

6 March 2018		ITEM: 7
Standards and Audit Committee		
Complaints & Enquiries Report – April 2017 to September 2017		
Wards and communities affected: All	Key Decision: Non-key	
Report of: Tina Martin, Statutory & Corporate Complaints Manager		
Accountable Assistant Director: David Lawson – Assistant Director Legal and Democratic Services (Monitoring Officer)		
Accountable Directors: Jackie Hinchliffe – Director of HR, OD & Transformation and David Lawson – Assistant Director Legal and Democratic Services (Monitoring Officer)		
This report is: Public		

Executive Summary

- The council received a total of 124 external compliments within the reporting period from residents and visitors.
- The number of complaints received for the reporting period is 930. For the same period last year the combined figure for concerns and complaints was 1569, therefore the reporting period represents a reduction which is positive.
- Directorate sheets and service dashboards are attached as Appendix 1. These provide information on the most common (not all) complaints received for the Directorate, with analysis on identified actions undertaken by the service to improve service delivery and reduce complaints. It also outlines performance for those complaints that were escalated throughout the process which resulted in the original complaint outcome being overturned.
- A summary for Adult Social Care complaints is attached as Appendix 2. This provides information on complaint and informal feedback, independent investigation costs, root cause analysis and any associated learning.
- A summary for Children Social care complaints is attached as Appendix 3. This provides information on complaint and informal feedback, any independent investigation costs, root cause analysis and associated learning.
- During the reporting period, 38% of complaints have been upheld. This is an improvement compared with the same period last year which identified 44% of

complaints as being upheld. Detailed analysis on upheld complaints is shown for service areas within Appendix 1, however the reporting period has highlighted:

- A reduction in upheld complaints for housing repair related services, which is positive.
 - An increase in upheld complaints for missed bin collections. This is expected to improve now that the optimised waste collection changes are embedded along with the recruitment of a number of frontline vacant posts.
- For the reporting period, 78% of complaints were responded to within timeframe. This is below the 95% target. Measures have been put in place post September 2017 that has resulted in improved performance (see below).
 - October 88%
 - November 91%
 - December 93%
 - A total of 445 MP/MEP enquiries were received, of which 69% were responded to within the timeframe. Measures have put in place post September 2017 that has resulted in improved performance.
 - A total of 2040 member enquiries were received, with 92% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 5 days.

1. Recommendation(s)

1.1 To note the statistics and performance for the reporting period.

2. Introduction and Background

- 2.1 This report sets out the council's complaints statistics for the period 1st April 2017 to 30th September 2017.
- 2.2 Adult Social Care (ASC) and Children's Social Care (CSC) have separate statutory complaints procedures.
- 2.3 Directorate and service analysis of complaints has been produced and is attached as Appendix 1. The Corporate Complaints Team work with services to establish the root cause for complaints received, to identify reasons for complaint escalation and to establish the reasons why complaints are upheld. Services are required to set SMART objectives outlining outcomes required to improve service delivery.

2.4 Ombudsman Enquiries

- 2.4.1 The table below provides a summary of formal enquiries where the Local Government Ombudsman (LGO) and/or the Housing Ombudsman (HO) have reached a formal decision on cases within the reporting period. Findings and

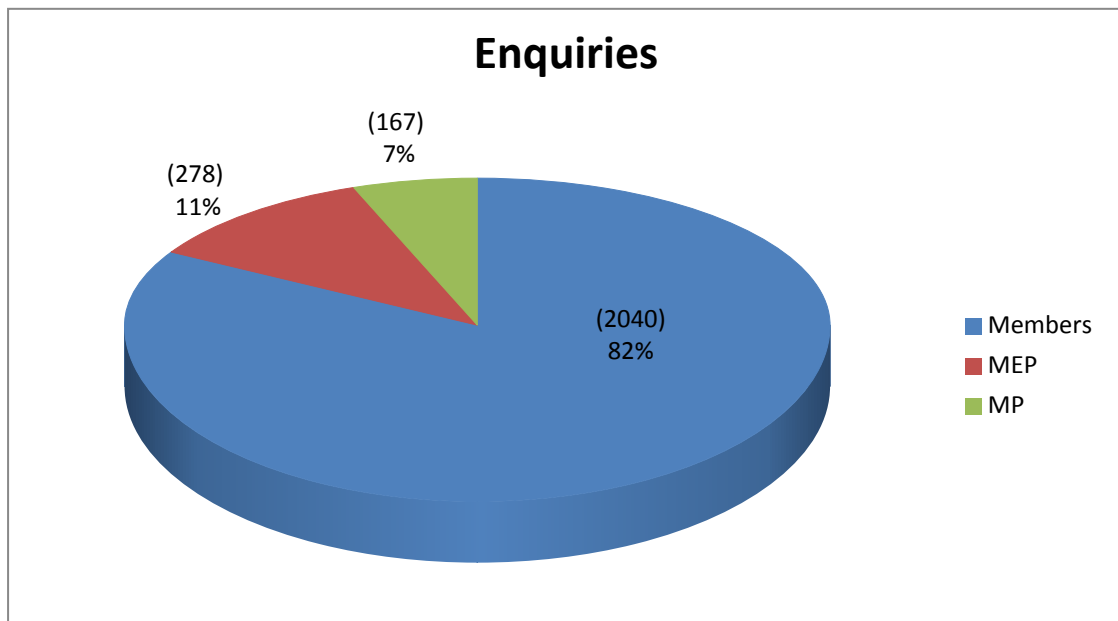
recommendations from all enquiries are shared with respective Directors and Assistant Directors.

