

9 December 2014		ITEM: 6
Standards and Audit Committee		
Complaints Report – April to September 2014		
Wards and communities affected: All	Key Decision: Non-key	
Report of: Lee Henley – Information Manager		
Accountable Head of Service: Jackie Hinchliffe – Head of HR, OD & Customer Strategy		
Accountable Director: Graham Farrant – Chief Executive		
This report is: Public		

Executive Summary

Corporate complaints:

- A total of 790 complaints have been received within the reporting period (6 months). This is a decrease compared with 2013/14 full year volumes, as during 2013/14 2549 complaints were received. However this decrease is linked to a change in our complaints process, with the introduction of a concerns stage across all service areas from 1/1/14.
- A total of 1126 concerns have been received in the reporting period.
- The combined total of complaints and concerns received for the reporting period is 1916. During 2013/14, 3575 complaints/concerns were received and processed. This mid-year increase for 2014/15 (compared with 2013/14 year end totals), could be due to the fact that a number of concerns that are now being logged, would historically have been processed as service requests (and not complaints).
- Some services, by virtue of the nature of the type of service provided, receive the highest volume of complaints. For the reporting period, the top four expressions of dissatisfaction relate to the following services:
 - Housing repairs
 - Estate Management
 - Missed Waste collection
 - Council tax
- The reporting period has highlighted the following:
 - A significant reduction in Housing Repair complaints received.

- An increase in Housing Solutions concerns. This can be attributed to the change in criteria applied when determining housing applications (change of policy).
 - An increase in transforming homes concerns. However this is not unexpected in view of the borough wide council home transformation programme and the need for the service to have full visibility of feedback.
 - An increase in the combined concerns/complaints volumes for Housing Benefit.
 - An increase in the combined concerns/complaints volumes for parking.
 - A significant reduction in the combined concerns/complaints volumes for missed waste collections.
- During the reporting period, 42% of complaints have been upheld. This is an improvement compared with 2013/14, as 48% of complaints were upheld.
 - For the reporting period, 99% 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 within the council.
 - A total of 5 formal enquiries have been received from the Local Government Ombudsman (LGO). The average response time for responding to LGO enquiries is 15 days. This is an improvement on 2013/14, where a year end average figure of 21 days was achieved.
 - A total of 4 formal enquiries have been received from the Housing Ombudsman. The Housing Ombudsman does not have a standard timeframe for the council to issue a response and each request is managed on a case by case basis. However, all initial enquiries were responded to within the timeframes set by the Housing Ombudsman.
 - A total of 296 MP enquiries were received, of which 95% were responded to within timeframe. During 2013/14, performance within timeframe was reported as 98%.
 - A total of 1487 Members enquiries were received, of which 99% were responded to within timeframe. The reporting period has also seen an increase in Members' enquiries that have been logged, as during 2013/14 2023 were received.

Children's Social Care (CSC):

- The department recorded 117 representations (and these include compliments) under the Children's Statutory Social Care complaints procedure. 26 stage 1 complaints were received for Children's social care for this period. In addition, two stage 2 complaint investigations were started and one complaint progressed to stage 3. The department also addressed 1 Ombudsman enquiry, 8 MP enquiries and 10 member enquiries as well as 37 concerns.

Adult Social Care (ASC):

- A total of 158 representations were recorded as received for this reporting period which included 27 complaints, 1 Ombudsman enquiry, 11 concerns, 6 MP enquiries and 18 Member enquiries.

The service aims to successfully resolve issues and concerns at the point they are raised and promotes the same approach from commissioned providers. This approach means that more matters are being appropriately dealt with before they are escalated into the statutory complaints process.

1. Recommendations

1.1 To note the statistics for the reporting period April to September 2014.

2. Introduction and Background

2.1 This report sets out details relating to the council's complaints statistics and performance for the period April to September 2014.

2.2 Adult's and Children's Social Care have separate statutory complaints procedures which are managed by the respective Directorates.

2.3 Volumes and performance for complaints and concerns

2.3.1 During the reporting period, a total of 812 complaints were due a response, and performance at each stage is as follows:

Complaint stage	Volume	Responded to within timeframe
Stage 1	464	99%
Stage 2	261	99%
Stage 3	87	99%

2.3.2 The table below outlines complaint/concerns volumes received over recent years and the percentage of complaints due a response and processed within timeframe:

Year	Complaints Received	Complaints Responded Within Timeframe	Concerns Received	Complaints/Concerns Totals
2014/15 (6 months)	790	99%	1126	1916
2013/14	2549	97%	1026	3575
2012/13	3505	91%	N/A	3505
2011/12	2618	97%	N/A	2618

2010/11	3187	89%	N/A	3187
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With effect from 1/4/13, the council implemented an informal stage when processing Housing complaints. This informal stage resulted in issues being recorded as a concern as opposed to a complaint and represents an enhanced level of customer service, as the service area is tasked with contacting the individual via telephone in order to resolve the issue informally.

Leadership Group agreed that the council would adopt this process change across all service areas as a mechanism to drive forward improvements in the way we interact with our residents, service users and customers. This change then took place from 1/1/14.

