

24 September 2015		ITEM: 8
Standards and Audit Committee		
2014/15 Annual Complaints 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 & Transformation		
Accountable Director: Lyn Carpenter – Chief Executive		
This report is: Public		

Executive Summary

Corporate complaints:

- A total of 1616 complaints have been received within the reporting year 2014/15. This is a decrease compared with 2013/14 full year volumes, as during 2013/14 2549 complaints were received. However this decrease is linked to a change in our complaints process, with the introduction of a concerns stage across all service areas from 1st January 2014.
- A total of 2486 concerns have been received in the reporting period.
- The combined total of complaints and concerns received for the reporting period is 4102. During 2013/14, 3575 complaints/concerns were received and processed, so the reporting period has seen an increase in overall numbers received.
- Some services, by virtue of the nature of the type of service provided, receive the highest volume of complaints. For the reporting period, the top four expressions of dissatisfaction relate to the following services:
 - Housing repairs
 - Estate Management
 - Council Tax
 - Missed Waste Collections
- The reporting period has highlighted the following (and where possible a rationale has been provided within 2.3.5 of this report):
 - Children’s Services - There is an increase in both complaints and concerns received for school admissions, although few are upheld.

- Housing Repairs:
 - The combined total of concerns and complaints received during 2014/15 (1053), represents a decrease in the combined total for 2013/14 (1109).
- Estate Management:
 - 2014/15 has seen a significant increase in concerns received.
 - 2014/15 has seen a reduction in complaints received.
- Housing Solutions:
 - 2014/15 has seen a significant increase in concerns received.
 - 2014/15 has seen a reduction in complaints received.
 - 14% of closed complaints were upheld.
- Transforming Homes:
 - 2014/15 has seen a significant increase in concerns received (90 received during 2014/15 compared to nil for 2013/14). However it should be noted:
 - 2014/15 is the first full year for our Transforming Homes programme
 - During 2013/14, a number of concerns would have been sent directly to the contractor (without being logged on our complaints system). Work is on-going to ensure going forward the council has full visibility of all concerns received for this area.
- Council Tax:
 - The combined total of concerns and complaints received during 2014/15 (310) is a similar number to the total received during 2013/14 (300).
 - 14% of closed complaints were upheld.
- Housing Benefit:
 - The combined total of concerns and complaints received during 2014/15 (171) has increased compared to 2013/14 (126).
- Missed Waste Collections:
 - During 2014/15, the combined total of concerns and complaints received (332) represents a decrease in the combined total for 2013/14 (555).
- Parking:
 - The combined total of concerns and complaints received during 2014/15 (126) has increased compared to 2013/14 (21).
- Pot Holes:
 - The combined total of concerns and complaints received during 2014/15 (70) has increased compared to 2013/14 (43).
- During the reporting period, 41% of complaints have been upheld. This is an improvement compared with 2013/14, as 48% of complaints were upheld.
- 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 within the council.
- The average response time for responding to LGO enquiries is 16 days. This is an improvement on 2013/14, where a year end average figure of 21 days was achieved. 4 cases investigated by the LGO were upheld.

- A total of 9 formal enquiries have been received from the Housing Ombudsman. The Housing Ombudsman does not have a standard timeframe for the council to issue a response and each request is managed on a case by case basis. However, all initial enquiries were responded to within the timeframes set by the Housing Ombudsman.
- A total of 758 MP enquiries were received, of which 92% were responded to within timeframe. During 2013/14, performance within timeframe was reported as 98%, so this is a dip in performance (although there was an increase in enquiries received).
- A total of 2913 Members enquiries were received, of which 98% were responded to within timeframe. The reporting period has also seen an increase in Members' enquiries that have been logged, as during 2013/14 2023 were received.

Children's Social Care (CSC):

- The department recorded 263 representations (including 107 compliments) under the Children's Statutory Social Care complaints procedure. 54 stage 1 complaints were received for Children's social care for this period. In addition, two complaints progressed to stage 2 complaint investigations and two complaints progressed to stage 3. The department also addressed 2 Ombudsman enquiries, 21 MP enquiries and 16 member enquiries as well as 59 concerns.

Adult Social Care (ASC):

- A total of 356 representations were recorded as received for this reporting period which included 68 complaints, 1 Ombudsman enquiry, 33 concerns, 16 MP enquiries and 40 Member enquiries and 198 compliments.

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.

1. Recommendation(s)

1.1 To note the statistics and performance for the reporting period 2014/15.

2. Introduction and Background

2.1 This report sets out details relating to the council's complaints statistics and performance for the period 2014/15.

2.2 Adult's and Children's Social Care have separate statutory complaints procedures which are managed by the respective Directorates.

