

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Date and Time :- Thursday 1 December 2022 at 10.00 a.m.
Venue:- Rotherham Town Hall, Moorgate Street, Rotherham.
Membership:- Councillors Clark (Chair), T Collingham (Vice-Chair), Baker-Rogers, Baum-Dixon, A Carter, Cooksey, Cowen, Elliott, Pitchley, Tinsley, Wyatt and Yasseen.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Governance Advisor of their intentions prior to the meeting.

AGENDA

1. Apologies for Absence

To receive the apologies of any Member who is unable to attend the meeting.

2. Declarations of Interest

To receive declarations of interest from Members in respect of items listed on the agenda.

3. Questions from Members of the Public and the Press

To receive questions relating to items of business on the agenda from members of the public or press who are present at the meeting.

4. Exclusion of the Press and Public

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

For Discussion/Decision:-

5. Progress update following petition - Kingsforth Lane and Cumwell Lane (Pages 3 - 13)

To consider a progress report on road safety measures along Cumwell Lane and Kingsforth Lane.

6. Annual Compliments and Complaints Report 2021-22 (Pages 15 - 63)

To consider a report outlining the complaints and compliments that the Council

received in 2021/22 in line with statutory requirements.

7. Call-in Issues

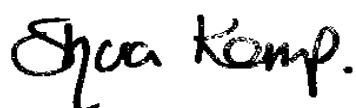
To consider any issues referred for call-in from recent Cabinet meetings.

8. Urgent Business

To determine any item which the Chair is of the opinion should be considered as a matter of urgency.

9. Date and time of next meeting

The next meeting of the Overview and Scrutiny Management Board will be held on 14 December 2022 at 10.00am at Rotherham Town Hall.

A handwritten signature in black ink that reads "Sharon Kemp". The script is cursive and fluid.

**SHARON KEMP,
Chief Executive.**

Public Report
Overview and Scrutiny Management Board

Committee Name and Date of Committee Meeting

Overview and Scrutiny Management Board – 01 December 2022

Report Title

Progress Update - Kingsforth Lane Cumwell Lane

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

Andrew Lee, Group Lead Local Traffic and Road Safety Schemes

andrew.lee@rotherham.gov.uk

Ward(s) Affected

7 Dinnington

8 Thurcroft and Wickersley South

10 Hellaby and Maltby West

21 Bramley and Ravenfield

Report Summary

During the Overview and Scrutiny Management Board meeting held on the 11th of May 2022, Members requested a follow-up report on road safety measures along Cumwell Lane and Kingsforth Lane.

Recommendation

That the current approach associated with the investigation and analysis of reported Personal Injury Road Traffic Collisions, together with the prioritisation of intervention measures aimed at reducing the number and severity of collisions taking place on the highway network are noted.

List of Appendices Included

Appendix 1 – Scrutiny Review of Average Speed Cameras

Background Papers

Petition requesting road safety improvements along Kingsforth Lane / Cumwell Lane as presented during the Overview and Scrutiny Management Board meeting on the 11th of May 2022.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 11 May 2022

Council Approval Required

No

Exempt from the Press and Public
No

Progress Update - Kingsforth Lane Cumwell Lane

1. Background

1.1 During the Overview and Scrutiny Management Board meeting held on the 11th of May 2022, Members made seven recommendations which are listed below:

1. That the call for action as outlined in the petition be supported.
2. That the proposed actions outlined by the Cabinet Member for Transport and Environment be supported
3. That an evaluation is undertaken by the Strategic Director for Regeneration and Environment and the Speed Camera Partnership to assess the feasibility of installing average speed cameras on Cumwell Lane/Kingsforth Lane.
4. That this evaluation includes benchmarking of comparable local authorities with average speed cameras in their areas, any learning from the installation and their impact on road safety.
5. That Cabinet and the Safety Camera Partnership be asked to support the resourcing of the infrastructure required for the installation and maintenance of average speed cameras on Cumwell Lane/Kingsforth Lane should their feasibility be established.
6. That the Council's response to and lesson learnt from the fatal traffic incidents in 2018 and 2019 on Cumwell Lane/Kingsforth Lane be circulated to Board Members and the Lead Petitioner by the Strategic Director for Regeneration and Environment.
7. That an update on progress in respect of the recommendations outlined, is provided to this Board in 6 months with a further report to be provided to Improving Places Select Commission in 12 months

1.2 This report is provided as requested in recommendation 7 above and provides an update on recommendations 2 – 6. As background information to this report, figures produced by the Department for Transport within their annual review of Road Traffic Collisions across Great Britain indicate that during the 5-year period between 2017 to 2021, 8,397 people were killed in reported road traffic accidents across Great Britain. The annual figures are similar to those seen across the country since 2012 and include the period during Covid-19 lockdowns when traffic flows reduced.

1.3 During the same 5-year period, 48 people sadly lost their lives due to a road traffic collision in Rotherham, of which 3 occurred on Kingsforth Lane / Cumwell Lane.

2. Key Issues

2.1 Road safety is a statutory responsibility for all local Highway Authorities with Section 39 of the 1988 Road Traffic Act placing a requirement to prepare and carry out a programme of measures designed to promote road safety.

2.2 In addressing road safety concerns, central Government places a statutory duty on local authorities to undertake studies into road traffic collisions, and to take steps to reduce and prevent them. In undertaking this duty at Rotherham, every year officers within the Council's Road Safety and Traffic Management team

carry out an analysis of all Personal Injury Collisions that have occurred within the borough during the previous three calendar years. The objective is to identify locations, or stretches of road, where collisions have taken place to determine if there is a treatable accident pattern and if cost effective measures can be implemented.

2.3 Over several years the route of Kingsforth Lane and Cumwell Lane has been identified via the annual analysis of Road Traffic Collision sites for separate reasons, including incidences of motorists entering into the path of approaching vehicles and loss of control collisions. On each occasion measures have been introduced to mitigate these and have included installation of the following:

- Vehicle Activated Signs either side of the Fishing Ponds bend (2009 and 2022);
- Improved signage to warn motorists of bends and junction hazards;
- Verge marker posts through bends to improve motorist awareness of the route.
- Carriageway surfacing to ensure appropriate skid resistance;
- Replacement of worn out of defective central road studs (cat's eyes)
- Removal of hedgerows at the junction of Kingsforth Lane, Cumwell Lane and Newall Lane, to improve visibility of approaching vehicles for those entering from the side road. These hedgerows were replaced with a wall set back from the original hedge-line

2.4 Furthermore, this stretch of road has suffered from issues associated with infrastructure theft and vandalism which has undoubtedly put road users at risk. This includes malicious vandalism of the two Vehicle Activated Signs originally installed, whereby the poles were sawn to steal the solar panels and wind-turbines, together with the theft of Lattix sign poles associated with road traffic signs. In addressing these matters alternative measures have had to be sought and implemented.

2.5 In June 2022 the Council introduced the following additional intervention measures (in response to Recommendation 2) because of on-going road safety matters along Kingsforth Lane and Cumwell Lane, these included:

- 50mph speed limit along the length of the road between Hellaby and Thurcroft
- Carriageway resurfacing Kingsforth Lane between Landfill Site entrance and Thurcroft Village – Completed in June 2022
- Replacement of all central road studs with solar powered units which help to delimitate the route better
- Replacement of missing or damaged road traffic signs
- Introduction of Rain Line/Weather line road markings, making them more conspicuous during periods of inclement weather
- Red carriageway surfacing within existing central hatching and 'slow' markings to emphasise hazards
- Introduction of additional reflective verge marker posts through several bends and replacement of existing damaged units
- Cutting back and clearing of vegetation along the route and clearing of general detritus and rubbish
- Localised works to divert discharge from field drain into existing highway drain - Completed August 2022

- Installation of a vehicle Activated Signs on each approach to the Fishing Ponds Bend which is triggered when a vehicle travelling over the speed limit is detected.

Average Speed Cameras

- 2.6 A further recommendation from the meeting on 11th May (Recommendations 3 - 5) was for an evaluation of the potential for installation of Average Speed Cameras on Kingsforth Lane to be completed. This has been completed as detailed below.
- 2.7 An average speed camera continuously captures images of vehicles as they pass through its field of view. Their number plates are read using Automatic Number Plate Recognition (ANPR) and the average speed of the vehicle is calculated between the two designated linked cameras, over the known baseline distance.
- 2.8 At present it is understood the only average speed camera units in use within the South Yorkshire region are those located on the A616 at Langsett and Stocksbridge (section 2.9 below). Though principally located on motorway and trunk roads, other authorities have installed them on similar settings along Class A roads. There are also examples of these cameras being used on lower classifications of highway but where there are known injury accident histories.
- 2.9 The system currently used on the A616(T) Stocksbridge By-Pass and the A61 between Sheffield and Barnsley is SPECS and SPECS3 (Vysionics Ltd). These monitor vehicle speeds as detailed in section 2.7 above.

A review of collision data for these sites indicates the following reported collisions pre and post implementation of the average speed camera system on the A61, Sheffield:

2011 to 2014 (pre installation)	4 serious and 22 slight collisions
2015 Installation of system	
2016 to 2018 (post installation)	6 serious and 12 slight collisions
2019 to 2021 (during covid lockdowns)	3 serious and 9 slight collisions

It must be borne in mind that the A616(T) is of a different character in terms of highway layout and traffic profile and flow, that a meaningful comparison could not be made to the Kingsforth Lane/Cumwell Lane site.

- 2.10 Kingsforth Lane is a rural road with a 60mph (national) speed limit in place (now 50 mph). In applying the site selection criteria set out in the SYSRP Camera Site Selection Criteria, Appendix 1, to the speed data for Cumwell Lane / Kingsforth Lane, the route does not meet the required threshold for installation of these cameras based on the 85th percentile speed data (the accepted standard used to determine the speed at which the majority of motorists travel). Appendix 1 contains speed survey data retrieved in February 2022 and again in November 2022.

- 2.11 Additionally, Department for Transport criteria stipulates that other cost-effective engineering solutions should be explored before average speed cameras are considered, of which several intervention measures as set out below were introduced during June 2022.
- 2.12 As the measures referred to in section 2.5, above, are now in place the correct process for assessment of the viability of an Average Speed Camera system along Kingsforth Lane and Cumwell Lane would initially be to assess the effectiveness of these measures over the next 12 months. The assessment would be based on reported road traffic collisions and vehicle speeds. Should this indicate poor compliance of the speed limit with associated road traffic collisions then a reassessment of an average speed system could take place.
- 2.13 Recommendation 6 of the meeting on 11th May 2022 requested that the Council's response to and lesson learnt from the incidents in 2018 and 2019 be shared with the Board and Lead Petitioner. As the Coroner's hearing process is not yet complete in respect of more recent incidents, it is not possible to complete this task at the current time.

3. Options considered and recommended proposal

- Option 1 was to carry out no additional response action following recent incidents on this route. This was not recommended.
- Option 2 involves carrying out none or only some of work detailed in Section 2, above, pending the outcome of more recent incident related Coroner's hearings. This was considered inappropriate given the previous incident patterns and concerns raised.
- Option 3 was to carry out the programme of work described in Section 2 and to continue to monitor the route performance. The recommended option.

4. Consultation on proposal

- 4.1 Consultation takes place at scheme level for road safety and traffic management schemes according to the needs identified by each scheme.

5. Timetable and Accountability for Implementing this Decision

- 5.1 As the existing methodology of assessing reported Personal injury Road Traffic Collisions within the borough is current policy, there are no additional timescales or accountability required for this decision. Schemes can take a few months or more than one year to complete depending on the project requirements for funding, design approvals and traffic order making.
- 5.2 The timetable for implementing a new methodology of assessing reported Personal injury Road Traffic Collisions within the borough would take several years to complete, given the need to undertake post-scheme analysis of the reported Road Traffic Collisions.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 6.1 The costs associated with the existing policy for assessing reported Personal injury Road Traffic Collisions within the borough are covered within the Local Transport Plan.
- 6.2 Where a third-party contractor is engaged, they must be procured in compliance with the Public Contracts Regulations 2015 (as amended) and the Council's own Financial and Procurement Procedure Rules.
- 6.3 The costs associated with implementing a new methodology of assessing reported Personal Injury Road Traffic Collisions would be covered within existing budgets, however, this work would potentially affect road safety projects as the budget associated with Accident Investigation and Prevention studies together with design and constructions costs are one.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

- 7.1 None at this stage but would potentially be required where a decision to amend the method of addressing road traffic collisions was made.

8. Human Resources Advice and Implications

Schemes are currently delivered through existing staff resources within the Transportation and Highways Design Service within Planning, Regeneration and Transportation. Specialist consultants will be used where required. No changes would be required if the current procedure is maintained.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The existing assessment method associated with the assessment of Road Traffic Collision sites used in the borough considers the proportion of children, Young People and Vulnerable Adults within the studies undertaken at each site identified.

10. Equalities and Human Rights Advice and Implications

- 10.1 The existing assessment method takes in to account all road users at the locations being investigated. Reports for decision to approve schemes include an equality screening.

11. Implications for Partners

- 11.1 No additional implications for Partners will occur as a result of using the existing assessment and implementation method.

- 11.2 Where a decision to amend the method of addressing road traffic collisions was made this would potentially have implications for all partners listed in paragraph 2.8 of this report, due to the Partnership working across South Yorkshire.

12. Risks and Mitigation

- 12.1 The existing assessment method used by Rotherham Borough Council is based on guidance produced RoSPA (Royal Society for the Prevention of Accidents) together with the statutory duties placed on local authorities by central Government. The method of assessment is a reactive measure following reported collisions and not a preventative measure.
- 12.2 Adopting a Safe Systems approach will require a systematic, multi-disciplinary and multi-sectoral scheme of work to address the safety needs of all users. The proactive strategy places road safety in the centre of road traffic system planning, design, operation, and use. The effective implementation of the Safe System approach to road safety is based on a shared responsibility. It moves away from the previous focus on making road users compliant. It continues to be important that road users comply with the rules of the system, but also that the system is forgiving when people make mistakes. In adopting this approach move the emphasis away from reactive collision investigation and prevention work to a pre-emptive design concept.

13. Accountable Officer(s)

Andrew Moss, Interim Head of Transport Infrastructure

Approvals obtained on behalf of: -

	Named Officer	Date
Chief Executive		Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Assistant Director of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.
Assistant Director of Human Resources (if appropriate)		Click here to enter a date.
Head of Human Resources (if appropriate)		Click here to enter a date.

Report Author: *Andrew Lee*
Group Lead Local Traffic and Road Safety
*Schemes***Error! Reference source not found.**

This report is published on the Council's website.

