

14 March 2019	ITEM: 7
Standards and Audit Committee	
Complaints and Enquiries Report – April 2018 to September 2018	
Wards and communities affected: All	Key Decision: N/A
Report of: Lee Henley, Strategic Lead of Information Management	
Accountable Assistant Director: David Lawson, Assistant Director of Law and Governance	
Accountable Director: Jackie Hinchliffe, Director of HR, OD and Transformation	
This report is Public	

Executive Summary

- The number of complaints received for the reporting period is 860. For the same period last year the figure was 893, therefore the reporting period represents a slight reduction in 33 corporate complaints.
- Details of the top 10 complaint areas are detailed within Appendix 1.
- A summary for Adult Social Care complaints is attached as Appendix 2.
- A summary for Children Social Care complaints is attached as Appendix 3.
- During the reporting period, 46% of complaints have been upheld. This is a decrease in performance compared with the same period last year which identified 39% of complaints as being upheld.
- For the reporting period, 87% of complaints were responded to within timeframe. This is below the 95% target.
- A total of 299 MP/MEP enquiries were received, of which 87% were responded to within the timeframe.
- A total of 2030 member enquiries were received, with 95% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 4 days.
- The reporting period has seen an increase in compliments received.

1. Recommendations

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 1 April 2018 to 30 September 2018.
- 2.2 Adult Social Care (ASC) and Children's Social Care (CSC) have separate statutory complaints procedures.
- 2.3 Top 10 complaint themes have been produced and are 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.

2.4 Ombudsman Enquiries

- 2.4.1 The table below provides a summary of formal enquiries where the Local Government and Social Care Ombudsman (LGSCO) 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.

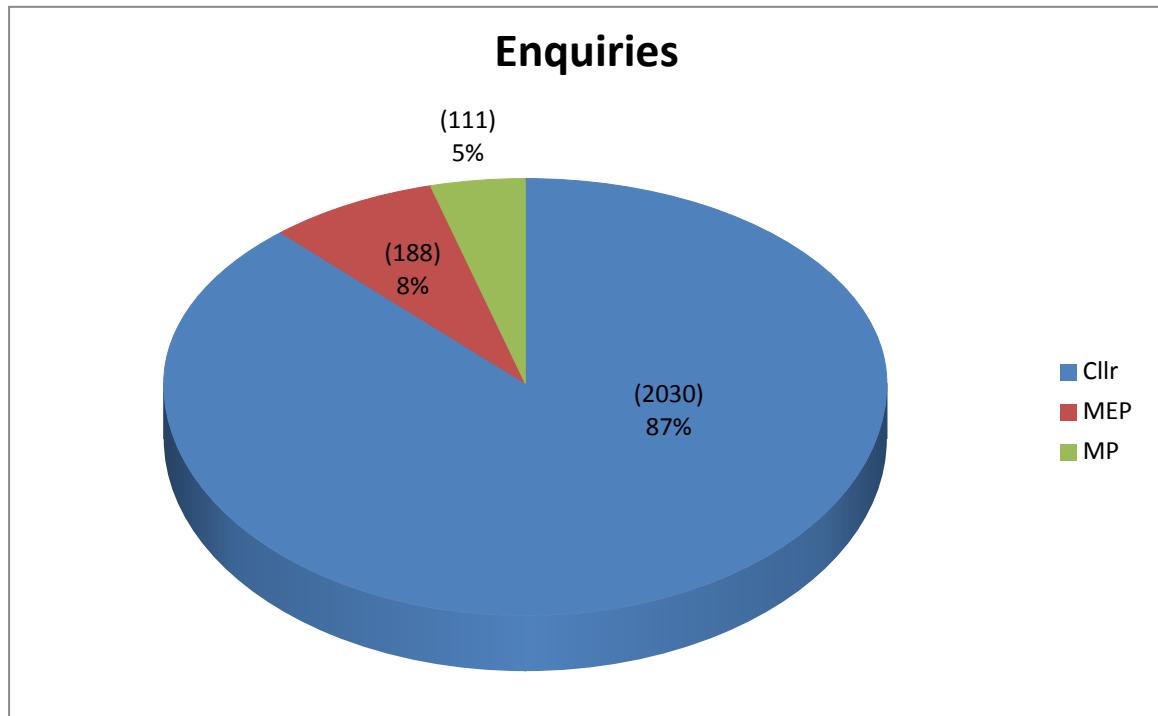
Area	Issue Nature	Ombudsman Findings	Financial Remedy
Housing Repairs (HO)	Property condition and repairs	No Maladministration	N/A
Housing Estates Services (HO)	Caretaking Services	No Maladministration	N/A
Housing Repairs (LGSCO)	Delays in Repairs (Mears)	No Maladministration	N/A
Adult Social Care (LGSCO)	Personal Care	Local Settlement	£150
Planning Enforcement (LGSCO)	Failure to enforce against a neighbours building work	Maladministration Causing Injustice	N/A
Adult Social Care (LGSCO)	Financial control passed to 3 rd Party	Maladministration Causing Injustice	N/A
Highways (LGSCO)	Refusal to add additional Street lighting	Maladministration Causing Injustice	N/A
Procurement (LGSCO)	Public Notice Contract	No Maladministration	N/A
Housing – Private Housing	Failure to investigate possible HMO	No Maladministration	N/A

