are also higher. The complaints process considers issues such as delay and how the plans were prepared. Disagreement with the defined support described in the plan go through a formal appeals process, outside of the complaints arena.

3.8 In terms of highways there were an increased number of complaints relating to traffic calming measures, maintenance of verges, and parking enforcement. Planning complaints increased more generally, although we detected some delays in response to enquiries, both in planning and enforcement which prompted complaint.

3.9 81 third stage complaints were responded to within deadline within the year (90%). Some issues arose with obtaining information from services which delayed investigations, but overall outcomes with responding in time are generally satisfactory, given the peaks and troughs of work volumes, the complexity of some of the cases, and that within a small team there will always be gaps in staffing.

4: Childrens Services

4.1 At the time of preparing this report, a detailed Children's Service Annual Report has not been approved.

4.2 We do intend to report on the Childrens Annual Report shortly and will report to Corporate Governance and Audit Committee with an update on the progress of the Code and incorporate the Childrens Annual Report before the end of the financial year. In the year, the

team dealt with 223 contacts, 66 were dealt with as local resolution and 21 statutory stage one complaints were received. This is a slight decrease on the previous year.

4.3 Within the Childrens Complaints process the majority of complaints were resolved at early stages, with 100% of Local Resolution and 95% of Stage One statutory complaints not progressing further. Complaints raised by children and young people were few, and all were resolved satisfactorily, often with support from the Children's Rights Team. The number of complaints referred to the Local Government Ombudsman remained low, with only two investigated and none upheld, indicating strong internal resolution practices.

4.4 Performance against statutory timescales showed marked improvement, particularly at the Local Resolution and Stage One levels, with 95% of complaints responded to within required timeframes. The most common issues raised included communication failures, delays in service provision, and comments about process. Learning from complaints was actively captured and shared across teams, with themes such as improving communication, timely handovers, and accurate record-keeping informing service development and training.

5. Homes and Neighbourhoods

5.1 Homes and Neighbourhoods have their own full complaints management processes, and there is an opportunity for dissatisfied complainants to progress matters to the Housing Ombudsman.

5.2 Under the Social Housing (Regulation) Act 2023, the Housing Ombudsman's Complaint Handling Code ('Code') is now statutory and places a legal duty on the Council as a social housing landlord to comply with the Code.

5.3 As set out in the Code, the Council, is also required to produce an Annual Complaints Performance and Service Improvement Report. This mandatory requirement was introduced in 2024 and the report must be submitted by 30th June each year.

5.4 The Council must also ensure that the Annual Complaints Performance and Service Improvement Report has been reported to the council's governing body (Cabinet) and published on the section of the website relating to complaints.

5.5 The 2024/25 Annual Report that was approved by Cabinet on 10 June 2025 is shown at.

[Homes and Neighbourhoods Annual Complaints Performance and Service Improvement Report 2024/25](#)

5.5.1 Summary: Annual Complaints Performance & Service Improvement Report 2024/25

5.5.2 Overview

- **Complaint Volumes**
 - **Stage 1 complaints:** 772 (↓6.5% from previous year)
 - **Stage 2 complaints:** 250 (↑18% escalation rate)
 - **Most common complaint areas:** Repairs (60.8%), Housing Management (34.7%), especially Damp, Mould & Condensation (DMC), general repairs, and ASB.
- **Response Times**
 - Stage 1: 82.7% responded within 10 days (↑8.4%)
 - Stage 2: 68.18% responded within 20 days (↓7%)

- **Complaint Outcomes**
 - Stage 1 upheld: 64.3% (↑0.9%)
 - Stage 2 upheld: 63.2% (↑2.2%)
 - Complaints not accepted: 25 (↑from 6) – indicating better compliance with the Code.
- **Housing Ombudsman**
 - 49 determinations across 21 cases:
 - 2 Severe Maladministration
 - 20 Maladministration
 - 10 Service Failures
 - 14 No Maladministration
 - Most issues related to repairs, complaint handling, and ASB.
- **Satisfaction**
 - Overall satisfaction with complaint handling: **42.2%**
 - Tenant Satisfaction Measure with complaints handling: **23.2%** (↓compared to national median of 34%)

