

10 March 2022		ITEM: 5
Standards and Audit Committee		
Mid-Year Complaints & Enquiries Report – April 2021 – September 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 Matthew Boulter – Interim Monitoring Officer		
This report is: Public		

Executive Summary

- The number of complaints received for the reporting period is 827. For the same period last year the figure was 520, therefore the reporting period represents an increase 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, 34% of complaints were upheld. This is slightly higher than the same period last year, which identified 32% of complaints as upheld. However the target is 38% so this is positive.
- For the reporting period, 86% of complaints were responded to within timeframe. This is below the 90% target and represents a dip in performance from last year, where 88% were responded to within timeframe.
- A total of 130 MP enquiries were received, of which 98% were responded to within timeframe. This is above the 90% target and represents improved performance compared to last year's figures of 89% within timeframe from 155 received.

- A total of 2407 member enquiries were received, with 93% responded to within timeframe. This exceeds the target of 90% however, it represents a dip in performance compared to last year's figures of 2018 received with 95% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 5 days.
- Member enquiries continue to increase in volume, requiring significant capacity and resources across the council. The cost of processing Member Enquiries across our service areas is estimated at £215k each year. Members need to drive forward the use of appropriate digital methods for reporting issues. Member enquiries/complaints should operate as an escalation where normal processes have failed.
- The council received 832 external compliments within the reporting period compared to 402 during last year.
- The Housing Ombudsman (HO) asks all Landlords to complete and publish a self-assessment of their compliance with the HO Complaints Handling Code. The council's self-assessment has been published and is attached as Appendix 4.
- Due to a change in complaints process, the percentage of complaints escalating onto Stage 2 has reduced.

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 2021 to 31 September 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 and/or compensation payments**

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.
- Other payments made as a form of complaint resolution.

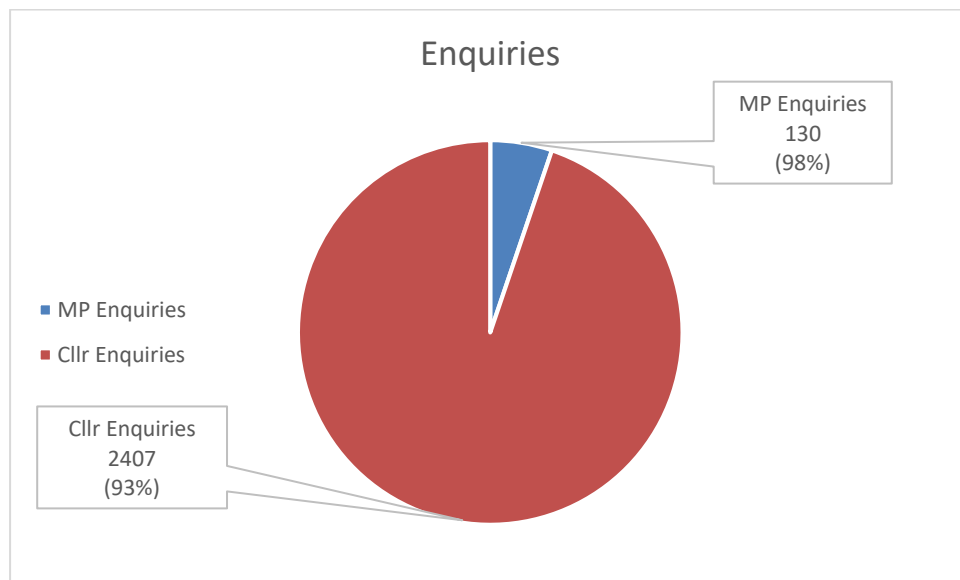
Area	Issue Nature	Ombudsman Findings or complaint status	Financial Remedy	Learning where relevant	Did the council respond to the LGSCO or HO timeframes
Housing - Repairs	Complaint in relation to handling of drainage issues at a property	Finding of fault / Service failure	£250	No specific learning, as the LGSCO finding was disputed by the council due to the complexities of this case	Yes
Housing - Allocations	Complaint in relation to resident being offered a property away from their family who provides support.	Insufficient evidence of fault	N/A	N/A (no fault)	Yes
Resourcing & Place Delivery – Business Rates	Complaint regarding handling of application for small business grant fund	Finding of fault / Service failure	£200	The grant payment that should have been provided under the grant fund was issued. There was no associated learning in this case, as the council disputed the findings of the LGSCO	Yes
Housing - Allocations	Complaint regarding handling of request to be reallocated	Insufficient evidence of fault	N/A	N/A (due to insufficient evidence of fault)	Yes
Housing- Anti-Social Behaviour	Complaint regarding handling of ASB reports	No maladministration	N/A	N/A (no fault)	Yes
HR&OD - Complaints	The council failed to respond to the resident's initial escalation request and provided incorrect advice when she chased her escalation request, which caused confusion and delays	Finding of fault / Service failure	£150	Training session carried out in the complaints team to cover off identifying complaints.	Yes
Housing - Repairs	Complaint regarding quality of repairs	No maladministration	N/A	N/A (no fault)	Yes