APPENDIX 1: 2022-12-01 Scrutiny Review of Average Speed Cameras**South Yorkshire Road Safety Partnership – Camera Site selection criteria 2022**

1.1 Camera sites will be selected using the site selection criteria, as shown below:

	Fixed speed camera sites	Mobile speed camera sites	Average Speed Camera sites	Red-Light or combined
Site or route length requirements	0.4km	Between 0.4km and 5km	Between 100m and 20km	From & to stop line in direction of travel
Number of KSI collisions	At least 1 KSI in the baseline period.*	At least 1 KSI collision per km (average) in the baseline period.*	At least 3 existing core speed sites within the length OR At least 1 KSI collision per km (average) in the baseline period* and meets the PIC total value below.	At least 1 KSI collision within the junction in the baseline period.* Selection must be based upon a collision history involving red light running
	*The baseline period is the most recent 36-month period available when a proposal is considered, where the end date is within 12 months of the date of consideration.			
Total value required	7	9/km	8/km	Not applicable
85 th Percentile speed at proposed site	Speed survey shows free-flow 85 th percentile speed is at or above NPCC enforcement threshold in built-up areas. This can apply to all vehicles or vehicle classes but must be compared consistently.			Not applicable
Site conditions that are suitable for the type of enforcement proposed.	Loading and unloading of camera can take place safely.	Location for mobile enforcement is easily accessible and there is space for enforcement to take place in a visible, legal, and safe manner.	The location of collisions in the baseline period will determine the length of enforcement.	Loading and unloading the camera can take place safely.
Suitability of site for camera enforcement.	<p>The Highway Authority must undertake a site survey, demonstrating the following:</p> <p>(a) The speed limit has been reviewed, confirming that camera enforcement is the correct solution;</p> <p>(b) There is no other cost-effective engineering solution that is more appropriate;</p> <p>(c) That the Traffic Regulation Order (where applicable) and signing are lawful and correct.</p>			

APPENDIX 1: 2022-12-01 Scrutiny Review of Average Speed Cameras

Personal Injury Collision (PIC) value: Selection of new camera sites will require an assessment that includes the level of fatal, serious, and slight collisions. The combined level of collisions will be expressed as a numerical scale (see below)

Fatal or Serious injury collision = 5 points (i.e. 2 serious collisions along the route = 10 points)

Slight injury collision = 1 point (i.e. 5 slight collisions along the route = 5 points)

Camera spacing for ASC – these may be between 100m and 10km, but typically would be between 1km and 2km along a route.

Vehicle speeds before and after speed limit reduction**Kingsforth Lane, Rotherham****February 2022**

National Speed Limit– 60mph single carriageway road

Cumwell Lane north of Sandy Lane

Speed bins (mph)	<30	30-40	40-50	50-60	60-70	70+
North bound	17	593	1232	301	30	4
South-bound	17	438	1596	528	58	12

Kingsforth Lane near the fishing ponds bend

Speed bins (mph)	<30	30-40	40-50	50-60	60-70	70+
North bound	29	205	1812	1199	125	11
South-bound	39	356	2072	824	57	3

Kingsforth Lane near the landfill site

Speed bins (mph)	<30	30-40	40-50	50-60	60-70	70+
North bound	15	603	2218	478	26	3
South-bound	19	541	2082	646	62	92

APPENDIX 1: 2022-12-01 Scrutiny Review of Average Speed Cameras**Post-scheme vehicle speeds - November 2022**

50mph speed limit

Cumwell Lane north of Sandy Lane

Speed bins (mph)	<30	30-40	40-50	50-60	60-70	70+
North bound	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks
South-bound	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks	Unavailable due to roadworks

Kingsforth Lane near the fishing ponds bend

Speed bins (mph)	<30	30-40	40-50	50-60	60-70	70+
North bound	78	1890	1335	29	0	0
South-bound	61	1471	1793	116	5	0

Kingsforth Lane near the landfill site

Speed bins (mph)	<30	30-40	40-50	50-60	60-70	70+
North bound	25	969	2057	225	10	2
South-bound	27	905	2151	257	19	3

This page is intentionally left blank

Public Report
Overview and Scrutiny Management Board

Committee Name and Date of Committee Meeting

Overview and Scrutiny Management Board – 01 December 2022

Report Title

Annual Compliments and Complaints Report 2021-22

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

Stuart Purcell, Corporate Complaint Manager, Assistant Chief Executive Directorate,
01709 822661 or stuart.purcell@rotherham.gov.uk

Fiona Boden, Head of Policy, Performance and Intelligence, Assistant Chief Executive
Directorate, 01709 255233, fiona.boden@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The purpose of this report is to:

- a) Outline the complaints and compliments that the Council received in 2021/22 in line with statutory requirements.
- b) Identify key trends within complaints and compliments over a five-year period.

Recommendations

Members of Overview and Scrutiny Management Board are asked to:

1. Note the Annual Compliments and Complaints Report for 2021/22.
2. Provide comments on areas that require further improvement regarding complaints handling and reporting.

List of Appendices Included

Appendix 1 Annual Compliments and Complaints Report, 2021/22

Appendix 2 Ombudsman Annual Review letter 2021/22

Appendix 3 Complaint procedures overview

Background Papers

Corporate Complaint Policy

Rotherham Council Rotherham Council - Complaints Policy

Consideration by any other Council Committee, Scrutiny or Advisory Panel

N/A

Council Approval Required

No

Exempt from the Press and Public

No

Annual Compliments and Complaints Report 2021-22

1. Background

- 1.1 All councils need to provide complaint procedures to respond to customer concerns in an open and transparent way within defined timescales and in accordance with legislation. The purpose of the annual complaint report is to outline the complaints and compliments that the Council received in the period 1st April 2021-31st March 2022, highlighting key themes and longer-term trends.
- 1.2 The report also explains how the Council has performed against the required standards and includes case studies demonstrating how services have learnt from complaints received.

2 Key Issues

2.1 The performance headlines outlined within the report include:

- In 2021/22, the overall number of complaints received by the Council increased by 17%, going from 931 in 2020/21 to 1117. This increase is due to the normalisation of Council services following the Covid 19 pandemic. In absolute terms, this is the 2nd lowest number of complaints in five years. Complaints have begun to increase to average levels, but they are not quite as high as pre pandemic figures, indicating a residual effect on services and resident behaviour during the year.
- Most Council departments saw an increase in complaints from the previous year. This trend has continued into the current financial year, with complaints appearing to return to average levels over the last five years. Currently 340 complaints were received in the first three months of 2022/23 compared to 290 in the same period in 2021/22, representing a 15% increase.
- The largest percentage increase was in Finance and Customer services from 76 to 108, an increase of 30%. In terms of the total number of complaints received, Housing Services increased the most from 367 to 501, a percentage increase of 27%. Children's and Young People's Services increased from 86 to 110, a percentage increase of 22%. Adult Care increased from 48 to 52, a percentage increase of 8%. Against this trend, Regeneration and Environment decreased slightly from 346 to 341, a decrease of 1% and Assistant Chief Executive's and Public Health also saw a decrease in complaints received (5 to 3 and 3 to 2 respectively). Assistant Chief Executive's decreased from.
- Performance has decreased slightly at 85% of complaint responses within target timescale. Although a reduction on the previous year's performance, it is in line with the 5-year average of 85% and the Council Plan target of 85%. There has been a continued effort made across all council services to improve performance to timescales, and the improvements in children's safeguarding and waste management have been maintained. With complaint levels continuing to fluctuate, as they appear to return to pre-pandemic levels and with three out of seven departments not achieving the existing target, it was agreed to maintain the existing performance target in 22/23. This target will be reviewed again in 2023, particularly as the position stabilises following the pandemic.

- Slightly fewer complaints were upheld in terms of the percentage of complaints responded to. This is where we have investigated and found a problem with the service, with 268 or 24% upheld (235 or 26% upheld in 2020/21 and 365 or 27% upheld 2019/20) of all complaints.
- The majority of complaints (95%) were resolved at stage 1 (only 27, 2% of all complaints, were escalated to stage 2, compared with 25, 3%, in 2020/21).
- 313 (28%) of all complaints were categorised as quality of service. Complaints within this category have decreased from 325 (35%) in 2021/22 (a decrease of 4%). Lack of service accounted for the second highest category of complaints, with 304 complaints (or 27%). Complaints within this category have increased from 189 (20%) in 2021/22 (an increase of 38%). The third highest was delay in service at 201 (18%) received. Complaints within this category have increased from 134 (14%) in 2021/22 (an increase of 33%).
- The number of compliments received has increased by 8%, with 57 more received. However, some Directorates saw an increase in the numbers received and some saw a decrease. Adult Care saw the biggest increase at 68%, 135 more received, followed by Housing at 38%, 66 more received. Public Health and Assistant Chief Executive's also saw a small increase.

2.2 Local Government and Social Care Ombudsman Annual Review letter

- 2.3 The Annual Review letter from the Local Government and Social Care Ombudsman (LGSCO) was received on 20th July 2022, setting out their records of referred complaint investigations. In 2021/22 more complaints were investigated and upheld by the LGSCO than in the previous year. 18 investigated in 2021/22 compared to 6 investigated in 2020/21. The increase is explained in part by operational decisions made by the LGSCO during the first year of the pandemic in 2020 when they were closed to new complaints at the height of the first lockdown and so registered fewer complaints than recent years, creating a backlog of cases which they actioned in 2021. However, 18 LGSCO investigations compared to 1117 complaints received by the Council, is 2% of formal complaints that have escalated.
- 2.4 12 complaints out of 18 investigations were upheld. This equates to an upheld rate of 67%, which is in line with the Ombudsman's figure of the average uphold rate of similar authorities at 68%. 4 upheld complaints were in Adult Care Services, 4 were in CYPS, 1 was in Housing Services and 1 in Planning and Building Control.
- 2.5 Appendix One in the report outlines the LGSCO decisions for the Council for 2021/22 and how these compare with 16 statistical neighbour councils. In 2021/22, the Council is in the middle quarter of the numbers investigated and the numbers upheld. It ranks as 12th out of 16 of total investigated, 11th out of 16 of upheld. In the previous year, 2020-21, the Council benchmarked in the upper quarter for numbers investigated, numbers upheld and % upheld.
- 2.6 It also shows that the majority of complaints that were brought to the LGSCO (57 decided) were deemed invalid or incomplete, referred back for local resolution or closed after initial enquiries. This along with the relatively low number of investigations reflects positively that the Council's complaints

procedures are working effectively to find fair and appropriate local resolutions.

- 2.7 In addition, only 1 Housing Ombudsman complaint decision was received, it was not upheld. This compares to 4 decisions in 2020/21, where 2 were part upheld and 2 not upheld.
- 2.8 Overall, the Annual Review letter presents a mixed view of the Council's handling of formal complaints in 2021/22. The number of investigations increased and the upheld rate is slightly below average. They also noted that the Council paid a large compensation payment and received a Public Interest Report in respect of an Adult Care Services case. They advised that they were pleased the Council accepted the report findings and recommendations and welcomed the proactive approach taken to implement service improvements ahead of the final report being issued.
- 2.9 However, the report also acknowledges that they were disappointed in the Council's late responses to formal enquiries. It states that the Council were late in responding to their enquiries in more than half of the cases investigated during 2021/22. The letter also asks that the Council improve its communication with the Ombudsman's staff and set out the steps taken to ensure that these issues are addressed.
- 2.10 Detailed analysis of the figures and the record of the responses the Council provided to formal investigations advise that out of the 18 investigations, that led to an upheld or not upheld decision, the Council was late providing information on 7 occasions, which is 39% that were responded to out of time and 61% in time. 4 of the 7 were in Adult Care services and the other delayed cases were in Planning, Legal and Asset Management. Although it should be noted that the delay in the Planning case was not caused by the Planning Service itself, but rather due to miscommunication between the Ombudsman and the Council's Complaint Team.
- 2.11 The Complaints Team will work with Services to make sure that they return information in time to meet deadlines, incorporating the revised sign off process introduced in January 2022. The revised process allows better oversight by Strategic Directors when a formal enquiry is received. It is envisaged that their direct involvement in the process will also help their Services meet response deadlines.
- 2.12 In addition, although we are recorded as being 100% compliant with the Ombudsman recommendations following investigation, the Council has been recorded as being unsuccessful in resolving any complaints when formal notification of investigation is initially received, from the Ombudsman. RMBC has resolved 0% of cases at the point of notification that the Ombudsman intends to investigate, compared to a national average of 11%.
- 2.13 In response the Complaints Team will work with Services to check to see if there is anything more that can be done to resolve a complaint after notification of investigation is received. There are often a few weeks between notification and the start of the investigation and therefore there is a small window to try and resolve a case.

- 2.14 In addition, the Local Government and Social Care Ombudsman have also advised that they are working with the Housing Ombudsman on a joint complaint handling code. The Council completed a self-assessment and amended its policy and procedures following publication of the HOS complaint handling code in 21-22 and is currently completing a second self-assessment following changes to the code in 22-23. This means that Council should already be compliant when a new code is launched and it is well placed to amend its processes, as required, following self-assessment.
- 2.15 A number of service improvements have been made over the year, based on the feedback from customers and learning from complaints. Key themes of service improvements have included the reviews of policies and processes; information and advice provided; dealing with delays and improving communication. Examples of the improvements made are included within the Annual Complaints report.

3. Options considered and recommended proposal

- 3.1 The statistical analysis of the annual report and the departmental breakdowns should be considered and noted. In addition, consideration has been given as to how the Council can further improve its processes for dealing with complaints and compliments to drive improvements to the service for both residents and the Council. Building on the key developments in 2021/22, the Council will again apply particular focus to the following issues:
- Introducing a programme of improvement actions in response to the changes in the regulation of Housing Services (The Charter for Social Housing Residents), the introduction of Tenant Satisfaction Measures by the Regulator of Social Housing and a revised Housing Ombudsman code (see Section 12, Next Steps, in the annual report, for further details).
 - Continuing to improve the way in which the Council learns from complaints. That all learning reported is considered and the impact of service improvement is understood and recorded.
 - Working to improve performance to complaint procedure timescales.
 - Ensuring remedy requests by the Ombudsman are completed within required timescales.
 - Increasing the number of compliments recorded, with the Complaints Team continuing to work with managers to ensure that the process for recording and reporting compliments is improved.

4. Consultation on proposal

- 4.1 The complaint information contained in this report has been previously reported to each Directorate Leadership Team to enable key areas for improvement to be identified.

- 4.2 There has been no further consultation on this report beyond the requirements of internal processes, alongside consultation with the Cabinet member.