5.5.3 Learning Outcomes & Improvements

- **Repairs & Maintenance**
 - Live feedback survey introduced; complaints reduced by 27%.
 - New leak-handling process prevents premature job closures.
 - Repairs redesign underway to align with Awaab’s Law (Oct 2025) and improve communication.
- **Damp, Mould & Condensation (DMC)**
 - Dedicated DMC team established.
 - Vulnerability-based prioritisation and increased treatments led to fewer open cases.
- **Anti-Social Behaviour (ASB)**
 - New ASB, Domestic Abuse, and Vulnerable Tenant policies implemented.
 - Staff training and case audits introduced to improve handling.
- **Complaint Handling**
 - Improved data collection and online accessibility.
 - 400+ staff trained on updated complaint procedures.
 - Quality audits of Stage 1 responses planned to ensure thoroughness and clarity.
- **Systems & Governance**
 - New Housing Management System launching Oct 2025.
 - Quarterly performance reporting to SMT, Cabinet, and Tenant Panels ensures accountability.

5.5.4 Conclusion

While improvements in complaint volumes and response times are evident, challenges remain in escalation rates and tenant satisfaction. The council has taken significant steps to embed learning, improve service delivery, and align with regulatory standards, with further enhancements planned for 2025/26.

6: Learning from complaints

6.0.1 Examples of leaning from complaints in 2024/5 are as follows. This is not an exhaustive report, but it gives some examples.

6.0.2 Complaints often lead to what could be considered routine or expected learning. In a large organisation, new staff may be joining services or taking on new roles, and the learning from a complaint is often specific to that individual—who may not have been aware of, or considered, a particular aspect of a decision. In other cases, complaints arise due to delays or high workloads, rather than a need for deeper organisational learning. However, even in these instances, the customer experience can reinforce the importance of keeping residents informed about timescales and any delays.

6.1 SEND

6.1.1 As reported to Executive Leadership Team and Corporate Governance & Audit Committee in previous years, the Corporate Customer Standards Service have been working closely with the SEND team on ongoing complaint matters.

6.1.2 Whilst there is evidence the service is consistently improving, there is a long lead time with complaints progressing through the process, and given residents might have contact with SEND for 20 years, historic issues can emerge.

6.1.3 We have been studying Ombudsman outcomes from Kirklees and also other councils to help inform and influence good practice. In particular, complaints have highlighted the need for the service to keep records of actions even where they have not led to specific outcomes, to help provide assurance that the young person's support is actively considered, and we have highlighted cases which demonstrate the link between SEND issues and the council's responsibility to find alternative educational provision.

6.2 Adults

6.2.1 A complex complaint with a service user and their representative identified that the service focussed on discussing issues in detail with the representative, without also always considering keeping the service user up to date on actions and offering them reassurance.

6.2.2 A lack of clarity over the precise use of a direct payment with a service user and carer was identified. The complaint was exacerbated by inconsistent decision making with assessing older submissions for payment. It was agreed that the clarity would be provided to the service user.

6.3 Refuse collection

6.3.1 The refuse service has undergone an extensive period of restructure with new wagons being introduced of a slightly wider size, which led to some streets being missed more regularly for collection because of obstructions. The crew rounds were also rearranged meaning staff were not always aware of the new rounds and in particular the assisted collect arrangements.

6.3.2 The complaints process emphasised the particular impact upon those residents requiring assisted collection, and the additional focus that Local Government Ombudsman decisions place on monitoring and quickly improving any failed bin collection for disabled residents.

6.4 Letters of apology and making effective remedies

6.4.1 Where error and loss is identified, the ombudsman will often recommend that the council issue a formal apology letter and an offer of a small symbolic amount of compensation. For these to be most effective and genuine, it is important that such payments and letters are issued as quickly as possible after the remedy has been agreed.

6.4.2 Unfortunately, there has been occasion where the services have not always ensured payments and apology letters are issued promptly. There have been administration/process failures in a small number of service areas due to service and process change, and these issues have been highlighted and addressed.

6.5 Childrens complaints

6.5.1 Learning from children's complaints in year include ensuring clear, timely communication is provided to children, young people and their families.