	and time taken to complete				
Resources & Place Delivery – Council Tax	Resident was pursued for a council tax debt relating to a property that they were not living at	Stage 2 Complaint - Upheld	£484	This has been addressed with the Debt Collecting Agency and it has been agreed that any new addresses should be validated by confirming a Date of Birth match before action is taken in the future	N/A as this was a Stage 2 complaint
HR/OD – Complaints	<p>Resident emailed from his partners email address and asked that emails be sent back to his personal email address</p> <p>However the Complaints Team contacted him twice via his partners account, including sending the first complaint response to the partners address</p> <p>Resident advised he did not receive the response and therefore had to chase this up with the Complaints Team</p>	Stage 2 Complaint - Upheld	£25	Complaints Team have been reminded of the need to be vigilant when responding to emails and ensuring responses go to the correct address	N/A as this was a Stage 2 complaint
Housing - Voids	Delays in repairs being completed	Stage 2 Complaint - Upheld	£48	All staff have been reminded of the importance of ensuring that when repairs are reported, they are processed in line with the repairs policy to avoid delays	N/A as this was a Stage 2 complaint

2.5 MP and Members Enquiries

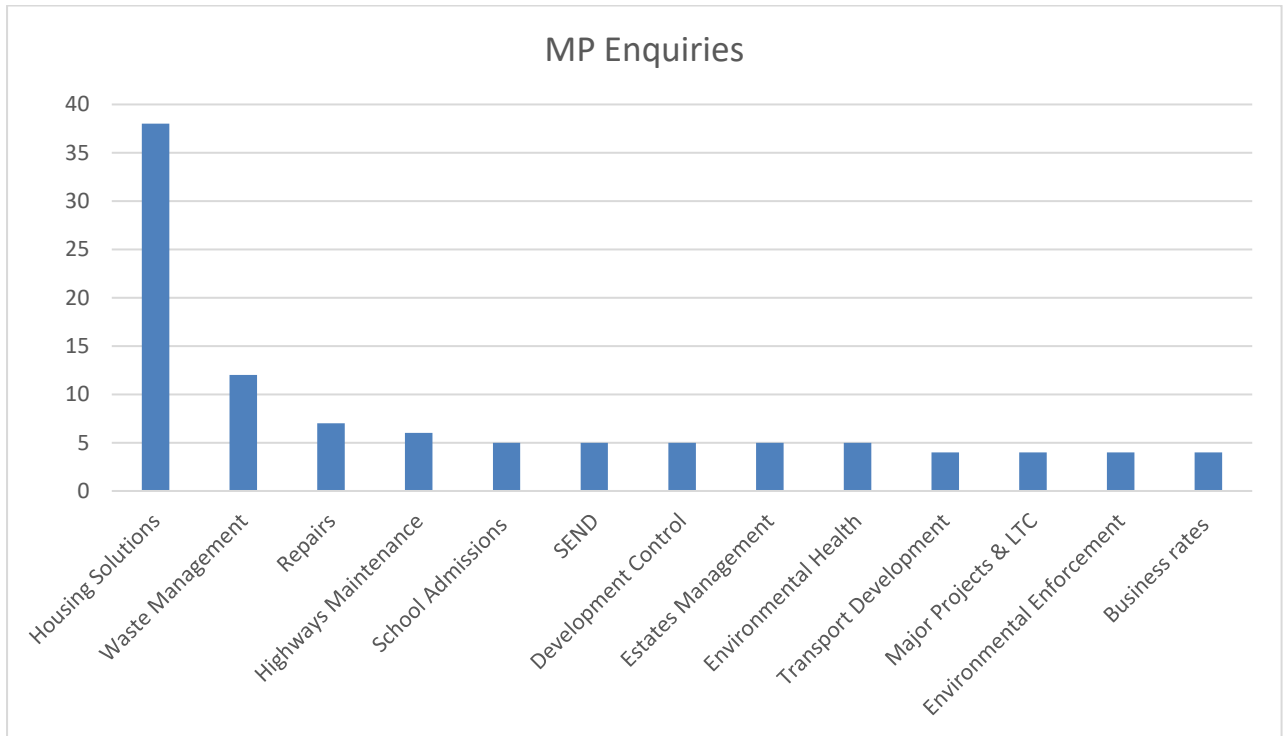
2.5.1 During the reporting period enquiries were received as follows:

- 2407 member enquiries were received, with 93% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 5 days.

