

9 September 2021		ITEM: 6
Standards and Audit Committee		
Annual Complaints & Enquiries Report – 2020/2021		
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 Ian Hunt – Assistant Director Legal and Monitoring Officer		
This report is: Public		

Executive Summary

- The number of complaints received for the reporting period is 1227. For the same period last year the figure was 1393, 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, 33% of complaints have been upheld. This is an improvement compared with the same period last year which identified 40% of complaints as being upheld. The target was 38% so this is positive.
- For the reporting period, 88% of complaints were responded to within timeframe. This is below the 90% target however it represents an improvement in performance from last year, where 86% were responded to within timeframe and is an excellent achievement in the context of the pandemic.
- A total of 374 MP enquiries were received, of which 84% were responded to within the timeframe. This is below the 90% target, and represents a dip in performance compared to last year's figures of 87% on time (from 287 received).

- A total of 3948 member enquiries were received, with 95% responded to within timeframe. This exceeds the target of 90% however it represents a dip in performance compared to last year's figures of 3580 received with 96% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 4 days. Member enquiries continue to require significant capacity and resources, therefore we need to continue to drive the use of the appropriate digital methods for reporting issues. Member enquiries should operate as an escalation where normal processes have failed.
- The council received 1545 external compliments within the reporting period compared to 989 during last year.

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 period 1 April 2020 to 31 March 2021.

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 enquiries where the Local Government and Social Care Ombudsman (LGSCO) and/or the Housing Ombudsman (HO) have reached a final 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	Learning where relevant	Did the council respond to the LGSCO or HO timeframes
Housing – Homeless Team	Lack of support provided to a resident following them becoming homeless	Maladministration Causing Injustice	£400 Split between Housing and Children	Training undertaken to ensure staff better understand their responsibilities to care leavers.	Yes

			Services (After Care Team)	<p>A new joint Housing protocol for care leavers has been developed.</p> <p>Aftercare Team to be represented at Housing's homelessness panel and Personalised Housing plans will be completed jointly by the Housing and After Care Teams.</p>	
Place – Development Control	Failure to take action to control development in the greenbelt	Maladministration No Injustice	N/A	The LGSCO finding was disputed by the council due to the complexities of this case.	Yes
Housing – Repairs Team	Handling of reports of condensation in property	Maladministration No Injustice	£250	<p>Whilst the process relating to the management of damp and mould is established and remains in place, there is no longer a dedicated damp and mould team/Surveyor.</p> <p>Training has since been provided to other members of the Technical Team which allows for the workload to be shared during busy times to avoid delays in responding to issues of this nature.</p>	Yes
Housing – Voids	Complaint regarding the	Maladministration No Injustice	£350	The record keeping process	Yes

	condition of the property that was let			for void works has been reviewed to ensure that Landlords can evidence what void works are completed and when.	
Complaints Team	Handling of formal complaint – Lack of response to the complainant at stage 3	Maladministration Causing Injustice	£100	<p>This stage 3 was not recorded on the complaints system and the team member who was aware of the complaint was not in the office.</p> <p>Processes must be followed to ensure all stage 3's are logged so that other team members have visibility of these on the system.</p>	Yes
Children's Services - Disabled Children	This complaint relates to the council's needs assessment of a child, not getting provision and communication.	Maladministration Causing Injustice	£1000	<p>Staff reminded of the importance of being punctual when attending meetings and having all relevant documentation to hand for meetings.</p> <p>Staff also reminded to maintain a professional tone in all communication with residents.</p> <p>A reassessment for the child's needs has also been arranged to review the package of support needed.</p>	Yes

