

10 July 2014		ITEM: 7
Standards and Audit Committee		
2013/14 Complaints, Compliments and Enquiries Report		
Wards and communities affected: All	Key Decision: Non-key	
Report of: Lee Henley – Information Manager		
Accountable Head of Service: Jackie Hinchliffe – Head of HR, OD & Customer Strategy		
Accountable Director: Graham Farrant – Chief Executive		
This report is: Public		

Executive Summary

Corporate Complaints:

- During 2013/14, 2549 complaints were received. The previous year (2012/13) 3505 complaints were logged. However this decrease (27%) is primarily due to a change in our complaints process with the introduction of a concerns stage which has resulted in 1026 being recorded.
- 2013/14 also saw a reduction in housing repair complaints. During 2013/14, the combined total of complaints and concerns volumes recorded for housing repairs was 1109. The previous year 1370 housing repair complaints were received.
- Of the 1026 concerns received, 773 were responded to, although 253 are showing as not responded to on our complaints system. This does not necessarily mean that the concern was not responded to by the service area, and could be that the issue was dealt with and the Complaints Team were not updated of the action taken by the service area. Going forward, additional monitoring will be undertaken by the Complaints Team to enable greater transparency.
- The service areas that received the highest volume of complaints are shown below. However these services will always receive the highest volume of complaints due to the nature of the services and the number of residents that these services are provided to.

Missed Bin collections

Housing Repairs

Council Tax

- During 2013/14, 97% of complaints were responded to within timeframe. This is an improvement on the previous year's figure of 91%
- The average response time for LGO enquiries has increased to 21 days compared to 15 days during 2012/13. Going forward the LGO timeline will be shortened to ensure performance improves.
- Members enquiries performance has improved during 2013/14 despite an increase in volumes. During the reporting year, 2023 enquiries were received with 98% responded to within timeframe. During 2012/13, 1044 were received with 90% responded to within timeframe.

Children's Social Care (CSC):

- 62 complaints were received for children's social care in the year. This compares to 84 complaints in 2012/13 and 93 in 2011/12.
- In addition, three new stage two investigations were started during the year, and one complaint has progressed to Stage 3 review.
- The service aims to successfully resolve issues and concerns at the point they are raised and through staff members closest to the situation. This means that more matters are appropriately dealt with before they are escalated into the statutory complaints process.
- Learning from complaints is a key element of the CSC quality assurance and performance framework and feedback is considered at quarterly CSC service quality assurance forums.

Adult Social Care (ASC):

- 56 complaints were received for adult social care in the year. This compares to 74 complaints in 2012/13 and 91 in 2011/12.
- 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.
- Feedback and learning from adult social care complaints has also been reported to local people and people who use services through the 2012 Adult Social Care Local Account. The service continues to engage with service users for feedback and service improvement through local forums and network groups.

1. Recommendation(s)

1.1 To note the statistics for 2013/14.

2. Introduction and Background

2.1 This report sets out details relating to the council's complaints statistics and performance for 2013/14.

2.2 Adult Social Care and Children's Social Care have separate statutory complaints procedures, which are managed together under the same service.

2.3 For corporate complaints the council has a centralised team with dedicated responsibility for Directorates. The centralised team has generated savings for the council as part of the transformational programme due to the reduced staffing model in operation.

2.4 Volumes and performance for complaints and concerns:

2.4.1 During 2013/14, the council received 2549 corporate complaints. The table below shows complaint numbers received over the last 4 years along with the % of complaints that were due a response and processed within timeframe.

Year	Complaints received	% Responded on time
2013/14	2549	97%
2012/13	3505	91%
2011/12	2618	97%
2010/11	3187	89%

2.4.2 During 2013/14, the council received 956 fewer complaints than the previous year. However this year's report reflects a change in the complaints process with the introduction of a concerns stage for Housing for the entire reporting period. The concerns stage for other service areas was only implemented in January 2014 (quarter 4). The introduction of the concerns stage has seen 1026 concerns being received and recorded.