Enforcement (LGSCO)			
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2.5 MP and Member Enquiries

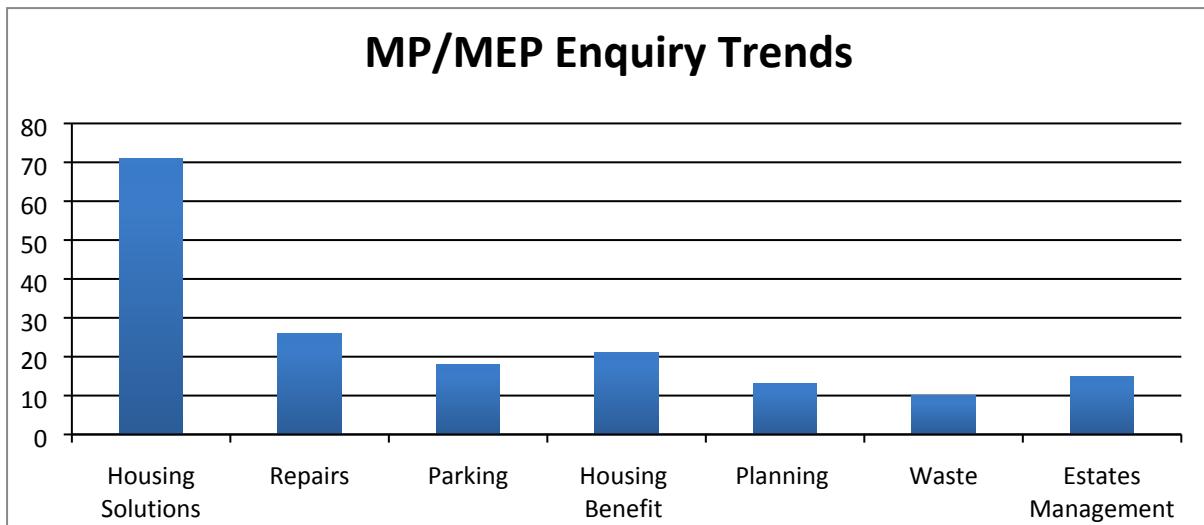
2.5.1 During the reporting period enquiries were received as follows:

- 2030 member enquiries were received, with 95% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 4 days.

