

<b>13 January 2016</b>		<b>ITEM: 13 (Decision 01104341)</b>
<b>Cabinet</b>		
<b>Complaints Report – April 2015 to September 2015</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-key	
<b>Report of:</b> Councillor Holloway, Portfolio Holder for Central		
<b>Accountable Head of Service:</b> Jackie Hinchliffe , Head of HR, OD & Transformation		
<b>Accountable Director:</b> Lyn Carpenter, Chief Executive		
<b>This report is:</b> Public		

## **Executive Summary**

### **Corporate complaints:**

- A total of 942 complaints have been received within the reporting period. For the same period last year this figure was 790.
- A total of 1353 concerns have been received in the reporting period. For the same period last year this figure was 1126.
- The combined total of complaints and concerns received for the reporting period is 2295. This period has seen an increase compared to last year, which had a combined total of 1916.
- The increase in complaints and concerns may be attributed to action the council have taken to improve customer access channels, in particular social media including Twitter. In addition to this the Complaints Team continues to promote in-house the need to ensure all types of customer feedback are recorded in line with process.
- Some services, by virtue of the nature of the type of service provided, receive the highest volume of concerns/complaints. For the reporting period, the top four expressions of dissatisfaction relate to the following services:
  - Housing repairs
  - Council Tax
  - Estate Management

- Missed Bins
- Detailed feedback on common types of complaints/trends is attached for each Directorate (as Appendix 1). This includes data on complaint outcomes and the learning which has been identified by either the service or the Corporate Complaints Team. A summary of Appendix 1 is shown below and work is on-going to undertake additional root cause analysis regarding these points:
  - Non-return of bins – There has been an increase in concerns received at the mid-year point for 2015/16 compared with full year volumes for 2014/15.
  - Environment (Customer Relations) – At the mid-year point for 2015/16, stage 2 complaint volumes are similar to the total received for 2014/15.
  - Repairs - 22% of concerns have escalated to a complaint.
  - Estate Management - A high % of stage 1 complaints are upheld.
  - Voids - At the mid-year point for 2015/16, the volume of concerns received are similar to the total received for 2014/15.
  - Voids - At the mid-year point for 2015/16, stage 1 complaint volumes are similar to the total received for 2014/15. Total concerns/complaints received in the reporting period (57) represents 16% against the number of voids completed (353).
  - Housing Benefits – A high % of stage 1 complaints are upheld.
  - Sundry Debtors - There has been a significant increase in stage 2 staff complaints received at the mid-year point for 2015/16, compared with full year volumes for 2014/15.
  - Appendix 1 also highlights the following:
    - Transforming Homes – A high % of stage 1 and stage 2 complaints are upheld, however the total number of concerns/complaints received in the period (66), represents 0.8% of the total contacts required (7775) to complete these works.
    - Repairs – A high % of complaints are upheld at stages 1 and 2. However, the total number of concerns/complaints received in the period (366) represents 1.8% of the number of repairs undertaken (20,294).
    - During 2014 Environment implemented the use of “Love my Street” and “My Account” as a mechanism for residents to use to report service requests and other types of customer feedback. Since April 2015, approximately 7000 service requests have been recorded via these channels. Due to this, there may be a significant number of concerns that have been reported via these channels of which the Corporate Complaints Team are not aware of. Environment are currently working with the Corporate Complaints Team to establish a

process of ensuring that all concerns/complaints reported via these channels are included within complaints reports going forward.

- Missed Bins - The concerns stage shows fewer complaints formally escalating which indicates they are being dealt with swiftly within the 5 calendar day timeline.
  - Estate Management – The report highlights a significant reduction in concerns received compared with 2014/15.
  - Repairs - The report highlights a significant reduction in concerns received compared with 2014/15.
  - Repairs - The report highlights a reduction in stage 1 complaints received compared with 2014/15.
  - Data quality – A reporting error (due to human error) has been identified regarding repairs complaints that were reported in the 2014/15 annual complaints report. The 2014/15 annual report highlighted that 580 repairs complaints had been received. This figure should have been 460.
- During the reporting period, 45% of complaints have been upheld. This is an increase compared with the same period last year which identified 42% of complaints as being upheld. A breakdown of upheld complaints at each stage is shown below and further root cause analysis will be undertaken on this with service areas:
    - Stage 1 - 53%
    - Stage 2 - 41%
    - Stage 3 – 19%
  - For the reporting period, 98% of complaints were responded to in timeframe. This performance is encouraging when considered against the backdrop of the national austerity measures and the impact of reduced resources council-wide.
  - A total of 208 MP/MEP enquiries were received (8 MEP), of which 97% were responded to within timeframe.
  - A total of 1670 Members enquiries were received, of which 98% were responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 6 calendar days.

## **1. Recommendations**

**1.1 To note the statistics and performance for the reporting period.**

**1.2 To note that further work is on-going with a number of service areas to establish the root cause for concerns/complaints received, reasons for complaint escalation and reasons why complaints are upheld.**

## 2. Introduction and Background

- 2.1 Back in September 2015, Cabinet requested a complaints report for consideration. This report sets out the council's complaints statistics for the first six months of 2015/16.
- 2.2 Adult's and Children's Social Care have separate statutory complaints procedures which are managed by the respective Directorates. However mid-year analysis for these areas is included within 2.9 and 2.10 below.
- 2.3 Directorate analysis of complaints has been produced and is attached as Appendix 1. This provides a high level summary of the top expressions of dissatisfaction and levels of escalation within the Directorates. Further work is on-going with a number of service areas to establish the root cause for concerns/complaints received, reasons for complaint escalation and reasons why complaints are upheld
- 2.4 Monthly cumulative reporting is issued to senior officers within Environment, Planning & Transportation and Housing Directorates in order for more detailed analysis to take place. The aim of which is to enable Directorates to identify any root causes and/or common themes, and to enable proactive steps to be implemented to improve the customer experience.