Education – Admissions	Complaint that the council delayed a child going back into education	Maladministration Causing Injustice	£250	Procedures reviewed to ensure that, when the council receives a school application and has information about allegations involving the child, it considers from the outset whether it needs to conduct a risk assessment or first obtain further information	Yes
Finance – Council Tax	Complaint about handling of a council tax account and council tax support claim	No Maladministration	N/A	N/A	Yes
Waste – Assisted Collections	Complaint that council has failed to provide the agreed assisted waste collection service	Maladministration Causing Injustice	£300	The service will need to improve its communication with residents when it comes to any potential disruptions with assisted waste collections services	Yes
Children’s Services - Aftercare	Suitability of accommodation	Maladministration Causing Injustice	£300	Staff reminded of the importance of recording details of any mental health condition, including concerns young people and representatives raise, in their pathway plan	No
Children’s Services – Children & Family Assessment Team	Complaint relating to children social care, including interaction with Social Workers when fleeing Domestic Violence	Maladministration Causing Injustice	£750	Staff training carried out Discussions taken place via team meetings Supervision meetings undertaken with	Yes

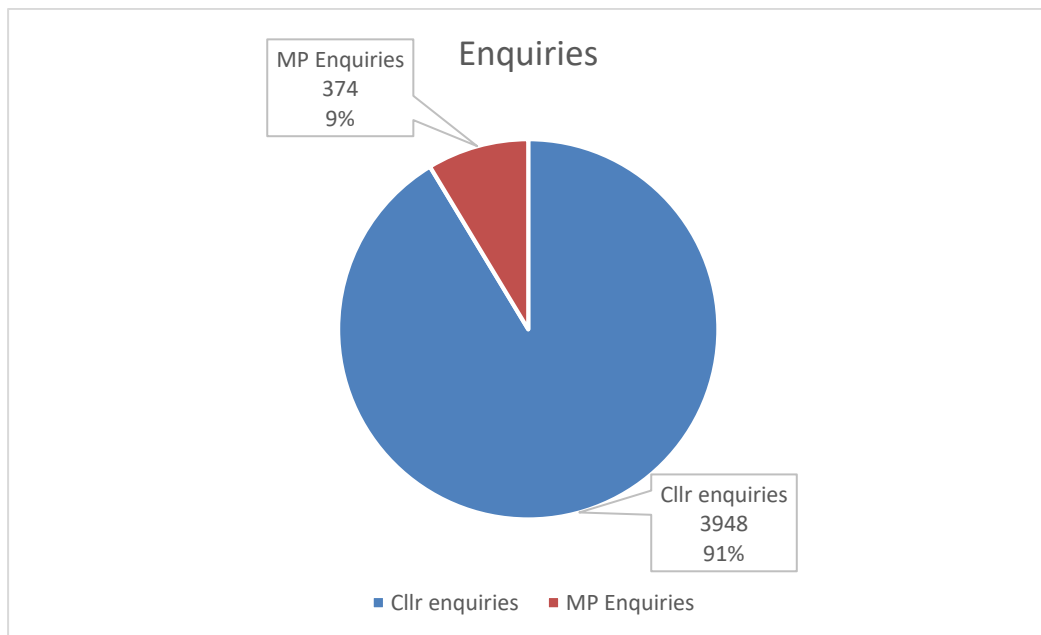
				member of staff regarding data incident	
Place – Development Control	Complaint relating to sewage from travellers site being in breach of conditions	Maladministration Causing Injustice	£250	Updates made to Discharge of Condition process to ensure any outstanding matters are followed up	Yes
Place – Development Control	Complaint relating to approval of neighbouring planning application	Maladministration Causing Injustice	£1750	Officers reminded of the importance of demonstrating consideration of impact of new developments	Yes
Education – Home to School Transport	Delays in processing refund and concerns raised in relation to an investigation	Maladministration Causing Injustice	N/A	A clear policy put in place which outlines what parents can claim for when the Council is refunding school transport fees	Yes
Education – Education Health and Care Plan (EHCP)	Delays in relation to EHCP	Maladministration Causing Injustice	£250	New measures put in place to facilitate accurate recording and monitoring of all children with Special Educational Care and Health plan, who are not in receipt of education. This is overseen in weekly meetings.	Yes
Environment- Parking Enforcement	Actions of parking enforcement team and/or enforcement agents resulting in a vehicle being sold	Maladministration Causing Injustice	£1300	The enforcement agent has confirmed that all notices left with a customer will be hand dated at the point of delivery by the enforcement agent. No notices are to be left undated.	Yes

