

29 September 2016		ITEM: 6
Standards and Audit Committee		
Annual Complaints Report 2015/16		
Wards and communities affected: All	Key Decision: Non-key	
Report of: Lee Henley – Information Manager		
Accountable Head of Service: Jackie Hinchliffe – Director of HR, OD & Transformation		
Accountable Director: Jackie Hinchliffe – Director of HR, OD & Transformation		
This report is: Public		

Executive Summary

Corporate complaints:

- A review of the complaints process has taken place and changes will take effect from August 2016. Changes include the removal of the concerns process and shorter complaint timeframes.
- A total of 1976 complaints have been received within the reporting period. For the same period last year this figure was 1616.
- A total of 2530 concerns have been received in the reporting period. For the same period last year this figure was 2486
- The combined total of complaints and concerns received for the reporting period is 4506. The combined total for 2014/15 was 4102.
- Some services, by virtue of the nature of the type of service provided, receive the highest volume of concerns/complaints. For the reporting period, the top five expressions of dissatisfaction relate to the following services:
 - Housing Repairs
 - Missed Bins
 - Estate Management
 - Council Tax
 - Housing Solutions
- The most common (not all) complaints is attached for each Directorate as Appendix 1. This is based on the previous organisational structure as this

structure was in place for the most part of 2015/16. Appendix 1 also provides analysis to why concerns/complaints have increased in some areas.

- During the reporting period, 50% of complaints have been upheld. This is an increase compared with the same period last year which identified 41% of complaints as being upheld. Analysis has shown that the reason for the increase in upheld complaints is due to the fact that some of our services who receive a high volume of complaints are also showing a high % that are upheld.
- A breakdown of upheld complaints at each stage is shown below.
 - Stage 1 - 57%
 - Stage 2 - 45%
 - Stage 3 – 20%
- For the reporting period, 98% of complaints were responded to in timeframe. This performance is encouraging when considered against the backdrop of the national austerity measures and the impact of reduced resources council-wide.
- A total of 526 MP/MEP enquiries were received (102 MEP), of which 97% were responded to within timeframe.
- A total of 3536 Members enquiries were received, of which 98% were responded to within timeframe. The average time taken to respond to Members enquiries across all Directorates was 6 calendar days.

1. Recommendations

- 1.1 To note the statistics and performance for the reporting period.**
- 1.2 To note that the Complaints Team will work alongside the newly formed Customer Demand Board to ensure root cause analysis is undertaken to identify the cause of complaints.**
- 1.3 To note that where root cause analysis has already taken place, the Complaints Team will work alongside services to ensure any agreed outcomes as a mechanism to reduce complaint volumes are implemented.**

2. Introduction and Background

- 2.1 This report sets out the council's complaints statistics for the year 2015/2016.
- 2.2 Adult's and Children's Social Care have separate statutory complaints procedures.
- 2.3 Directorate analysis of complaints has been produced and is attached as Appendix 1. This provides a high level summary of the top expressions of dissatisfaction and levels of escalation within the Directorates. The Corporate Complaints Team work with services to establish the root cause for concerns/complaints received, reasons for complaint escalation and reasons why complaints are upheld

2.4 Monthly cumulative reporting is issued to senior officers within Directorates in order for more detailed analysis to take place. The aim of which is to enable Directorates to identify any root causes and/or common themes, and to enable proactive steps to be implemented to improve the customer experience.

2.5 Ombudsman Enquiries

2.5.1 The table below provides a summary of formal enquiries where the Local Government Ombudsman and/or the Housing Ombudsman have reached a formal decision on cases with the reporting period. Findings and recommendations from all enquiries are shared with respective Directors and Heads of Service.