Area	Issue Nature	Ombudsman Findings	Financial Remedy
Environment & Place (LGO)	Planning permission granted on resident's land	Discontinue investigation	N/A
Environment & Place (LGO)	Failure to remove dwelling	Maladministration, No Injustice	N/A

2.5 MP and Member Enquiries

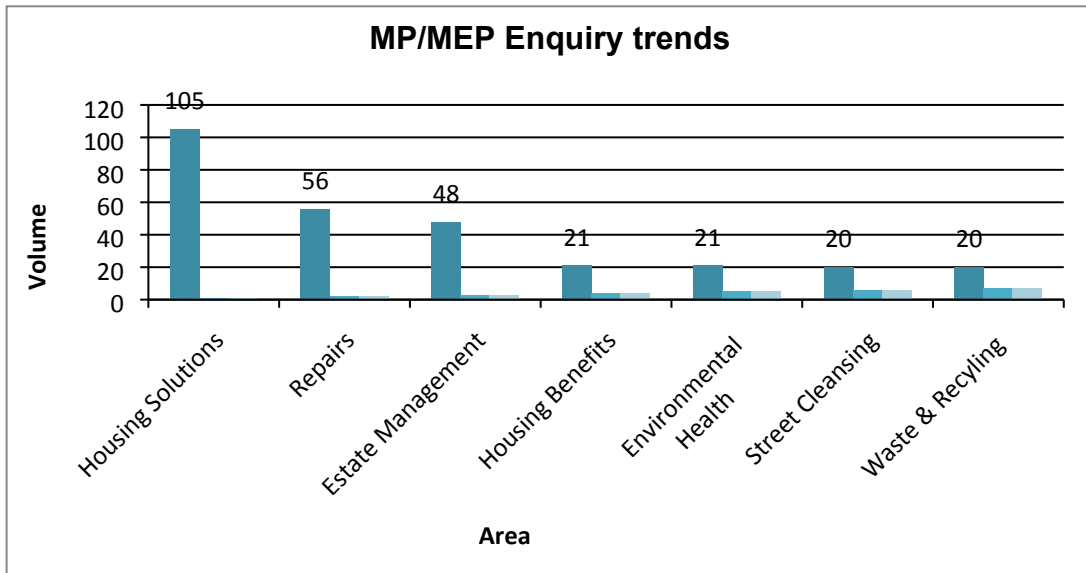
2.5.1 During the reporting period enquiries were received as follows:

- 2040 member enquiries were received, with 92% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 5 days.