## 2.5 Ombudsman Enquiries

- 2.5.1 The table below provides a summary of formal enquiries where either the Local Government Ombudsman or the Housing Ombudsman has reached a formal decision on cases with the reporting period. Findings and recommendations from all enquiries are shared with respective Heads of Service.

Directorate	Issue Nature	Ombudsman findings	Financial remedy
Environment (LGO)	Noise Abatement	No maladministration	N/A
Housing (LGO)	Neighbour dispute re feeding of wildlife	Discontinue investigation	N/A
Environment (LGO)	Grass cutting in South Ockendon	Closed after initial enquiries	N/A
Housing (LGO)	Eligibility to join the Housing Register	Discontinue investigation	N/A
Environment (LGO)	Damage to possessions by the Council when working at neighbouring property	Outside jurisdiction	N/A
Democratic Services (LGO)	School Admissions appeal	Closed after initial enquiries	N/A
Environment (LGO)	Actions of waste and recycling crew. This related to frequent	Maladministration and Injustice	£100.00

	missed bin collections and not returning bins to correct location.		
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## 2.6 MP and Member Enquiries

2.6.1 During the reporting period enquiries were received as follows:

- 1670 member enquiries were received, with 98% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 6 calendar days.
- A total of 208 MP/MEP enquiries were received (8 MEP), of which 97% were responded to within timeframe.

2.6.2 MP enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Repairs	42
Housing	Homeless Service	26
Planning & Transportation	Planning Decision/ Advice	12
Children's Services	Primary Schools	11

2.6.3 Councillor enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Housing Transformation	62
Housing	Repairs	361
Housing	Tenancy Services Management	62
Housing	Anti-social behaviour	52
Environment	Waste & Recycling	31
Environment	Environmental Health & Trading Standards	49

## 2.7 Learning lessons from complaints

2.7.1 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 includes a high level summary of learning from upheld complaints which has been identified by the Directorates. Case studies showing learning from complaints are also uploaded onto the councils website.

2.7.2 Cumulative Management Information (MI) is submitted to senior performance officers where requested to enable more detailed analysis to take place on the types of feedback received and address any common themes and trends. However the Corporate Complaints Team will continue to analyse data and lead to address any performance issues with Directorates. The team will also

continue to provide management information to services as and when requested.

## 2.8 Compensation

2.8.1 Records confirm that within the reporting period financial compensation payments have been extended as outlined below:

Directorate	Complaint Stage	Financial remedy
Environment	LGO	100.00
Housing	Stage 3	500.00
		<b>600.00</b>

## 2.9 Children's Social Care

2.9.1 The department recorded 154 representations under the Children's Statutory Social Care complaints procedure. 37 stage 1 complaints were received for this period. In addition, 4 stage 2 complaint investigations were started and 2 complaints progressed to stage 3. The department also addressed 2 Ombudsman enquiries, 7 MP enquiries and 7 member enquiries as well as 27 concerns. The department recorded 68 compliments.

2.9.2 In relation to the stage 1 complaints, 19 were not upheld, 3 were upheld, 6 were partially upheld and 9 are in progress. 11 complaints exceeded the 20 day timescale and in many cases this is due to the complex nature of the complaint requiring more time, however the complainant is kept informed of the progress of their complaint.

2.9.3 Three stage 2 complaints are at investigation stage and one was in the process of being arranged.

2.9.4 For the 2 Ombudsman cases, one case was a request for information and closed and the second case is currently at investigation stage.

2.9.5 One complaint was reviewed at stage 3 and the complaint was partially upheld. Learning is always addressed and disseminated to staff through action plans and quarterly reports to Senior Management Team. A full complaints and representations report is produced annually as a public document, which is a statutory requirement.

## 2.10 Adult Social Care

2.10.1 A total of 149 representations were recorded as received for this reporting period which included 18 complaints, 2 Ombudsman enquiries, 11 concerns, 9 MP enquiries and 22 Member enquiries. The department recorded 87 compliments.

2.10.2 In relation to the 18 complaints: 5 were upheld, 3 were partially upheld, 3 not upheld, 6 are in progress and in 1 case there was no finding. 5 complaints

exceeded the 20 working day timescale however these were as a result of the complaints requiring in-depth investigation and these complaints were **not** outside the statutory timescale for adult social care complaint responses.

2.10.3 In relation to the 2 Ombudsman cases, one case was concluded with no maladministration and the second case is currently with the investigator.

2.10.4 The service aims to successfully resolve issues and concerns at the point they are raised and promotes the same approach from commissioned providers. This approach means that more matters are being appropriately dealt with before they are escalated into the statutory complaints process. A full complaints and representations report is produced annually as a public document, which is a statutory requirement.

### **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 Performance 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: **Mike Jones**  
**Management Accountant**

There are no direct financial implications with this report.

## 7.2 Legal

Implications verified by: **David Lawson**  
**Monitoring Officer & Deputy Head of Legal**

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**  
**Community Development and Equalities  
Manager**

The Information Management Team will ensure that the Community Development and Equalities Manager are aware of all complaints that has 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 – Directorate performance data analysis and learning outcomes.

### Report Authors:

Lee Henley/Tina Martin (Information Manager/Senior Corporate Complaints & Information Governance Officer).

Stephanie Case, Corporate Complaints & Information Governance Officer (Data Extraction).