Directorate - Based on previous structure	Issue Nature	Ombudsman Findings	Financial Remedy
Planning & Transportation	Objection to planning consent for neighbours conservatory	No Maladministration	N/A
Children's Services	Objection to planning permission for a cycle storage facility at a school	Local settlement	N/A
Housing	Council's decision not to install a 6ft boundary fence	No Maladministration	N/A
Serco	Council Tax – direct debit	No Maladministration	N/A
Children's Services	School Admissions	Maladministration – No Injustice	N/A
Environment	Bin not being returned correctly causing obstruction	Upheld: Maladministration and injustice	£100
Housing	Neighbour dispute regarding feeding wildlife, and fly tipping	Discontinue investigation	N/A
Adults	Hospital Social Work Team failed to carry out an assessment	Upheld: Maladministration, No injustice	N/A
Housing	Eligibility to join Housing Register	Discontinue investigation	N/A
Environment	Damage to property whilst the council were working on a neighbour's garden	Outside jurisdiction	N/A
Environment	Noise concerns	No Maladministration	N/A
Housing	Eligibility to join Housing Register	Maladministration – causing injustice	£100
Housing	Condition of property	Local settlement	N/A
Housing	Damp & mould in property, and removal of pond	Local settlement	N/A
Housing	Delays with remedying repairs	Maladministration – no injustice	£300
Children's Services	Appeal of School Admissions	Discontinue investigation	N/A
Serco	Business Rates	Maladministration causing injustice	N/A
Housing	Condition of property	Local settlement	£100

Housing	Delays with completing repairs	Maladministration causing injustice	£300
Children's Services	Council failed in its duty to safeguard a child	Maladministration – no injustice	N/A
Housing	Various repair issues	Maladministration – causing injustice	£500
Housing	Anti-Social Behaviour and damp and mould in property	No Maladministration in relation to ASB however financial remedy due to delays in addressing damp/mould	£75
Serco	Business Rates	No Maladministration	N/A
Adults	Issues with care plan	Maladministration – causing injustice	£2700

2.6 MP and Member Enquiries

2.6.1 During the reporting period enquiries were received as follows:

- 3536 member enquiries were received, with 98% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 6 calendar days.
- A total of 526 MP/MEP enquiries were received (102 MEP), of which 97% were responded to within timeframe.

2.6.2 MP enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Repairs	78
Housing	Homeless Service	48
Planning & Transportation	Planning Decision/ Advice	22

2.6.3 Councillor enquiry trends and common themes are outlined below:

Directorate – Based on previous structure	Enquiry Type	Volume
Housing	Housing Transformation	106
Housing	Repairs	803
Housing	Tenancy Services Management	324
Housing	Housing Registrations & Allocations	130
Housing	Homelessness	158
Planning/Transportation	Parking	127
Planning/Transportation	Potholes	109
Planning/Transportation	Planning advice and decisions	231
Environment	Fly Tipping	176
Environment	Environmental Health & Trading	147

	Standards	
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2.7 Learning lessons from complaints

2.7.1 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. Appendix 1 includes a high level summary of learning from upheld complaints which has been identified by the Directorates. Case studies showing learning from complaints are also uploaded on the council website.

2.7.2 Cumulative Management Information (MI) is submitted to senior performance officers where requested to enable more detailed analysis to take place on the types of feedback received and address any common themes and trends. However, more work must be done to evidence learning from complaints by undertaking root cause analysis and this will be achieved with the Complaints Team working alongside the newly formed Customer and Demand Board.

2.8 Compensation

2.8.1 Records confirm that within the reporting period financial compensation payments have been extended as outlined below:

Directorate - Based on previous structure	Complaint Stage	Financial Remedy
Housing	Stage 3	£500
Housing	Housing Ombudsman	£50 Note – This is not shown in table 2.5.1 as although the payment was made in 2015/16, the decision was received in 2014/15
Environment	LGO	£100
Planning & Transportation	Internal Review	£200
Housing	LGO	£100
Children's Social Care	Stage 3	£1000
Housing	Stage 3	£350
Legal	Stage 3	£200
Housing	Housing Ombudsman	£300
Housing	Housing Ombudsman	£100
Adults Social Care	LGO	£2700
Housing	Housing Ombudsman	£300
Housing	Housing Ombudsman	£500
Housing	Stage 2	£50
Housing	Housing Ombudsman	£75

2.9 Children's Social Care

- Children's Social Care operates a statutory complaints procedure. For the reporting period, 81 Stage 1 complaints were recorded (the previous year 54 were received so this represents an increase). 7 complaints were upheld, 13 complaints were partially upheld and 36 complaints were not upheld. Of the 25 not completed, 3 were out of jurisdiction, 3 were withdrawn and 19 were in the process of investigation.
- 2 complaints progressed to Stage 2 independent investigation. Both complaints are currently pending investigation.
- 1 complaint progressed to a Stage 3 review panel. The outcome of this complaint is upheld and the learning has been taken forward by Senior Management.
- Other representations received are shown below:
 - 117 compliments
 - 4 Ombudsman enquiries
 - 17 MP Enquiries
 - 12 Member Enquiries
 - 7 MEP Enquiries
 - 48 concerns.

