

Southend-on-Sea Borough Council

Agenda
Item No.

Report of the Chief Executive
to

Cabinet

On

18th September 2018

Report prepared by: Val Smith – Knowledge and Information
Manager

Charlotte McCulloch – Customer Service & Complaints
Manager

Michael Barrett – Complaints Officer

Annual Report – Comments, Complaints and Compliments – 2017/18

All Scrutiny Committees

Cabinet Members: Councillors Lamb, Cox and Boyd

A Part 1 Public Agenda Item.

1. Purpose of Report

1.1 This report is to:

- Provide performance information about comments, complaints and compliments received across the Council for 2017-18
- Fulfil the duty of the Monitoring Officer to report to members on the findings of certain Local Government Ombudsman investigations
- Fulfil the Council's statutory duty to produce an annual report concerning compliments and complaints received about its Children and Adult social care functions.
- Support the Council's values in being open, honest and transparent.

2. Recommendation

2.1. To note the Council's performance in respect of comments, complaints and compliments for 2017-18.

2.2. To refer the report to each Scrutiny Committee, for the Place and P & R Scrutiny Committees to consider Appendix A and for the People Scrutiny Committee to consider Appendices B and C.

3. Background

- 3.1. It is good practice for the Cabinet to receive an annual report on Corporate Comments, Complaints and Compliments. This report is attached at Appendix A and includes a summary of the findings of the Local Government and Social Care Ombudsman which the Monitoring Officer is obliged to report under section 5(2) of the Local Government and Housing Act and the Local Government Act 1974.

- 3.2. Legislation requires that statutory processes are in place to deal with complaints relating to children and adults social care, to advertise that process and produce annual reports. These reports also need to be shared with the Care Quality Commission and the Department of Health. The two reports are attached as Appendices B and C to this report.
- 3.3. Details of performance are contained in the respective reports under:
Appendix A - Corporate Comments, Complaints and Compliments and Monitoring Officer report
Appendix B - Compliments, Concerns and Complaints – Adult Social Care Services
Appendix C - Compliments and Complaints – Children’s Social Care Services.
- 3.4. The table below sets out a comparison of the total number of complaints, Corporate and Statutory, received in 2017/18 and in the previous three years, in total and by Department.

Department	2014/2015	2015/16	2016/17	2017/18
Department of the Chief Executive	43	66	54	65
Department for People (including statutory)	246	304	326	252
Department for Place	376	352	486	364
Grand Total	665	722	866	681

As can be seen, the upward trend in the total number of complaints being received by the Council has reversed. This supports the assertion in last year’s annual report that the spike in complaints in 2016/17 was attributable to major alterations to refuse collection days.

- 3.5. The table below sets out a comparison of the total number of comments and compliments received in 2017/18 and in the previous three years.

Department	2014/2015	2015/16	2016/17	2017/18
Department of the Chief Executive	1326	1673	1301	1291
Department for People (including statutory)	474	416	302	119
Place	222	337	838	820
Grand Total	2022	2426	2441	2230

The majority of comments and compliments come either through the GovMetric customer satisfaction reporting platform (1283 - reported in figures for the Department of the Chief Executive) or through the Department for Place, where

the majority relate to Waste and Environmental Care (448) and Traffic and Highways (169).

In previous years the Department for People has received a large number of compliments in relation to the services provided by Southend Care. As this service is no longer provided directly by the Council, these are no longer recorded in this report and this is believed to account for the drop in comments and compliments for the Department.

4. Lessons Learnt and Service Improvements

- 4.1 Whilst responding to feedback in a timely manner is a priority, it is also important for Council services to reflect on lessons learnt and improving outcomes. This is recognised by the Local Government Ombudsman's principles of good complaints handling by being customer focused, putting things right and seeking continuous improvement.

Examples of service improvements are contained within the individual reports at Appendix A, B and C.

5. Future developments

- 5.1 To support the Corporate Complaints process, it is intended during 2018/19 to make available:

- A programme of awareness for staff about what to do when a complaint is received
- Training and support regarding handling and responding to complaints
- Publicity and advice concerning how to use the procedures for dealing with unreasonable complainant behaviour.

- 5.2 It is recognised that more effective use could be made of insight from complaints. Data collected will be reviewed and analysed to a greater extent and more frequently to better learn lessons, identify areas of concern and improve service delivery.

6. Corporate Implications

- 6.1 Contribution to Council's Vision & Corporate Priorities

Customer feedback and complaints management is directly relevant to the Council's corporate priorities to deliver strong, relevant and targeted services that meet the needs of our community. This remains important in the coming years as budget constraints continue to impact on service delivery.

- 6.2 Financial Implications

The commissioning of external 'independent people' to undertake children's stage two statutory complaints and an 'independent panel' to undertake Stage 3 complaints incurs additional costs, which are met from within the People Business Support Budget.

6.3 Legal Implications

These reports ensure compliance with statutory complaints processes and reporting obligations.

6.4 People and Property Implications

People and property implications are considered through the Council's normal business management processes.

6.5 Consultation

The Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004 confer a duty on local authorities to provide information about advocacy services and offer help to obtain an advocate to a child or young person wishing to make a complaint. All children and young people wishing to make a complaint are offered the services of an advocate.

6.6 Equalities and Diversity Implications

All three processes are receiving feedback from customers from Southend communities including minority groups. Similarly, alternative approaches to facilitate complaint resolution are offered including advocacy and meetings.

Corporate equalities considerations continue to be part of the process.

6.7 Risk Assessment

Processes are reviewed periodically and reduce any risk which could adversely affect the Council's reputation in the community and reduce public trust/satisfaction. The number recorded is still significantly less than the 1100 reported for 2009 at the beginning of the revised process.

6.8 Value for Money

Early resolution of complaints, together with learning lessons from the process, contribute to service improvements and getting things right first time.

6.9 Community Safety and Environmental Impact Implications

Individual complaints may concern community safety or environmental matters.

7. **Background Papers - None**

8. **Appendices**

Appendix A - Corporate Comments, Complaints and Compliments and Monitoring Officer report

Appendix B - Compliments, Concerns and Complaints – Adult Social Care Services

Appendix C - Compliments and Complaints – Children's Social Care Services.

Corporate Comments, Complaints and Compliments and Local Government and Social Care Ombudsman Annual Report 2017-18

1. Purpose of Report

- 1.1 To report on the performance relating to the Corporate Comments, Complaints and Compliments procedure 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 annual reports are provided separately.)

- 1.2 To fulfil the Monitoring Officer's duty under section 5(2) of the Local Government and Housing Act 1989 and the Local Government Act 1974, the Monitoring Officer must provide Members with a summary of the findings on all complaints relating to the Council where in 2017/18 the Local Government and Social Care Ombudsman (LGO) has conducted an investigation and upheld a complaint.

2. Recommendations

- 2.1 **To note the Council's performance in respect of Corporate Comments, Complaints and Compliments for 2017-18.**
- 2.2 **To note the summary of LGO findings (Appendices 1, 2 & 3).**
- 2.3 **To refer the report to the Place and P & R Scrutiny Committees.**