2.4.3 The tables below shows the most common complaints received for 2013/14 across the Directorates. Figures in brackets represent 2012/13 complaints volumes.

Directorate	Complaint Type	Number of complaints received
Children's Services	Special Education Needs	3 (6)
	Admissions	2 (6)
	Early Years	14 (3)
	Home to School Transport	8
	Pupil Referral Unit	3
Adults Health and Commissioning	Adult Social Care	56 (74)

Housing	Repairs	557 (1370)
	Estate Management	182 (223)
	Housing Solutions	80 (73)
	Private Housing & Adaptation	16 (45)
	Rents	12 (9)
	Transforming Homes	72 (53)
Serco	Council Tax	268 (286)
	Housing Benefit	101 (97)
	Contact Centre	65 (69)
	Face to face	11 (27)
Central Services	FOI and DP	10 (11)
	Finance	6
	Complaints	6
Environment	Missed Bin Collections	514 (387)
	Waste and Recycling staff	45 (31)
	Non return of bins	50 (94)
	Street Services	67 (91)
	Horticulture	16 (23)
	Community Protection	15
	Environmental Health	28
Planning & Transportation	Development Control	29 (29)
	Parking Enforcement	21 (45)
	Passenger Transport Unit	12 (21)
	Parking (schemes/restrictions)	12 (12)
	Traffic Management	17 (14)
	Potholes, footpaths and carriageway defects	30 (42)

2.4.4 **Concerns** – With effect from the 1/4/13, the council implemented an informal stage when processing all Housing Directorate complaints. This informal stage resulted in some issues being recorded as a concern as opposed to a complaint and represents an enhanced level of customer service, as the service area is tasked with contacting the individual via telephone in order to resolve the issue informally.

Leadership Group agreed that the council would adopt this process change across all service areas, as a mechanism to drive forward improvements in the way we interact with our residents, service users and customers. This change then took place from the 1/1/14

2.4.5 The process for managing concerns is captured below;

- All concerns reported are logged as a concern on the council's complaints database within 1 working day of receipt and then sent to the relevant service area
- Upon receipt of the concern from the complaints team, the service area will determine if the concern is one for them to resolve, and if so telephone the individual who has raised the issue to confirm their understanding of the concern. If a phone number is not available then contact can be made in writing
- The service area then undertake necessary work to resolve the individuals concern and then send an update back to the complaints team within 5 calendar days
- The complaints team will undertake a single chase up on day 5. If the concern cannot be resolved at the informal stage, or if the complaints team are of the view that it is not within scope of a concern, then the concern will be recorded as a complaint. Some examples of concerns and complaints that will be recorded are shown below:
 - *I have a job booked for damp and mould treatment at my property, but have not been informed when this will be done – **Concern***
 - *I contacted the council to find out what was happening with the damp and mould treatment at my property and was informed that someone was going to call me back. It's now over 2 weeks and I still haven't heard anything - **Complaint***
 - *My bin has not been collected and this is not the first time its happened – **Concern***
 - *I reported my bin not being collected and I was promised that it would be collected by 2pm tomorrow. It's now been 3 days and no collection has taken place - **Complaint***
 - *When will I get a new front door at my property, as I have been informed it's on the council's capital programme works – **Concern***
 - *No one has got back to me regarding when my front door will be replaced, despite me making 3 phone calls to request this information - **Complaint***

2.4.6 The table below shows service areas who have received the most concerns during 2013/14. As stated above with the exception of Housing, the concerns process did not commence until 1/1/14 for all other service areas.

Serco	Council Tax	32
	Housing Benefit	25
	Contact Centre	12
Planning & Transportation	Potholes, footpaths and carriageway defects	13
Housing	Repairs	552
	Housing Solutions	51

	Estate Management	101
Environment	Missed Collections	41

2.4.7 Based on the 1026 concerns received during 2013/14:

- 773 were responded to, although 253 remain active on the complaints system. This does not necessarily mean that the concern was not responded to by the service area, it could be that the issue was dealt with and the complaints team were not updated. Going forward more work on this will be undertaken by the Complaints Team to enable greater transparency.
- Of the 773 concerns responded to, 482 (62%) were completed within timeframe (5 calendar days).
- Of the 773 concerns responded to, the average response timeframe was 8 calendar days.