The reporting period has seen a decrease in complaint volumes compared with 2013/14. However this decrease is linked to the change in our complaints process, with the introduction of the concerns stage across all service areas from 1/1/14.

2.3.3 The table below shows the most common complaints and concerns received per Directorate for the reporting period.

Notes:

- Figures in brackets represent 2013/14 full year volumes.
- 2013/14 concerns – As detailed above for Housing the concerns process commenced on 1/4/13. For all other service areas, the concerns process commenced on 1/1/14 (4th quarter within 2013/14).

Directorate	Issue Nature	Complaints Received	Concerns Received
Children's Services	Admissions	4 (2)	6 (0)
	SEN	1 (3)	0 (0)
	Children's Social Care Complaints	26 (66)	37 (34)
Adult, Health & Commissioning	Adults Social Care	17	11
Housing	Repairs	163 (557)	253 (552)
	Estate Management	71 (182)	87 (101)
	Housing Solutions	34 (80)	104 (51)
	Transforming Homes	33 (72)	39 (0)
Serco	Council Tax	54 (268)	85 (32)
	Housing Benefit	26 (101)	61(25)
	Contact Centre	7 (65)	34 (12)
Central Services	Finance	4 (6)	6 (0)

	Legal	3 (0)	1 (0)
	Complaints	2 (6)	0 (0)
Environment	Missed waste collection	45 (514)	140 (41)
	Environmental Health Trading Standards	7 (28)	0 (0)
	Non return of bins	6 (50)	22 (0)
Planning & Transportation	Parking	12 (21)	19 (0)
	Planning Decision	7 (29)	8 (0)
	Pot holes	6 (30)	22 (13)

2.3.4 During the reporting period, 1126 concerns have been logged. Of these:

- 1071 were responded to.
- 55 remain active on the complaints system and have not been closed off.

It should be noted that for the concerns above that remain active, it does not necessarily mean that the concern was not responded to by the service area. It could be that the issue was dealt with and the Complaints Team were not updated. Going forward more work on this will be undertaken by the Complaints Team to enable greater transparency over the management of concerns.

2.3.5 Based on the table in 2.3.3 above, it is evident that:

- The reporting period highlights a significant reduction in Housing Repair complaints received.
- There is an increase in Housing Solutions concerns. This can be attributed to the change in criteria applied when determining housing applications (change of policy).
- There is an increase in transforming homes concern. However this is not unexpected in view of the borough wide council home transformation programme and the need for the service to have full visibility of feedback.
- There is an increase in the combined concerns/complaints volumes for Housing Benefit. Claims for housing benefit are now made online for the majority of cases. This results in preliminary decisions being reached on cases that much sooner and these decisions are not always in the claimant's favour. This is a possible explanation for the increase in complaint volumes.
- There is an increase in the combined concerns/complaints volumes for parking which in the main is attributed to staff issuing tickets due to contraventions by the public
- The reporting period highlights a significant reduction in the combined concerns/complaints volumes for missed waste collections.

2.4 Children's Social Care (CSC)

- Children's social care operates a statutory complaints procedure. For the reporting period, 26 stage 1 complaints were recorded as received, of which 21 were completed with an outcome. Two complaints were upheld, 3 complaints were partially upheld and 16 complaints were not upheld.
- Two complaints were progressed to stage 2 independent investigation stage. The complaints are currently being investigated.
- One complaint progressed to stage 3 review panel and the complaints were partially upheld. Learning outcomes from complaints are disseminated to all staff to ensure service improvement.

2.5 Adult Social Care (ASC)

- 27 complaints were investigated in accordance with the statutory adult social care complaints procedure. Three complaints were upheld, 2 were partially upheld, 8 complaints were not upheld and 7 complaints were in the process of being investigated. Six complaints were withdrawn.

2.6 Complaint outcomes

2.6.1 The table below outlines the % of upheld complaints across all stages during the reporting period. Figures in brackets represent 2013/14 annual statistics.

Stage	Total complaints due	Complaints upheld	% upheld
Stage 1	464 (1731)	209 (887)	45% (51%)
Stage 2	261 (599)	110 (253)	42% (42%)
Stage 3	87 (170)	24 (56)	28% (33%)
Totals	812 (2500)	343 (1196)	42% (48%)

2.6.2 All stage 3 complaints are subject to a pre-assessment by senior officers within the Complaints Team. It should be noted that of the 87 stage 3 complaints received a total of 25 were cancelled on the system. A stage 3 complaint can be cancelled for two reasons:

- Following a meeting with the complainant together with the service area which has resulted in satisfactory resolution.
- Where a senior officer within the Complaints Team is of the view that the Directorate could do further work to negate a formal stage 3, the complaint

is returned for further management. The complainant is then informed of this.

2.7 Quality checking

2.7.1 The Corporate Complaints Team, as part of its quality checking programme, check complaints responses to ensure they are fit for purpose. Going forward the results of these checks will be fed back to Performance Board.