3. Background

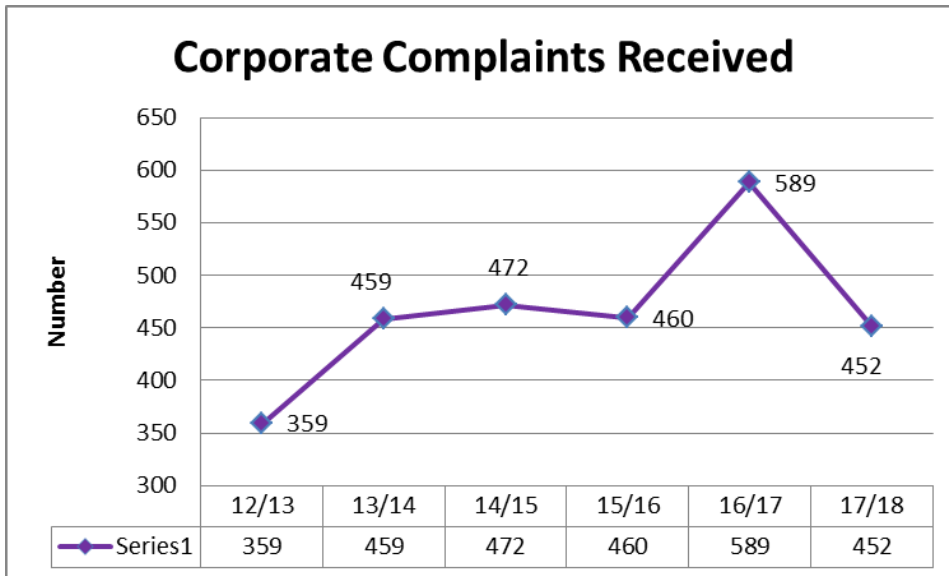
- 3.1 The Council's Corporate Comments, Complaints and Compliments procedure deals with all general feedback about the Council. It has been in place since 2009 and is well established throughout the organisation. Along with the children and adult social care statutory complaints there are certain other functions which are outside of the Corporate procedure and which have their own processes. Examples include appeals against parking tickets and concerns about schools.
- 3.2 The benefits in operating a feedback process include:
- To learn lessons from the types of feedback made
 - To help improve service delivery
 - To improve the consistency and timeliness of responses
 - To reflect sector wide and LGO best practice.

- 3.3 This report provides:
- An update on how the process is working
 - An analysis of customer feedback data
 - A summary of LGO findings

4. PERFORMANCE TO DATE

4.1 Performance in respect of complaints

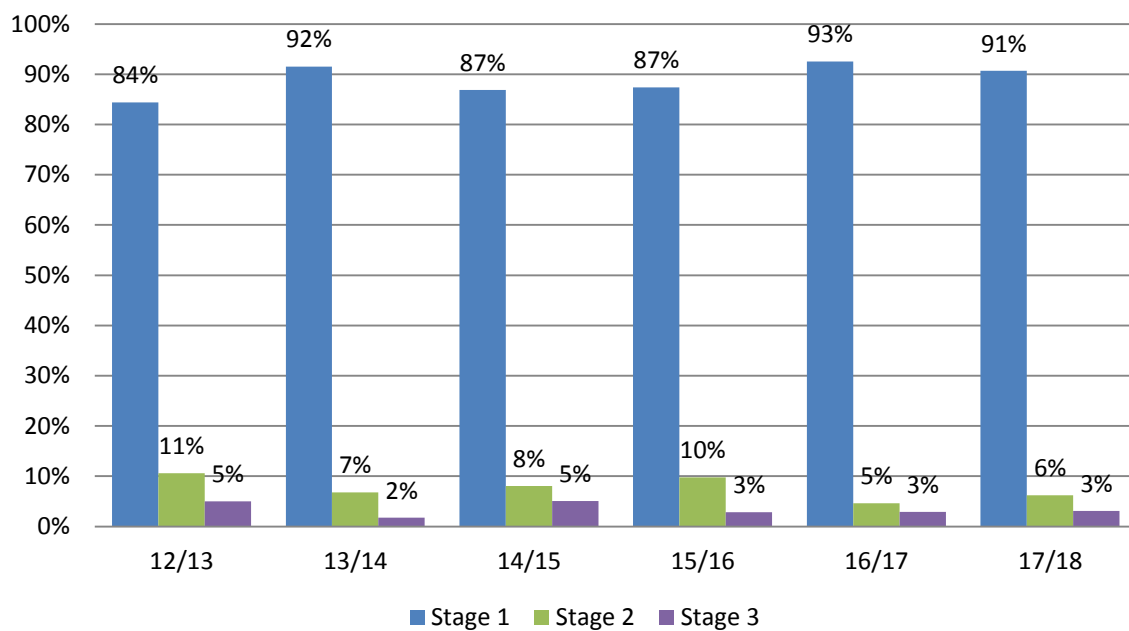
In 2017/18 the number of complaints received returned to its more usual level, following the spike in complaints in 2016/17.



91% of complaints were resolved at the first Stage of the Complaints process. For those that progressed further through the process, 6% were resolved at the second Stage and 3% went to the third and final Stage. The proportion of complainants making use of the entire process has remained constant at 3% for the past 3 years.

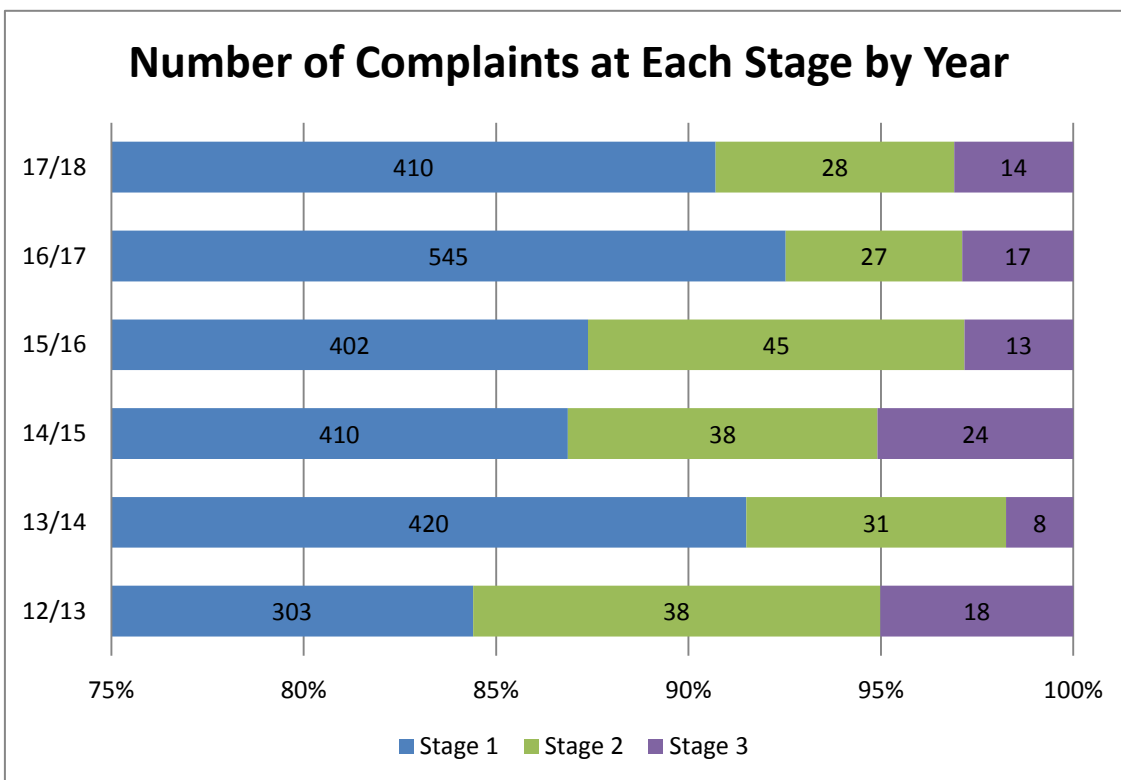
complainants making use of the entire process has remained constant at 3% for the past 3 years.