Note – During 2013/14 148 complaints had escalated from a concern.

2.4.8 Based on the above tables in 2.4.3 and 2.4.6, those service areas who have received a significant increase/decrease in complaints volumes (to that of the previous year) have been summarised below (along with taking into consideration any concerns received in year):

- Housing repair complaints – 813 fewer complaints received, although 552 concerns were recorded
- Estate Management – 41 fewer complaints recorded, although 101 concerns were recorded
- Private Housing and Adaption – 29 fewer complaints received, although 7 concerns were recorded
- Parking Enforcement – 24 fewer complaints recorded, although 6 concerns were recorded
- Street services – 24 fewer complaints recorded, although 9 concerns were recorded
- Non return of bins – 44 fewer complaints recorded, although 9 concerns were recorded
- Missed Bins - An increase of 127 complaints along with 41 concerns logged. This increase was due to the change in rounds that took place during 2013/14.
- Housing Solutions - 7 additional complaints received, along with 51 concerns received. The Housing Allocations policy was amended during 2013/14, therefore the increase in volumes would have been as a result of this new policy (due to a change in criteria applied when determining housing applications)
- Environmental Health – 28 additional complaints recorded, along with 3 concerns recorded.
- Housing Benefit – 4 additional complaints received along with 25 concerns received

2.5 Outcomes - The table below provides the % of upheld complaints across all stages. Figures in brackets represent 2012/13 statistics.

Stage	Total complaints due	Complaints upheld	% upheld
Stage 1	1731 (2485)	887 (1162)	51% (47%)
Stage 2	599 (807)	253 (338)	42% (42%)
Stage 3	170 (150)	56 (50)	33% (33%)

2.5.1 All stage 3 complaints are subject to pre-assessment by senior officers within the Complaints Team. It should be noted that of the 170 complaints received a total of 48 were cancelled on our system. A stage 3 complaint can be cancelled for two reasons:

- Following a meeting with the complainant together with the service area the matter has been concluded satisfactorily or
- Where a senior officer within the Complaints Team is of the view that the Directorate could do further work to negate a formal stage 3, the complaint is returned for further management.

2.6 Quality Checking - The Corporate Complaints Team as part of their quality checking programme checked 2267 complaints during 2013/14, and 1051 (46%) required amendments and/or were rejected due to the response not being fit for purpose.

2.7 Social Care complaints

- All social care complaints are managed under separate statutory guidance from their respective regulatory bodies and as such, are required to provide dedicated annual reports regarding the effectiveness of the process. Both children's and adults social care complaints follow separate processes from that set out for corporate services.
- Responsibility for managing adult and children's social care complaints was brought together within the same service in October 2012. This has enabled the service to strengthen the consistency of approach and quality assurance of the complaints process, whilst at the same time, streamlining resource and realising efficiencies.
- The service recognises the need to further promote best practice and sound customer care and quality assurance across the range of adults and children's social care services. This is a particular focus for both services given that care and support is undergoing unprecedented change and transformation e.g. implementing the Care Act and funding reforms. A new Complaints and Engagement Manager has been appointed for this purpose. This post will continue to develop and improve the statutory complaint processes across both services.

