

21 September 2017		ITEM: 8
Standards and Audit Committee		
Annual Complaints Report 2016/2017		
Wards and communities affected: All	Key Decision: Key	
Report of: Lee Henley – Strategic Lead Information Management		
Accountable Assistant Director: N/A		
Accountable Director: Jackie Hinchliffe – Director of HR, OD & Transformation and David Lawson - Monitoring Officer		
This report is: Public		

Executive Summary

- A review of the complaints procedure resulted in the removal of the concerns stage with effect from 1st August 2016.
- The combined total of complaints and concerns received for the reporting period is 2890. The combined total for 2015/16 was 4506, therefore this represents a significant reduction.
- Directorate sheet summaries are attached as Appendix 1. These provide information on the most common (not all) complaints received for the Directorate, together with analysis on what action has been identified or undertaken by the service to improve service delivery and/or reduce complaints.
- During the reporting period, 38% of complaints have been upheld. This is an improvement compared with 2015/16 which identified 50% of complaints as being upheld.
- For the reporting period, 90% of complaints were responded to within timeframe. Performance has dipped compared to the previous year (98%) and is due to a combination of shorter complaint timeframes that were introduced on the 1st August 2016 and the introduction of the requirement for a senior officer sign for complaints within certain areas.
- A total of 752 MP/MEP enquiries were received, of which 97% were responded to within the timeframe.

- A total of 4065 members enquiries were received, of which 97% were responded to within the 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 year 2016/2017.

2.2 Adult Social Care (ASC) and Children's Social Care (CSC) have separate statutory complaints procedures.

2.3 Directorate analysis of complaints has been produced and are attached as Appendix 1. 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 Ombudsman Enquiries

2.4.1 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 within the reporting period. Findings and recommendations from all enquiries are shared with respective Directors and Heads of Service.

Area	Issue Nature	Ombudsman Findings	Financial Remedy
Housing (HO)	The handing of repairs following a leak.	Local settlement	£50
CSC (LGO)	Discrimination.	Local settlement	n/a
ASC (LGO)	Denied a supporting living allowance.	Maladministration and Injustice	n/a
ASC (LGO)	Handling of safeguarding matter.	Discontinue investigation	n/a
Housing (LGO)	Concerns over a homeless application.	No maladministration	n/a
Finance & IT (LGO)	Delay with processing housing benefit claim and payments, resulting in eviction.	Maladministration – no injustice	n/a
Housing (HO)	Unhappy with the caretaking service.	No maladministration	n/a
Housing (HO)	ASB concerns.	Closed after initial enquiries	n/a
ASC	Eviction from care home	No maladministration	n/a

(LGO)	and safeguarding issues.		
Legal (LGO)	Appeal against refusal of school place.	Closed after initial enquiries	n/a
Finance & IT (LGO)	Letters sent to incorrect address resulting in bailiff fees.	Maladministration and injustice	£100
Legal (LGO)	Appeal against refusal of school place.	Maladministration - no Injustice	n/a
Housing (LGO)	Failure to complete repairs.	Discontinue investigation	n/a
Legal (LGO)	Unhappy with the way the school admission appeal was arranged.	Maladministration - no Injustice	n/a
Environment & Place (LGO)	Failings in the way the council collected waste bin.	Maladministration - no Injustice	n/a
Housing (HO)	Failure to adequately address ASB issues.	Local settlement	£50
Housing (HO)	Disputes over service charge.	No maladministration	n/a
Environment & Place (LGO)	Breach of planning.	No maladministration	n/a
Legal (LGO)	Appeal against refusal of school place	Discontinue investigation	n/a
Environment & Place (LGO)	Refusal of dropped kerb application.	No maladministration	n/a
Legal (LGO)	Appeal against refusal of school place.	Maladministration - no Injustice	n/a
Finance & IT	Issues with debt recovery.	Closed after initial enquiries	n/a
Housing (HO)	Issues with repairs.	No Maladministration	n/a
CSC (LGO)	Support offered by CSC and sharing information without consent.	Maladministration and injustice	£250
Housing (LGO)	Priority banding for medical needs.	Closed after initial enquiries	n/a

2.5 MP and Member Enquiries

2.5.1 During the reporting period enquiries were received as follows:

- 4065 member enquiries were received, with 97% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 5 days.

- A total of 752 MP/MEP enquiries were received (498 MEP), of which 97% were responded to within timeframe.