5. Timetable and Accountability for Implementing this Decision

- 5.1 A simple timetable to show the stages and deadlines for implementing the proposed improvements outlined in section 3 is to be actioned in 2022/23. Progress against these actions will be reported on as part of the annual report for 2022/23.
- 5.2 The Complaints Team will be accountable for leading on these improvements and for engaging with Directorates on how the approach to handling complaints can be improved. Each Directorate will be responsible for ensuring that the improvements identified are disseminated and implemented within each area of the organisation.

6. Financial and Procurement Advice and Implications

- 6.1 There are no direct financial implications arising from this report. The provision of the compliments and complaints service is factored into the Council's budget. If a complaint about an error in a charge for a Council service is upheld, then an appropriate refund will be made in accordance with the Council's Finance and Procurement Procedure Rules
- 6.2 There are no procurement implications arising from this report.

7. Legal Advice and Implications

- 7.1 The Council's approach to handling complaints is informed by the following key pieces of legislation:
- i. Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (Making Experiences Count).
 - ii. The Children Act 1989 Representations Procedure (England) Regulations 2006.
 - iii. Localism Act 2011 (for Housing Services complaints)
 - iv. The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012

8. Human Resources Advice and Implications

- 8.1 There are no direct staffing implications arising from this report. However, Human Resources will provide support on further developing the training offer on handling complaints for officers outside of the Complaints Team.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 The statutory complaints procedure for Children's and Adult Social Care provides an opportunity for children and young people and vulnerable adults to have their voices heard and to improve service delivery.

10. Equalities and Human Rights Advice and Implications

- 10.1 Investigations through the complaint procedure consider all relevant policy and legislation, including those relating to equalities and human rights.
- 10.2 Improvements have been made to the way that complaints are recorded to ensure that information relating to equality and diversity are captured where the complainant is comfortable to disclose this information.

11. Implications for CO2 Emissions and Climate Change

- 11.1 There are no direct implications for CO2 Emissions and Climate Change arising from this report.
- 11.2 However, it is possible for complaints to be made relating the Council's approach to CO2 Emissions and Climate Change and these matters can be formally considered through the Complaint Procedures.

12. Implications for Partners

- 12.1 As outlined in the annual report, improving the way that complaints are dealt with requires a whole-Council approach, with services committing to responding to complaints in a timely fashion and using the intelligence provided by the Complaints Team to make service improvements. It is the responsibility of every service to make responding to complaints and learning from customer feedback a priority

13. Risks and Mitigation

- 13.1 The Council faces pressures on services due to the ongoing impact of the economic slowdown as well as a continued ambition to transform services to deliver financial savings and improve customer experiences. It is vital that customer expectations around what is sustainable for the Council to deliver are properly managed.
- 13.2 To mitigate this, the Council is continuing to engage with the public as appropriate through regular communication, as well as where services are being proposed to be amended.

Accountable Officer(s)

Fiona Boden, Head of Policy, Performance and Intelligence
Stuart Purcell, Corporate Complaint Manager

Approvals obtained on behalf of: -

	Named Officer	Date
Chief Executive	N/A	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Owen Campbell	18/11/22
Head of Legal Services (Deputy Monitoring Officer)	Bal Nahal	18/11/22
Assistant Director of Human Resources (if appropriate)	N/A	Click here to enter a date.
Head of Human Resources (if appropriate)	N/A	Click here to enter a date.

Report Author: Stuart Purcell, Corporate Complaint Manager, Assistant Chief Executive Directorate, 01709 822661 or stuart.purcell@rotherham.gov.uk

This report is published on the Council's [website](#).

This page is intentionally left blank

ANNUAL REPORT COMPLIMENTS AND COMPLAINTS

1ST APRIL 2021 – 31ST MARCH 2022



www.rotherham.gov.uk/complaints

CONTENTS

1	INTRODUCTION	3
2	KEY HEADLINES	4
3	OVERVIEW	5
4	PERFORMANCE	13
5	ADULT CARE, HOUSING AND PUBLIC HEALTH DIRECTORATE	14
	5.1 Adult Care	14
	5.2 Housing Services	17
	5.3 Public Health	20
6	CHILDREN AND YOUNG PEOPLE'S SERVICES DIRECTORATE	21
7	REGENERATION AND ENVIRONMENT DIRECTORATE	24
8	FINANCE AND CUSTOMER SERVICES DIRECTORATE	27
9	ASSISTANT CHIEF EXECUTIVE'S DIRECTORATE	30
10	NEXT STEPS 2022/23	31
11	APPENDIX ONE: LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN DECISIONS 2021/22	32

I. INTRODUCTION

Rotherham Council is committed to being open and accountable, listening to the views of residents and communities and placing them at the heart of its services. Customer feedback through formal complaints and the way that the Council responds to complaints are vital indicators of the overall performance of the organisation. When we cannot resolve a problem straight away our residents have the safety net of a formal complaint procedure through which they can find a resolution.

There was still a small residual effect of the Covid 19 pandemic in terms of the numbers of complaints received in 2021/22 underlining the substantial effect this unprecedented global event had on both Council services and the lives of our residents.

Overall, in terms of the complaints' procedure, the Council continued to maintain a high level of performance and improved the quality of service offered to residents. There is a continued commitment to providing high quality, timely responses to formal complaints, and the Council continues to learn and improve based on the feedback received. Performance was in line with the Council Plan target with 85 % of complaints being resolved in time.

The purpose of this report is to outline the complaints and compliments that the Council received during 1st April 2021-31st March 2022, highlighting key themes and trends. The report also explains how the Council has performed against the required standards and includes case studies demonstrating how Services have learnt from complaints received. This is arguably the most important aspect of the complaints process.

Feedback from the Overview and Scrutiny Management Board continues to be considered as part of these reports, and in respect of the Council's handling of complaints throughout the year. The questions and queries raised are noted and subject to consideration.

Although customer feedback provides a valuable insight into how the Council is performing, complaints and compliments figures do not reflect the full picture. This report should, therefore, be understood within the context of the number of customers interacting with each service and any changes to those services that occurred within 2021/22.

Furthermore, building on the key developments in 2021/22, priority areas of focus, in respect of the Council's response to formal complaints, for next year will include:

- Introducing a programme of improvement actions in response to the changes in the regulation of Housing Services (The Charter for Social Housing Residents), the introduction of Tenant Satisfaction Measures by the Regulator of Social Housing and a revised Housing Ombudsman code (see Section 12 Next Steps for further details).
- Continuing to improve the way in which the Council learns from complaints. That all learning reported is considered and the impact of service improvement is understood and recorded.
- Working to improve performance to complaint procedure timescales.
- Ensuring remedy requests by the Ombudsman are completed within required timescales.
- Increasing the number of compliments recorded, with the Complaints Team continuing to work with managers to ensure that the process for recording and reporting compliments is improved.

2. KEY HEADLINES – 2021/22

1,117
complaints
received

1,117 complaints were received.
(compared with 931 in 2020/21, which is an increase of 17 %).

More compliments were received.
(752 in 2021/22 compared with 695 in 2020/21, which is an increase of 8 %).



More complaints were upheld.
268 or 24 %
(235 or 26 % upheld 2020/21).

Fewer complaints were responded to within timescales.
(85 % in 2021/22 compared with 86 % in 2020/21).



18 complaints were investigated by the Local Government and Social Care Ombudsman.
(Six in 2020/21 in comparison).

Fewer complaints around quality of service.
(313 compared to 325 in 2020/21, a decrease of 4 %).



More complaints regarding actions of staff. (145 compared to 134 in 2020/21, an increase of 8 %).

More complaints were responded to in time in Finance and Customer Services. (90 % in 2021/22 compared to 89 % in 2020/21).



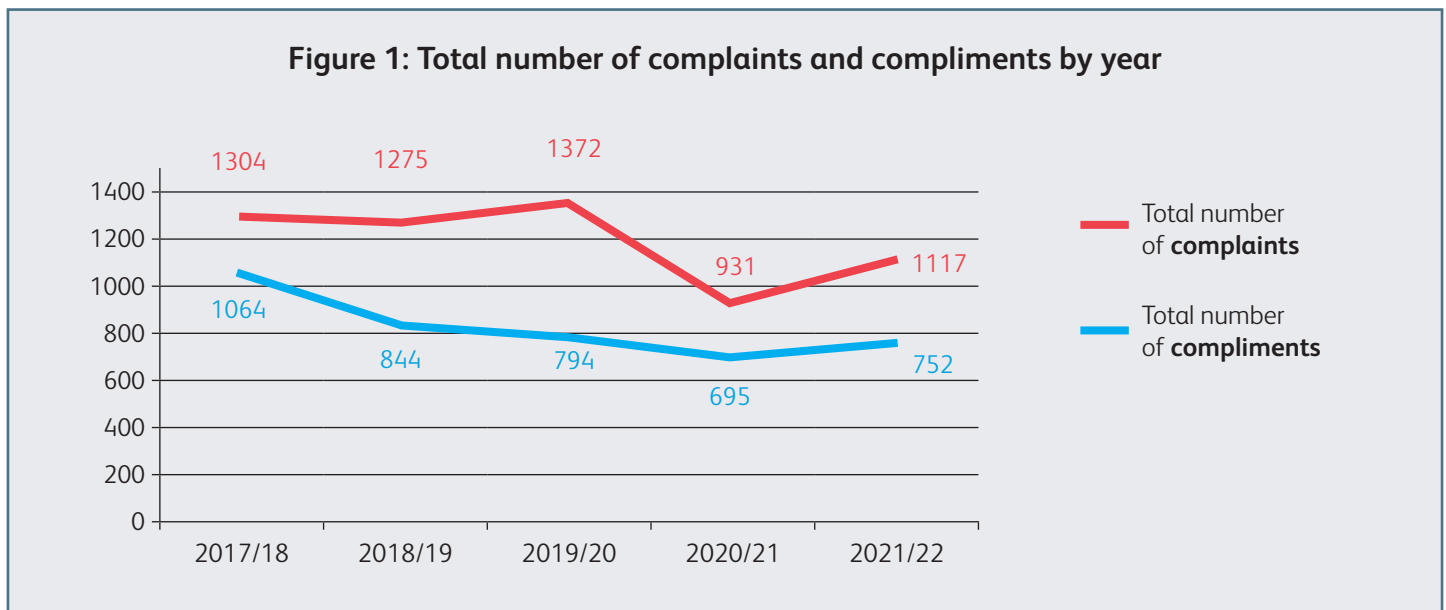
Fewer complaints were responded to in time in Adult Care (79 % from 85 %) **CYPS** (82 % from 83 %) **Housing Services** (85 % from 88 %), **Regeneration & Environment** (82 % from 84 %).

More escalations through the complaint procedure. (32 or 3 % compared to 25 or 3 % in 2020/21).



3. OVERVIEW

3.1 Summary



In 2021/22, the overall number of complaints received by the Council increased by 17%, going from 931 in 2020/21 to 1117. As advised in the introduction of this report, this increase is due to the normalisation of Council services following the Covid 19 pandemic. Complaints have begun to increase to average levels, but they are not quite as high as pre pandemic figures, indicating a residual effect on services and resident behaviour during the year. This is the 2nd lowest number of complaints in five years.

The Council provides a wide variety of services to over 265,800 residents. In this context, 1117 complaints are only a fraction of the number of customer interactions occurring each year (for example, the Council received 1,091,691 new web visitors in 2021/22).

The number of compliments recorded by the Council also increased, from 695 in 2020/21 to 752 (an increase of 8%). It is good to see that following a continued decrease over four years this year the numbers have increased. Improved efforts by Council departments to capture more of the positive feedback of residents is reflected in this increase. There is clearly better engagement of staff in the process of recording the compliments they received, staff have responded to requests that all the compliments they receive are recorded.

It is recognised that both compliments and complaints procedures need to be easy and accessible for customers to allow them to provide valuable feedback.

Most Council departments saw an increase in complaints from the previous year. This trend has continued into the current financial year, complaints are increasing back to average levels over the last five years. Currently 340 complaints were received in the first three months of 2022/23 compared to 290 in the same period in 2021/22, which is a 15% increase).

A breakdown on the numbers received and how much they changed, by department is as follows:

- The largest percentage increase was in Finance and Customer Services from 76 to 108, an increase of 30%.
- In terms of the total number of complaints received Housing Services increased the most from 367 to 501, a percentage increase of 27%.
- Children's and Young People's Services increased from 86 to 110, a percentage increase of 22%.

- Adult Care increased from 48 to 52, a percentage increase of 8 %.
- Against this trend Regeneration and Environment decreased slightly from 346 to 341, a decrease of 1 %
- Finally, Assistant Chief Executive's and Public Health also saw a decrease in complaints received. Assistant Chief Executive's decreased from five to three and Public Health from three to two.

The following diagrams show the breakdown of complaints and compliments by Directorate in 2020/21 and 2021/22.