2.8 Children's Social Care (CSC):

- 2013/14 saw a 26% decrease in the number of complaints received for CSC with 62 complaints compared to 84 received in 2012/13.
- 8% of complaints were upheld in 2013/14 compared to 2% in 2012/13. 10% were partially upheld compared to 46% in 2012/13.
- 53% of complaints were not upheld in 2013/14 compared to 46% in 2012/13.
- 16% of complaints were withdrawn in 2013/14 compared to 14% in 2012/13.
- 34 concerns and issues were recorded and dealt with outside of the formal complaints process during this reporting period.
- 19 MP enquiries were received in 2013/14 compared to 8 in the previous year. All enquiries were responded to on time.
- Three new stage two investigations were started during the year, two of which are currently open. The third has progressed to stage three review panel.
- 62 compliments were formally recorded in 2013/14. This compares to 60 in 2012/13 and 90 in 2011/12.
- The introduction in 2011/12 of an Information Pack which is distributed to service users new to working with Children's Social Care has contributed to a further decrease in complaints received this year. The Information Packs give service users an insight into what they can expect from the teams they are working with, and what the teams expect from the service users. The packs also contain information of additional support services available to the service users.
- Overall, CSC continues to produce good quality responses to complaints. Most complaints are resolved locally within teams without the need for a formal stage 2 investigation. The very few complaints that have progressed to stage 2 have all involved a multiple of complex issues where the complainant has remained unhappy with the outcome at stage 1.
- Learning from complaints is a key element of the CSC quality assurance and performance framework and feedback is considered at quarterly CSC service quality assurance forums. Action plans are developed to address and learn from the recommendations arising from all stage two and three investigations and are monitored by the Head of Service

2.9 Adult Social Care (ASC):

- 2013/14 saw a 24% decrease in adult social care complaints received. 56 complaints were received, compared to 74 complaints in 2012/13 and 91 in 2011/12.
- 27% of complaints were upheld in 2013/14 compared to 28% in 2012/13. 32% were partially upheld compared to 16% in 2012/13.
- 18% of complaints were not upheld in 2013/14 compared to 19% in 2012/13.

- 21% of complaints were withdrawn in 2013/14 compared to 23% in 2012/13.
- 37 concerns and issues were recorded and dealt with outside of the formal complaints process in 2013/14. This compares to 33 recorded in 2012/13.
- 12 MP enquiries were received for adult social care in the year. This compares to 16 enquiries in 2012/13 and 10 in 2011/12. All enquiries were responded to on time.
- The number of compliments has increased by 20% with 201 compliments recorded in 2013/14. This compares to 160 in 2012/13 and 219 in 2011/12.
- The number of complaints recorded has again decreased for this reporting year. There could be number of contributory factors for the decrease e.g. concerns being resolved at an early stage or lack of service user awareness on making complaints. This will be reviewed together with the complaints policies and related work practice in 2014/15.
- The service remains focused on engaging service users and local network groups for feedback and participation on the effectiveness and improvement of service delivery.
- The service also has a robust process in place for monitoring quality within externally commissioned services, which account for the majority of spend in adult social care. This includes regular monitoring of complaints and complaints procedures in contract compliance visits.
- Learning and recommendations from complaints is reported to senior management on a regular basis so that learning can be disseminated and services improved.

2.10 Compliments - During 2013/14 a total of 629 compliments were received (541 external and 88 internal). This is a slight reduction to the previous year where 498 external and 133 internal compliments were received. The table below shows compliments received since 2010/11 (includes Adult Social Care and Children Social Care compliments).

Year	Compliments received
2013/14	629
2012/13	631
2011/12	765
2010/11	963

2.10.1 The table below shows external compliments per Directorate for 2013/14:

Directorate	External Compliment
Central Services	92
Serco	21
Environment	99
Planning and Transportation	27

Children's Services	29
Housing	51
Social Care (Childrens and Adults)	222

2.11 MP and Councillor Enquiries

2.11.1 **Member Enquiries** - Performance has improved during 2013/14, despite an increase in volumes. During the reporting year, there were 2023 enquiries received with 98% processed within timeframe. During 2012/13 performance was 90% with 1044 received. The table below shows member enquiries received, per Directorate for 2013/14:

Directorate	Cllr enquiries
Central Services	46
Serco	65
Environment	459
Planning and Transportation	366
Children's Services	72
Housing	1015

2.11.2 **MP Enquiries** - Performance for responding to MP enquiries has improved during 2013/14. There were 364 MP enquiries received with 98% responded to within timeframe. During 2012/13, 452 enquiries were received of which 94% were responded to within timeframe.

