

10 September 2020		ITEM: 5
Standards and Audit Committee		
Annual Complaints & Enquiries Report – 2019/2020		
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		
This report is: Public		

Executive Summary

- The number of complaints received for the reporting period is 1393. For the same period last year the figure was 1483, 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, 40% of complaints have been upheld. This is an improvement compared with the same period last year which identified 43% of complaints as being upheld.
- For the reporting period, 86% of complaints were responded to within timeframe. This is below the 95% target and represents a dip in performance from last year, where 89% were responded to within timeframe.
- A total of 287 MP/MEP enquiries were received, of which 87% were responded to within the timeframe. This is below the 95% target, and represents a dip in performance compared to last year's figures of 89% on time (from 589 received). The significant reduction in case volumes can be attributed to the closure of the MEP's office with only 8 enquiries being submitted during the year.
- A total of 3580 member enquiries were received, with 96% responded to within timeframe. This is above the target of 95%. Last year 3825 were received with

96% also responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 3 days.

- The council received 989 external compliments within the reporting period compared to 983 during last year.

1. Recommendation(s)

For the Standards and Audit Committee 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 2019 to 31 March 2020.

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.

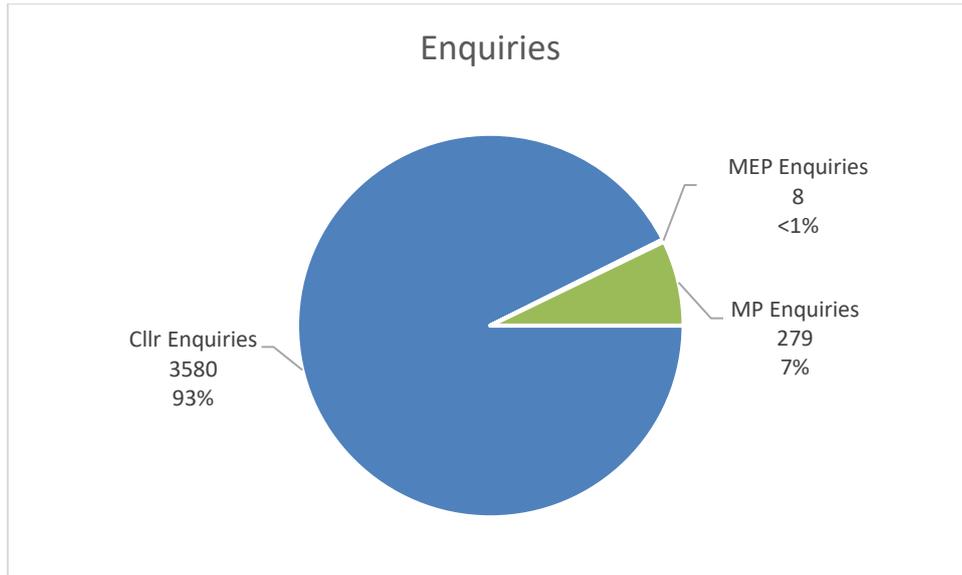
Area	Issue Nature	Ombudsman Findings	Financial Remedy
Place – Transport Development	Regarding the restructuring of the Towers Road/Rectory Road roundabout	Maladministration Causing Injustice	£150
Children's Services - SEN	Delays in Education Health and Care Plan	Maladministration Causing Injustice	£5675
Place – Development Control	Lack of consultation with neighbours over planning application	No Maladministration	N/A
Housing – Private Housing Team	Disclosing landlords name to tenants	Maladministration Causing Injustice	£100
Children's Services - Commissioning	Concerns raised that Council staff were targeting an individual's business	No Maladministration	N/A
Housing – Homeless Team	Complaint regarding change to local connection criteria	Discontinued Investigation	N/A