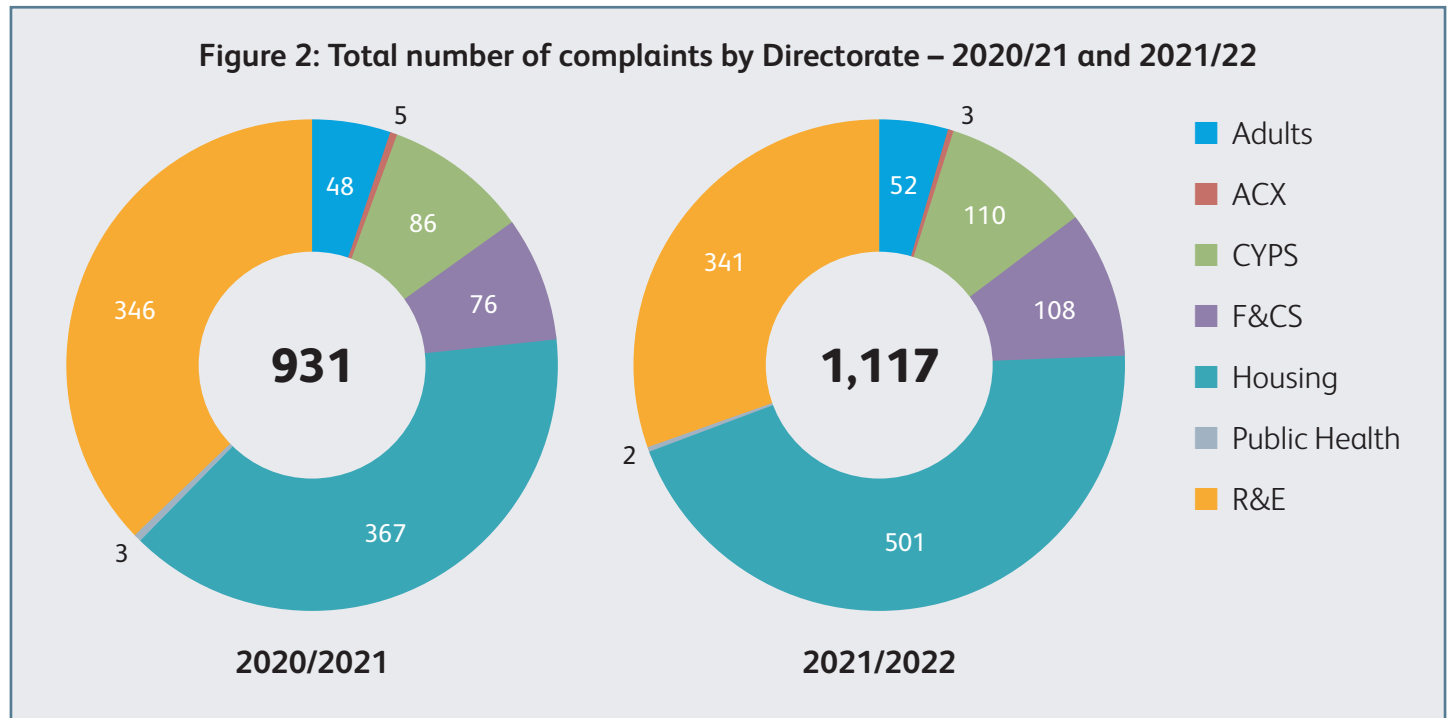


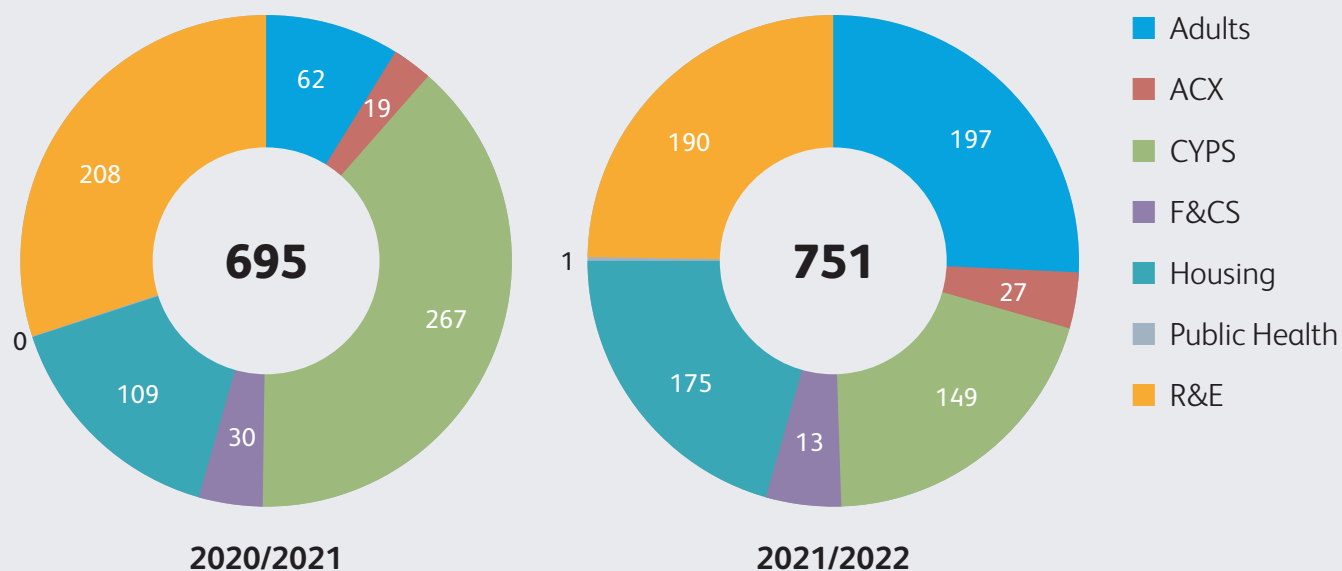
Figure 2 shows that the two highest areas for complaints were Housing and Regeneration and Environment Services. This is consistent with previous years' figures, as these areas typically receive the highest volume of complaints. They deal with the largest number of customers and are responsible for a high number of service transactions over the year.

The number of complaints received tends to correlate with the number of customers that are served by the directorate. Therefore, a directorate receiving a higher volume of complaints is not necessarily reflective of poor performance and should be understood within the context of services provided.

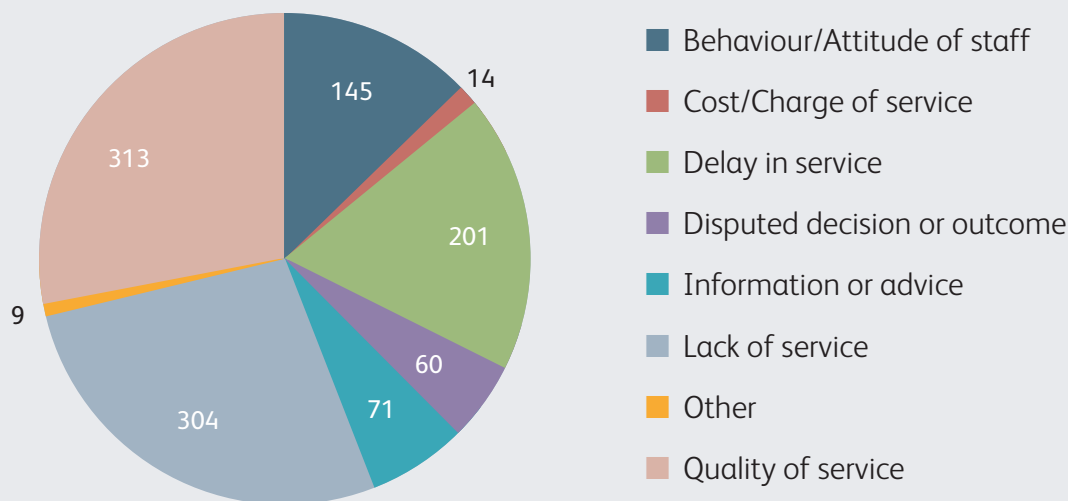
Regarding the number of compliments received, this has increased by 8 % overall, 57 more received, however, some directorates saw an increase in the numbers received and some saw a decrease. Adult Care saw the biggest increase at 68 %, 135 more received, followed by Housing at 38 %, 66 more received. Public Health and Assistant Chief Executive's also saw a small increase.

All other Directorates saw a decrease with Children and Young People's Services with the largest decrease in terms of numbers received, 118 fewer received or a 44 % decrease.

Although the overall increase is positive, the large changes in numbers received by directorate makes it clear that there can be a better engagement in the compliment process by staff, to make sure that all positive feedback is captured including feedback from satisfaction surveys.

Figure 3: Total number of compliments by Directorate – 2020/21 and 2021/22

As part of the process of monitoring and handling customer feedback, the Complaints Team is responsible for categorising complaints based on the subject matter. The following diagram outlines the categories of complaints received in 2021/22:

Figure 4: Total number of complaints by category – 2021/22

313 (28 %) of all complaints were categorised as quality of service. Complaints within this category have decreased from 325 (35 %) in 2021/22 (a decrease of 4 %).

Lack of service accounted for the second highest category of complaints, with 304 complaints (or 27 %). Complaints within this category have increased from 189 (20 %) in 2021/22 (an increase of 38 %).

The third highest was delay in service at 201 (18 %) received. Complaints within this category have increased from 134 (14 %) in 2021/22 (an increase of 33 %).

Although the numbers of complaints in the categories of quality of service and lack of service were significant across all directorates, the majority of the complaints categorised as lack of service were again within Regeneration and Environment Services, with 166 (110 in the Street Scene department and of these 85 were in Waste and Recycling) of the 304 complaints in this category (see section 7).

In addition to reporting against general subject areas there is a need to report complaints in more detail to directorate and service management teams. To assist with this level of reporting additional complaint classifications were developed, reviewed at year end, and updated. These are service specific

Examples of the most common complaint types recorded by this classification are as follows:

- Quality of Service Provided
- No Service Provided/Action Taken
- Delay in Service Being Provided/Action Taken
- Quality/Standard of Work
- Missed Appointment/Service
- No response to enquiry
- Incorrect/Inaccurate written or verbal advice
- Conduct
- Application/Assessment Outcome or Decision
- Disputed Decision or Outcome
- Lack of Enforcement Action/Sufficiency of Enforcement Action
- Damage to Property
- Cost/Charge for Service
- Information and Advice
- Refusal to Provide Service/Take Action
- Appeal/Inappropriate Enforcement Action

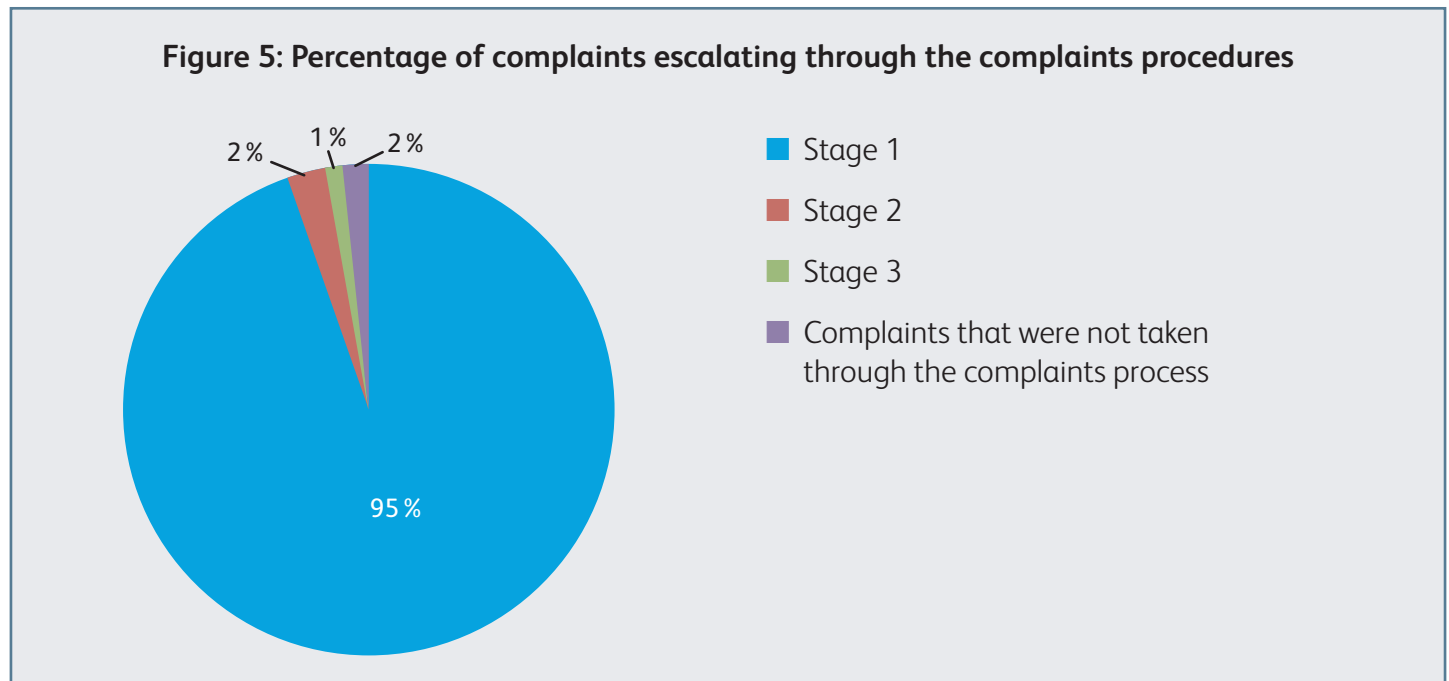
For further detail around directorate complaint trends please see sections 5 to 11 of the report.

It should also be noted that slightly more complaints were upheld in terms of the percentage of complaints responded to. This is where the Council has investigated and found a problem with the service provided, with 268 or 24 % upheld (235 or 26 % upheld in 2020/21 and 365 or 27 % upheld 2019/20) of all complaints. Sections 5 to 11 contain more detail of upheld complaints by directorate and how the Council has learnt from upheld complaints.

3.2 Dealing with Complaints

The diagram below outlines the number of complaints that reached the various stages of the complaint's procedures.

The extent to which complaints escalate through the complaints' procedure is an important measure, as it is preferable to find resolutions for customers at the earliest possible stage. As shown in figure 5, the majority of complaints (95 %) were resolved at stage 1 (only 27, 2 % of all complaints, were escalated to stage 2, compared with 25, 3 %, in 2020/21).



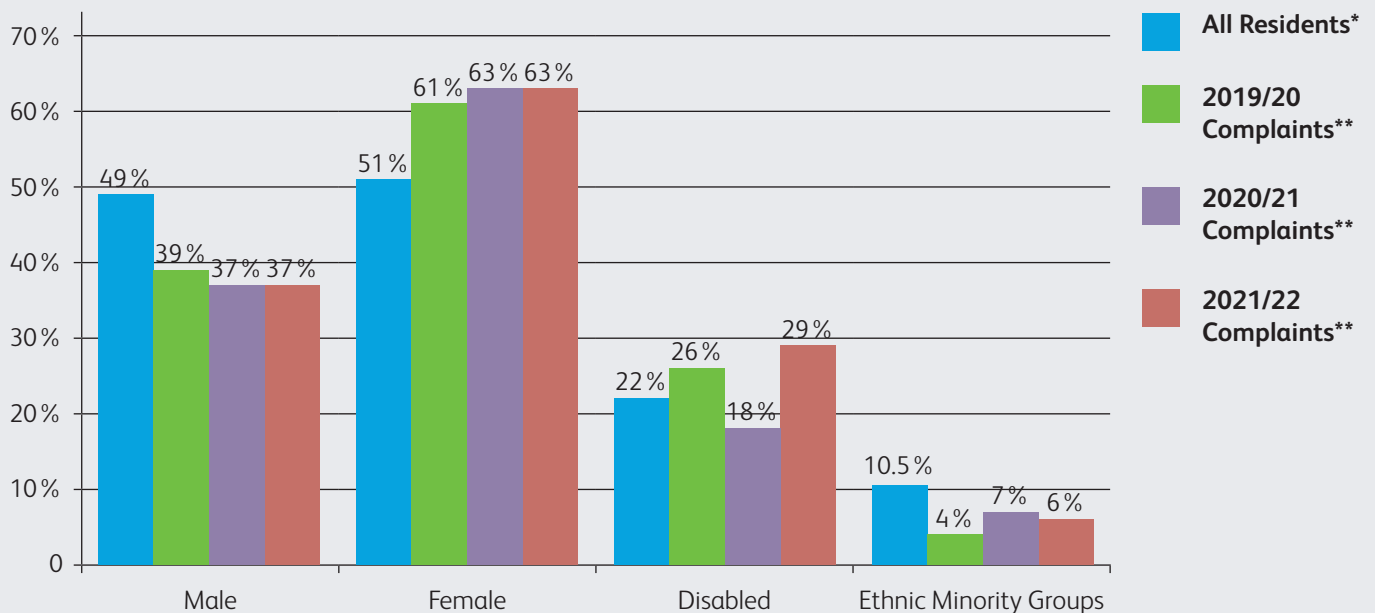
The diagram above outlines the number of complaints that reached the various stages of the complaint's procedures.