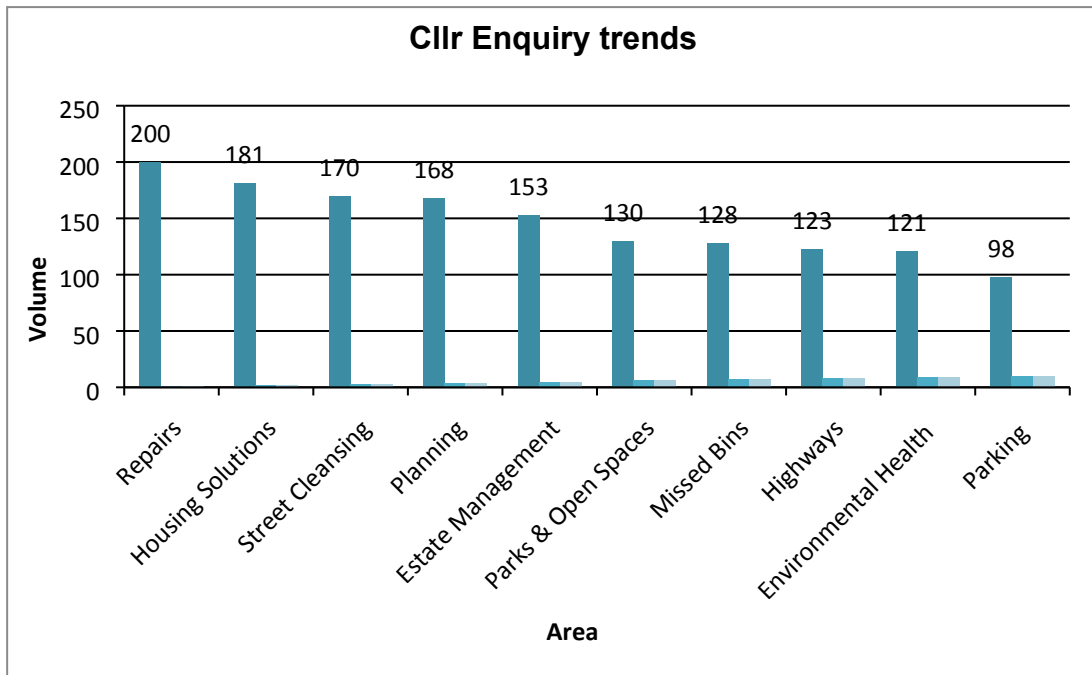


- A total of 445 MP/MEP enquiries were received, of which 69% were responded to within the timeframe.

2.5.2 MP/MEP enquiry trends and common themes are outlined below:



2.5.3 Councillor enquiry trends and common themes are outlined below:



2.6 Learning lessons from complaints

2.6.1 The most important aspect of any complaints management framework is the ability to demonstrate that the council can show evidence that it is learning from complaints received. The service dashboards (Appendix 1) include a high level summary of learning from upheld complaints which has been identified by the Directorates.

2.7 Complaint investigation costs

Complaints which escalate through the complaints procedure can result in additional costs to the council in terms of officer time. Based on analysis it has been estimated that a stage 1 complaint costs £40, a stage 2 complaint costs

£70 and a stage 3 complaint costs £120. As such complaint investigation costs for the reporting period are as follows:

Note – This is based on complaints closed (so will be different to the complaints received figure in the Executive Summary)

Complaint stage	No of complaints	Associated cost
Stage 1	625	£25k
Stage 2	277	£19k
Stage 3	58	£7k

The Directorate Sheets provide more analysis on those complaints where the original complaint outcome was changed following further investigation.

2.8 Alternate Dispute Resolution

Alternate Dispute Resolution (ADR) has been embedded within the corporate complaints process for several years and is implemented as a mechanism to resolve complaints swiftly should the complainant request escalation. This involves assessment of the presenting issues by the Statutory & Corporate Complaints Manager and appropriate recommendations being made. It can also include mediation with the complainant, the service or advising of onward referral to the appropriate Ombudsman.

For both children and adult social care services, ADR commenced in April 2017, with a key aim to reduce costs for the council in appointing independent investigating officers. The Statutory & Corporate Complaints Manager assesses all social care cases where escalation is requested by the complainant. This approach has shown positive outcomes resulting in no complaints for adult or children social care services requiring external independent investigation.

Complainants are seeking resolution and welcome the involvement of a neutral third person who will be able to assist both the complainant and the service in negotiating a settlement to their complaint.

Costs for independent investigations for both children and adult social care services differ depending upon complexity of the case, length of the investigation and in particular the need for independent persons in addition to an independent investigating officer for children's services. However, initial data analysis has shown that on average these costs are:

Adult Social Care	...	£3000 per complaint investigation
Children's Social Care	...	£1800 per stage 2
	...	£1000 per stage 3

Within the reporting period a total of 6 ADR's were successfully completed. This has resulted in savings to the respective service although it should be recognised that they can, at times, be resource intensive for the Corporate Complaints Team.