Children's Services - SEN	Delays in issuing Education Health Care Plan and communication	Maladministration Causing Injustice	£300
Env & Highways – Parking Enforcement	Complaint regarding enforcement of a parking ticket	Outside Jurisdiction	N/A
Place – Transport Development	Changes to a junction & traffic signals	Premature Complaint	N/A
Housing – Allocations Team	Not reviewing priority banding	No Maladministration	N/A
Adult Social Care - Finance	Disagreement over care costs	Discontinue Investigation	N/A
Adult Social Care – Finance	Not backdating money or carrying out new assessment	Maladministration Causing Injustice	N/A
Finance – Assets Team	Complaint regarding a land lease	Outside Jurisdiction	N/A
Adult Social Care – Day Care	Complaint regarding a reduction in direct payments	Maladministration Causing Injustice	N/A
Housing – Allocations Team	Leaving family in inappropriate property and not awarding a medical banding	Maladministration Causing Injustice	N/A
Env & Highways – Vehicle Crossings	Complaint in relation to rejections of an application for a dropped kerb	Maladministration, No Injustice	£75
HR and Organisation Development - Complaints Team	Not responding to a Stage 3 complaint	Maladministration Causing Injustice	£100
Finance – Council Tax	Complaint regarding council tax billing	Discontinue Investigation	N/A
Adult Social Care - Finance	Complaint regarding respite care costs	No Maladministration	N/A
Housing – Private Housing Team	Complaint by Landlord regarding enforcement actions	Outside Jurisdiction	N/A
Place – Planning Enforcement	Complaint regarding an enforcement case against a resident	Discontinued – No fault found	N/A

2.5 MP, MEP and Members Enquiries

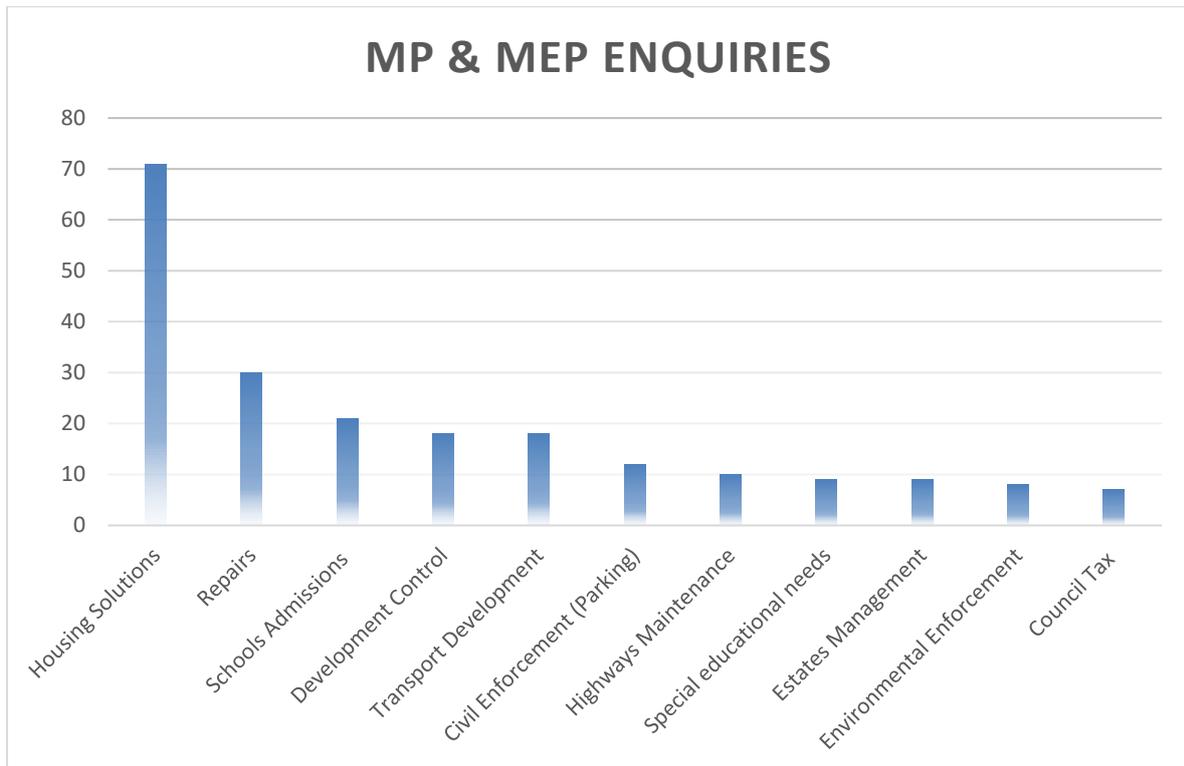
2.5.1 During the reporting period enquiries were received as follows:

- 3580 member enquiries were received, with 96% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 3 days.

