

<b>12 March 2020</b>		<b>ITEM: 5</b>
<b>Standards and Audit Committee</b>		
<b>Complaints &amp; Enquiries Report – April 2019 – September 2019</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-Key	
<b>Report of:</b> Lee Henley - Strategic Lead Information Management		
<b>Accountable Strategic Lead:</b> Lee Henley – Strategic Lead Information Management		
<b>Accountable Directors:</b> Jackie Hinchliffe – Director of HR, OD & Transformation and Tim Hallam – Assistant Director of Law and Governance and Monitoring Officer		
<b>This report is:</b> Public		

### **Executive Summary**

- The number of complaints received for the reporting period is 639. For the same period last year the figure was 860, therefore the reporting period represents a reduction (35%) in complaints received and logged.
- 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, 41% of complaints have been upheld. This is an improvement compared with the same period last year where 46% of complaints were upheld.
- For the reporting period, 86% of complaints were responded to within timeframe. This represents a slight decrease in performance on last year, where 87% were responded to within timeframe.
- A total of 140 MP/MEP enquiries were received, of which 86% were responded to within the timeframe. For the same period last year 299 were received, with 87% responded to within timeframe.
- A total of 1909 member enquiries were received, with 96% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 4 days. For the same period last year, 2030 were received with 95% responded to within timeframe.

- The reporting period has seen a drop in compliments received.

## 1. Recommendations

### 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 2019 to 30 September 2019.

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

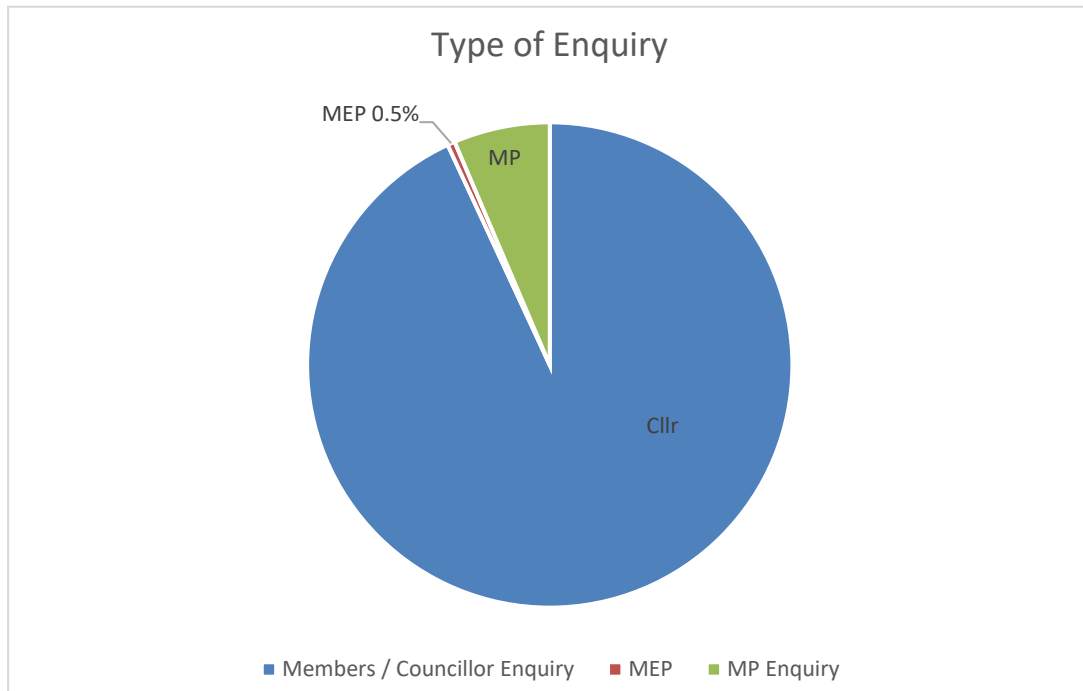
2.4.1 The table below provides a summary of formal enquiries where the Local Government and Social Care Ombudsman (LGSCO) and/or the Housing Ombudsman (HO) have reached a formal decision on cases within the reporting period. Findings and recommendations from all enquiries are shared with respective Directors 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