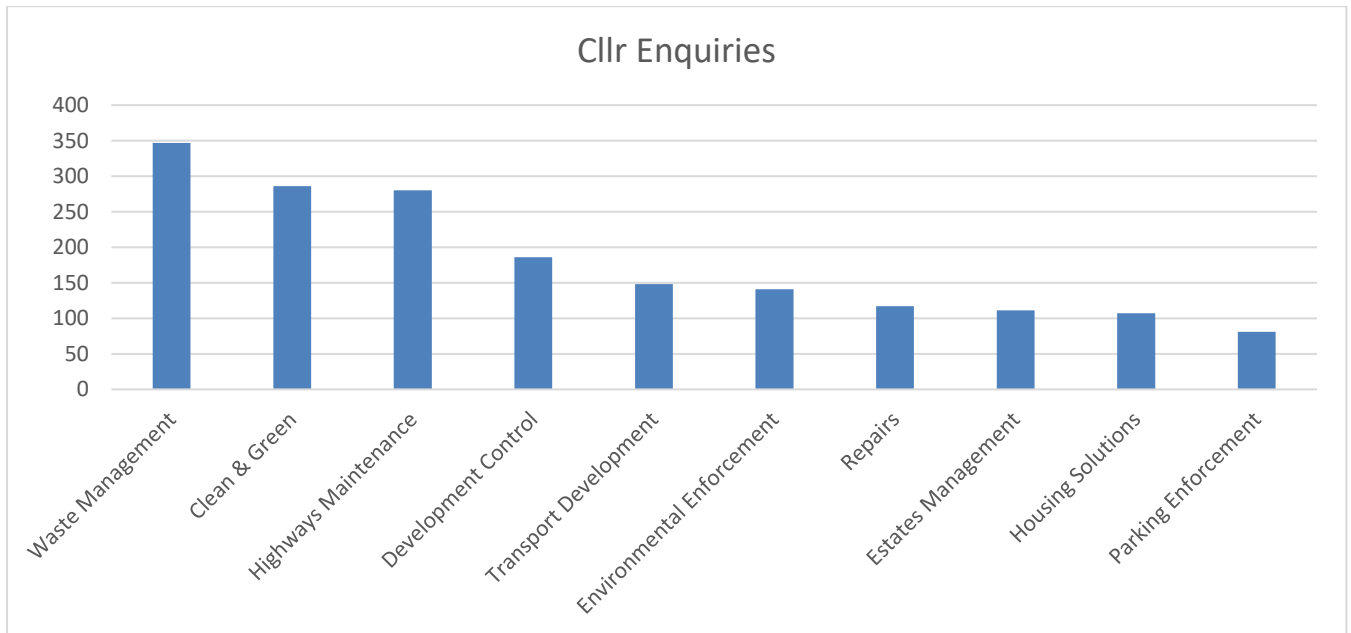


- A total of 130 MP enquiries were received, of which 98% were responded to within the timeframe.

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

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	712	£32,752
Stage 2	76	£6156
Stage 3	7	£910

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 Social Care Complaints & Representations

Appendix 2 provides a summary dashboard for Adult Social Care.

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

2.10 Complaint channels

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)	88%
Telephone	10%
Complaints Form	1%
Letter	1%

2.11 Compliments

The council received 832 external compliments within the reporting period compared to 402 from last year. A breakdown is shown below:

Area	Volume
Housing	50
Public Realm	59
Strategy, Engagement & Growth	665
HR, OD & Transformation	1
Children Social Care	10
Education	9
Adult Social Care	37
Libraries	1
Total	832

2.12 Complaints that fall within the Housing Ombudsman Jurisdiction

The Housing Ombudsman (HO) have produced a Complaints Handling Code that the council must comply with. A self-assessment of this code has been undertaken (see Appendix 4) and this is published on the council's website.

Complaints in scope of this code are those complaints whereby the council has a Landlord responsibility, therefore will not include the following as they will continue to be picked up by the Local Government and Social Care Ombudsman.

- Allocations
- Homelessness
- Private sector housing

2.13 Complaints Process

From the 1 April 2021 the council:

- Moved to a two-stage complaints process for all complaints (excluding Adult and Children Social Care Complaints). Prior to this a three-stage process was in place
- Increased its timeframes to respond to Stage 1 complaints from 7 working days to 10 working days

The primary reason for the above change was to improve the customer experience in relation to complaints, by improving the quality of Stage 1 complaint responses and therefore reducing the number of escalations (getting it right first time).

The figures below show that the change to process was effective, as the percentage of complaints that escalated to Stage 2 has reduced.

- 2020/21 – 14% of Stage 1 responses escalated to Stage 2
- 2021/22 (April – Sept) - 7% of Stage 1 responses escalated to Stage 2

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: **Gina Clarke**
Corporate Governance Lawyer

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 is made aware of all complaints that have an equality related expression of dissatisfaction.

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

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
- Appendix 4 – Self-Assessment Housing Ombudsman

Report Author:

Lee Henley

Strategic Lead Information Management