2.3 Volumes and performance for complaints and concerns

2.3.1 During the reporting period, a total of 1584 complaints were due a response, and performance at each stage is as follows:

Complaint stage	Volume	Responded to within timeframe
Stage 1	852	98%
Stage 2	566	98%
Stage 3	166	97%

2.3.2 The table below outlines complaint/concerns volumes received over recent years and the percentage of complaints due a response and processed within timeframe:

Year	Complaints Received	Complaints Responded Within Timeframe	Concerns Received	Complaints/Concerns Totals
2014/15	1616	98%	2486	4102
2013/14	2549	97%	1026	3575
2012/13	3505	91%	N/A	3505
2011/12	2618	97%	N/A	2618
2010/11	3187	89%	N/A	3187

With effect from 1st April 2013, the council implemented an informal stage when processing Housing complaints. This informal stage resulted in 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 1st January 2014.

The reporting period has seen a decrease in complaint volumes compared with 2013/14. However this decrease is linked to the change in our complaints process, with the introduction of the concerns stage across all service areas from 1st January 2014.

2.3.3 The table below shows the most common complaints and concerns received per Directorate for the reporting period.

Notes:

- Figures in brackets represent 2013/14 full year volumes.
- 2013/14 concerns – As detailed above for Housing the concerns process commenced on 1/4/13. For all other service areas, the concerns process commenced on 1/1/14 (4th quarter within 2013/14).

Directorate	Issue Nature	Complaints Received	Upheld Complaints per area	Concerns Received	Concerns not closed off	Concerns escalated to complaints
Children's Services	Admissions	14 (2)	3	10 (0)	2	1
	SEN	3 (3)	1	3 (0)	0	0
	Children's Social Care Complaints	54 (66)	-	59 (34)	6	-
Adult, Health & Commissioning	Adults Social Care	68 (56)	10	33 (37)	7	-
Housing	Repairs	580 (557)	219	473 (552)	38	101
	Estate Management	167 (182)	49	248 (101)	21	46
	Housing Solutions	73 (80)	10	102 (51)	10	15
	Transforming Homes	86 (72)	49	90 (0)	11	28
Serco	Council Tax	143 (268)	20	167(32)	4	24
	Housing Benefit	62 (101)	20	109 (25)	4	15
	Contact Centre	18 (65)	6	48 (12)	5	6
Central Services	Finance	9 (6)	2	8 (0)	0	3
	Legal	5 (0)	1	2 (0)	0	0
	Complaints	2 (6)	0	0 (0)	0	0
	FOI and Data Protection	7	4	0	0	0
Environment	Missed waste collection	85 (514)	62	247 (41)	1	25
	Environmental Health Trading Standards	13 (28)	0	50 (0)	3	2
	Non return of bins	16 (50)	14	44 (0)	1	6
Planning & Transportation	Parking	42 (21)	6	84 (0)	12	7
	Planning Decision	25 (29)	2	19 (0)	2	3
	Pot holes	16 (30)	5	54 (13)	6	2

2.3.4 During the reporting period, 2486 concerns have been logged. Of these:

- 2295 were responded to.
- 191 remain active on the complaints system and have not been closed off.

It should be noted that for the concerns above that remain active, it 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 over the management of

concerns (this will include monthly reports sent to Heads of Services showing active concerns).

2.3.5 A summary of the table in 2.3.3 above is shown below:

- Children's Services:
 - There is an increase in both complaints and concerns received for school admissions, although few are upheld.
 - The increase in volume was to be expected due to pressure on school places. The majority of complaints received by Admissions are in relation to the council not being able to offer places in accordance with parents' preferences: they are not about the quality of the interaction with council staff.
- Housing Repairs:
 - The combined total of concerns and complaints received during 2014/15 (1053), represents a decrease in the combined total for 2013/14 (1109).
 - 38% of complaints were upheld.
 - 101 concerns were escalated to a complaint.
- Estate Management:
 - 2014/15 has seen a significant increase in concerns received. This is attributed to an increase in condition of property related concerns received following on from the void inspection process which are currently classified on our complaints database under Estate Management. However these concerns going forward should/will be classified as condition of property concerns (and not under Estate Management).
 - 2014/15 has seen a reduction in complaints received.
- Housing Solutions:
 - 2014/15 has seen a significant increase in concerns received, which has been attributed to:
 - An increase in applicants presenting to Thurrock from outside the authority which include self-referral or referral via other external sources.
 - Residents in private rented accommodation not adhering to their tenancy agreement resulting in the landlord taking action to end the tenancy. These cases are typical of families and the expectation from applicants that Thurrock assume responsibility for re-housing.
 - 2014/15 has seen a reduction in complaints received.
 - 14% of closed complaints were upheld.
- Transforming Homes:
 - 2014/15 has seen a significant increase in concerns received. This is due to:
 - The number of properties that are now being transformed across Thurrock, which represents the first full financial year of the Transforming Homes programme.