6.5.2 There was a complaint which identified a need to ensure handover processes between teams were further developed to ensure continuity and avoid delays, and ensuring decisions and plans are shared with relevant parties, and that records are kept up to date.

6.6 Disability adaptations

6.6.1 A piece of adaptation work was undertaken at a property, which the resident complained about and refused to allow the contractor to return. They did not realise it was their responsibility to manage the works with the contractor they had chosen, and they were in error when they expected compensation from the council. The service did intervene to try to remedy the problems, but better clarity is needed to reinforce the role the householder has to play in the works.

7: Complaints Procedure Review – Local Government Ombudsman's Code

7.7.1 The Local Government Ombudsman Code is set to be introduced in April 2026. This requires the Council to have a two stage complaints process (a service stage and a corporate stage) with timescales for response and a monitoring process to record progress.

7.7.2 Appendix 3 provides a summary of the Ombudsman's Code. We intend to introduce the code in January 2026, with a soft launch and be fully compliant with the Ombudsman's code for its start date of April 2026.

7.7.3 The committee and management meetings will be further updated re progress for April 2026.

8: Whistleblowing

8.1 The Head of Risk and the Corporate Customer Standards Officer co-ordinate investigations for those cases directly reported to the Whistleblowing telephone line and email address. Other investigations may take place through issues reported to the HR section, direct to Internal Audit, the external auditor or to the Chief Executive's Office.

8.2 It is worth noting that many of the cases received fall outside of the technical definition of a Whistleblowing complaint (the legislation seeks to protect internal staff if they "whistle-blow") and many concerns arrive from members of the public, or are anonymous.

8.3 Services are reminded that employee whistle-blowers are legally protected from persecution and that they must ensure that reviews are impartial and that concerns are reasonably considered.

8.4 Whistleblowing issues may be referred to the Corporate Governance and Audit Committee or to Scrutiny for their consideration. Those investigated by Internal Audit are reported as a part of other reporting mechanisms to Corporate Governance and Audit Committee.

8.5 Whistleblowing contact details when provided always remain confidential on request although whistle-blowers are always advised if in specific certain circumstances, they are likely to be identified, or if they are an employee they may have a legal responsibility to be open (but with the benefit of statutory protection).

8.6 During the year 2024-25, 22 Whistleblowing referrals were received via either the Whistleblowing e-mail address (www.whistleblowing@kirklees.gov.uk) or telephone (01484 225030). While it is 9 cases higher than the previous year, numbers remain within the long-term averages for the year.

8.7 The whistleblowing reports received and how they were dealt with can be found in Appendix 4.

9. Implications for the Council

- 9.1 Working with People – It is important that consumer satisfaction is monitored and understood; the complaints process is a part of this.
- 9.2 Working with Partners – None directly; issues arising with partners would be referred for resolutions by them; Council /partner relationship issues are resolved outside of this process
- 9.3 Place Based Working – None directly
- 9.4 Improving outcomes for children– as addressed in the report/as 9.1
- 9.5 Climate change and air quality- None directly
- 9.6 Impact on the finances of local residents- None directly
- 9.7 Other (e.g., Legal/Financial or Human Resources)- Understanding where and how complaints arise is an important part of delivering better services. This often involves the service directly complained about, and support services

9 Contact officer : Chris Read, Corporate Customer Standards Officer 01484 221000

10 Appendices

Appendix 1: Comparison of Ombudsman Upheld Complaints per 100,000 population 2024/5 (2023/4 for comparison) – Yorkshire and Humber Councils

Council	2024/5	2023/4
Wakefield	1.7	2.2
Rotherham	2.2	1.5
North Lincs	2.4	5.9
Sheffield	2.8	3.5
Hull	2.9	4.6
York	3.4	3.4
Kirklees	3.6	3.0
Barnsley	3.6	3.2
NE Lincs	3.8	5.1
Doncaster	4.5	2.3
Bradford	4.6	3.6
East Riding	5.3	4.6
North Yorkshire	6.9	2.1

Leeds	7.4	5.3
Calderdale	10.5	9.1

Appendix 2: Decisions for Kirklees Metropolitan Borough Council between 01 April 2024 and 31 March 2025

There are 15 results published (please note that to maintain confidentiality, we do not publish all our decisions)

Summaries are provided by the Local Government Ombudsman and are unaltered.

