

12 September 2019		ITEM: 5
Standards & Audit Committee		
Annual Complaints & Enquiries Report 2018/19		
Wards and communities affected: All	Key Decision: Non-Key	
Report of: Lee Henley - Strategic Lead Information Management		
Accountable Strategic Lead: Lee Henley – Strategic Lead Information Management		
Accountable Directors: Jackie Hinchliffe – Director of HR, OD & Transformation and Tim Hallam – Assistant Director of Law and Interim Monitoring Officer		
This report is: Public		

Executive Summary

- The number of complaints received for the reporting period is 1483. For the same period last year the figure was 1714, therefore the reporting period represents a reduction in complaints received.
- 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, 43% of complaints have been upheld. This is a slight increase compared with the same period last year which identified 41% of complaints as being upheld.
- For the reporting period, 89% of complaints were responded to within timeframe. This is below the 95% target, however it represents an improvement on last year, where 83% were responded to within timeframe.
- A total of 589 MP/MEP enquiries were received, of which 89% were responded to within the timeframe. This is below the 95% target, however represents an improvement compared to last year's figures of 77% on time (from 788 received).

- A total of 3825 member enquiries were received, with 96% responded to within timeframe. This is above the target of 95%. The average time taken to respond to members enquiries across all Directorates was 6 days.
- The reporting period has seen a significant increase in external compliments received. This in the main is due to the team now capturing compliments that are sent through via the contact centre.

1. Recommendation(s)

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 31 March 2019.
- 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.

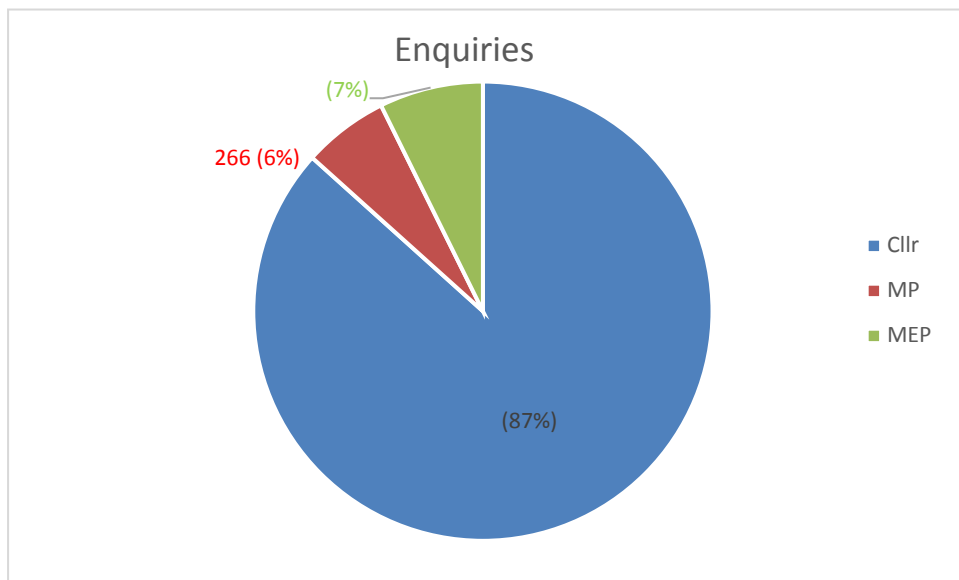
Area	Issue Nature	Ombudsman Findings	Financial Remedy
Housing Repairs (HO)	Property condition and repairs	No Maladministration	N/A
Housing Estates Services (HO)	Caretaking Services	No Maladministration	N/A
Housing Repairs (LGSCO)	Delays in Repairs (Mears)	No Maladministration	N/A
Planning Enforcement (LGSCO)	Failure to enforce against a neighbours building work	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 Enforcement (LGSCO)	Failure to investigate possible House in Multiple Occupation	No Maladministration	N/A
Housing – ASB (HO)	Failure to deal with ASB from a neighbour	Maladministration Causing Injustice	£200
Transport Development (LGSCO)	Failure to implement a Traffic Regulation Order	No Maladministration	N/A
Housing Repairs (LGSCO)	Failure to deal with a malfunctioning fire alarm correctly	No Maladministration	N/A