- During 2013/14, a number of concerns would have been sent directly to the contractor (without being logged on our complaints system).
 - 57% of closed complaints were upheld.
- Council Tax:
 - The combined total of concerns and complaints received during 2014/15 (310) is a similar number to the total received during 2013/14 (300).
 - 14% of closed complaints were upheld.
- Housing Benefit:
 - The combined total of concerns and complaints received during 2014/15 (171) has increased compared to 2013/14 (126).
 - The reason for the increase in concerns is due to welfare reform changes and the impact on the claimant resulting in individuals challenging decisions.
- Missed Waste Collections:
 - During 2014/15, the combined total of concerns and complaints received (332) represents a decrease in the combined total for 2013/14 (555).
- Parking:
 - The combined total of concerns and complaints received during 2014/15 (126) has increased compared to 2013/14 (21).
 - The reporting period has seen an increase in concerns/complaints received against staff in this area. The service area are working towards a new training programme to support an improvement in this area and to achieve a reduction in complaints.
- Pot Holes:
 - The combined total of concerns and complaints received during 2014/15 (70) has increased compared to 2013/14 (43).
 - The council has changed its policy for receiving and dealing with information regarding the highway. Previously issues were recorded as a Service Request in the service area but this system has now been superseded by these issues being logged as concerns/complaints. In addition to this, heavy rainfall and localised flooding in 2014/15 led to a large number of potholes occurring.

2.4 Children's Social Care (CSC)

- Children's Social Care operates a statutory complaints procedure. For the reporting period, 54 stage 1 complaints were recorded as received, of which 41 were completed with an outcome. Four complaints were upheld, 9 complaints were partially upheld and 28 complaints were not upheld. Of the 13 not completed, 1 was closed as outside the statutory timescale, 3 were withdrawn and 9 were in the process of investigation.
- Two complaints were progressed to stage 2 independent investigation stage. Both complaints were concluded and were partially upheld.

- Two complaints progressed to stage 3 review panel. Both complaints had outcomes partially upheld and the learning has been taken forward by Senior Management and disseminated to staff.

2.5 Adult Social Care (ASC)

- 68 complaints were investigated in accordance with the statutory adult social care complaints procedure. Ten complaints were upheld, 10 were partially upheld, 23 complaints were not upheld and 10 complaints were in the process of being investigated at the end of this reporting period. Fifteen complaints were withdrawn.

2.6 Complaint outcomes

2.6.1 The table below outlines the % of upheld complaints across all stages during the reporting period. Figures in brackets represent 2013/14 annual statistics.

Stage	Total complaints due	Complaints upheld	% upheld
Stage 1	852 (1731)	375 (887)	44% (51%)
Stage 2	566 (599)	235 (253)	42% (42%)
Stage 3	166 (170)	44 (56)	27% (33%)
Totals	1584 (2500)	654 (1196)	41% (48%)

2.6.2 All stage 3 complaints are subject to a pre-assessment by senior officers within the Complaints Team. It should be noted that of the 166 stage 3 complaints received a total of 44 were cancelled on the system. A stage 3 complaint can be cancelled for two reasons:

- Following a meeting with the complainant together with the service area which has resulted in satisfactory resolution.
- 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. The complainant is then informed of this.

2.7 Quality checking

2.7.1 The Corporate Complaints Team, as part of its quality checking programme, check complaints responses to ensure they are fit for purpose. For stage 1 complaints the team validated 38% of responses, and for stage 2 complaints

the team validated 72%. Findings from the validation exercises have resulted in:

- Responses being reshaped to ensure they are grammatically correct
- Inappropriate responses not being released to the complainant due to content
- Breaches of data protection not taking place
- Responses being returned to the Directorates due to failure to address all points which have been raised by the complainant

2.8 Ombudsman Enquiries

2.8.1 Appendix 2 is the council's Local Government Ombudsman (LGO) report for 2014/15. A high level summary of this report is below:

- 82 enquiries were received by the LGO. During 2013/14, 89 enquiries were received.
- Of the 11 cases investigated by the LGO, 5 have been reported as upheld, although the council's records show this as 4 upheld (and this has been raised with the LGO).

Note - During 2013/14 28 cases were investigated with 18 upheld.