Place – Development Control	Complaint relating to approval of neighbouring planning application	Maladministration No Injustice	N/A	N/A	Yes
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2.5 MP and Members Enquiries

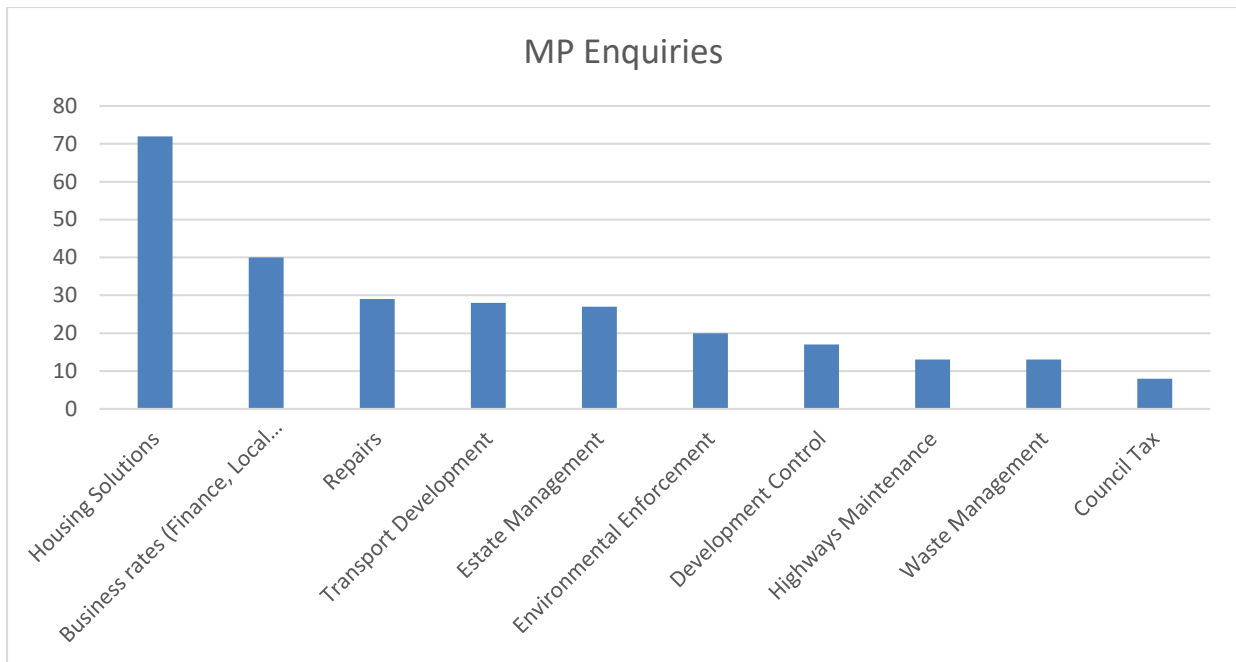
2.5.1 During the reporting period enquiries were received as follows:

- 3948 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.