The extent to which complaints escalate through the complaint's procedure is an important measure, as it is preferable to find resolutions for customers at the earliest possible stage. As shown in figure 5, the majority of complaints (95 %) were resolved at stage 1 (only 25, 3 % of all complaints, were escalated to stage 2, compared with 31, 2 %, in 2019/20).

3.3 Equalities Monitoring

The Council collects equalities information via its online complaint webform. This entails collecting the demographics of customers making formal complaints, as this information will be used to ensure that the complaints' process is fair and accessible for all customers.

Figure 6: Equalities Monitoring



*All resident data based on 2021 census for male/female population and 2011 census for disabled and ethnic minority groups.

**Complaints information was captured on the online complaints form

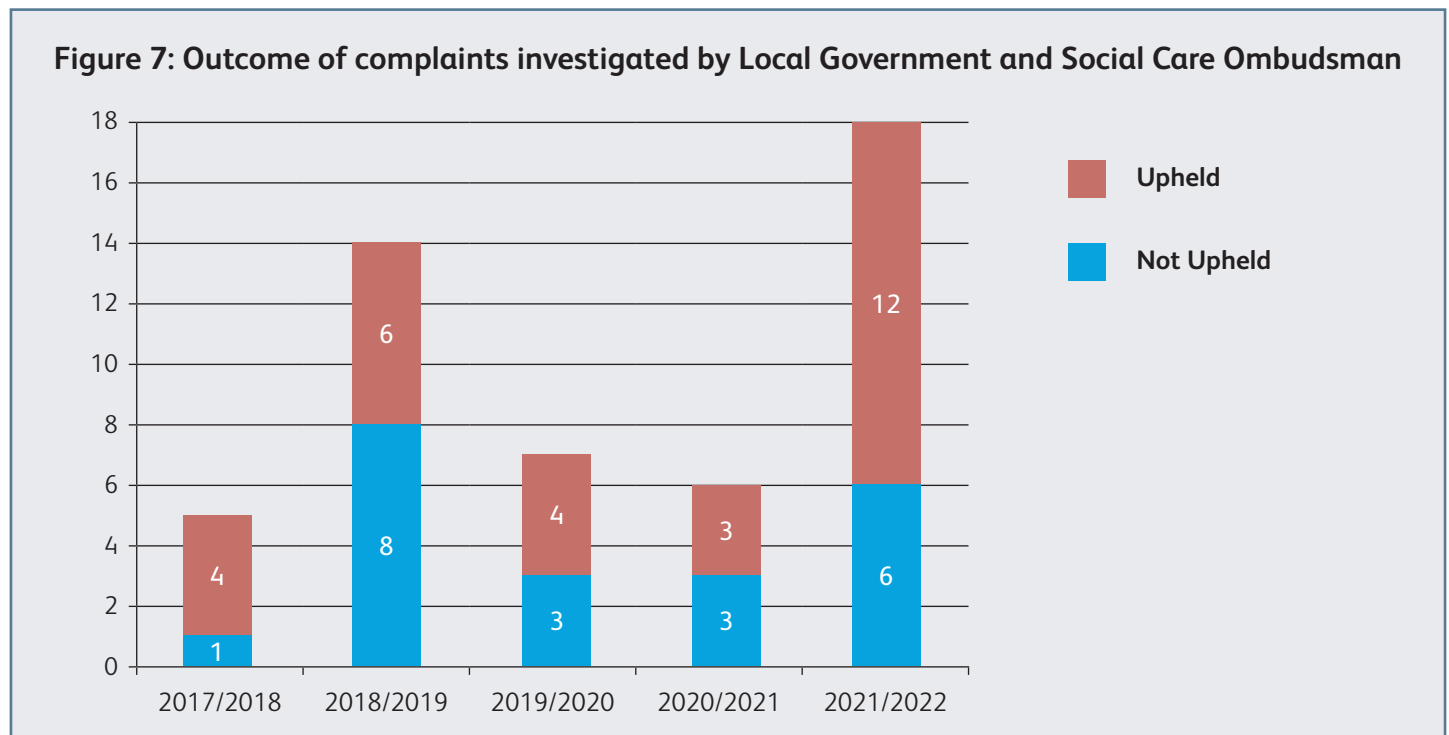
The information received indicates that significantly more female customers complained about Council services in 2021/22 and this is a consistent trend over the last three years. All directorates recorded a higher number of female complainants. For example, in Housing Services the percentage of female complainants was 71 % and Regeneration and Environment Services it was 56 %.

It is also noted that numbers have increased for those customers who are disabled, and it is above the average for all residents. In addition, the number of customers in ethnic minority groups who have made a complaint has decreased and is still lower than the average all residents' figure.

3.4 Local Government and Social Care Ombudsman

If complainants are not satisfied with the outcome of their complaint as investigated through the Council's complaints' procedures, they can escalate their complaint to the Local Government and Social Care Ombudsman (LGSCO). 57 complaints enquiries were directed to the LGSCO in 2021/22 (37 received in 2020/21) and of these, the LGSCO investigated 18 (Six investigated in 2020/21). This is the highest number investigated in the last five years. However, it should be noted that there was a residual effect of the COVID-19 pandemic on the activities of the LGSCO in the year. As a result, they investigated more complaints due to a backlog of investigations which were built up because of a partial shutdown in 2020/21.

Figure 7 (see below) provides some context; there have been 50 complaints investigated by the LGSCO between the financial years of 2017/18 and 2020/21 with a median 5-year average of 10 per year.



In 2021/22, more complaints were investigated and more complaints were upheld by the LGSCO than in the previous year. As explained, the increase is explained in part by operational decisions made by the LGSCO due to the pandemic. However, 18 investigations compared to 1117 complaints is 2% of formal complaints received, that have escalated to the LGSCO.

12 complaints out of 18 investigations were upheld. This equates to an upheld rate of 67%, which is in line with the Ombudsman's figure of the average uphold rate of similar authorities at 68%. Four upheld complaints were in Adult Care, five were in Childrens and Young Peoples Services, one was in Housing Services and two in Regeneration and Environment Services.

Appendix 1 outlines the LGSCO decisions for the Council for 2021/22 and how these compare with 16 statistical neighbour councils. In 2021/22, the Council is in the middle quarter in terms of the numbers investigated and the numbers upheld. It ranks as 12th out of 16 of the total investigated and 11th out of 16 of those complaints that were upheld. In the previous year, 2020/21, the Council benchmarked in the upper quarter for numbers investigated and numbers upheld.

Furthermore, it shows that the majority of complaints that were brought to the LGSCO (57 decided) were deemed invalid or incomplete, referred back for local resolution or closed after initial enquiries. This along with the relatively low number of investigations reflects positively that the Council's complaint's procedures are working effectively to find fair and appropriate local resolutions.

3.5 Housing Ombudsman

From April 2013, the Housing Ombudsman has dealt with all complaints from tenants regarding social housing. There was only one decision made by the Housing Ombudsman in 2021/22, it was not upheld (Four decisions in 2020/21, two not upheld and two partly upheld).

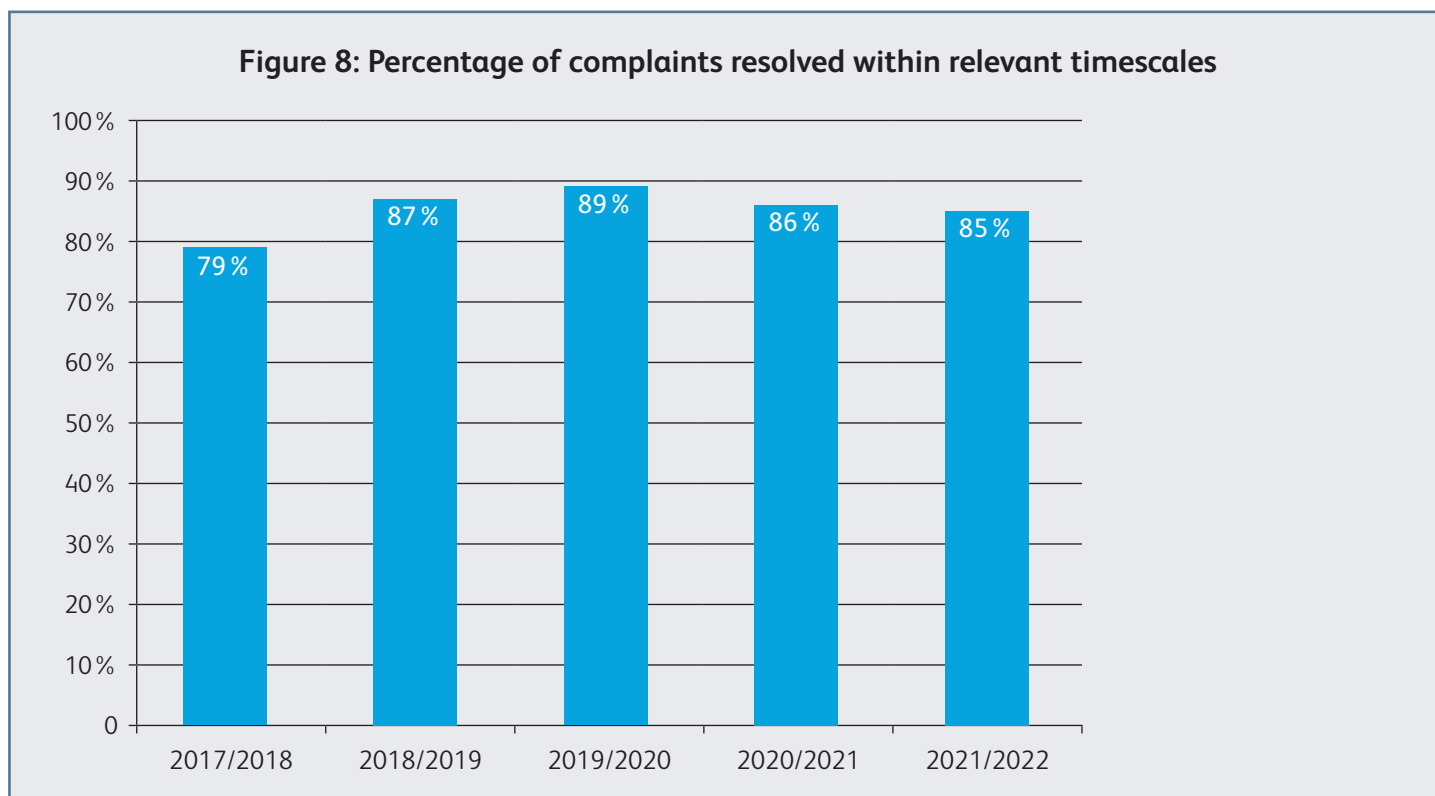
The complaint issues in this decision were regarding the timeliness of repairs to a council property and rent arrears, all six complaint points were not upheld.

4. PERFORMANCE

4.1 Performance Overview

Performance against the time allowed by the formal complaint procedure is monitored through regular (weekly, monthly, and quarterly) performance reports presented to Council Directorate Leadership Team meetings and Service Management Team meetings.

The following graph compares the overall Council performance against timescales for the past five years:



Performance has decreased slightly at 85 % of complaint responses within target timescale. Although a reduction on the previous year's performance, it is in line with the 5-year average of 85 % and the Council Plan target of 85 %. There has been a continued effort made across all council services to improve performance to timescales, and the improvements in children's safeguarding and waste management have been maintained.

4.2 How we are improving

Improving the way that complaints are dealt with requires a whole council approach, with services prioritising complaints and making improvements based on the feedback from customers. Therefore, it is the responsibility of every service to make responding to complaints and learning from customer feedback a priority.

A number of service improvements have been made over the year based on feedback from our customers. Key themes of service improvements have included the training and performance management of staff; reviews of processes and policies and the revision of communication materials. Examples of case studies where service improvements have been made based on complaints are outlined within each directorate section.