Percentage of Complaints Resolved at Each Stage



The number of complaints resolved at each Stage of the process is as follows:

Number of Complaints at Each Stage by Year

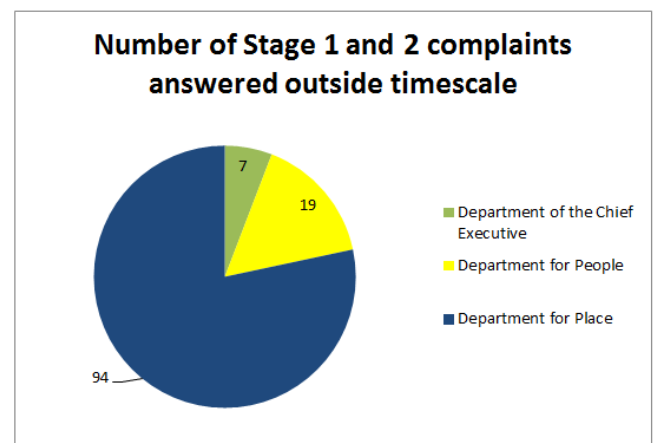
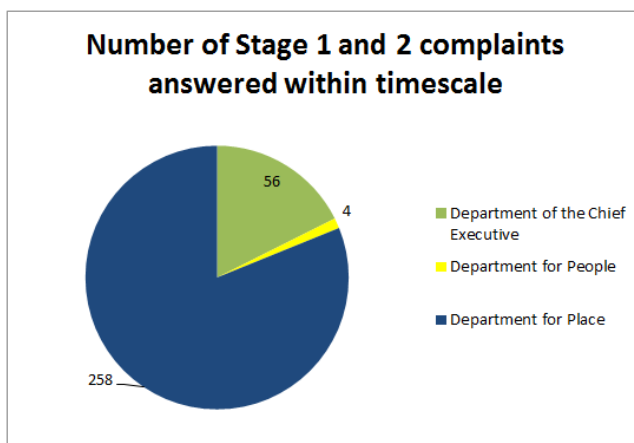


4.2 Complaints by Department with Response Times

The aim is to respond to Stage 1 and 2 complaints within 10 working days of their receipt. This has been achieved in 73% of cases which is a lower percentage than in the previous two years.

	Apr 2015-Mar 2016		Apr 2016-Mar 2017		Apr 2017-Mar 2018	
Department	Stage 1 & 2 Complaints	Responded to in 10 working days	Stage 1 & 2 Complaints	Responded to in 10 working days	Stage 1 & 2 Complaints	Responded to in 10 working days
Dept. of the Chief Executive	62	81%	52	94%	63	89%
Department for People	41	68%	41	49%	23	17%
Department for Place	344	83%	479	85%	352	73%
Grand Total	448	80%	572	84%	438	73%

The biggest influence on overall performance is exercised by the Department for Place:



4.3 Stage 3 Complaints

Of the 14 complaints which reached Stage 3 of the complaints procedure, 6 were responded to within the 35 day timescale. During 2017/18 the new staffing structure in the complaints advisory service has been being established and experience gained.

The change in process where Stage 3 responses may come from the Deputy Chief Executives rather than the Chief Executive has been implemented and

has generated no negative feedback from complainants. It is expected that the timeliness of Stage 3 responses will improve substantially in 2017/18.

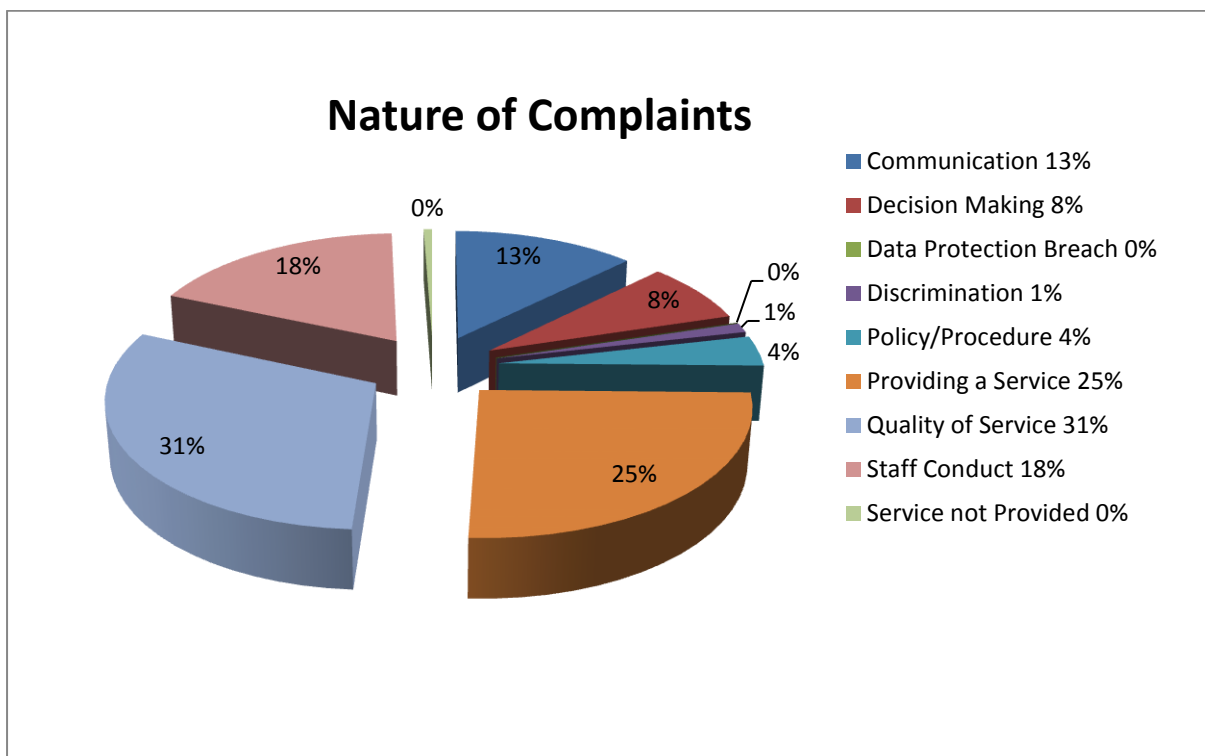
Of the 14 Stage 3 complaints, on receipt of their response, 6 complainants applied to the Local Government Ombudsman. In one case additional remedial action was advised, in the remaining 5 the Ombudsman was satisfied with the action already taken by the Council in the complaints process.

4.4 Nature of Complaints

The monitoring system that is in place highlights trends and issues that are subject to complaints. Areas that have been of note, at all stages, for 2017/18 include:

- Quality of service – 23%
- Providing a service – 19%
- Staff conduct/employee behaviour – 13%

The full distribution is as follows:



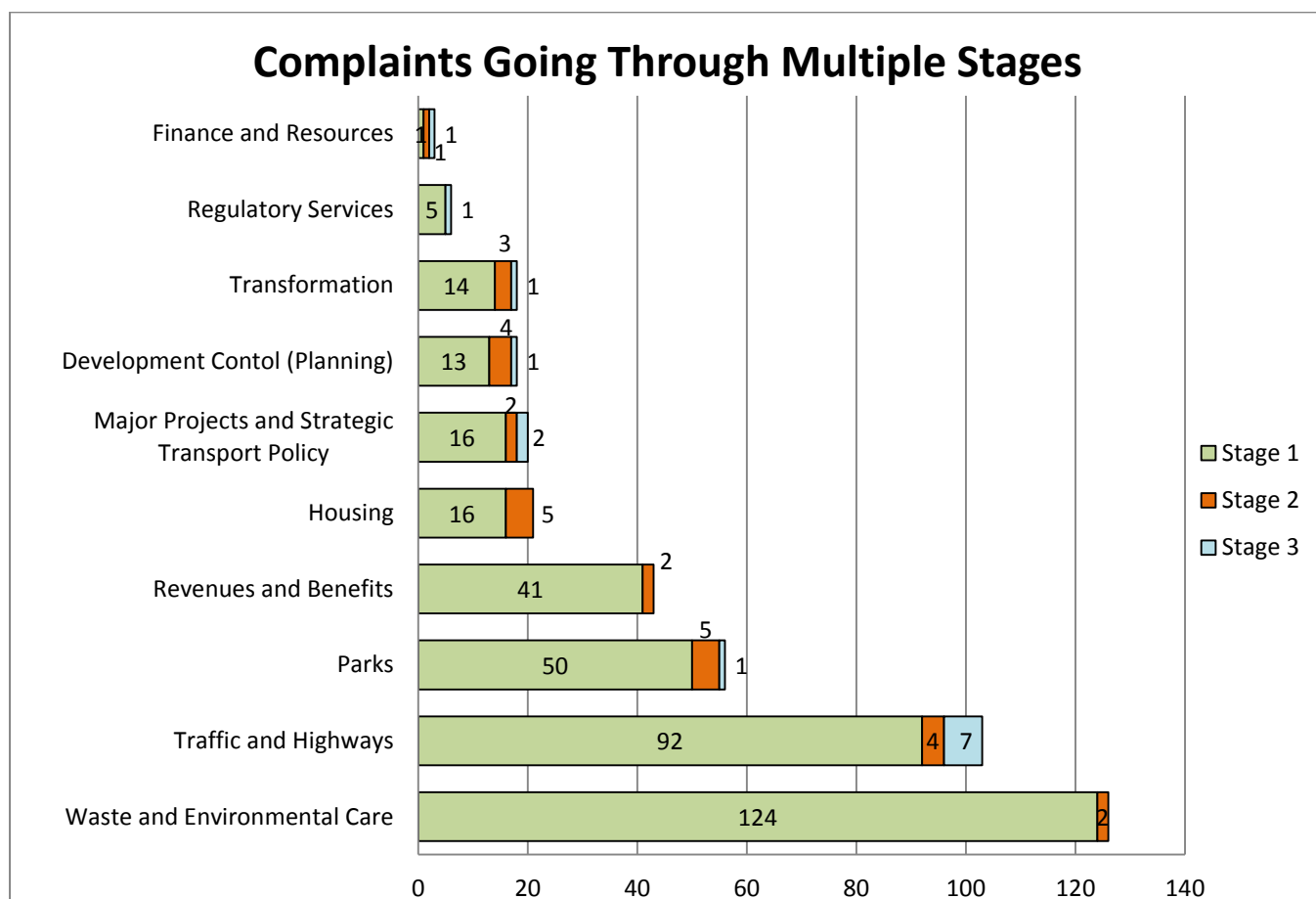
4.5 How the Complaints Are Received

The most common way for complainants to contact the Council remains by e-mail or on-line form, and reflects the general shift to use of electronic means when interacting with the Council. In some instances customer service officers will have completed an on-line form on behalf of a telephone caller.

The Council remains committed to keeping all complaint channels available in order to meet its equalities obligations and to comply with LGO best practice. A formal complaint may be received over social media but would be moved to more conventional channels for resolution.

4.6 Progression of complaints

The complaints which have been taken to multiple stages are as follows:



It is intended to examine those topics prone to multiple stages to identify whether there are factors which might reduce the need for escalation past Stage 1.

4.7 Complaint Resolution

The emphasis on learning from customer feedback continues. This is evidenced by how complaints have been resolved.

Specific action was taken in 82% of cases - by doing something that had not been done, carrying out work or putting something right.

4.8 Learning Points

While many complaints involve issues being experienced solely by the individual complainant, feedback through the complaints procedure from customers is also continuously reviewed to establish where more general improvements to services are required.

In particular, Stage 3 of the process includes an organisation-wide view of the complaint to identify lessons learned and to inform broader service reviews where appropriate. In this way an individual complaint can have an impact on organisational change.

Examples of service improvements as a result of complaints and customer feedback include:

- Enhanced processes for obtaining information concerning absent parents in adoption cases
- Improved information to be given to customers purchasing Memorials
- Introduction of a formal review stage for customers dissatisfied with the information provided in accordance with their data protection subject access rights
- Insight from complaints feeding into the development of revised services relating to anti-social behaviour
- Enhancements to the Council's website

4.9 Comments and Compliments

GovMetric, the customer satisfaction measurement tool used by the Council, specifically captures feedback concerning the provision of face to face and telephone service by the Customer Service Centre and over the Council's primary website and its interface with MySouthend. These figures are reflected in the Department of the Chief Executive analysis.

Compliments are most frequently received in relation to face to face or telephone contact, with the helpful or pleasant nature of the member of staff often being cited as the reason for the compliment.

It is anticipated that as we move more towards increased use of on-line channels with less personal interaction between the Council and its customers, so the opportunities to receive compliments will decrease.

Of the 1283 comments and compliments recorded by the Department of the Chief Executive, 212 were categorised as compliments.

When comments are received they are responded to by the service concerned and the person making the comment is acknowledged and where appropriate advised if their suggestion is to be taken up. Compliments are acknowledged and shared with the appropriate line management to inform the

service or member of staff. This may then inform the staff member's performance review discussion.

The table below shows a 3 year comparison of the total number of comments and compliments received by each Department.

Department	Total 2015/2016	Total 2016/2017	Total 2017/2018
Department of the Chief Executive	1673	1301	1291
Department for People (excluding statutory complaints)	2	40	1
Department for Place	337	838	820
Grand Total	2012	2179	2112

5. Local Government and Social Care Ombudsman (LGO)

The Local Government and Social Care Ombudsman (LGO) has provided an annual summary of statistics for the year ended 31 March 2018. This relates to cases upon which they have made a decision in that year.

The LGO's annual review letter, including the breakdown of the results is attached at [Appendix 1](#).

51 decisions relating to the Council were made by the Ombudsman. This compared to 58 for the previous year.

Of these, 26 cases were referred back for local resolution. This is most commonly because the complainant has approached the LGO without first going through the Council's complaints procedure.

15 cases were closed after the LGO had made initial enquiries, involving the Council where required.

1 case was incomplete or invalid, and in 1 instance, advice to the complainant from the LGO was considered sufficient action.

In 8 cases the LGO conducted a detailed investigation. This is a reduction from 15 last year, a considerable improvement.

In 6 of these cases the LGO upheld the complaint, in 2 cases they did not, an uphold rate for detailed investigations of 75% (the average LGO uphold rate being 57%).

While in percentage terms this means that the 'upheld' rate has increased from 53%, and this appears a negative trend, in real terms the number of complaints upheld has reduced from 8 last year to 6, and of those, 2 had already been satisfactorily remedied by the Council prior to the LGO becoming involved.

This means that only 4 complainants had a different outcome from the LGO than they had already had from the Council. This demonstrates that the complaints processes are effective and provide well considered outcomes for complainants. In all but one of the cases, the Council had already admitted fault during the relevant complaints process. In three cases the LGO recommended a monetary remedy whereas the Council had not.

A breakdown of approaches to the LGO is attached at [Appendix 2](#) and a summary of findings for those cases where the LGO found fault is included at [Appendix 3](#).

Alongside statistical information, the LGO also publishes a 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 Councils. The table below shows comparisons with a small number of similar authorities.

Complaints/ enquiries made to LGO			
Local authority	15/16	16/17	17/18
Southend on Sea	54	54	50
Blackpool	47	45	36
Medway	97	87	89
Plymouth	102	98	127
Thurrock	82	65	64
Isle of Wight	60	43	49
Central Bedfordshire	65	54	54

Complaints investigated by the LGO and upheld				
Local authority	14/15	16/17	17/18	Uphold rate
Southend on Sea	7	8	6	75%
Blackpool	7	8	6	86%
Medway	19	13	11	58%
Plymouth	19	15	13	58%
Thurrock	9	10	9	63%
Isle of Wight	14	13	8	64%
Central Bedfordshire	10	8	5	67%

6 MONITORING AND REPORTING

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

7 CONCLUSIONS

The process continues to deliver a professional response to individual complaints, a robust system of complaint 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.

8.2 Financial Implications

Service improvements continue to result in meaningful outcomes for customers. A robust complaint process with thorough investigation and a positive approach reduces the likelihood of financial penalties from the LGO.

8.3 Legal Implications

This process is overseen by the Local Government and Social Care Ombudsman

8.4 People Implications

Effective complaint handling is resource intensive but benefits the organisation by identifying service improvements and managing the process for customers who are dissatisfied.

8.5 Property Implications

None

8.6 Consultation

None

8.7 Equalities and Diversity Implications

The complaints 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 customer details and are considered as part of any response.