- [Kirklees Metropolitan Borough Council \(23 013 968\)](#)

Statement Upheld Assessment and care plan 01-Apr-2024

Summary: There was a delay in completing a financial assessment which caused avoidable confusion, uncertainty and the shock of a large first bill. The Council has already reduced the bill and apologised, which is a partial remedy. It will offer a repayment plan and ensure there are enough staff to complete financial assessments without delay.

- [Kirklees Metropolitan Borough Council \(23 010 850\)](#)

Statement Upheld Special educational needs 02-May-2024

Summary: Mr and Mrs X complain about how the Council handled their daughter, S's, Education, Health and Care Plan provision. They say it delayed putting provision in place to ensure S's needs were met. This meant that S was left with little educational and therapeutic provision for longer than necessary. Mr and Mrs X would like the Council to apologise for the delays and pay them for the distress its actions have caused. We found the Council was at fault for the delays in the assessment process. The Council agreed to our recommendations and will address the injustice its actions caused to Mr and Mrs X as well as S.

- [Kirklees Metropolitan Borough Council \(23 015 456\)](#)

Statement Upheld Refuse and recycling 04-Jun-2024

Summary: Miss D says the Council repeatedly missed waste collections at her home. We have found evidence of fault by the Council and upheld the complaint. We completed the investigation because the Council agrees to take action including paying Miss D redress.

- [Kirklees Metropolitan Borough Council \(23 014 389\)](#)
-

Statement Upheld Charging 18-Jun-2024

Summary: Miss C complained on behalf of her father, Mr D that the Council had not provided clear and transparent information about the likely level of the contribution he would have to make towards his care charges before he agreed to a care package and then delayed in completing the financial assessment. We found the Council did not provide clear enough information about the likely level of the contribution and took 12 weeks to confirm the amount, causing a large debt to build up. The Council has agreed to pay £1000 to Mr D which can be offset against the outstanding amount, to agree an affordable repayment plan for the remaining debt and to improve its procedures for the future.

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- [Kirklees Metropolitan Borough Council \(24 002 949\)](#)
-

Statement Upheld Charging 20-Aug-2024

Summary: We will not investigate this complaint about the cost of adult social care. The Council failed to explain why the reablement team was involved in this case and to clarify that it was not free. The Council also delayed completing its financial assessment and confirming the costs of the care. It has apologised for the upset and confusion and waived £100 from the bill. We are satisfied with the actions it has taken to acknowledge the impact of its fault. If there was no fault the full bill would be due.

-
- [Kirklees Metropolitan Borough Council \(24 000 679\)](#)
-

Statement Upheld Assessment and care plan 16-Sep-2024

Summary: Summary: Mr X complains on behalf of his father the Council failed to complete an assessment in the allocated time which led to him being in an unsuitable setting. Mr X says his family were charged for one-to-one care which he does not believe they should have been. Mr X says this has caused his family distress and they have incurred costs they shouldn't have. We have found fault in the actions of the Council for failing to advise the likely costs of the care. We recommend the Council apologise and pays a financial payment to Mr X.

-
- [Kirklees Metropolitan Borough Council \(23 016 084\)](#)
-

Statement Upheld Alternative provision 13-Oct-2024

Summary: Miss X complained the Council did not deliver appropriate education to her son after his exclusion from college and that its communication was poor. We found fault because the Council failed to adequately consider its statutory duties, consult with other providers in a timely manner or communicate with Miss X appropriately. Miss X suffered avoidable frustration and distress and her son missed out on some of the education he

should have received. To remedy the injustice caused by this fault, the Council has agreed to apologise, make a payment to Miss X, issue reminders and guidance to relevant staff and consider reviewing some of its policies and procedures.

- [Kirklees Metropolitan Borough Council \(23 021 366\)](#)
-

Statement Upheld Special educational needs 14-Nov-2024

Summary: Delay by the Council amending B's Education, Health and Care (EHC) Plan and finding a new school meant he was without a full-time school place for almost four terms. He received some alternative provision for much of this time, but we have no way of knowing whether this was enough. The Council has agreed a remedy.