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

Area	Enquiry Type	Volume
Housing	Housing solutions	189
Housing	Repairs	102
Housing	Estate Management	87
Finance & IT	Housing Benefits	49
Environment & Place	Street cleansing	32
Housing	Transforming Homes	24

2.5.3 Councillor enquiry trends and common themes are outlined below:

Area	Enquiry Type	Volume
Housing	Repairs	583
Housing	Housing Solutions	293
Environment & Place	Missed bin collections	112
Housing	ASB	90
Environment & Place	Street Cleansing	386
Environment & Place	Planning	196
Environment & Place	Environmental Health & Trading Standards	214

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. Appendix 1 includes a high level summary of learning from upheld complaints which has been identified by the Directorates.

2.7 Compensation

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

Area	Complaint Stage	Financial Remedy
CSC	Stage 3	£300
Finance & IT	Stage 2	£834
Environment & Place	Stage 3	£200
Housing	Stage 3	£160
Environment & Place	Stage 2	£25
Children's	Stage 3	£6500

Housing	Stage 2	£750
Housing	Stage 2	£800
Housing	Stage 2	£800
Housing	Stage 2	£725
Finance & IT	LGO	£100
Housing	Stage 3	£20
Strategy, Communications & Customer Service	Stage 3	£66
Housing	HO	£50
Environment & Place	Stage 3	£25
CSC	LGO	£250
Housing	HO	£50
		Total £11655

2.8 Children's Social Care (CSC)

- Children's Social Care operates a statutory complaints procedure. For the reporting period, 94 Stage 1 complaints were recorded (the previous year 81 were received so this represents an increase). 9 complaints were upheld, 10 complaints were partially upheld and 49 complaints were not upheld. Of the 26 not completed, 7 were out of jurisdiction, 15 were withdrawn and 4 are in the process of investigation.
- 2 complaints progressed to Stage 2 independent investigation. 1 complaint was partially upheld and 1 complaint is still ongoing.
- 1 complaint progressed to a Stage 3 review panel. The outcome of this complaint was partially upheld.
- Other representations received are shown below:
 - 62 compliments
 - 2 Ombudsman enquiries
 - 13 MP Enquiries
 - 23 Member Enquiries
 - 8 MEP Enquiries
 - 12 Initial feedback.

2.9 Adult Social Care (ASC)

- 98 complaints were investigated in accordance with the statutory adult social care complaints procedure (the previous year 54 were received so this represents an increase). 44 complaints were upheld, 12 were partially upheld, 26 complaints were not upheld and 2 complaints are in the process of being investigated. 12 complaints were withdrawn and 2 were out of jurisdiction.
- Other representations received are shown below:

- 1 Ombudsman enquiry
- 8 MP Enquiries
- 41 Member Enquiries
- 10 MEP Enquires
- 142 compliments

2.10 Complaint channels

2.10.1 There are various means for complainants to register expressions of dissatisfaction. The top themes for 2016/2017 are shown below:

Digital channel (email, social media, website)	72%
Complaints Form	11%
Telephone	12%
Letter	4%
In Person	1%

2.11 Compliments

2.11.1 The council received a total of 491 external compliments within the reporting period (last year this figure was 395) from residents and visitors. Breakdown is below:

Area	Volume
Housing	58
Environment & Place	162
Finance & IT	4
Strategy, Communications & Customer Service	17
HR, OD & Transformation	28
Legal	1
Children's	17
ASC	142
CSC	62
Total	491

2.12 Changes to the complaints process

2.12.1 A review of the council's complaints process resulted in changes with effect from 1st August 2016. This change resulted in the removal of the 'concerns' stage and any issues that would have previously been processed as a 'concern' are now dealt with as a stage 1 complaint if it meets the council complaint definition. A summary of other process changes made are shown below:

Complaints timeframes:

- The timeframes for responding to complaints, members enquiries and MP enquiries were changed from calendar days to working days.
- Stage 1 complaints now have a 7 working day timeframe. This was 14 calendar days, therefore this represents a shorter timeframe.
- Stage 2 complaints now have a 15 working day timeframe. This was 28 calendar days, therefore this represents a shorter timeframe.
- Stage 3 complaints now have a 15 working day timeframe. This was 28 calendar days, therefore this represents a shorter timeframe.
- All enquiries 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.

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: **Harriet Kateregga**

Management Accountant

There are no direct financial implications arising from this report.

7.2 Legal

Implications verified by: **David Lawson**

Deputy Head of Legal & 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

Strategic Lead – Information Management