## 2.5 MP, MEP and Members Enquiries

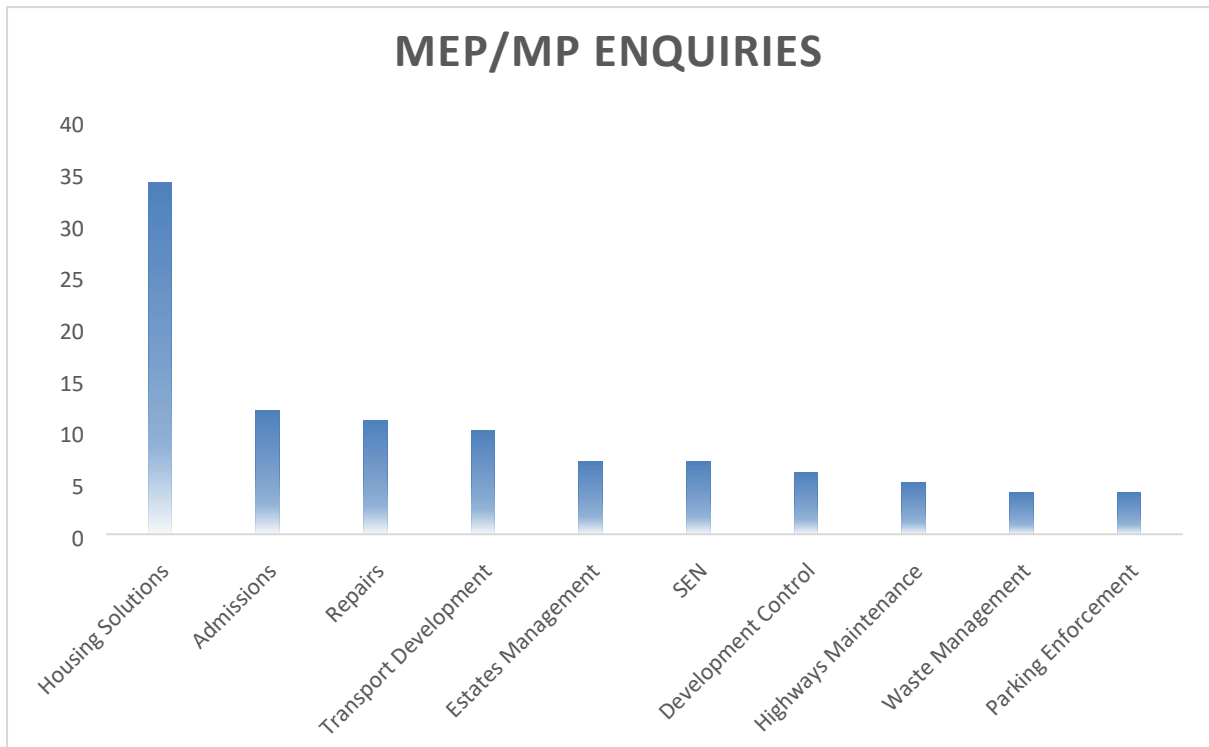
2.5.1 During the reporting period enquiries were received as follows:

- 1909 member enquiries were received, with 96% responded to within timeframe. The average time taken to respond to members enquiries across all Directorates was 4 days.