5. ADULT CARE, HOUSING AND PUBLIC HEALTH DIRECTORATE

5.1 Adult Care

Figure 9: Total number of complaints and compliments relating to Adult Care

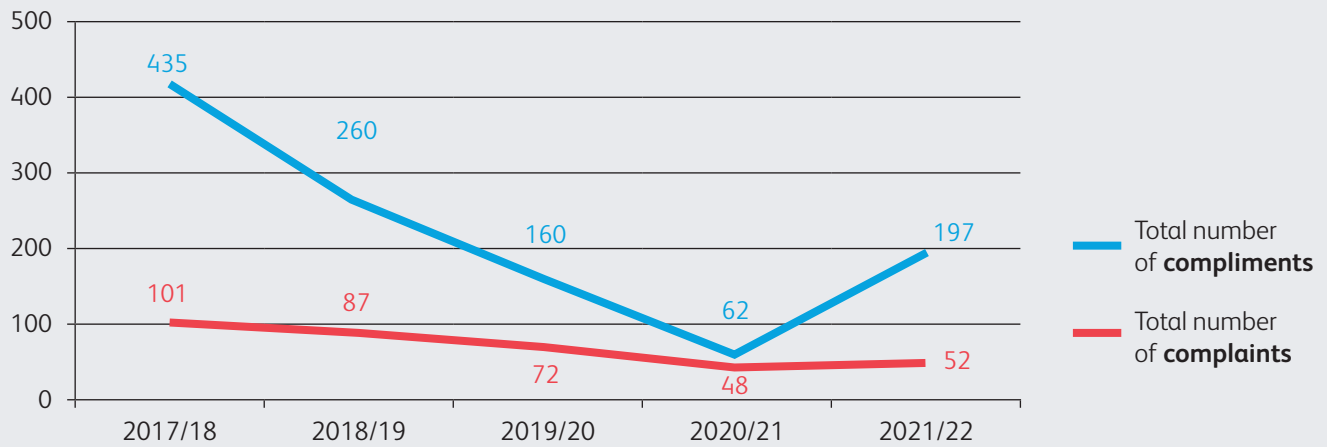


Figure 10: Percentage of complaints about Adult Care closed in timescales

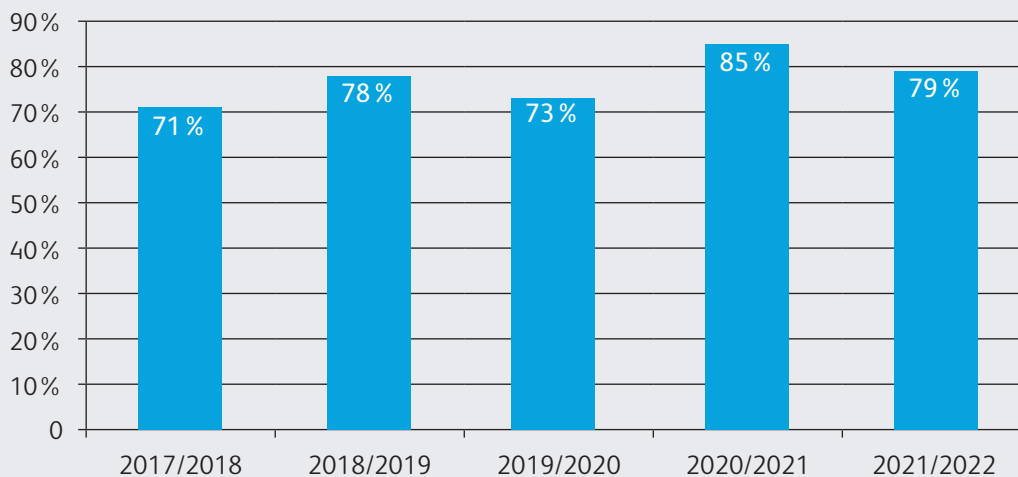
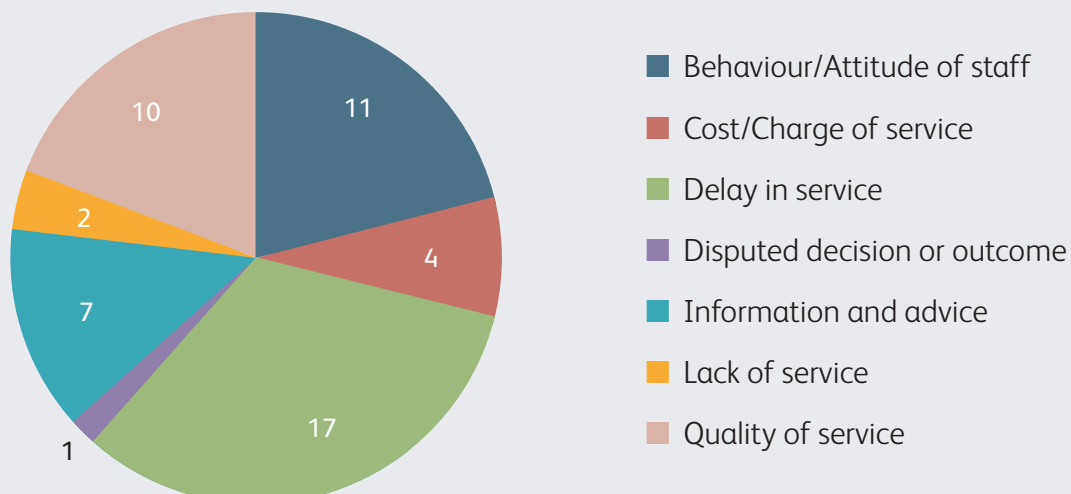


Figure 11: Complaints about Adult Care by category – 2021/22



5.1.1 Key Headlines

8%

more
complaints
received

More complaints
about Adult Care
were received.
**(52 in 2021/22
compared with
48 in 2020/21).**

69%

more
compliments
received

More compliments
were received about
Adult Care.
**(197 in 2021/22
compared with
62 in 2020/21).**



**The same number
of complaints
were upheld.**
(14 in 2021/22
compared with
14 in 2020/21).

**79% of complaints were
responded to within
timescales.**
Compared with 85 %
in 2020/21.



**Six Ombudsman
complaint decisions
were received.**
Four were upheld. One
decision, not upheld,
received in 2020/21.

17 of 52 complaints
were regarding **delay
in service** and **11** were
regarding **information
and advice.**



Prevalent themes which emerged specifically within upheld and partially upheld complaints for Adult Care complaints were:

- Delays in assessments / reviews / request for contact
- Cost or charges for care
- Lack of information or advice / communication
- Behaviour / Attitude of staff

In addition, the increase in formal complaints of 8 % is lower than the all Council increase of 17 % . The largest change in complaints received was in Safeguarding and MCA/DoLS Service, but this was a decrease of five complaints from six to one. Four services increased the numbers received and three remained the same. The largest increases were in Access, Locality Social Work and Community Occupational Therapy Services, with each receiving three more complaints. Provider Services, Commissioning and Finance Services remained the same and did not see an increase in complaints received.

However, the number of complaints investigated by the Local Government and Social Care Ombudsman increased significantly. From one in 2020/21 to six in 2021/22, which is an 83 % increase, and four were upheld. This is against the usual trend seen in Adult Care in terms of complaints received and in general terms was a result of the pressures the service experienced due to the Covid-19 pandemic. The Ombudsman enquiries were generally regarding issues occurring in 2020. This trend has not been continued into 2022/23.

Examples of some of the compliments received for Adult Care in 2021/22:

Compliment for the My Front Door Team. Customer shared how they had been treated positively throughout the whole process and sudden issues followed up promptly.

Compliment for the Integrated Discharge Team. "Has worked to find the best care solutiontheir help has been invaluable, and she has been a great source of support"

Compliment for Locality Social Work Team "I would like to show my recognition to the Social Worker for doing a fantastic speedy job under these difficult circumstances. What an outstanding job you have done and the difference to our lives you have made"

Compliment for Customer Contact Team "Thank you so much for our telephone conversation this morning. It was really helpful and very supportive. We're currently going through a rather stressful time, so your kindness was very much appreciated and reassuring."

5.1.2 Lessons Learned

Adult Care made several service improvements based on customer feedback in 2021/22. An example of these improvements is outlined in the case study below:

The Complaint

A customer expressed concerns about the funding of family member's care following discharge from hospital and a delay in responding to their enquiries

What did we do?

The Council carefully considered the customers complaint and accepted that the service and advice provided was not as good as it could be. It agreed to the following actions to improve the service provided.

The service held regular meetings with both team managers and staff to discuss case work and implemented case file audits to ensure that all staff are accurately recording conversations as well as ensuring the information given is also correct at the time of the assessment.

The complaint will be used to improve the way staff engage and interact with families and ensure any appropriate training is attended to support this.

Who is better off?

Improvements to the way that the Council's Integrated Discharge Team (Hospital Social Work Team) records and provides this type of complex advice to customers often in difficult circumstances will benefit all current and future users of Adult Care in Rotherham. Through clear advice that has been more accurately recorded, the Council will ensure that problems experienced in this complaint will not reoccur and that services have been improved for all residents.

5.2 Housing Services

Figure 12: Total number of complaints and compliments about Housing Services

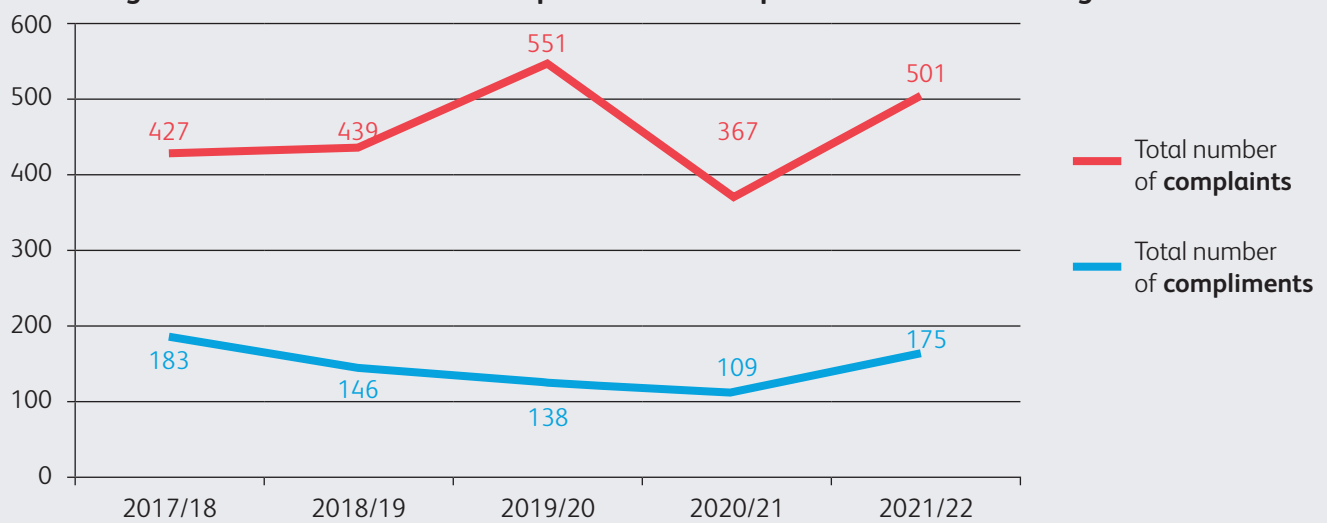


Figure 13: Percentage of complaints about Housing Services closed within timescales

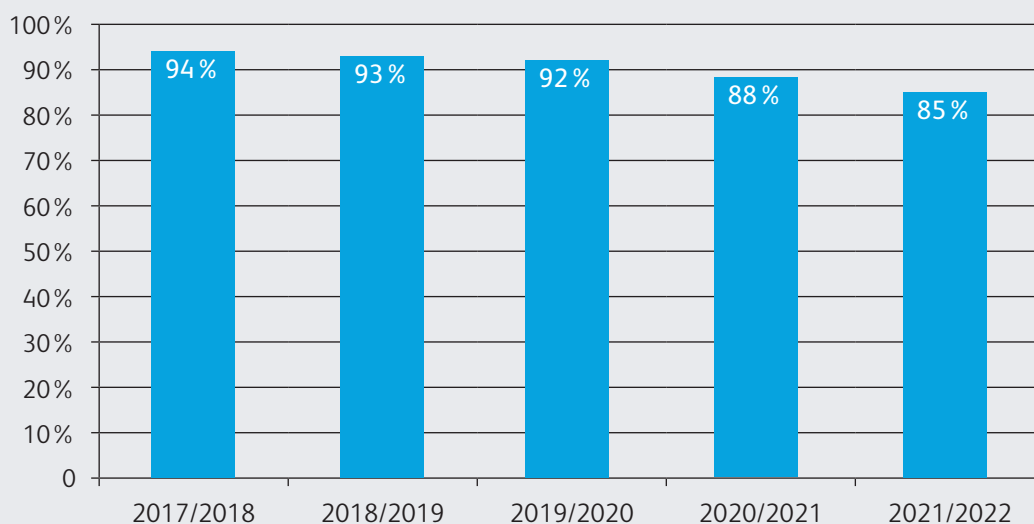
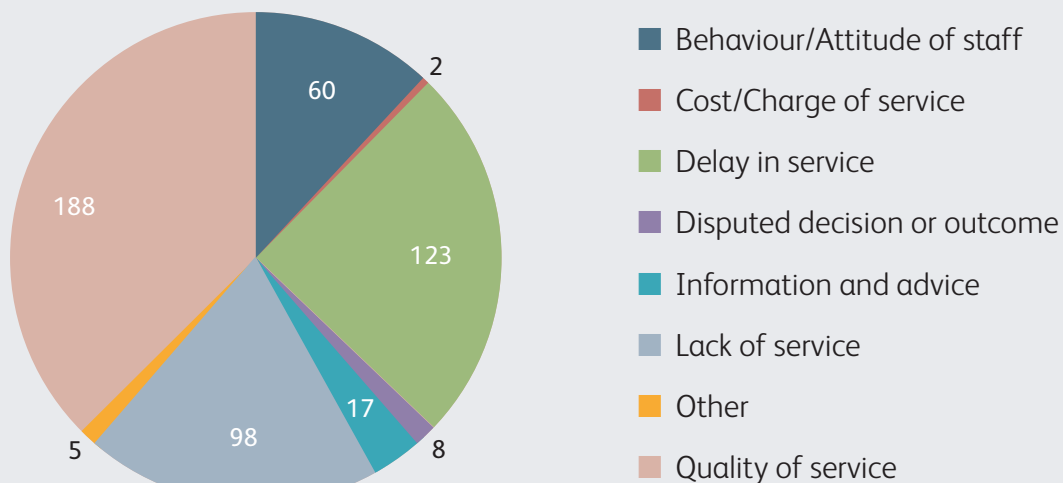


Figure 14: Complaints about Housing Services by category – 2021/22



5.2.1 Key Headlines

27%

more
complaints
received

More complaints about
Housing Services were
received.

**(501 in 2021/22
compared with 367
in 2020/21).**

More compliments were
received about Housing
Services.

**(175 in 2021/22
compared with 109
in 2020/21).**

38%

more
compliments
received



**Fewer complaints
were upheld.**

(135, 27 %, in 2021/22
compared with 84,
23 %, in 2020/21).

**85% of complaints
were responded to
within timescales.**

This meets the Council
Plan target of 85 %
but is lower than
2020/21, 88 %.



Two Ombudsman
complaint decisions
were received.

**One was upheld and
one was not upheld.**

**313 complaints were
regarding quality
of service** and 304

complaints were
regarding lack of service.



Prevalent themes which emerged specifically within upheld and partially upheld complaints for housing services complaints were:

- With the exception of the Business and Commercial service (this service includes rent collection), all services saw an increase in the number of complaints received. This was partly to be expected following a return of non-emergency services, which were much reduced in the first year of the pandemic. The total number of complaints remain down on those received before the pandemic in 2019/20.
- As in previous years communication remains the main cause of complaints particularly in relation to individual repair issues where customer expectation could be managed better.
- Delays in service combined with lack of service, was the single highest reason for complaints being upheld across most services. This includes missed appointments and delays caused by national shortages of materials.

Examples of some of the compliments received for housing services in 2021/22:

"I would also like to thank all your workmen from the inspector, scaffolders, skip company, the gas fitter, the roofers, drivers and anyone else I have missed. Your team have treated my property like their own and have been Covid Secure. They have all been polite, friendly and have worked around me. My garden has been left tidy and their workspace has always been swept clean and made safe at the end of their working day...
...I have never seen a group of workmen so focussed and hard-working!!"

"I've never seen a team work so hard. I was really impressed with how compassionate they were to the situation".