Social care service (adults or children's)	No of escalations received	No of completed ADR's	Estimated Savings
Adult Social Care	1	1	£3000
Children's Social Care	5	5	£9000
		TOTAL	£12000

2.9 Compensation

2.9.1 Records confirm that within the reporting period financial compensation payments have been made by the council as outlined below:

Area	Complaint Stage	Financial Remedy
Environment & Place – Street Services	Stage 3	£4,776
Environment & Place – Waste & Recycling	Stage 3	£25
		Total £4,801

2.10 Children's Social Care (CSC)

- Appendix 3 provides a summary dashboard for CSC.
- Children's Social Care operates a statutory complaints procedure. For the reporting period, 26 Stage 1 complaints were recorded. 5 complaints were upheld, 7 complaints were partially upheld and 14 complaints were not upheld. This is compared to last year's annual figures of 94 Stage 1 complaints recorded, 9 complaints upheld, 10 complaints partially upheld and 53 complaints not upheld. 7 were out of jurisdiction and 15 were withdrawn.
- No complaints progressed to Stage 2 independent investigation.
- No complaints progressed to a Stage 3 review panel.
- Other representations received are shown below:
 - 6 compliments
 - 9 MP Enquiries
 - 16 Member Enquiries
 - 11 MEP Enquiries
 - 16 Initial feedback.

2.11 Adult Social Care (ASC)

- Appendix 2 provides a summary dashboard for ASC.

- 14 complaints were investigated in accordance with the statutory adult social care complaints procedure. 8 complaints were upheld, 2 were partially upheld, 4 complaints were not upheld (4 are still on-going and 1 was withdrawn). This is compared to last year's annual figures of 98 complaints investigated, 46 complaints upheld, 12 partially upheld and 26 complaints not upheld. 12 complaints were withdrawn and 2 were out of jurisdiction.
- Other representations received are shown below:
 - 1 MP Enquiry
 - 38 Member Enquiries
 - 5 MEP Enquires
 - 72 compliments

2.12 Complaint channels

2.12.1 There are various means for complainants to register expressions of dissatisfaction. The top themes for the reporting period are shown below:

Digital channel (email, social media, website)	87%
Complaints Form	5%
Telephone	5%
Letter	3%
In Person	0%

2.13 Compliments

2.13.1 The council received a total of 124 external compliments within the reporting period from residents and visitors. Breakdown is below:

Area	Volume
Housing	16
Environment & Place	26
Finance & IT	1
Strategy, Communications & Customer Service	3
HR, OD & Transformation	0
Legal	0
Children's	0
ASC	72
CSC	6
Total	124

2.14 Changes to the complaints process

2.14.1 **Members Enquiries** - The timeframe for responding to member enquiries was reduced to 7 working days (from 10 working days) with effect from 1st September 2017.

3 Issues, Options and Analysis of Options

3.1 There are no options associated with this paper.

4 Reasons for recommendations

4.1 This report is for noting purposes. There are no recommendations requiring approval.

5 Consultation (including Overview and Scrutiny, if applicable)

5.1 This report was sent to Customer and Demand Board and Director's Board.

6 Impact on corporate policies, priorities, performance and community impact

6.1 Complaints impact on the council's priority of delivering excellence and achieving value for money.

6.2 The complaints process seeks to create a culture of corporate learning from best practice from listening to our customers and by acting on complaints. All complaints received must have learning applied if the complaint outcome is upheld.

6.3 The complaints process aims to improve customers' and users' experience of accessing council services. This will support our customer services strategy.

7 Implications

7.1 Financial

Implications verified by: **Yetsie Adeboye**

Management Accountant

There are no direct financial implications arising from this report.

7.2 Legal

Implications verified by: **David Lawson**

**Assistant Director Legal and Democratic
Services (Monitoring Officer)**

- Both the Courts and the Local Government Ombudsman expect complainants to show that they have exhausted local complaints / appeal procedures before commencing external action.
- The implementation of our learning from complaints and listening to our residents should lead to a reduction of complaints received and a reduction in those going to the Ombudsman or the Courts.
- Social Care for Adult and Children are required to follow a separate procedure stipulated by the Department of Health (DOH) and Department for Education & Skills (DFES).

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**

**Community Development and Equalities
Manager**

- The Information Management Team will ensure that the Community Development and Equalities Manager are aware of all complaints that have an equality related expression of dissatisfaction.

7.4 Other implications

None

8 Background papers used in preparing the report

- Information has been obtained from the council's complaints system.

9. Appendices to the report

- Appendix 1 – Directorate performance data analysis and learning outcomes.
- Appendix 2 – ASC Report summary
- Appendix 3 – CSC Report summary

Report Authors:

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