Although most commonly the process is accessed through e-mail and on-line forms, traditional methods such as post are available and where necessary a complaint can be transcribed over the telephone or be made in person.

This supports persons who might otherwise be inhibited from using the process, perhaps through vulnerability.

8.8 Risk Assessment

Personal data regarding complaints are recorded in an approved centralised system which can only be accessed by nominated officers.

8.9 Value for Money

Resolving a complaint as early as possible in the process reduces officer time spent dealing with concerns as well as providing the opportunity to improve service delivery.

8.10 Community Safety Implications - None

8.11 Environmental Impact - None

9 Background Papers – None

10 Appendices

- Appendix 1 Local Government Ombudsman Annual Review Letter 2018
- Appendix 2 Breakdown of approaches to the LGO by Service
- Appendix 3 Summary of complaints upheld by the LGO

Appendix 1 - Local Government Ombudsman Annual Review Letter 2018

Local Government & Social Care OMBUDSMAN

18 July 2018

By email

Alison Griffin
Chief Executive
Southend-on-Sea Borough Council

Dear Alison Griffin,

Annual Review letter 2018

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Future development of annual review letters

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new corporate strategy for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will therefore be seeking views from councils on the future format of our annual letters early next year.

Supporting local scrutiny

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at www.lgo.org.uk/scrutiny. I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

Learning from complaints to improve services

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the reports and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Southend-on-Sea Borough Council
 For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
7	6	1	11	3	14	4	4	0	50

Decisions made

Decisions made				Detailed Investigations			Total
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	
1	1	26	15	2	6	75%	51

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
4	2

Appendix 2

Breakdown of approaches to the LGO by Service

Adult Care Services	
7	Decisions of the LGO
4	Referred for local resolution
1	Closed after initial enquiries
1	Incomplete/Invalid
1	Detailed investigation – not upheld

Benefits and Council Tax	
6	Decisions of the LGO
5	Referred for local resolution
1	Closed after initial enquiries

Education and Children’s Services	
12	Decisions of the LGO
6	Referred for local resolution
3	Closed after initial enquiries
1	Detailed investigation – not upheld
2	Detailed investigation - upheld

Environmental Services and Public Protection and Regulation	
3	Decisions of the LGO
1	Referred for local resolution
1	Closed after initial enquiries
1	Detailed investigation - upheld

Highways and Transport	
14	Decisions of the LGO
7	Referred for local resolution
6	Closed after initial enquiries
1	Detailed investigation – upheld

Housing	
4	Decisions of the LGO
1	Advice given by LGO
1	Referred for local resolution
1	Closed after initial enquiries
1	Detailed investigation - upheld

Planning and Development	
4	Decisions of the LGO
2	Referred for local resolution
1	Closed after initial enquiries
1	Detailed investigation - upheld

Corporate and Other Services (not specified by LGO)	
1	Decisions of the LGO
1	Closed after initial enquiries

Appendix 3

Summary of complaints upheld by the LGO

Service	Maladministration/Fault	Agreed Remedy
Education and Childrens Services	Could have made more comprehensive attempt in 2006 to locate absent birth parent regarding adoption proceedings	Letter of apology to customer. £300 remedial payment in recognition of the lost opportunity to attend the adoption hearing and the distress caused as a consequence. Enhanced processes for obtaining contact data of absent parent from third parties.
Education and Childrens Services	Inaccurate information provided to a child protection conference. The Council had acted since to ensure the records clearly reflected that the information was inaccurate.	As the Council had already remedied the injustice, although fault was found, no further corrective action was required.
Environmental Services & Public Protection & Regulation	Faults in how the Council dealt with the complainant about the expiry of a lease for a memorial at the crematorium	Letter of apology to customer £300 remedial payment in recognition of injustice Improved information to be given to customers purchasing memorials
Highways & Transport	Faults in the way an application for a parking permit was processed resulting in two Penalty Charge Notices (PCN) being issued	As the Council had already agreed to cancel the PCNs and pay £50 in recognition of time and trouble, no further action was required by the LGO
Housing	Delays and failures in dealing with a housing application and in making a referral to the direct let process for an adapted property	£250 remedial payment in recognition of time and trouble Provision of agreed information to complainant OT assessments and works to be completed to an agreed timetable
Planning & Development	No fault was found in the way in which a planning application complained of had been considered, but there was fault in the delay in replying to the related complaint.	The Council's previous apology and explanation for the delay was considered sufficient remedy and no further action was required by the LGO

Compliments Concerns & Complaints received throughout 2017-18 for Adult Social Care Services

1. Purpose of Report

- 1.1 To discharge the local authority's statutory duty to produce an annual report on compliments concerns and complaints received about its adults' social care function throughout the year.
- 1.2 To provide statistical and performance information about compliments concerns and complaints received throughout 2017 / 2018.

2. Recommendation

- 2.1 To note the Council's performance in relation to Compliments, Concerns and Complaints in 2017/18 for Adult Social Care Services.
- 2.2 That the report be referred to the People Scrutiny Committee for further consideration.

3. Background

- 3.1 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 came into force on 1 April 2009 and created a single process for health and social care services. With the increase in integrated services, the single process makes it easier for patients and service users to make complaints and allows them to make their complaint to any of the organisations involved in their care. One of the organisations will take the lead and co-ordinate a single response.
- 3.2 The new process is based on the principles of the Department of Health's *Making Experiences Count* and on the Ombudsman's principles of good complaints handling:
 - Getting it right
 - Being customer focused
 - Being open and accountable
 - Acting fairly and proportionately
 - Putting things right
 - Seeking continuous improvement.
- 3.4 There is a single local resolution stage that allows a more flexible, customer focused approach to suit each individual complainant. At the outset, a plan of action is agreed with the complainant to address their complaint. Amendments to the plan can be agreed at any stage of the process.

- 3.5 The regulations do not specify timescales for resolution and a date for response is agreed and included in each plan. Response times are measured against the agreed dates in the plans.
- 3.6 When the local authority believes that it has exhausted all efforts to achieve a local resolution, and the customer remains dissatisfied, the next step is referral to the Local Government Ombudsman.

4 Overview of Compliments; Concerns and Complaints received in 2017/2018

a. Compliments

Compliments are a very important feedback and motivational tool and members of staff are encouraged to report all compliments they receive to the Customer Services Manager for recording. All compliments are reported to the Group Manager of the Service to pass on their thanks to the staff member and the team. This practice has been well received by staff.

Adult and Community Services received 94 compliments about its social care services in 2017/2018.

Table to show the number of compliments received in 2017/2018 and a comparison with previous three years

Apr 14 – Mar 15	Apr 15 – Mar 16	Apr 16 – Mar 17	Apr 17 – Mar 18
Number	Number	Number	Number
407	341	269	94

The reduction compliments in 2017-18 is due to the transfer of some front line services to Southend Care.

The use of Compliments is very tenuous benchmark for Customer Satisfaction as unlike complaints that require specific action by the recipient, compliments can easily be forgotten and not formally logged due to focusing on more urgent day to day activities.

Compliments and complaints are the extreme indicators of Customer Satisfaction, however there is still a large number service users who have not recorded a complaint or compliment, which suggests they are satisfied with the service.

4.3 Concerns

The current regulations require the local authority to record concerns and comments as well as complaints. Some people wish to provide feedback to help improve services but they do not wish to make a complaint, and this process facilitates that.