- [Kirklees Metropolitan Borough Council \(24 010 748\)](#)
-

Statement Upheld Disabled facilities grants 18-Dec-2024

Summary: We will not investigate this complaint about a disabled facilities grant. Part of the complaint is late without good enough reason to investigate it now. More recent events have not caused significant enough unremedied injustice to warrant us investigating. It is unlikely an investigation would achieve significantly more.

- [Kirklees Metropolitan Borough Council \(23 020 343\)](#)

Statement Upheld Alternative provision 15-Jan-2025

Summary: Miss X complained the Council failed to provide her child, Y, with a suitable full-time education when they could not attend school, delayed issuing Y's Education, Health and Care (EHC) Plan in line with statutory timescales and handled her complaint poorly. The Council was at fault when it delayed issuing Y's EHC Plan, failed to properly consider the education Y received between mid-February 2023 and mid-June 2024 and delayed responding to Miss X's complaint. The Council will apologise for the uncertainty this caused Miss X, make a symbolic payment to acknowledge the distress, frustration and uncertainty caused and provide service improvements.

- [Kirklees Metropolitan Borough Council \(23 020 343\)](#)
-

Statement Upheld Alternative provision 15-Jan-2025

Summary: Miss X complained the Council failed to provide her child, Y, with a suitable full-time education when they could not attend school, delayed issuing Y's Education, Health and Care (EHC) Plan in line with statutory timescales and handled her complaint poorly. The Council was at fault when it delayed issuing Y's EHC Plan, failed to properly consider the education Y received between mid-February 2023 and mid-June 2024 and

delayed responding to Miss X's complaint. The Council will apologise for the uncertainty this caused Miss X, make a symbolic payment to acknowledge the distress, frustration and uncertainty caused and provide service improvements.

- [Kirklees Metropolitan Borough Council \(24 001 973\)](#)
-

Statement Upheld Adoption 20-Jan-2025

Summary: X complained about how the Council dealt with their complaints concerning children's and educational services for C. We found there was avoidable delay by the Council both in assessing C's educational needs and issuing a final Education, Health and Care Plan and in its children's statutory complaints procedure. The delays caused X and C avoidable distress and uncertainty, which the Council agreed to put right by sending them a written apology and making a symbolic financial payment.

- [Kirklees Metropolitan Borough Council \(24 017 192\)](#)
-

Statement Upheld Council tax 04-Mar-2025

Summary: We will not investigate this complaint about Council tax because the Council has remedied the matter, and any dispute is a matter for the Valuation Tribunal.

- [Kirklees Metropolitan Borough Council \(24 015 943\)](#)
-

Statement Upheld Assessment and care plan 17-Mar-2025

Summary: We will not investigate this complaint about the Council's communication with Mrs X and her father's lack of progress in a rehabilitation placement. The Council has already apologised to Mrs X for issues with its communication and we would be unlikely to achieve anything further. There is insufficient evidence of fault in the Council's assessment of Mr X and the service he has received in his placement, to warrant investigation by the Ombudsman.

- [Kirklees Metropolitan Borough Council \(24 018 967\)](#)
-

Statement Upheld Refuse and recycling 20-Mar-2025

Summary: We will not investigate this complaint about problems with the complainant's assisted bin collections. This is because the Council has provided a fair remedy.

- [Kirklees Metropolitan Borough Council \(24 009 084\)](#)

Statement Upheld Charging 27-Mar-2025

Summary: Ms Z on behalf of her mother Mrs X, complained the Council delayed completing a financial assessment and then wrongly included a property in the assessment. resulting in no care home fees being paid and Mrs X given notice to leave care home. The Council failed to complete the financial assessment in a timely manner resulting in the care home giving Mrs X 28 days' notice to leave the home. The Council should cover the full cost of the care home for the time Mrs X lived there.

Appendix 3 - Update on Introducing the Local Government Ombudsman Code

Purpose of report

To provide an update on the work required to implement the Local Government Ombudsman's (LGO) Complaints Code by April 2026. The report outlines the necessary changes to Kirklees Council's complaints procedure, including a shift to a 2-stage process, and highlights the support, training, and systems needed to ensure successful implementation.