2.12 Learning lessons from complaints

2.12.1 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 details a sample of case studies that have been published on the Councils 'You Said We Did' website. During 2013/14 a new process has been set up by the Complaints Team in order to drive forward learning from complaints. This includes:

- The production of monthly Directorate based complaints reports which are sent to Directorate Performance Officers
- The Complaints Team (following the submission of the Directorate based monthly reports) meeting with Performance Officers/ Team Managers to analyse complaints data
- The Complaints Team will then work alongside the Performance Officers with a view to identifying root causes from complaints, and to then produce learning from complaints case studies
- The Complaints Team will log and track any agreed learning activity required from the relevant service area, as a mechanism to evidence learning from complaints

2.13 Local Government Ombudsman (LGO)

2.13.1 The LGO set the Council a deadline of 28 days to respond to their first enquiries, however Thurrock have implemented a 21 day deadline in order to maintain an effective level of performance.

2.13.2 Below is Thurrock's average response time over the past 4 years, and the figures in brackets represent number of enquires that were received from the LGO investigation team.

- 2010/11 - 20.5 days (20)
- 2011/12 – 15.4 days (33)
- 2012/13 – 15 days (27)
- 2013/14 – 21 days (19)

Due to the increase in our average response time for 2013/14, the Complaints Team will bring forward its timeline to ensure our average response for 2014/15 shows an improvement.

2.13.3 All LGO complaints are managed by the Corporate Complaints Team. For those cases which were formally concluded by the LGO, the findings are as follows:

- Maladministration causing an injustice: The LGO determined 3 cases under this category; 1 for Housing Services, 1 for Childrens Services and 1 for Adult Social Care. The case for Adult Social Care resulting in a public report being issued.
- Local settlement: The LGO determined 11 cases under this category; 6 for Housing Services, 2 for Childrens Services, 2 for Serco and 1 for Adult Social Care.

As a direct result of these cases, the council issued financial compensation totalling £6,556.

2.14 Housing Ombudsman (HO)

2.14.1 On 1st April 2013 the new Housing Ombudsman Service was launched with an extended jurisdiction covering all housing associations and local housing authorities. During the reporting year there was 1 complaint received from the Housing Ombudsman. This was responded to within 15 days.

2.15 Compensation

The Corporate Complaints Team has developed a compensation model in line with Local Government Ombudsman guidelines to ensure that any monetary compensation is aligned council-wide. Whilst this is clearly identified for all Ombudsman cases, more work is required across Directorates to enable transparency and detailed analysis of all compensatory payments. The Corporate Complaints Team will lead on this work.

2.16 Benchmarking

During June, Thurrock initiated a benchmarking request from our Unitary Authority benchmarking group. These have been summarized in Appendix 2. Barking and Dagenham has been shown as a comparison.

3. Issues, Options and Analysis of Options

3.1 There are no options associated with this paper.

4. Reasons for Recommendation

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 was discussed/agreed at Directors Board.

6. Impact on corporate policies, priorities, performance and community impact

6.1 Complaints impact on the Councils' 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: **Sean Clark**
Head of Corporate Finance

There are no direct financial implications with this report

7.2 Legal

Implications verified by: **David Lawson**
Deputy Head of Legal and Deputy 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**
Community Development and Equalities
Manager

- The Information Management Team will continue to work with the Diversity Team to provide data that can be broken down into race, gender and disability themes in order to address any inequalities in relation to service delivery. This initiative will also support our aim to reach of using complaints data as a service improvement tool.

7.4 Other implications

None

8. Background papers used in preparing the report

- None – Information has been obtained from the complaints system

9. Appendices to the report

- Appendix 1 – Sample case studies
- Appendix 2 - Benchmarking

Report Author:

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