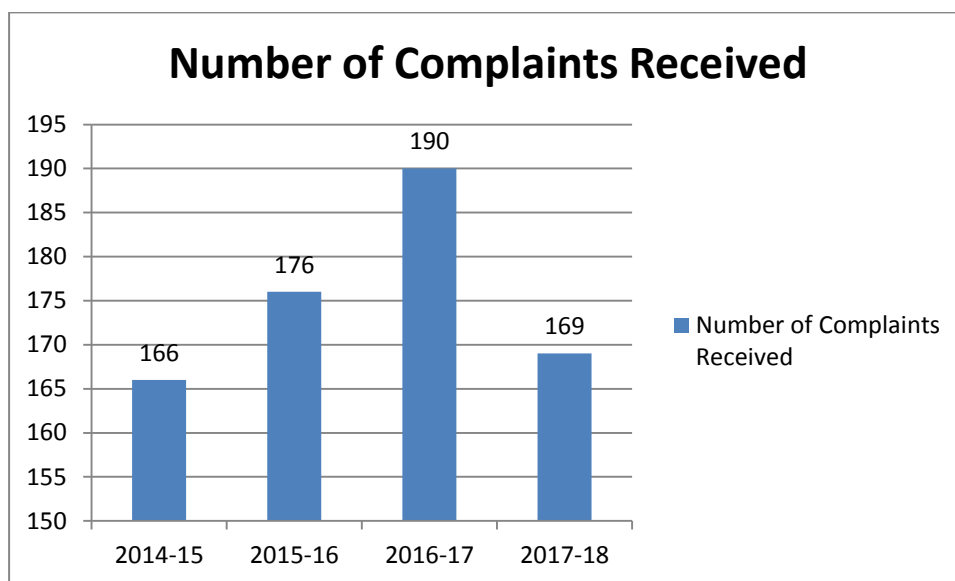
Adult and Community Services didn't received any feedback to be logged as a 'concern' about its social care services in 2017/2018.

All concerns and comments are considered to identify areas for improvement and responses are made where appropriate or requested.

4.4 Complaints

Adult Services received and processed a total 169 statutory complaints about its statutory social care services in 2017/2018.

The Graph to show the total number of complaints received and processed by Southend-on-Sea Borough Council during 2017/2018 and comparison with previous three years.



This represents a decrease of 11% in the number of complaints received and processed during the previous year. The reduction has been seen in complaints received by our commissioned providers. Contributory factors to this reduction would be an additional Contracts Officer with a focus on Care & Reablement. Also post implementation of the Care and Reablement contract, has provided increased stability in the care market.

The number of complaints is low, representing 3.6% of the adults that we provided a service to in 2017/18.

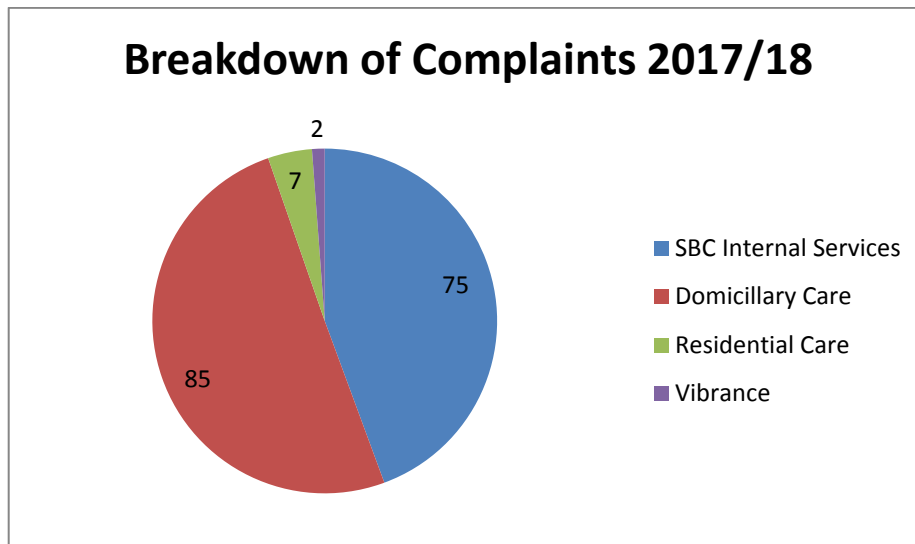
Overall Response Times

Adherence to response times is measured by compliance with the agreed dates set out in the individual complaints plans. There is no statutory requirement with regards to response timescales, however we recognise the importance of trying to achieve a speedy resolution to complaints and generally aim to resolve complaints within 10 working days in line with the Corporate Complaints Procedure. However depending on the complexity of the complaint raised, agreement is made with complainants on an acceptable timescale for a response.

Out of the 163 complaints who received a full response, 92 complaints were responded to within the initial timescales agreed locally between the complaints service and the complainant. This represents 56.4% of responses made and is an increase of 1.7% on the previous year. Whilst every effort is made to meet the timescales agreed, if it transpires through the course of the investigation this will not be possible, the complainant is kept informed and updated accordingly.

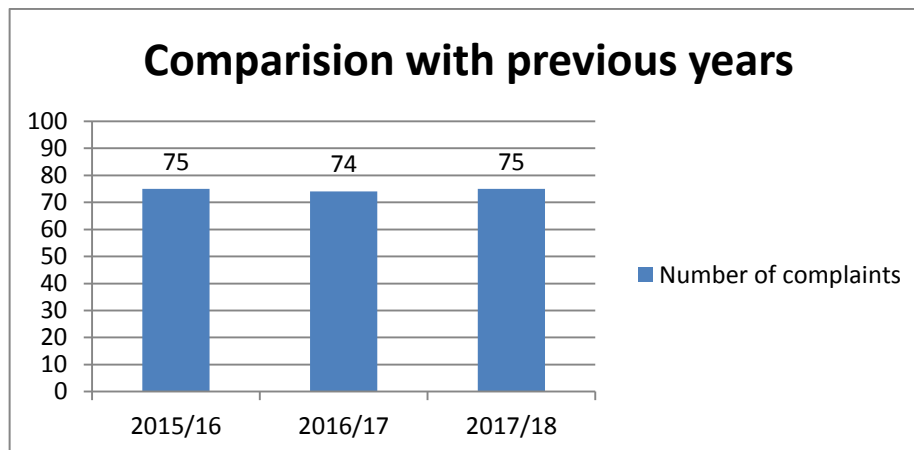
Under the current regulations, any complaints received verbally and resolved to the complainant's satisfaction within 24 hours do not have to be recorded as complaints. We received 5 of these within 2017/18.

Breakdown of Complaints by Service Area



5 Complaints about Internal Southend Council Services

Out of the total 169 complaints received 75 Complaints were received regarding Internal Southend Council Services. This has remained consistent year on year



Of the 75 complaints responded to, 38 complaints (54.3%) were given a full response within the timescales agreed.

Some Complainants raise more than one issue therefore the 75 complaints raised related to 79 Issues.

Of these 79 Issues –

- 31 were upheld
- 10 were partially upheld
- 32 were not upheld
- 2 were unable to reach a finding
- 4 were withdrawn / not progressed

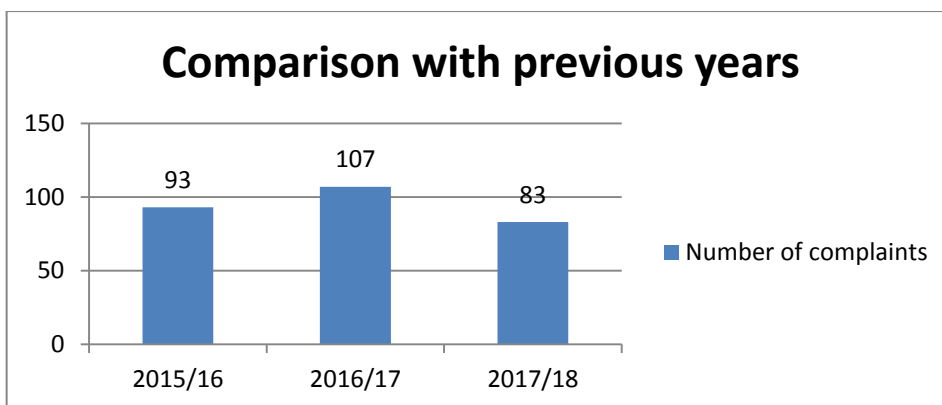
The top four issues were :-

	<i>Total</i>	<i>Outcome</i>
Communication/consultation	22	8 Not upheld
Conduct/behaviour of staff	11	6 Not upheld
Invoice Query	11	4 Not upheld
Outcome of decision / assessment	10	5 Not upheld

6 Complaints about services from Commissioned Providers

6.1 Domiciliary Care

Of the 169 complaints received by Southend Council, 85 were about Domiciliary Care Providers. This is a reduction 22.4% on 2016/17.