- Details of upheld complaints for 2014/15 are shown below:
 - Council Tax Benefit - Delays in re-assessing a claim resulting in an incorrect council tax bill being produced.
Learning - To process information in a timely manner ensuring our billing process is accurate.
 - Adult Social Care – The council did not communicate effectively a decision taken to reduce funding (in relation to a direct payment payment for travel provision).
Learning – To issue clear communications for all decisions made.
 - Waste/Recycling - Bins not collected regularly.
Learning – To monitor collections when complaints/concerns are raised with the council.
 - Children's Services – A core assessment was not provided by the council and it remains unclear as to whether information was produced allowing this report to be completed (following the departure of a Social Worker)
Learning – The council must ensure that relevant records of their dealings with clients are produced and located in a shared location.

2.8.2 The LGO set the council a deadline of 28 days to respond to first enquiries.

However the council has implemented a 21 day deadline in order to maintain an effective level of performance.

2.8.3 Performance for responding within the reporting period averages at 16 days for LGO enquiries which is within target and an improvement on 2013/14 (as our average timeframe was 21 days).

2.8.4 Below are the council's average LGO response times over the past 5 years.

- 2010/11 - 21 days
- 2011/12 – 15 days
- 2012/13 – 15 days
- 2013/14 – 21 days
- 2014/15 – 16 days

2.8.5 The Housing Ombudsman does not have a default timeline for responding to enquiries. Timelines are usually set by the Ombudsman dependent upon the level of detail of the enquiry. However, the council continues to bring forward timelines wherever possible to ensure effective performance. Performance for responding to Housing Ombudsman enquiries within the reporting period averages at 22 days (for 9 enquiries).

2.9 Compliments

2.9.1 During the reporting period 552 compliments were received (449 external and 103 internal). Compliments data per Directorate is detailed below:

Directorate	Total compliments	External	Internal
Central Services	23	11	12
Children's Services	11	9	2
Social Care Children's and Adults	322	266	56
Housing	65	49	16
Environment	85	72	13
Planning & Transportation	20	18	2
Serco	26	24	2

2.9.2 The table below shows compliments received since 2010/11.

Year	Compliments received
2014/15	552
2013/14	629
2012/13	631
2011/12	765
2010/11	963

2.10 MP and Councillor Enquiries

2.10.1 During the reporting period enquiries were received as follows:

- 2913 councillor enquiries were received, with 98% responded to within timeframe.
- 758 MP enquiries were received, with 92% responded to within timeframe.

During 2013/14, 364 MP enquiries were received with 98% responded to within timeframe. Therefore current performance represents a dip in performance however the reporting period shows an increase in MP enquiries received.

The reporting period has seen an increase in Members' enquiries that have been logged, as during 2013/14 2023 were received.

2.10.2 In the last reporting period it was reported that the council had started to receive enquires via the MEP. A total of 6 enquiries were received, classified as follows:

Housing	2 regarding damp and mould
Serco	1 regarding benefit entitlement
Serco	1 request to suspend a court hearing
Transportation	1 request for home to school transport
Corp Governance	1 enquiry in relation to a subject access request

2.10.3 MP enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Repairs	196
	Customer Services	44
	Antisocial behaviour	29
	Thurrock Choice Homes	38
Planning & Transportation	Planning Decision / Advice	20
	Parking	6
Children's Services	School Admissions	17

2.10.4 Councillor enquiry trends and common themes are outlined below:

Directorate	Enquiry Type	Volume
Housing	Repairs	700
	Transfer issues	76
	Housing Transformation	93
	Antisocial behaviour	78
Environment	Waste & Recycling	51
Planning & Transportation	Parking	46
Serco	Council Tax	42

2.11 Learning lessons from complaints

- 2.11.1 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 which outline learning from upheld complaints.
- 2.11.2 Case studies from upheld complaints are published on the council 'You Said We Did'. Following the redesign of the council webpage there has been a delay in updating some case studies. However work is in progress with the Web Team to remedy this.
- 2.11.3 As a result of council wide changes and the need to make best use of council resources the Corporate Complaints Team no longer provide monthly reports on complaint performance for every Directorate. However, 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. The team will continue to provide MI to services as and when requested.

2.12 Compensation

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

Directorate	Complaint Stage	Financial remedy
Housing	Stage 1	£200
	Stage 3	£200
	Stage 3	£350
	Housing Ombudsman	£800
Total		£1550

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 discussed/agreed at Performance Board and was sent to Directors 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**
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 relevant officers 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 of using complaints data as a service improvement tool.

7.4 Other implications

None

8 Background papers used in preparing the report

- Information has been obtained from the council complaint system.

9. Appendices to the report

- Appendix 1 – case studies from upheld complaints
- Appendix 2 – LGO report

Report Author:

Lee Henley
Information Manager