2.10 Adult Social Care

- 54 complaints were investigated in accordance with the statutory adult social care complaints procedure (the previous year 68 were received so this represents a reduction). 15 complaints were upheld, 9 were partially upheld, 14 complaints were not upheld and 13 complaints were in the process of being investigated. One complaint was withdrawn and two were out of jurisdiction.
- Other representations received are shown below:
 - 4 Ombudsman enquiries
 - 23 concerns
 - 16 MP Enquiries
 - 45 Member Enquiries
 - 12 MEP Enquires
 - 166 compliments
 - 4 Independent Living Fund Appeals

2.11 Complaint channels

2.11.1 There are various means for complainants to register expressions of dissatisfaction. The top themes for 2015/16 are shown below:

Email	50%
Complaints Form	32%
Telephone	10%
Letter	6%
Website	1%
In Person	1%

2.12 Compliments

2.12.1 The council received a total of 395 external compliments within the reporting period (last year this figure was 449) from residents and visitors. Breakdown is below:

Directorate – Based on previous structure	Volume
Central Services (CEDU/Chief Executive Dept)	5
Environment	44
Housing	85
Adult Social Care	158
Planning/Transportation	10
Serco	5
Children's Social Care	88
Total	395

2.13 Actions for 2016/17

2.13.1 The Complaints Team has agreed a series of actions for the period 2016/17, namely:

- To produce monthly reports to Performance Board and the Customer and Demand Board providing top level and service specific information on all complaints handled by the services. These reports will contain complaint performance information, trends and detail on upheld complaints. This will then allow services to use the information to identify and share any learning from complaints and to inform their service planning process.
- To hold complaint review meetings with services to discuss complaint volumes and trends and to agree actions for improving complaint performance.
- To continue to review the complaints procedure to ensure it best meets the needs of our residents and customers; including reviewing our existing

channels open to receiving complaints at Thurrock to ensure all complaints are captured for reporting purposes.

- To explore solutions aimed at providing a more digital approach to complaints. This will include the provision for complainants to log complaints directly and to track progress/status.

2.14 Changes to the complaints process

2.14.1 A review of the council's complaints process has been undertaken and the following changes were agreed at Directors Board on the 17th May 2016. These changes will come into effect on the 1st August 2016.

Concerns:

- The Concerns stage will be removed.
- All issues that would have previously been processed as a Concern will now be dealt with as a Stage 1 complaint.

Complaints timeframes:

- The timeframes for responding to Complaints, Members Enquiries and MP Enquiries will be changed from calendar days to working days.
- Stage 1 Complaints will have a 7 working day timeframe. This was 14 calendar days, therefore this represents a shorter timeframe.
- Stage 2 Complaints will have a 15 working day timeframe. This was 28 calendar days, therefore this represents a shorter timeframe.
- Stage 3 Complaints will have a 15 working day timeframe. This was 28 calendar days, therefore this represents a shorter timeframe.
- All Enquiries will have a 10 working day timeframe. This was 14 calendar days so no change.

Members Enquiries:

- Any Members Enquiries received on behalf of their constituents that clearly meet our definition of a Complaint, will be dealt with as a resident/individual Complaint (recorded as a Complaint via Members). In these cases the response will be sent to the resident/individual with the Member copied in.
- Enquiries from Members that do not align with our complaint definition will be logged and processed as a Members Enquiry.

Service Requests:

- Service requests must be logged where appropriate as a mechanism to ensure the issue is resolved swiftly (and not log Complaints unnecessarily). With this in mind a number of issues previously recorded as Concerns will be processed as a service request. Example below:
 - *Can someone inspect my property as I may have damp and mould appearing in some rooms – **Process as a service request (or customer slip for Housing)***
 - *I have had a job booked in for damp and mould treatment at my property over 2 months ago, but have still not been informed*

*when this will be done despite me requesting a date – **Process as a Complaint.***

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 Performance 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: **Laura Last**
Senior Finance Officer

There are no direct financial implications arising from this report.

7.2 Legal

Implications verified by: **David Lawson**
Deputy Head of Legal & Deputy 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.

Report Authors:

Lee Henley/Tina Martin (Information Manager/Senior Corporate Complaints & Information Governance Officer).