

# Southend-on-Sea Borough Council

Report of Corporate Director for Corporate Services

to  
Cabinet

on  
23<sup>rd</sup> September 2014

Report prepared by: Sue Hewitt – Performance Adviser  
Compliments and Complaints

Agenda Item No.

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Corporate Comments, Complaints and Compliments  
received throughout 2013-2014

Policy & Resources Scrutiny Committee – Executive Councillor: Councillor Woodley

A part 1 Public Agenda Item

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## 1. Purpose of Report

- 1.1 To report on the performance of the corporate Comments, Complaints and Compliments process and to provide comparisons with previously reported results. Complaints and compliments in respect of adult and children's social care functions are subject to their own statutory processes and are not monitored by the corporate procedure. Their results are reported separately.

## 2. Recommendations

- 2.1 To note the performance of the corporate complaints process between April 2013 and March 2014

Refer the report directly to all Scrutiny Committees

## 3. Background

- 3.1. The three stage complaints procedure outlined in **Appendix 1** has been in place since 2009 and is well established throughout the organisation. A review was undertaken in February 2014 and it has been decided to continue with the 3 stage process.
- 3.2 Significant organisational changes have occurred during the period covered by this report, the most notable being the relocation of Cultural Services from what was Adult and Community Services to Department for Place. For the purposes of this report all previous years data has been restated to reflect the new structure.
- 3.3 The Council's corporate comments, complaints and compliments process deals with all general feedback about the Council. As well as the children and adult

social care statutory complaints there are certain other functions which are outside of the corporate procedure which have their own processes. Examples include appeals against parking tickets and concerns about schools.

- 3.4 The benefits achieved in operating a comprehensive feedback process include:
- To learn lessons from the types of feedback made
  - To improve service delivery
  - To improve the consistency and timeliness of responses
  - To reflect Local Government Ombudsman (LGO) best practice.
- 3.5 This report therefore provides an update on how the process is working and to provide an analysis of customer feedback data.

## 4. PERFORMANCE TO DATE

### 4.1 Performance

The 420 Stage 1 complaints received in this reporting period reflects an increase of 28% when compared to the 291 complaints reported for 2012-2013. Whilst the general trend is upwards the level of complaints are still significantly lower than the 1100 recorded when the current process was introduced in 2009.

The continual monitoring system that is in place has identified trends and issues that are subject to complaints. Areas that have been of note, at all stages, this year include:

- Missed waste collections – 10%
- Highway issues and related parking matters -12%
- Non response by staff to emails, letters and calls – 18%

Details of this year's performance data is set out in **Appendices 2 to 5.**

### 4.2 Complaints by Directorate with Response Times

The table below shows the three year performance for each Directorate on the 10 working day service standard for responses to complaints. All previous years have been re-stated to reflect the current organisation structure

Directorate	Stage 1 & 2 Total Complaints Apr 2011-Mar 2012	Responded to in 10 working days	Stage 1 & 2 Total Complaints Apr 2012-Mar 2013	Responded to in 10 working days	Stage 1 & 2 Total Complaints Apr 2013-Mar 2014	Responded to in 10 working days
Corporate Services	87	82%	72	94%	40	80%
Department for People	37	81%	31	84%	48	79%
Department for Place	326	78%	227	81%	372	80%
<b>Grand Total</b>	<b>450</b>	<b>79%</b>	<b>330</b>	<b>85%</b>	<b>460</b>	<b>80%</b>

Response times for Stage 3 complaints reflect an average response time of 42 days and continue to be a challenge. The process of early intervention and mediation by the corporate team has resulted in less complaints progressing to the final stage of the process with 10 complaints reaching stage 3 compared to 16 last year.

Whilst the complaints that do escalate generally refer to more complex matters the results still reflect a longer response period than desired and work will continue in the coming year to reduce the response timescale.

#### 4.4 Nature of Complaints

**Appendix 2** sets out the nature of complaints under the following headings:

- Communication
- Decision making
- Discrimination
- Policy or procedure
- Providing a service
- Service not provided
- Staff conduct/staff behaviour
- Quality of service

The main areas of concern to residents remain as in previous years, with “providing a service” and “quality of service” representing 305, or 72%, of all complaints received.

#### 4.5. How the Complaints Were Received

The three year trend chart in **Appendix 3** shows that 46% of complainants contacted us by e-mail and via the web, which is a slight decrease on last year. Work continues to be undertaken corporately to encourage customers to use the website as their channel of choice. Contact by letter has shown a small reduction following three years of static figures, however last year’s reduction in contact via telephony of 12% is reversed in this reporting period. Face to face contact has remained broadly static for the last three years with around 5% of complainants preferring this method of communication.