The Ombudsman Code sets expectations for complaints handling, including timescales and an expectation of a consistent standard within the content of the response. It would usually sit alongside a general Customer Standards document and an Unreasonable Behaviour policy.

Actions

- Confirm the soft launch of the 2-stage complaints process in January 2026.
- Update the Kirklees Complaint Procedure and adopt the LGO's recommended complaint exclusions.
- Provide guidance and training to services on complaint handling, timescales, and remedies.
- Confirm the responsible Cabinet Member and Senior Officer for complaints.
- Develop a communications plan for staff.

Key Implementation Areas

1. Background and Rationale

- The LGO Code, while technically voluntary, is expected to be adopted by councils. It aligns with the Housing Ombudsman Code and aims to standardise complaint handling across local authorities.
- The Code introduces a 2-stage complaints process: Stage 1 (service-level response) and Stage 2 (corporate review).
- Councils are expected to complete a self-assessment and monitor performance using standard KPIs.
- Note the old stage 1 of the process was about raising an issue/enquiry with the service, and looking to address/respond to that issue. This remains but falls outside of the process.

2. Actions Required

2.1 Two-Stage Complaints Process

- Stage 1: A full service response, ideally within 15 working days (5 days to acknowledge, 10 to respond).
- Stage 2: A corporate review within 25 working days (including acknowledgment).
- The soft launch is proposed for January 2026, allowing a 3-month bedding-in period before full implementation in April.

2.2 Service-Level Implications

- Services must distinguish between service requests and formal complaints.
- Staff will need to identify when a query becomes a complaint.
- Services must maintain records of complaints, response times, outcomes, and learning points.

2.3 Complaint Exclusions

- Kirklees will adopt the LGO's recommended exclusions (e.g., legal matters, anonymous or late complaints, personnel issues).
- Each case must still be considered on its merits, with discretion applied where appropriate.

2.4 Service Feedback

Services were contacted and asked to provide their views on the work required for the new code

- Services raised concerns about meeting timescales for response, resource pressures, and the need for training and systems.
- Suggestions included developing a central database, standard templates, and clearer guidance on complaint definitions.

2.5 Communication with Residents

- Complaints must be acknowledged within 5 working days, with realistic timelines for full responses.
- Clear communication is essential to manage expectations and reduce follow-up queries.
- There appears to be little benefit in sharing general communication about the complaints process. Kirklees is adopting the Local Government Code, intended to be used in every council area. Residents will be guided through the new scheme as and when they need to complain.

2.6 Response Deadlines

- Stage 1: 15 working days total.
- Stage 2: 25 working days total.
- Services must monitor and report on compliance with these deadlines.

2.7 Key Performance Indicators (KPIs) From April 2026, the following KPIs will be tracked:

- Number of complaints received and excluded.
- Timeliness of responses at each stage.
- Outcomes (upheld, partially upheld, not upheld, resolved).
- Learning and remedies provided.

2.8 Resident Responsibilities

- Residents must escalate to Stage 2 within 20 working days (flexible in some cases).
- The Council can set reasonable expectations for complaint content and format.

2.9 Remedies

- Services are encouraged to resolve complaints early and consider appropriate remedies at Stage 1.
- The Customer Standards team will support services in applying the LGO's guidance on remedies.

2.10 Standardised Responses

- Templates for acknowledgments, holding letters, and decisions will be developed.
- AI may assist in drafting responses but must not compromise personalisation.

2.11 Contractors

- Contractors must follow the 2-stage process.
- Services must clarify whether the contractor or the Council handles each stage.

2.12 Surveys

- Resident and staff surveys will be introduced post-April 2026 to assess the effectiveness of the new process.

2.13 Responsible Officers

- A Cabinet Member and Senior Officer will be designated to oversee complaints and ensure learning is embedded (the Lead Cabinet Member for Corporate Services and Executive Director for Corporate Resources).

2.14 Risk Register

- Complaints will be included in the Council's Risk Register to reflect their importance in service improvement.

2.15 Member Enquiries

- Member enquiries on behalf of a resident may initiate complaints. If unresolved, they can escalate through the formal complaints process.