"Thank you for all the help and support these three amazing ladies, xxx, xxx and xxx have given my family over the last few months. We have had the worst time ever and hated being at home. I did not think anyone would help and only think 'its kids being kids', but they did not. xxx is now so happy at school and at home goes out with friends she has made since we moved and is back to being a happy content little girl. All the other children are much happier now as well. It really has given us a better quality of life and for that I cannot thank these three ladies and everyone else enough for all their time, help and support"

5.2.2 Lessons Learned

Housing Services made several service improvements based on customer feedback in 2021/22. An example of these improvements is outlined in the case study below:

The Complaint

A customer reported their boiler had failed during a bank holiday weekend, the boiler was still under warranty and the process is that the subcontractor should return and repair a boiler under warranty. It is rare for new boilers to break down, unfortunately in this case the subcontractor could not be contacted, and the customer experienced an unacceptable delay before the boiler was repaired.

What did we do?

An apology was given, boiler repaired, and the procedure changed to prevent such a delay happening again. In the rare instances where a boiler under warranty breaks down and the subcontractor is uncontactable, or the issue becomes an emergency, a job is raised for the council's repair contractor to attend.

A similar issue was also experienced with an under warranty Disabled Facility Grant funded level access shower. As a result of the complaint the process for this situation has been amended and contract partners instructed in an emergency situation, rather than waiting for the manufacturers to attend under warranty, to replace the shower if the tenant is in immediate need and there is no other form of bathing.

Who is better off?

The response to similar future incidents will be prompt and avoid delays for vulnerable customers.

5.3 Public Health

It is a statutory requirement to report annually on the complaints received for Public Health services. Please note that the Public Health team predominantly commission services and it is the commissioned service providers who will respond to any formal complaints via their own complaint procedures. The information below relates to compliments and to complaints responded to by the Public Health services directly under the council's complaint procedure.

5.3.1 Key Headlines

- Two complaints were received. (Three in 2020/21)
- Nine compliments were recorded. (0 in 2020/21)
- 0 complaints were upheld. (Two upheld in 2020/21)
- No complaints were investigated by the Local Government and Social Care Ombudsman.
- 100% of complaints were resolved within statutory timescales. (100%, three out of three in 2020/21)

5.3.2 Complaints

The subject matter of each complaint received is listed below:

- Unhappy with the behaviour of two men who came to their property regarding track and trace.
- Complaint about the level of support offered by Council during isolation/shielding.

5.3.3 Compliments

Examples include:

"Brilliant. Very informative...Spot on that! Useful overview on its capabilities and uses, thanks for a superb session guys, thanks very much for sharing. Fantastic session guys. Many thanks for all the knowledge."

"Thank you, all. That was extremely helpful and informative."

"A big congratulations and many thanks for such an awesome session this afternoon! I have no idea how you managed to fit so much, clear, and relevant content into such a short space of time, but it was truly impressive!"

6. CHILDREN AND YOUNG PEOPLE'S SERVICES DIRECTORATE

Figure 15: Total number of complaints and compliments about Children and Young People's Services

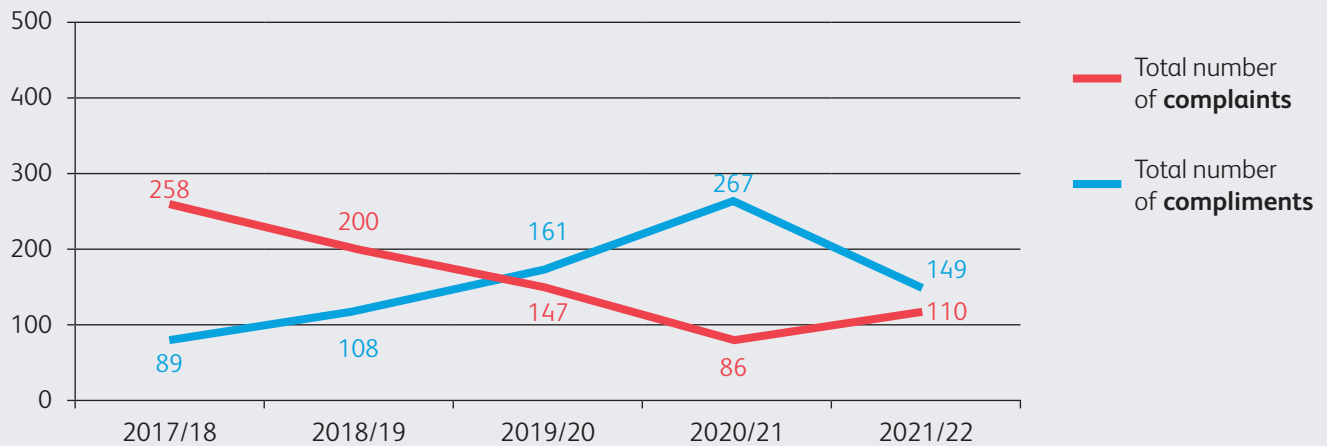


Figure 16: Percentage of complaints about Children and Young People's Services closed within timescales

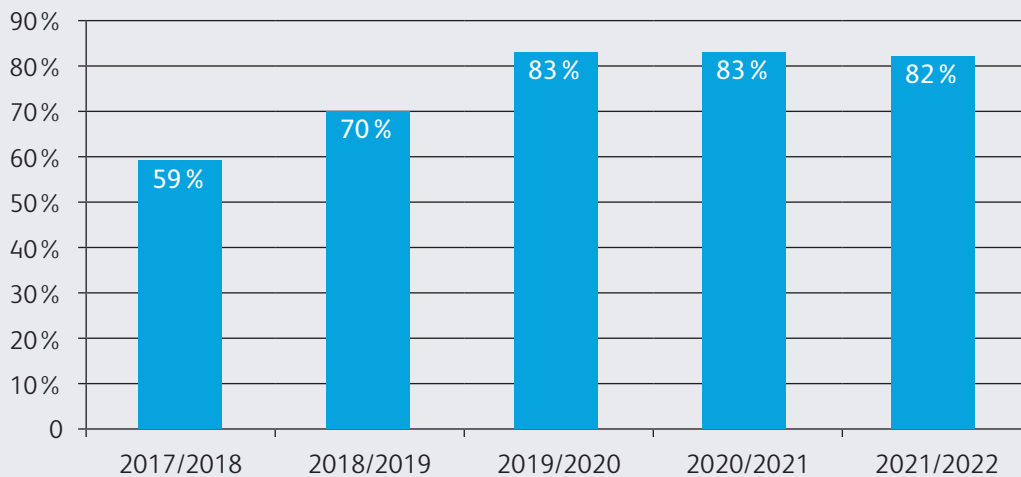
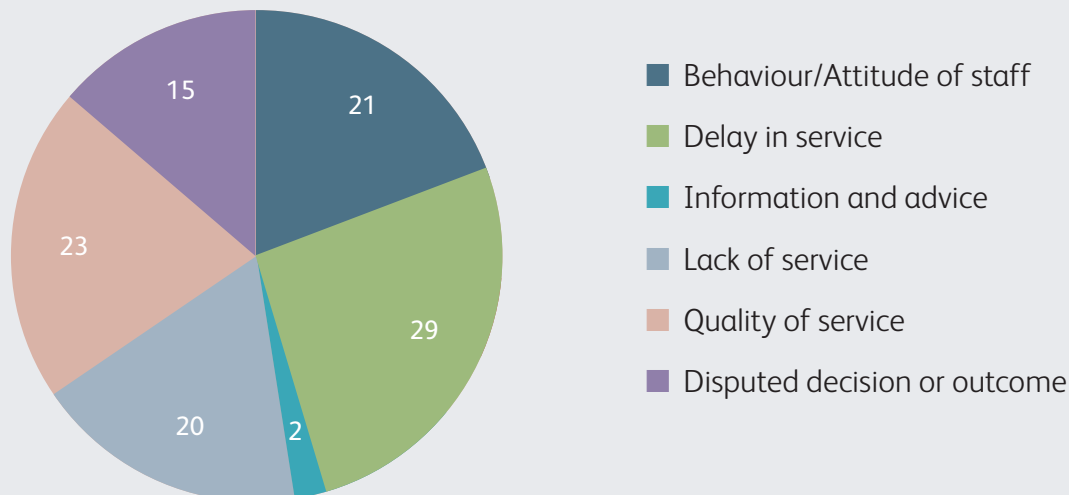


Figure 17: Complaints about Children and Young People's Services by category – 2021/22



6.1 Key Headlines

28%

more
complaints
received

More complaints about Children and Young People's Services were received.

(110 in 2021/22 compared with 86 in 2020/21).

Fewer compliments were received about Children and Young People's Services.

(149 in 2021/22 compared with 267 in 2020/21).

44%

fewer
compliments
received



More complaints were upheld.

(57 in 2021/22 compared with 45 in 2020/21).

82% of complaints were responded to within timescales.

This is slightly less than 2020/21 but consistent.



Five Ombudsman complaint decisions were received.

All were upheld.

Four decisions were received in 2020/21.

Most complaints were regarding delay in service, 29 of 110.

Followed by quality of service, 23 of 110.



Prevalent themes which emerged specifically within upheld and partially upheld complaints for Children and Young People's Services complaints were:

- Disagreements with decisions made and the outcome of assessment
- Delays in preparing reports or assessments
- Delays/difficulties with communication

In addition, the reduction in complaints can be attributed to the way in which managers have been encouraged and supported to address concerns at the earliest opportunity, so that any problems can be resolved before they enter the formal complaint procedure. This is the second year where we have had a large decrease in the number of formal complaints.

Some key messages that have been shared with colleagues as a result of complaints this year:

- Using clear non-jargon explanations of processes and next steps
- Thinking carefully about sharing personal information even if between a couple and recording discussions and rationale carefully where information is shared
- Working more closely with settings around collecting and transporting children's belongings between placements
- Ensuring young people have bank accounts, ID, and passports in a timely manner

Examples of some of the compliments received for Children & Young People's Services in 2021/22:

"She is a massive help, she's a 'godsend'. She's bubbly but relaxing, she tells me how it is in a friendly way, I trust her, she's like a rock, like a family member. It's good to talk to someone who isn't family, she deserves a medal."

"Communication has been good throughout. I like to see her, and she speaks to me and my child. I'm not afraid to tell her anything which is worrying me, and I feel she listens to me."

The Social Worker listens and takes my views into account in a non-judgmental way which means I can open up to her. She is the best social worker we have had."

6.2 Lessons Learned

Children and Young People's Services made several service improvements in 2021/22 following the feedback from customers. An example of this is outlined in the case study below:

The Complaint

A customer's complaint was considered by the Local Government and Social Care Ombudsman, who considered that the Council was at fault in how it had dealt with an Education Health Care Plan and the how it had monitored the quality of the independent specialist provision.

What did we do?

The Council worked with the customer and Local Government and Social Care Ombudsman, fully accepting their decision, and have agreed to the following improvements to service.

- The team have developed the role of assistant EHC Coordinators within the team to provide 'front door' assessment of reviews received by the team. This ensures that reviews are initially considered, and decision letters sent out to families within statutory timelines.
- The team now has a designated SEN Reviewing Officer who has oversight of the review process and is a senior post within the team.
- The Reviewing Officer links with the commissioning team on a weekly basis to consider the current position for learners placed in out of authority schools.
- The Reviewing Officer has undertaken individual quality assurance

Who is better off?

Through these improvements to the Council's Education Health Care Plan review process the Council will ensure that problems experienced in this complaint will not reoccur and that services have been improved for all residents.

7. REGENERATION AND ENVIRONMENT DIRECTORATE

Figure 18: Total number of compliments and complaints about Regeneration and Environment

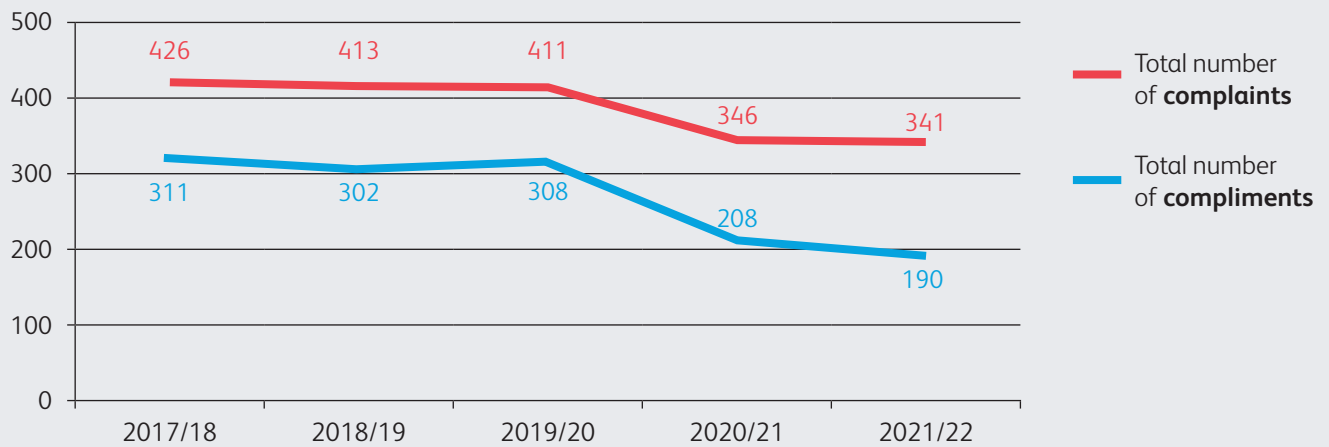


Figure 19: Percentage of complaints about Regeneration and Environment closed within timescales