Of the 85 complaints that received a full response, 49 (59%) were responded to within the timescales agreed.

85 complaints related to 110 issues that were raised.

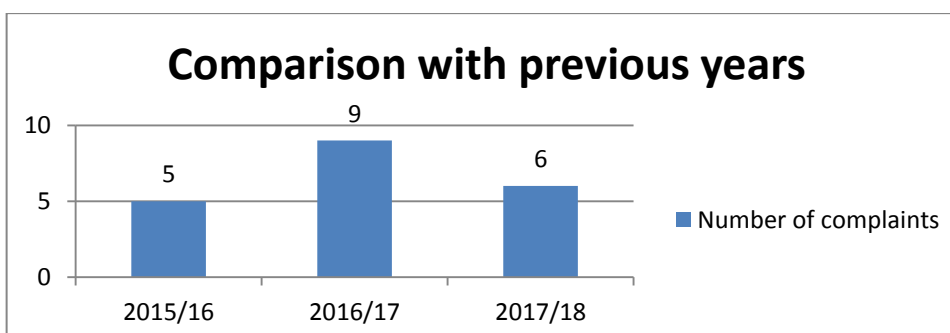
Of the 110 Issues raised – 63 were upheld
 17 were Partially upheld
 15 were not upheld
 4 were not progressed or withdrawn
 11 were unable to reach a finding

The top four issues were :-

	<i>Total</i>	<i>Outcome</i>
Missed calls	31	10 Not upheld
Late calls	21	All were upheld
Quality of Care	20	6 Not upheld
Timing of homecare calls	11	1 Not upheld

6.2 Residential Care

6 complaints were received about Residential Care homes. This represents 0.5% of the number of adults currently in a Residential home.



4 were responded to with the timescale agreed

The main issues were around the quality of care

Our Contracts Team and Complaints Team continue to work with the residential and domiciliary care providers to address issues and effect improvements around complaints handling.

7.0 EPUT

- 7.1 Southend Borough Council commissions Essex Partnership University Trust (EPUT, formally known as SEPT) to provide its mental health and substance misuse services and EPUT received 6 complaints from Southend clients. 1 was not upheld and 5 were partially upheld. These were dealt with by EPUT and are not included in the figures above.

8. Complaints referred to the Local Government Ombudsman

- 8.1 There was one adult social care complaint referred to the Local Government Ombudsman in 2017/2018. However the LGO decided not to investigate as the final decision had not yet been made by the Council regarding his complaint.

9. Monitoring & Reporting

- 9.1 Statistical data regarding complaints about our commissioned home care providers are provided quarterly to inform the Contract Monitoring Meetings.
- 9.2 Complaints are monitored by the Complaints Manager for any trends/emerging themes and alerts the relevant service accordingly.
- 9.3 Complaints information is fed into the monthly operational meetings where issues regarding providers are shared. This is to ensure that a full picture is gathered regarding the providers service delivery and identify any concerns or trends that may be emerging.

10. Learning from Complaints

- 10.1 The Council continues to use complaints as a learning tool to improve services and to plan for the future. Local authorities are being asked to show what has changed as a result of complaints and other feedback that it receives.
- 10.2 Improvements made in 2017/18, as a result of complaints:-
- Revised and updated the Financial Information booklet, to provide more comprehensive information about the different services and their charges so they are all available in one place.
 - The contracts team have worked with spot providers to move them over to the use of CM2000 to enhance the accuracy of charging for domiciliary care.
 - The contracts team have also continued to promote the facility on CM2000 to provide real time alerts for late visits, with a view to reduce the number of calls resulting in missed visits.

- Increase in resource to the Contracts Team to focus on Care & Reablement and the use of CM2000.

11. Corporate Implications

11.1 Resource Implications (Finance, People, Property).

If resolutions are not found at an early stage and there are undue delays, compensation may have to be paid to acknowledge the time and trouble that the complainant has expended.

In some cases, the initial input in terms of staff time to find a resolution through a meeting/conciliation may be quite intensive but where the complainant has an ongoing relationship with the service, it can save resources in the long term.

11.2 Contribution to Council's Vision & Critical Priorities

A robust and responsive complaint handling process adds to the public's confidence and satisfaction with the way they are dealt with by the local authority when they have concerns to raise.

Effective complaints handling and a well-advertised procedure contributes to the corporate priorities:

- EXCELLENT - Work with and listen to our communities and partners to achieve better outcomes for all
- SAFE - Look after and safeguard our children and vulnerable adults

11.3 Equalities and Diversity Implications

All those involved in dealing with complaints are mindful of ensuring a consistent approach with all complainants in line with Equalities principles.

Appendix C

Compliments and Complaints relating to Children's Social Care Services

1. Purpose of Report

- 1.1 To fulfil the local authority's statutory duty to produce an annual report on compliments and complaints received about its children's social care function throughout the year.
- 1.2 To provide statistical and performance information about compliments and complaints received from April 2017 to March 2018 at all three stages of the statutory process.

2. Recommendation

- 2.1 To note the Council's performance in relation to Compliments and Complaints in 2017/18 for children's Social Care Services.
- 2.2 That the report be referred to the People Scrutiny Committee for further consideration.

3. Background

- 3.1 Complaints in the children's services are of 2 types, statutory and Corporate. The law also says that children and young people (or their representative) have the right to have their complaint dealt with in a structured way. The statutory procedure will look at complaints, about, for example, the following:
 - An unwelcome or disputed decision
 - Concern about the quality or appropriateness of a service;
 - Delay in decision making or provision of services;
 - Attitude or behaviour of staff
 - Application of eligibility and assessment criteria;
 - The impact on a child or young person of the application of a Council policy
 - Assessment, care management and review.
- 3.2 The Corporate Complaint Procedure would be used when issues giving rise to the complaint fall outside the scope of the statutory procedure.

- 3.3 Most of the complaints are statutory. The process for complaints regarding children's statutory services has three stages. Stage 1 affords an opportunity to try to find a local resolution usually at team manager level. If the complainant is not satisfied with the outcome, they may request to proceed to stage 2. At stage 2, the Department appoints an Investigating Officer, and an Independent Person to investigate the complaint. The Investigating Officer is a senior children's service worker who has not been associated with the case, and the Independent Person is someone who is not employed by the council, but has experience of children's issues, social care or investigations. The stage 2 response is reviewed and approved by the Director of Children's Services. If the complainant is still not satisfied, they may proceed to stage 3. At this stage, the complaint is referred to an Independent Review Panel of three independent panel members with one member acting as Chair. They will review the stage 2 investigation and outcome, and will make recommendations. These recommendations are reviewed by the Deputy Chief Executive, who formally responds to the complainant. The process is based on the premise that at each stage, a more senior officer responds on behalf of the Department. If complainants remain dissatisfied at the end of the three stages, they may refer their complaint to the Local Government Ombudsman.
- 3.4 The Complaints team encourages and supports Team Managers to resolve complaints at the earliest stage, including before they become formal complaints. We also advise a face to face meeting regarding the issues before the formal stage 2 process is started. This is thought to resolve the outstanding issues as early in the process as possible and in a way which many find less formal and adversarial.
- 3.5 There are also 3 stages in the process for corporate complaints. Stage 1 is the same as in the statutory process. If this does not resolve the complaint then the Corporate Director or Head of the Service you are complaining about will investigate the issue. If you are still dissatisfied, you have the right of appeal to the Council's Chief Executive and Leader of the Council, who will consider your appeal.
- 3.6 The numbers of compliments and complaints indicated in this report may not reflect the quality of the support generally provided by the social work teams, rather they are the opposite ends of our client satisfaction range, meaning that the majority of service users and their families are satisfied with the professional support provided.