3. Internal Promotion Plan

- Internal promotion will raise awareness among managers and staff.
- Activities can include:
 - Clarifying the difference between service requests and complaints.
 - Highlighting new timescales and reporting duties.
 - Promoting LGO information and developing internal staff support advice.
 - Hosting virtual sessions and presentations at leadership events. Attending SLT's

4. Analysis of other Council's work on introducing the code

A number of councils have presented details of their intention to introduce the code.

Areas highlighted for consideration include concerns about:

- the flexibility to deal with complaints which perhaps do not travel in the standard two stage process (for example complaints that are particularly complex with a number of elements).
- Identifying a complaint at an early stage and defining the difference between service request and complaint
- Whether the number of stage 2 complaints will increase (and numbers cited by those councils ahead of Kirklees appear to bear this out).
- The additional administration required to collate statistics and to send acknowledgement letters
- The ability of all services to meet the specified deadlines
- The potential for additional time spent monitoring late responded to complaints

5. Next Steps

- Confirm implementation details, training plans, and responsible officers.
- Monitor service readiness and resource needs.
- To update SLT and CGAC on progress for April 2026.

Appendix 4: Whistleblowing 2024/5

In 2024/5 we received 22 Whistleblowing approaches. This number is broadly similar to pre-covid times, a period where we experienced a dip in the number of contacts.

The 22 can be summarised as follows:

Concerns about staff behaviours/practices (9)

A complaint about unfavourable treatment at work. It was connected with a grievance issue.

A concern about the behaviour of a support worker for an adult was raised. While the person was not employed by the council, it was fully investigated and disciplinary action instigated.

Issues around the role of cleaning/caretaking services at a school was highlighted as a concern. The matter was investigated and a member of staff voluntarily offered to work elsewhere to avoid a personality clash.

A concern was raised about the conduct of a social worker in their personal life. The matter was fully investigated by the service and HR, and no issues were identified, and the situations highlighted explained.

A concern was raised about the conduct of a staff member in their personal life. A discussion was held with the staff member, although the allegation did not affect their working role.

A concern was raised about the conduct of a staff member and substance abuse, and how it was affecting their working role. A full HR investigation into the conduct of the individual was already taking place.

A concern of bullying in the workplace was received. As the WB did not wish to put themselves forward to make complaint, general training and discussions about workplace behaviour was

shared within the team to seek to improve management relations with staff. We did not receive further complaint.

An allegation that a staff member might be altering benefit records to the detriment of the claimant was received. No evidence was identified and the records had not been altered.

An allegation that an individual was working while receiving sick pay was received, some allegations about the nature of the sickness was also received. The matter was investigated and the person was not identified to be working elsewhere, and the reason for sickness absence had been evidenced.

Concerns about process (8)

A complaint about the use of stock at a young person's community home. The allegations were reviewed by our internal audit department, and the management at the home committed to ensuring more monitoring of expenditure.

A complaint about practices at a young person's community home was formally investigated with HR involvement.

A concern was raised about the suitability of accommodation used by a young person. The circumstances behind the placement were considered and found to be consistent with policy.

A concern about the operation of a care home where Kirklees residents are placed was received. A full site visit took place.

Another example was raised about treatment of staff at a non Kirklees council run care home. No issues relating to residents, but was passed to the commissioning team to consider. Concerns about staffing levels at a care home was received. A full site visit was arranged to check the conditions for residents at the home.

An investigation took place about how a compensation scheme was administered within a council department. Following an audit, it was concluded there was some training on the scheme required as there were a small number of examples where it had been mis-recorded or miscalculated.

A concern was raised about a recruitment process where the successful candidate did not have the full experience specified in the job profile . It was confirmed that the recruitment was conducted properly and there was a considered reason for the recruitment, and experience in the candidates previous employment.

School Matters (5)

Three School staff matters – which was passed onto the school management to consider, and the process monitored to ensure that matters were progressed.

A concern of inappropriate contract giving at a school was investigated by audit. No substance to the allegations.

A concern about inappropriate use of funds at a school was received. Investigated by audit – no substance to the allegation identified.

10 Service Director responsible: Samantha Lawton, Service Director Legal and Commissioning