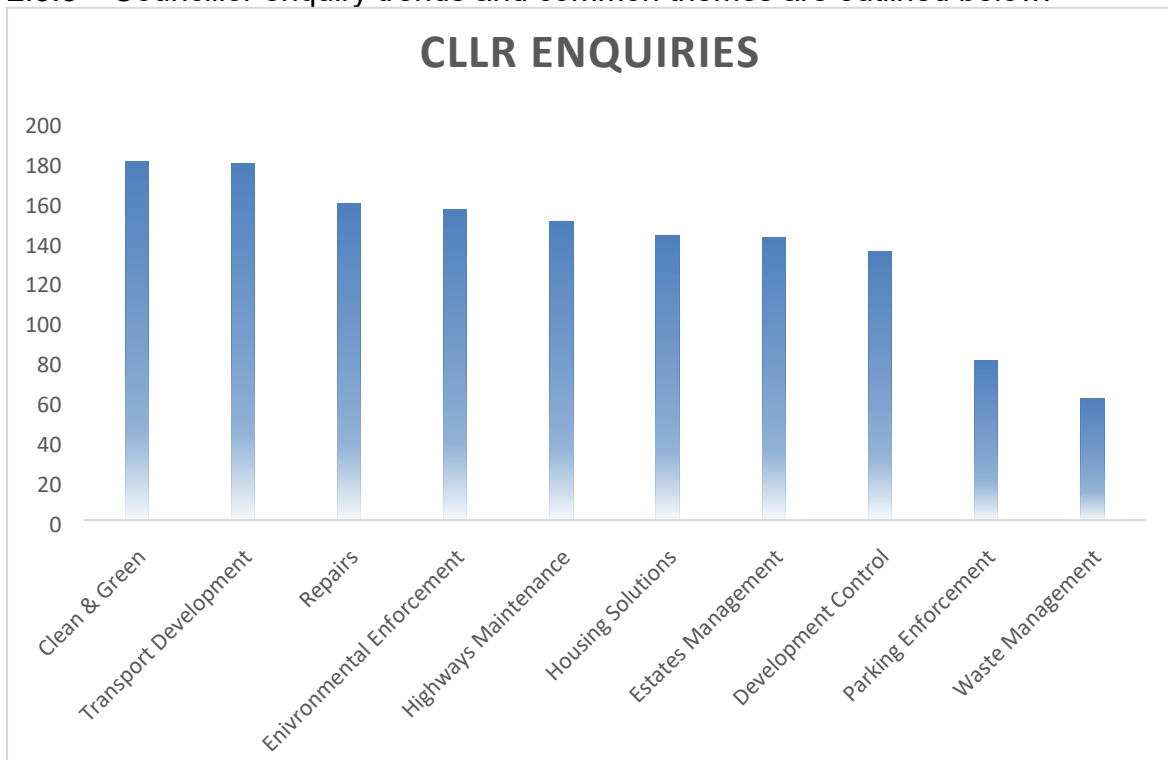


- A total of 140 MP/MEP enquiries were received, of which 86% were responded to within the timeframe.

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 positive trends and planned actions taken from those complaints upheld.

## 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 £42, a stage 2 complaint costs £75 and a stage 3 complaint costs £120. 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	411	£17,262
Stage 2	117	£8,775
Stage 3	1	£120

## 2.8 Alternate Dispute Resolution

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.

Alternate Dispute Resolution (ADR) is a mechanism to resolve complaints swiftly should the complainant request escalation. This involves assessment of the presenting issues by the Statutory & Corporate Complaints Manager and appropriate recommendations being made. It can also include mediation with the complainant and the service area.

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, both for Children's services preventing escalations to Stage 2, a saving of £3600.

## 2.9 Compensation

2.9.1 Records confirm that within the reporting period compensation payments have been made by the Council as outlined below:

Area	Complaint	Financial Remedy
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	Stage	
Children's Services - SEN	LGO	£5675
Housing – Estates Management	Stage 2	£3000
Place – Transport Development	LGO	£150
Housing – Private Housing Team	LGO	£100
		<b>Total £8925</b>

## 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)	70%
Complaints Form	23%
Letter	5%
Telephone	1%
In person	1%

## 2.12 Compliments

2.12.1 The Council received a total of 281 external compliments within the reporting period compared to 420 from the same period last year. A breakdown is below.

Area	Volume
Housing	67
Environment & Highways	37
Finance & IT	2
Strategy, Communications & Customer Service	101
HR, OD & Transformation	3
Legal	0
Place	17
Children's	3
ASC	40
CSC	11
<b>Total</b>	<b>281</b>

## 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**  
**Assistant Director of Law and Governance and  
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 – Adult Social Care complaint dashboard  
Appendix 3 – Children Social Care complaint dashboard

### **Report Author:**

Lee Henley  
Strategic Lead Information Management