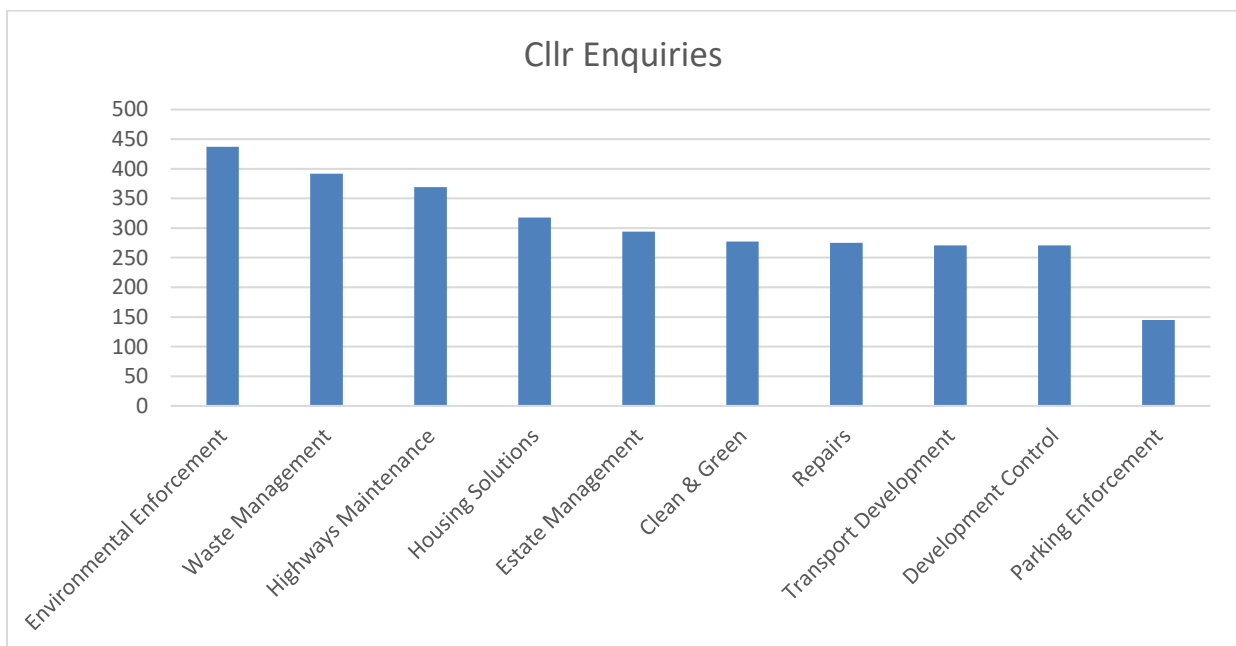


- A total of 374 MP enquiries were received, of which 84% were responded to within the timeframe.

2.5.2 MP 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 the 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	853	£39,238
Stage 2	308	£24,948
Stage 3	33	£4290

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 0 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	Learning
Housing – Homeless Team	Ombudsman	£400 Split between Housing and Children Services (After Care Team)	Detailed in 2.4 above
Housing – Repairs Team	Ombudsman	£250	Detailed in 2.4 above
Housing – Voids	Ombudsman	£350	Detailed in 2.4 above
HR – Complaints Team	Ombudsman	£100	Detailed in 2.4 above
Education – Admissions Team	Ombudsman	£250	Detailed in 2.4 above
Children’s Services – Disabled Children	Ombudsman	£1000	Detailed in 2.4 above
Waste – Assisted Collections	Ombudsman	£300	Detailed in 2.4 above
Children’s Services - Aftercare	Ombudsman	£300	Detailed in 2.4 above
Children’s Services – Children & Family Assessment Team	Ombudsman	£750	Detailed in 2.4 above
Place – Development Control	Ombudsman	£250	Detailed in 2.4 above
Place – Development Control	Ombudsman	£1750	Detailed in 2.4 above
Education - Education Health and Care Plan (EHCP)	Ombudsman	£250	Detailed in 2.4 above
Environment- Parking Enforcement	Ombudsman	£1300	Detailed in 2.4 above
Total		£7250	

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)	93%
Complaints Form	3%
Telephone	3%
Letter	1%

2.12 Compliments

2.12.1 The council received 1545 external compliments within the reporting period compared to 989 from last year. A breakdown is shown below:

Area	Volume
Housing	74
Environment & Highways	126
Finance & IT	5
Strategy, Communications & Customer Service	1138
HR, OD & Transformation	5
Legal	1
Place	19
Children's	25
ASC	122
CSC	29
Libraries	1
Total	1545

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**
Deputy Head of Legal and Deputy Monitoring Officer

Given that this is an update report for noting there are no legal implications directly arising from it. The following points should be noted by way of background information:

- 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 Authors:

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Strategic Lead Information Management