2.5 MP, MEP and Members Enquiries

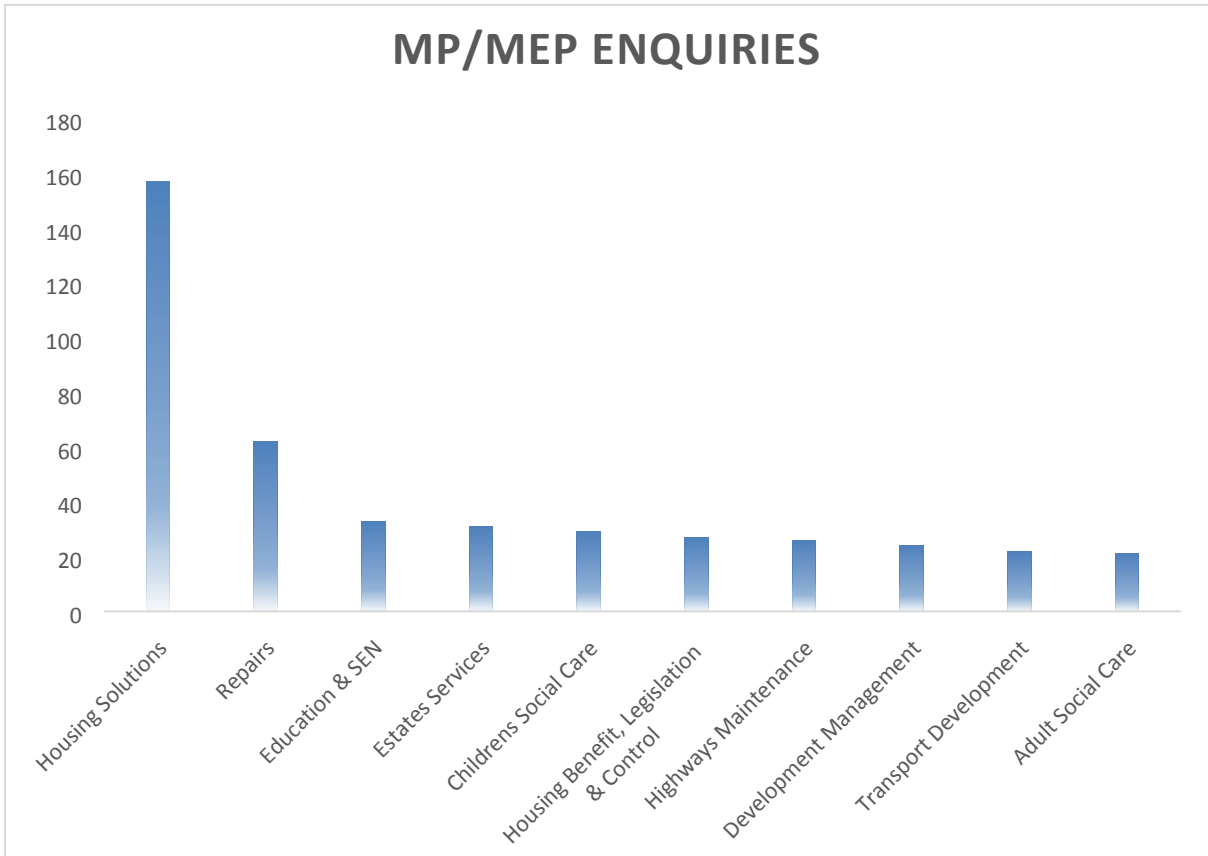
2.5.1 During the reporting period enquiries were received as follows:

- 3825 member enquiries were received, with 96% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 6 days.