2.8 Ombudsman Enquiries

2.8.1 The table below provides a summary of formal enquiries received from either the LGO or the Housing Ombudsman within the reporting period. Findings from all enquiries are shared with respective Heads of Service.

Directorate	Issue Nature	Findings	Financial remedy
Adults Health and Commissioning	Assessment and eligible need	No maladministration	N/A
Planning & Transportation	Parking fines	Investigation discontinued	N/A
Serco	Bailiff action	Remains active	N/A
Chief Executive's Office	Admissions appeal decision	Remains active	N/A
Environment	Missed refuse collection	Remains active	N/A
Housing	Damp and mould in property	Remains active	N/A
Housing	Delay in addressing damp and mould in property	Maladministration and injustice	£750
Housing	Fit to let standard	Remains active	N/A
Housing	Condition of property	Remains active	N/A

2.8.2 The LGO set the council a deadline of 28 days to respond to first enquiries. However the council has implemented a 21 day deadline in order to maintain an effective level of performance.

2.8.3 Performance for responding within the reporting period averages at 15 days for LGO enquiries which is well within target and an improvement on 2013/14 (as our average timeframe was 21 days).

2.8.4 Below are the council's average LGO response times over the past 4 years. The figures in brackets represent the number of enquiries that were received from the LGO investigation team.

- 2010/11 - 21 days (20)
- 2011/12 – 15 days (33)
- 2012/13 – 15 days (27)
- 2013/14 – 21 days (19)

2.8.5 The Housing Ombudsman does not have a default timeline for responding to enquiries. Timelines are usually set by the Ombudsman dependent upon the level of detail of the enquiry. However, the council continues to bring forward timelines wherever possible to ensure effective performance. Performance for responding to Housing Ombudsman enquiries within the reporting period averages at 20 days (for 4 enquiries).

2.9 Compliments

2.9.1 During the reporting period 258 compliments were received (217 external and 41 internal). Compliments data per Directorate is detailed below:

Directorate	Total compliments	External	Internal
Central Services	14	6	8
Children's Services	1	1	
Social Care Children's and Adults	137	119	18
Housing	39	33	6
Environment	47	41	6
Planning & Transportation	10	8	2
Serco	10	9	1

2.9.2 The table below shows compliments received since 2010/11.

Year	Compliments received
2013/14	629
2012/13	631
2011/12	765
2010/11	963

2.10 MP and Councillor Enquiries

2.10.1 During the reporting period enquiries were received as follows:

- 1487 councillor enquiries were received, with 99% responded to within timeframe.
- 296 MP enquiries were received, with 95% responded to within timeframe.

During 2013/14, 364 MP enquiries were received with 98% responded to within timeframe. Therefore current performance represents a dip in performance.

The reporting period has seen an increase in Members' enquiries that have been logged, as during 2013/14 2023 were received.

2.10.2 It should be noted that at the time of producing this report, the council has started to receive formal enquiries via the MEP. More detail on the types of these enquiries will be outlined in future reports. However there are none within the reporting period.

2.10.3 MP enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Repairs	59
	Customer Services	22
	Antisocial behaviour	16
	Thurrock Choice Homes	14
Planning & Transportation	Planning Decision / Advice	10
	Parking	4
Children's Services	School Admissions	10

2.10.4 Councillor enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Repairs	347
	Transfer issues	41
	Housing Transformation	47
	Antisocial behaviour	37
Environment	Waste & Recycling	29
Planning & Transportation	Parking	23
Serco	Council Tax	20

2.11 Learning lessons from complaints

2.11.1 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 details a sample of case studies which outline learning from upheld complaints.

2.11.2 Case studies from upheld complaints are published on the council 'You Said We Did'. Following the redesign of the council webpage there has been a delay in updating some case studies. However work is in progress with the Web Team to remedy this.

2.11.3 As a result of council wide changes and the need to make best use of council resources the Corporate Complaints Team no longer provide monthly reports on complaint performance for every Directorate. However, 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. The team will continue to provide MI to services as and when requested.

2.11.4 All Directorates should focus on those complaints which are upheld and ensure learning is implemented, thereby improving the customer experience. Learning from upheld complaints is not routinely fed back to the Corporate Complaints Team.

2.12 Compensation

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

Directorate	Complaint Stage	Financial remedy
Housing	Stage 1	£200
	Stage 3	£200
	Stage 3	£350
	Housing Ombudsman	£750
Total		£1500

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. Prior to going to Standards and Audit Committee, the report was considered by Directors 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: **Sean Clark**
Head of Corporate Finance

There are no direct financial implications with this report.

7.2 Legal

Implications verified by: **David Lawson**
Deputy Head of Legal and 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 continue to work with relevant officers to provide data that can be broken down into race, gender and disability themes in order to address any inequalities in relation to service delivery. This initiative will also support our aim of using complaints data as a service improvement tool.

7.4 Other implications

None

8 Background papers used in preparing the report

- Information has been obtained from the council complaint system.

9. Appendices to the report

- Appendix 1 – case studies from upheld complaints

Report Author:

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