#### 4.6 Progression of Complaints & Satisfaction

- 89% of stage 1 complainants were satisfied with their response which is in line with last years reported figure of 90%.
- Of the 40 recorded Stage 2 complaints 3 went straight to Stage 2 of the process as they were received via the Local Government Ombudsman’s office. The remaining 37 represents 7% of the total 468 complaints responded to at all stages, which in percentage terms is a reduction when compared to last year.
- Of the 40 complaints that were addressed at stage 2 just over half related to either providing a service or an implemented policy or procedure.
- The total number of complaints that escalated to Stage 3 for the year was 10, which is 2% of the total complaints recorded. The use of mediation between Stage’s 2 and 3 will continue to be used in an effort to further reduce the

number of complaints reaching stage 3. Whilst the aim continues to be to resolve complaints at the earliest point it is worth noting that of the 10 investigated only 3 were upheld.

- 4 complainants that completed the corporate process escalated their concerns to the Local Government Ombudsman. In all cases the Ombudsman determined “no fault” with the Council’s actions.

#### 4.7 **Complaint Resolution**

The emphasis on learning from customer feedback continues to inform reviews to provide improved targeted services. This is evidenced by how complaints have been resolved this year:-

- Specific action has been taken in 40% of cases - by doing something that had not been done, putting something right, revising a procedure, carrying out work or updating a policy.
- 32% of customers that complained received an apology when the Council had not got things right and no further action was needed, other than to apologise, or explain why the Council had taken a particular course of action.
- 27% of complaints required no action. This was where our actions were reviewed but deemed to be correct and no apology was required.
- One case resulted in a compensation payment after the Council had incorrectly processed a housing benefit payment.

The chart in **Appendix 4** reflects the breakdown of complaints by resolution.

#### 4.8 **Learning Points**

The continuous review of customer feedback, and resulting changes to service provision, will continue. A pro-active approach on learning points will also continue so that:-

- Previously identified trends will be monitored to ensure that the resulting service changes are reducing the number of related complaints.
- Continuous review of responses to ensure that identified service improvements that have been promised are implemented.

#### 4.9 **Comments and Compliments**

Govmetric, the customer satisfaction measurement tool used by the Council, specifically captures the provision of service by the Customer Service Centre and Council website and these figures are reflected in the Corporate Services analysis. It is anticipated that as the drive towards encouraging customer use of web based channels continues, resulting in less personal interaction between the Council and residents, so will the opportunities to receive compliments.

Of the 1,694 comments and compliments recorded for Corporate Services in the reporting period 542 were compliments, which compares to 458 recorded last year.

As reported in previous years comments received are responded to by the service and those making comments advised if their suggestion is to be taken

up or not. Compliments are acknowledged and shared with the appropriate Head of Service to inform the service or member of staff. This may then inform the staff's performance review discussion.

The table below shows the 3 year comparison on total number of comments and compliments received by each Directorate. All previous years have been re-stated to reflect the current Council structure

Department	Total 2011/12	Total 2012/13	Total 2013/14
Corporate Services	2990	1653	1694
Department for People (excluding statutory complaints)	8	7	7
Department for Place	254	219	288
<b>Grand Total</b>	<b>3252</b>	<b>1879</b>	<b>1989</b>

## 5. LOCAL GOVERNMENT OMBUDSMAN (LGO)

The Local Government Ombudsman has reintroduced the annual letter for individual councils, about complaints received against them, though it has revised the format. This is the first full year of recording complaints under their new business model and the third consecutive year the LGO has changed the way they describe their decisions. Therefore the annual figures are not directly comparable to previous years.

The reported figure of 48 complaints does reflect a significant increase on the 24 recorded last year. However, of the 48 complaints 19 are categorised as referred back to the Council for remedy, this category was previously known as "premature complaints" and did not form part of the Ombudsman's statistics.

Of the remaining complaints 16 were closed after initial enquiries and 7 were not upheld. The Council had one complaint upheld against it, which was in relation to adult social care. Please note that this case was included in last year's adult social care report. The full results are attached at **Appendix 5**.

Alongside the statistical information the Ombudsman has also published a new yearly report on local government complaint handling. The report includes a summary of complaint statistics for every local authority in England which provides an opportunity for the Council to compare its performance against other Council's. The table below shows comparisons with a small number of other similar authorities.

	Enquiries Made	Complaints Upheld
Southend On Sea	48	1
Blackpool	58	11
Medway	110	6
Plymouth	77	10
Thurrock	89	18

## 6 MONITORING AND REPORTING

Regular reporting continues to inform Departmental Management Teams to coincide with their monthly report on performance.