4. Compliments received in 2017/18

- 4.1 We received 24 compliments during this year, a slight increase on 2016/17 when we received 20.
- 4.2 The numbers of compliments is a relatively small proportion of our child client base. An issue with compliments is that unlike complaints they do not need a specific response, and so there is a possibility that some compliments may not be passed on to the complaints team to be formally logged.

5. Complaints received in 2017/2018

5.1 Stage 1

NUMBER OF COMPLAINTS.

This year we have had a total of 81 complaints, to put this in context in 2016/17 we had 129 complaints. The reduction is significant in both statutory and corporate complaints, with an overall reduction of 37% since 2016/17.

LEGAL STATUS OF COMPLAINT	2016/17	2017/18	change	% change
TOTAL COMPLAINTS	129	81	-48	-37%
STATUTORY COMPLAINT	91	60	-31	-34%
CORPORATE COMPLAINT	38	21	-17	-45%

The reduction is also spread across both of the main social work functions. The largest reduction is in the First Contact area, with a reduction of 53% from 2016/17. The Care Management teams also show a significant reduction in complaints.

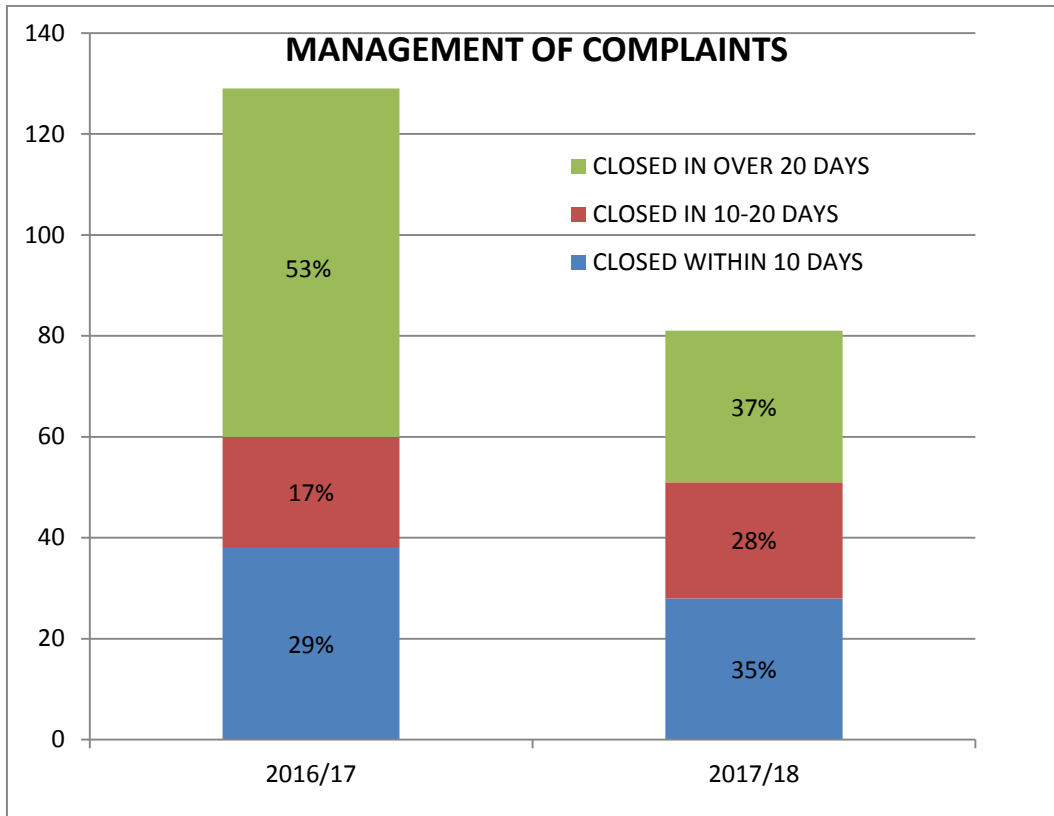
TEAM	2016/17	2017/18	change	% change
TOTAL COMPLAINTS RECEIVED	129	81	-48	-37%
FIRST CONTACT	59	28	-31	-53%
CARE MANAGEMENT	47	30	-17	-36%
OTHER	23	23	0	0%

MANAGEMENT OF COMPLAINTS

The performance in the timeliness of response to the complaints has improved in 2017/18 from 2016/17. The information below demonstrates the greater efficiency in responding to complaints.

RESPONSE TIMESCALES	2016/17		2017/18	
	Count	%	Count	%
WITHIN 10 DAYS	38	29%	28	35%
10-20 DAYS	22	17%	23	28%
OVER 20 DAYS	69	53%	30	37%
TOTAL COMPLAINTS	129		81	
CLOSED IN 20 W/DAYS	60	47%	51	63%

The proportion closed within 20 working days has improved from 47% to 63%. The improvement is greatest for the closure period 10-20 days, but the highest closure proportion, 35%, is for the period up to 10 days. This improvement means that the responses taking more than 20 days has fallen from 53% to 37%.



5.2 Stages 2 and 3

So far of the complaints made in 2017/18, 6 have gone to stage 2, and of these, 2 opted to proceed to stage 3. However, as we are relatively close to the year end, it needs to be noted that some complainants may still decide to proceed to stage 2 of the process.

Of the 4 complaints which have been concluded at stage 2, we are aware that 2 of them are in the process of escalating their complaint to stage 3 of the process. In 2016/17, 11 complaints went to beyond stage 1 of the complaints process to stages 2 and possibly 3.

In order to reduce the numbers of complaints being escalated beyond stage 1 of the complaints process, we advise the complainant and suggest that they meet with the social work manager/staff involved to discuss the issue and hopefully resolve it in a constructive way rather than the more formal and time consuming stage 2 process.

5.3 Complaints by children

Children are defined as those who are under 18 years old. In 2016/17 3 children made complaints, in 2017/18 the number is 4. In addition, there were 2 complaints made by people aged 18 to 19.

All children and young people who have made a complaint in 2017/18 did so using an advocate. Any young person wishing to make a complaint and who does not have an advocate is offered the services of one.

6. Outcomes

In 2017/17 after investigation of each complaint at stage 1, 53 or 65% were found to be correct actions on the part of the staff involved. The remaining 28 complaints were either resolved with an apology or with specific action, such as a reassessment or a meeting with senior social workers to discuss future plans and learning from the current situation.

DECISION	2016/17		2017/18	
	Count	Percentage	Count	Percentage
Apology	14	11%	13	16%
Specific action	19	15%	15	19%
Process Review	1	1%	0	0%
compensation	1	1%	0	0%
Action was correct. No remedy required	94	73%	53	65%
TOTAL	129		81	

6.1 Local Government Ombudsman

We are aware that the LGO was involved in and decided on 3 complaints during 2017/18, although they all started in 2016/17. So far we are not aware of any complaints from 2017/18 going to the LGO.

6.2 Developments in the complaints process

- The regular production of information around complaints for the Team Managers and Group Managers has helped to focus on the consistent responses to the complaints received.

6.3 Learning from Complaints

The Council continues to welcome complaints as a means of improving services and to plan for the future. Local authorities are being asked to show what has changed as a result of complaints and other feedback it receives.

Improvements made in 2017/18 as a result of complaints;

- Revised the information provided and the process on Special Guardianship Orders. This has made the process clearer and easier for those families using it. These changes have been publicly acknowledged by the Local Government Association.
- Earlier intervention by team managers has helped reduce the numbers of issues which develop into formal complaints.
- Following a Stage 1 response if the complainant remains dissatisfied, a meeting can be offered with a manager to try to resolve the issues and avoid going to stage 2 of the complaints process.

7. Areas for improvement

- 7.1 In order to confirm the independence of panel members, we will explore the possibility of using more lay or voluntary people to sit on the panels at stage 3 of the statutory process.

8. Corporate Implications

8.1 Resource Implications (Finance, People, Property).

If resolutions are not found at an early stage and there are undue delays, compensation may have to be paid to acknowledge the time and trouble that the complainant has expended.

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