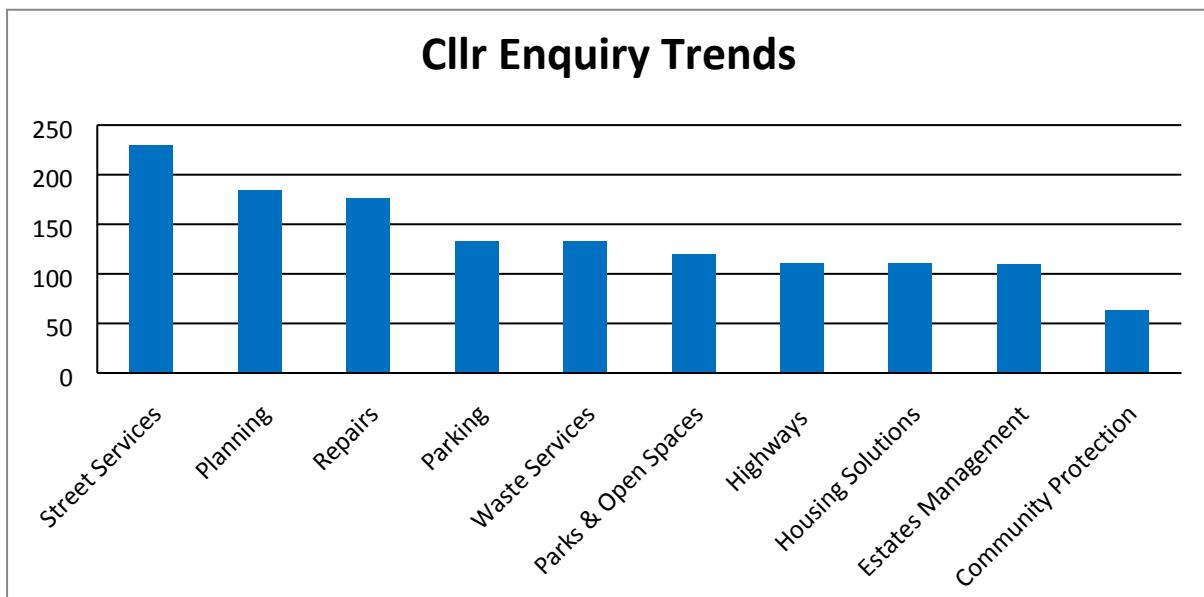


- A total of 299 MP/MEP enquiries were received, of which 87% were responded to within the timeframe.

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. Appendix 1 shows top 10 complaint themes and a summary of high level 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	538	£21520
Stage 2	227	£15890
Stage 3	29	£3480

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.

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 there were no ADR's undertaken.

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
ASC – Social Care Field Work	LGSCO	£150
Childrens Services – Education and Welfare	Stage 3	£2050
		Total £2200

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, 23 Stage 1 complaints were recorded since the start of April.

Of those complaints closed during this period 7 complaints were upheld, 3 complaints were partially upheld and 8 complaints were not upheld. 5 were ongoing. This is compared to last year's mid-year figures of 24 Stage 1 complaints closed, 5 complaints upheld, 7 complaints partially upheld and 14 complaints not upheld.

- No complaints progressed to Stage 2 independent investigation.
- No complaints progressed to a Stage 3 review panel.
- Other representations received are shown below:
 - 25 compliments (16 External, 9 Internal)
 - 6 MP Enquiries
 - 16 Member Enquiries
 - 13 MEP Enquiries
 - 19 Initial feedbacks

2.11 Adult Social Care (ASC)

- Appendix 2 provides a summary dashboard for ASC.
- Adult Social Care operates a statutory complaints procedure. For the reporting period, 20 complaints were recorded since the start of April
- Of the complaints closed during this period, 10 complaints were upheld, 1 was partially upheld and 6 complaints were not upheld whilst 3 remain under investigation. This is compared to last year's mid-year figures of 14 complaints investigated of which 8 complaints were upheld, 2 partially upheld and 4 complaints not upheld.
- Other representations received are shown below:
 - 4 MP Enquiries
 - 40 Member Enquiries
 - 6 MEP Enquires
 - 95 compliments (88 External, 7 Internal)

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)	77%
Complaints Form	18%
Telephone	3%
Letter	2%
In Person	0%

2.13 Compliments

2.13.1 The council received a total of 420 external compliments within the reporting period from residents and visitors compared to 124 from last year.
Breakdown is below:

Area	Volume
Housing	19
Environment & Highways	69
Finance & IT	0
Strategy, Communications & Customer Service	206
HR, OD & Transformation	3
Legal	0
Place	18
Children's	1
ASC	88
CSC	16
Total	420

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: **Jonathan Wilson**
Assistant Director of Finance

The financial implications are set out in the report.

7.2 Legal

Implications verified by: **David Lawson**
Assistant Director of Law and Governance

- 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**
Strategic Lead of Community Development

- 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 – Top Ten Complaints Areas – All Directorates
- Appendix 2 – Adult Social Care Complaints Dashboard 2018/2019
- Appendix 3 – Children's Social Care Complaints Dashboard 2018/2019

Report Authors:

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