## 7. CONCLUSIONS

The process continues to deliver improved performance and a more robust system of monitoring and real service improvements.

## 8 Corporate Implications

### 8.1 Contribution to Council's Vision & Corporate Priorities

Customer feedback and complaints management is directly relevant to the Council's corporate priorities.

### 9 Financial Implications

Service improvements and mediation continue to result in meaningful outcomes for customers and so ensure getting things right first time.

### 10 Legal Implications

This process is overseen by the Local Government Ombudsman

### 11 People Implications

See 14

### 12 Property Implications

None

### 13 Consultation

None

### 14 Equalities and Diversity Implications

The process is open to all and has multiple methods of access for customers. Equality and diversity implications are a routine part of the process in recording customers details and are considered as part of any response. Mediation

ensures people that may be vulnerable are able to access this service and receive the appropriate support.

15 Risk Assessment

16 Value for Money

The continued drive to resolving complaints as early as possible in the process reduce officer time spent dealing with concerns as well as providing the opportunity to improve service delivery.

17 Community Safety Implications

None

18 Environmental Impact

None

19 Background Papers

None

## 20 **Appendices**

20.1 Appendix 1 The Council's Comments, Complaints & Compliments Procedure

20.2 Appendix 2 Nature of Complaints

20.3 Appendix 3 How Stage 1 Complaints Were Received

20.4 Appendix 4 Complaint Resolution

20.5 Appendix 5 Local Government Ombudsman

## **Appendix 1 - The 3 Stage Process**

### **Complaints**

#### **Stage 1**

An initial complaint responded to by the respective service Group Manager.

#### **Stage 2**

A complaint that has been responded to but where the complainant is still unhappy and a response is required from the appropriate Director or Head of Service.

#### **Stage 3**

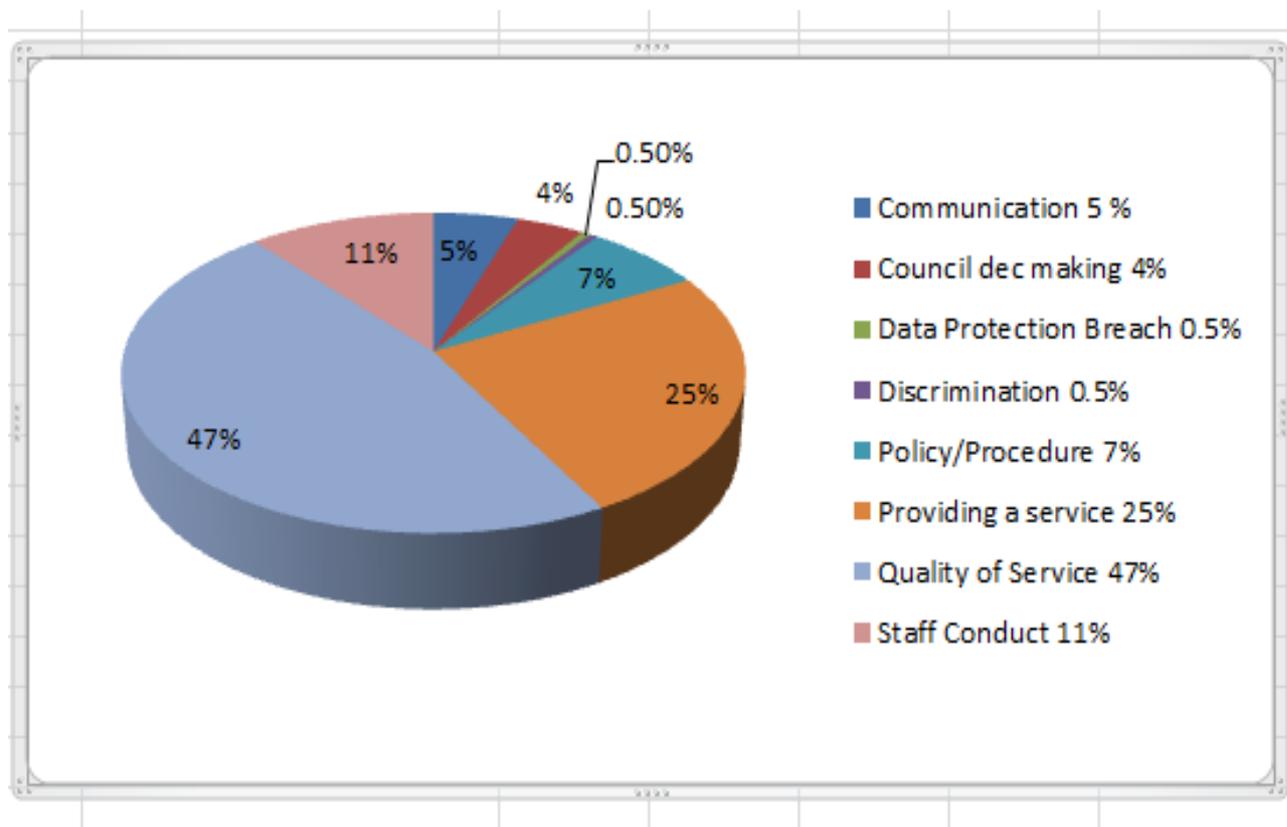
If the complainant is still unhappy after the Stage 2 process, they have a right of appeal to the Council's Chief Executive and Leader of the Council. In the first instance mediation is offered, if unsuccessful an investigation is undertaken and a report presented to the Chief Executive for consideration.