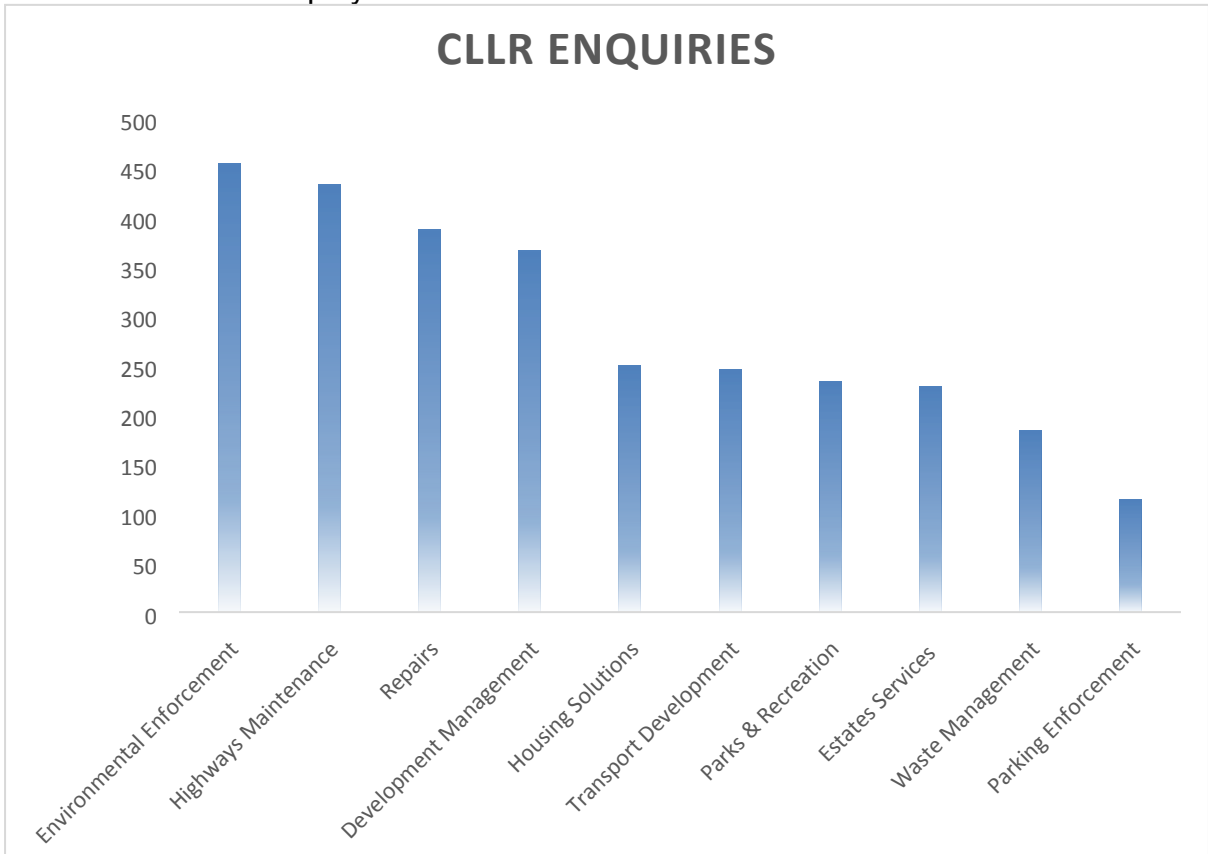


- A total of 589 MP/MEP enquiries were received, of which 89% were responded to within the timeframe.

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 for each area.

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 £42, a stage 2 complaint costs £75 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	950	£39,900
Stage 2	361	£27,075
Stage 3	34	£4080

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 4 ADR's undertaken all for Children's services. One saving £1800 by preventing a Stage 2 children's escalation and 3 which prevented complaints ever entering the system at Stage 1, which would save on the associated costs.

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
Children's Services - Education and Welfare	Stage 3	£2050
Environment - Waste Services	Stage 3	£100
Housing - ASB	Housing Ombudsman	£200
Children's Services - Education and Welfare	Stage 3	£2050
		Total £4,550

2.10 Social Care Annual Complaints & Representations

- Appendix 2 provides a summary dashboard for Adult Social Care.
- Appendix 3 provides a summary dashboard for Children's Social Care.

2.11 Complaint Channels

2.11.1 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)	78%
Complaints Form	18%
Telephone	2%
Letter	2%
In Person	0%

2.12 Compliments

2.12.1 The council received a total of 983 external compliments within the reporting period from residents and visitors compared to 356 from last year. A breakdown is below, however the increase in the main is due to the team now capturing contact centre compliments.

Area	Volume
Housing	99
Environment & Highways	123
Finance & IT	3
Strategy, Communications & Customer Service	542
HR, OD & Transformation	7
Legal	0
Place	27
Children's	5
ASC	151
CSC	26
Total	983

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 Finance

The financial implications are set out in the body of the report.

7.2 Legal

Implications verified by: **Tim Hallam**
Acting Head of Law and 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**
**Strategic Lead Community
Development and Equalities**

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 (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder or Impact on Looked After Children

None

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

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

9. Appendices to the report

- Appendix 1 – Top 10 complaint themes
- Appendix 2 – ASC complaint dashboard
- Appendix 3 – CSC complaint dashboard

Report Author:

Lee Henley

Strategic Lead Information Management