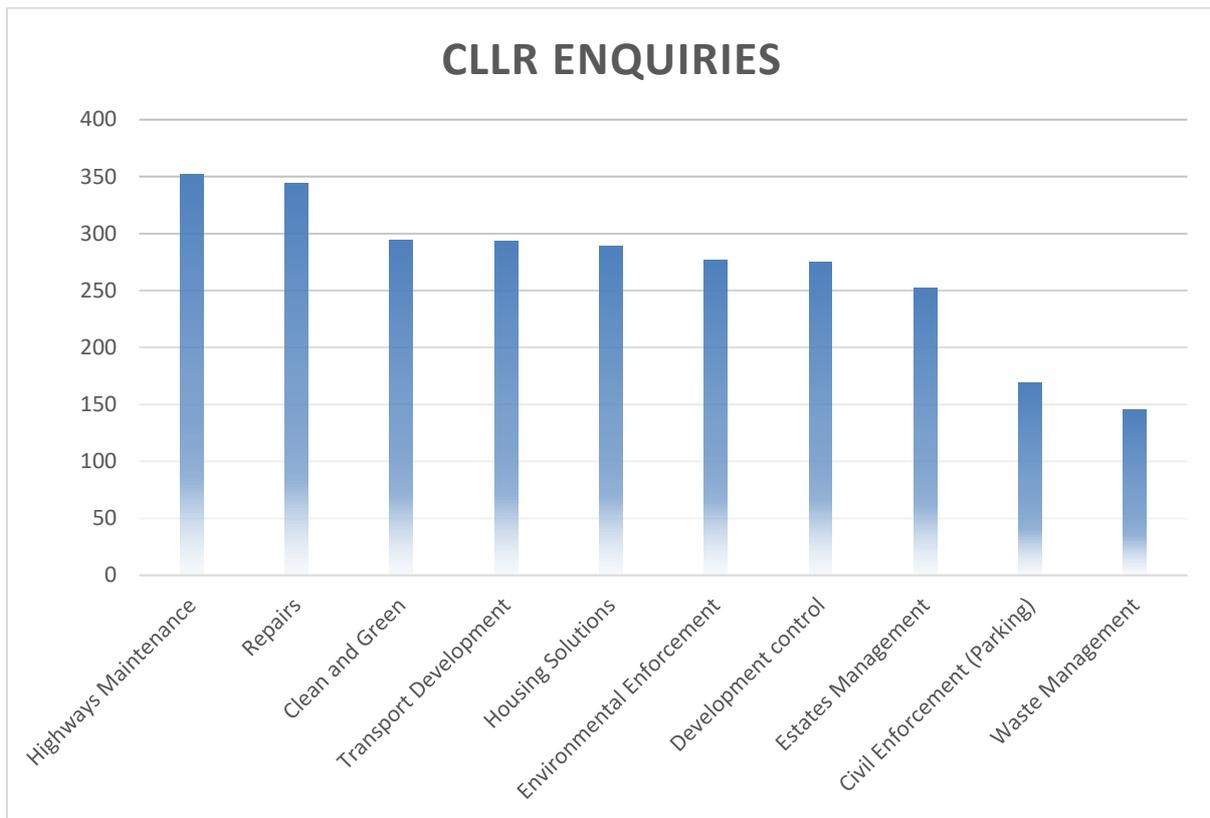


- A total of 287 MP/MEP enquiries were received, of which 87% were responded to within the timeframe.

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 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 £46, a stage 2 complaint costs £81 and a stage 3 complaint costs £130. 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	932	£42,872
Stage 2	297	£24,057
Stage 3	26	£3380

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 Complaints Team 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 2 ADR's undertaken. Saving £3600 by both preventing a Stage 2 children's escalation.

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
Children's Services - SEN	LGO	£5675
Housing – Estates Management	Stage 2	£3000
Place – Transport Development	LGO	£150
Housing – Private Housing Team	LGO	£100
Children's - SEN	LGO	£300
HR – Complaints Team	LGO	£100
Finance – Council Tax	Stage 3	£50
Env & Highways – Highways Maintenance	LGO	£75
Total		£9450

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)	72%
Complaints Form	15%
Telephone	8%
Letter	4%
Website	1%

2.12 Compliments

2.12.1 The council received 989 external compliments within the reporting period compared to 983 from last year. A breakdown is shown below:

Area	Volume
Housing	106
Environment & Highways	70
Finance & IT	2
Strategy, Communications & Customer Service	629
HR, OD & Transformation	3
Legal	1
Place	27
Children’s	9
ASC	106
CSC	30
Libraries	5
Public Health	1
Total	989

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: **Ian Hunt**
Assistant Director of Law and Governance & 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 Smith**
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

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 10 complaint themes
Appendix 2 – ASC complaint dashboard
Appendix 3 – CSC complaint dashboard

Report Author:

Lee Henley

Strategic Lead Information Management