### **Comments and Compliments**

Any comment or compliment should be responded to within 10 working days. If a suggestion is not to be progressed then an explanation should be provided. Compliments must be gratefully acknowledged. Comments & Compliments should be logged into Covalent, the Council's system for recording feedback, by the Departmental Complaints Officer and reported as part of routine reporting to DMT.

Any compliments relating to staff should be shared with the appropriate Head of Service to share with his or her team member

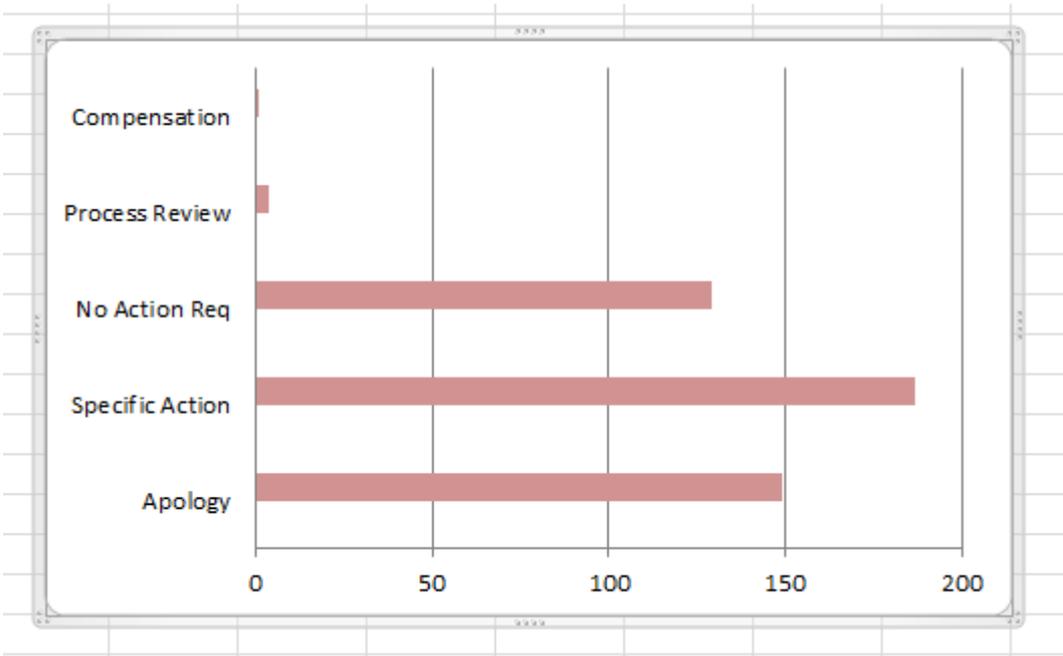
## Appendix 2 – Nature of Complaints – April 2013 to 2014



## Appendix 3 – 3 year Comparison of How Stage 1 complaints Were Received

	Apr 2011- Mar 2012	Apr 2012- Mar 2013	Apr 2013- Mar 2014	Change from 2013 to 2014
Telephone	38%	26%	37%	Increase of 11%
email / internet	36%	50%	46%	Reduction of 4%
In person	7%	6%	5%	Reduction of 1%
Letter/post	17%	18%	11%	Reduction of 7%
Other	1%	0%	1%	Increase of 1%

**Appendix 4 Complaint Resolution**



## Appendix 5

Local Government  
**OMBUDSMAN**

7 July 2014

*By email*

Mr Rob Tinlin  
Chief Executive  
Southend-on-Sea Borough Council

Dear Mr Rob Tinlin

**Annual Review Letter 2014**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

***Developments at the Local Government Ombudsman***

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

***Future for local accountability***

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – Southend-on-Sea Borough Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Southend-on-Sea BC	8	7	4	6	3	10	4	6	48

### Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total;
	Upheld	Not upheld					
Southend-on-Sea BC	1	7	2	16	1	19	46