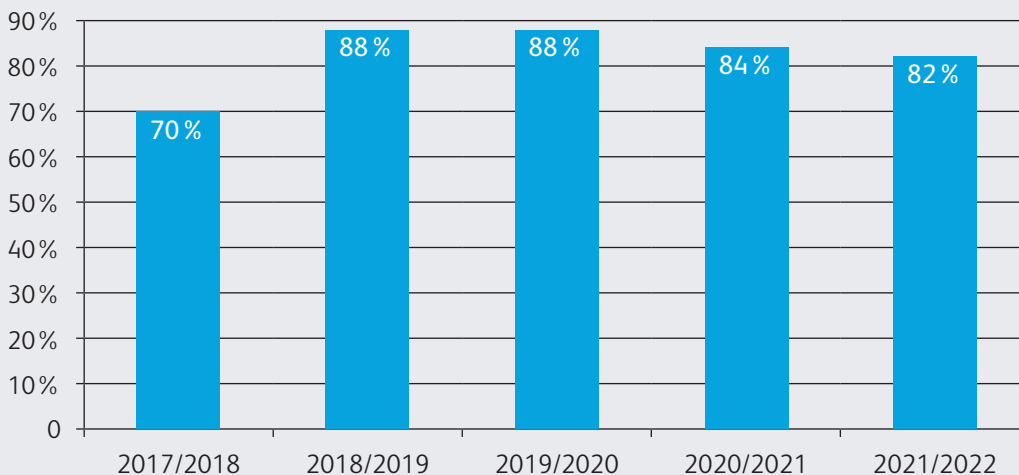
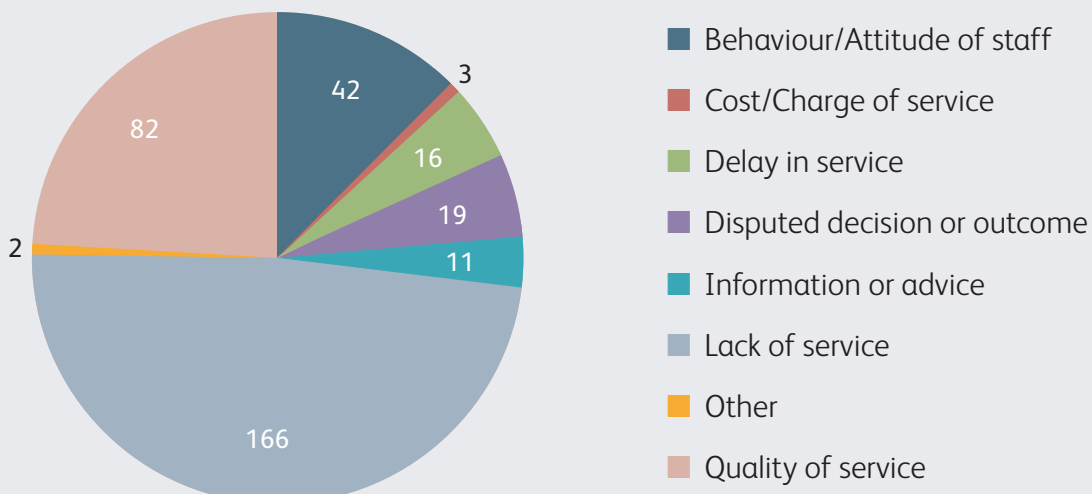


Figure 20: Complaints about Regeneration and Environment by category – 2021/22



7.1 Key Headlines

1%

fewer
complaints
received

Fewer complaints about Regeneration and Environment were received.

(341 in 2021/22 compared with 346 in 2020/21).

Fewer compliments were received about Regeneration and Environment.

(190 in 2021/22 compared with 208 in 2020/21).

8%

fewer
compliments
received



Fewer complaints were upheld.

(73 in 2021/22 compared with 113 in 2020/21).

Fewer complaints responded to within timescales.

(82 % in 2021/22 compared with 88 % in 2020/21).



Six Ombudsman complaint decisions were received.

Two were upheld and Four were not upheld.

Two received in 2020/21.

49% of complaints were regarding lack of service (166 of 341 complaints).

82 complaints were regarding the quality of service.



Prevalent themes which emerged specifically within upheld and partially upheld complaints for Regeneration and Environment were:

- Missed bin collections and complaints about bins not being returned to the correction location.
- Lack of enforcement action in respect of Environmental Health.
- Lack of maintenance of Trees following issues being reported to the Council.
- Planning decisions, planning process and lack of planning enforcement action.
- Conduct and attitude of waste collection, street cleansing and grounds maintenance operatives.

In addition, the number of complaints decreased only slightly on previous years. The largest number of complaints were regarding domestic waste and recycling collections in the Waste Management service, with 143 received. In context, the next highest numbers of complaints received were 26 in Regulation and Enforcement, 25 in Planning and Building Control and 19 in Trees Service.

Examples of some of the compliments received for Regeneration and Environment in 2021/22:

“We wish to thank your operatives today on another smashing grass cutting job and can you please pass on our thanks to the chap who found some car keys. They have been safely passed to their owners.”

“Brilliant. Many thanks for your help. You are always very helpful and polite and a credit to the licensing department . You always go above and beyond when helping customers.”

“The Grounds Maintenance Team were not only working hard but doing a great job and the area was looking wonderful and we appreciated the work and effort they were putting in.”

“You were both fantastic and couldn’t have been more thoughtful and helpful. She is extremely grateful for your help in getting everything sorted and everything has been running smoothly since.”

7.2 Lessons Learned

Regeneration and Environment made several service improvements based on customer feedback in 2021/22. An example of these improvements is outlined in the case study below:

The Complaint

A complaint was received regarding correspondence relating to re-subscription to the garden waste collection service which had been addressed incorrectly to persons who had previously subscribed to the service but no longer resided at the property.

What did we do?

We have reviewed the process for processing the data collected from subscriptions to the garden waste collection service. When this is to be used for the purposes of corresponding with subscribers we have introduced additional steps to check the accuracy of the data and all future correspondence is addressed to the occupier.

Who is better off?

Customer’s data is more secure and there is less opportunity for incorrectly addressed correspondence to cause distress and inconvenience to customers.

8. FINANCE AND CUSTOMER SERVICES DIRECTORATE

Figure 21: Total number of complaints and compliments about Finance and Customer Services

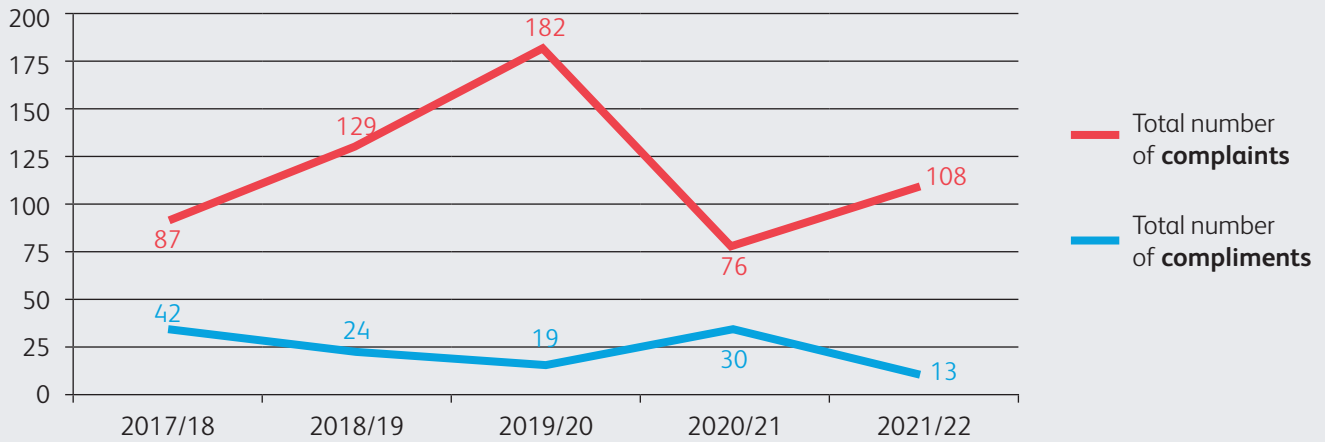
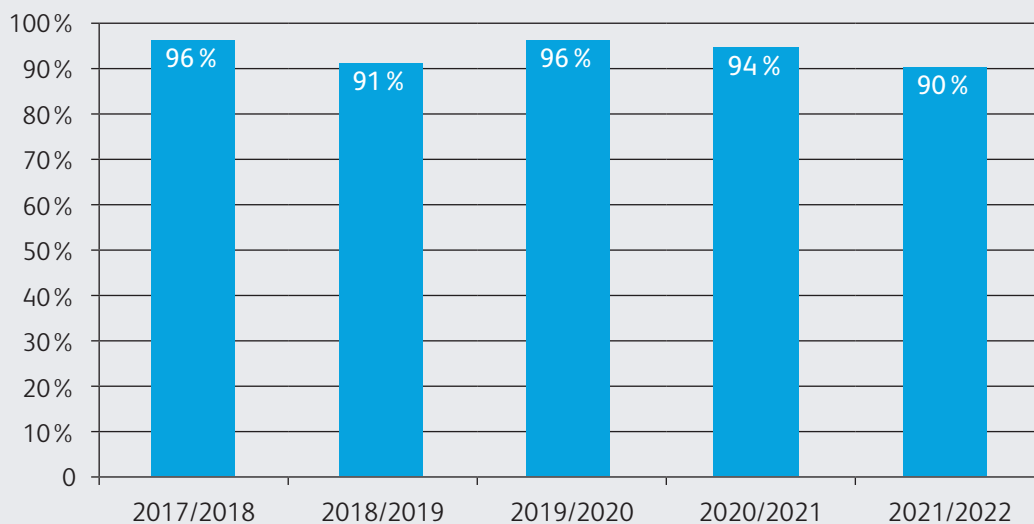
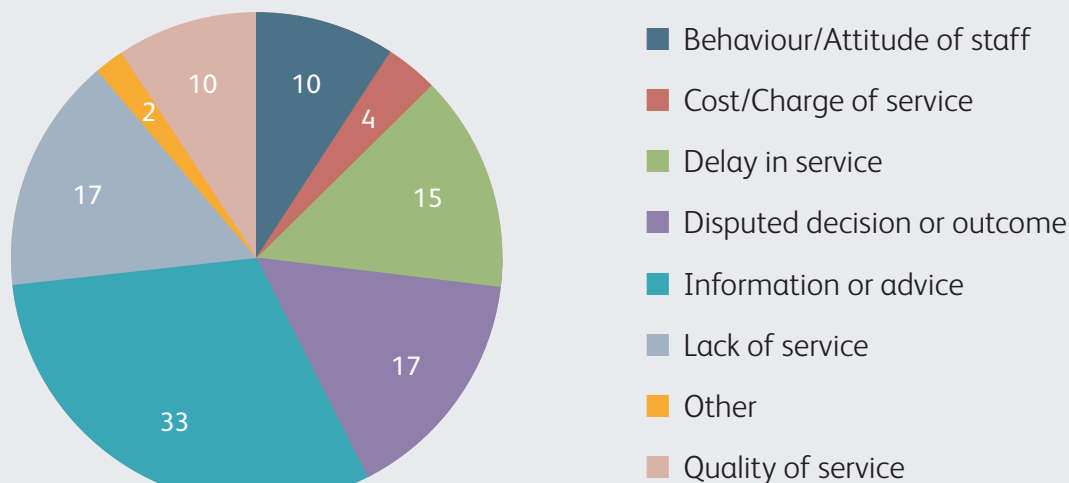


Figure 22: Percentage of complaints about Finance and Customer Services closed within timescales



23: Complaints about Finance and Customer Services by category – 2021/22



8.1 Key Headlines

30%

more
complaints
received

Fewer complaints about Finance and Customer Services were received.

(108 in 2021/22 compared with 76 in 2020/21).

Fewer compliments were received about Finance and Customer Services.

(13 in 2021/22 compared with 30 in 2020/21.)

57%

fewer
compliments
received



More complaints were upheld.

(19 in 2021/22 compared with 10 in 2020/21).

90% of complaints were responded to within timescales.

This is above the Council Plan target of 85 % and is higher than the performance in 2020/21, 89 %.



No Ombudsman complaint decisions were received.

30% of complaints were regarding information and advice (32 out of 106) **and 16% lack of service** (17 out of 106).



Prevalent themes which emerged specifically within upheld and partially upheld complaints for Finance and Customer Services were:

- Inaccuracy of advice and information provided by Customer Service Advisors in relation to council home repairs and bin collections.
- Inaccurate advice and lack of information provided regarding council tax, housing benefit and Council Tax Support.
- Lack of response to enquiries regarding Blue Badge and delay in processing application.

The directorate saw a significant decrease in the number of complaints received in previous years due to the COVID-19 pandemic and whilst there has been an increase in the number of complaints received in this year; this still compares favourably with pre-pandemic numbers of complaints which were significantly higher.

Whilst the above themes have been highlighted, it should be noted that the numbers of complaints upheld in relation to these themes are not significant. Where in previous years call waiting times and delays in the blue badge application process had been significant themes; these two issues have not been reflected significantly in the complaints received in this year. This is despite an increase of 42 % in the number of complaints about Customer Services from 19 to 33.

In addition, complaints in relation to Council Tax have increased by 17 % from the previous year. This in part continues to reflect the impact of the COVID-19 pandemic and the additional financial support being provided to customers and businesses which led to some complaints being received.

In addition, a further seven complaints were received in relation to Registration and Bereavement Services which had not previously been part of this directorate.

Examples of some of the compliments received for Finance and Customer Services in 2021/22:

“Throughout the pandemic I have had to deal with various departments of Rotherham MBC on a regular basis and have found the service from every department, exemplary”.

“She was lovely and explained everything fully to me and left me feeling happy that things would be sorted out.....she was professional and took the time to go through things and also have a laugh. Positive experience needs recognising”

“I’m writing to express our sincere appreciation of, and gratitude for, the assistance provided to us in managing my mother’s care financing. Since our initial contact over a year ago she has provided sound advice, support and understanding and continues to do so in the most kindly, courteous, efficient and professional manner. It’s extremely rare these days to receive such a service, she is a most remarkable Officer and a great asset to your Council.”

8.2 Lessons Learned

Finance and Customer Services made several service improvements in 2021/22 following the feedback from customers. An example of these is outlined in the case study below:

The Complaint

A customer complained about a delay in receiving a new Rothercard and that nobody had responded to her enquiries when she had contacted the Council about this issue.

What did we do?

We have now ensured that all relevant staff have access to the Rothercard e-mail mailbox to be able to deal with enquiries as soon as they are received. In addition, staff carry out weekly checks of the mailbox to ensure and that all enquiries have been responded to and any enquiries that have not received a response are referred to a Team Leader to be addressed promptly.

Who is better off?

There are no longer delays in responding to enquiries regarding Rothercard applications and systems in place to ensure that all enquiries receive a response. This has led to no further complaints being received regarding this service in 2021/22.

9. ASSISTANT CHIEF EXECUTIVE'S DIRECTORATE

The directorate is mainly comprised of services internally supporting the Council, the largest service area being Human Resources. The majority of services within the directorate only have limited contact with external customers (except for the Neighbourhoods Team) and due to the nature of services they provide they will not generate a lot of complaints or compliments.

As such, information on what was received in 2021/22 is provided in summary below.

10.1 Key Headlines

- Three complaints were received (Five in 2020/21).
- 27 compliments were recorded (19 in 2020/21).
- All three were stage 1 complaints. No stage 2 complaints.
- Three complaints were upheld (One upheld in 2020/21).
- One Local Government and Social Care Ombudsman decision (closed after initial enquiries).
- 100% of complaints were resolved within statutory timescales (100%, in 2020/21).

10.2 Complaints

The subject matter of each complaint received is listed below:

Communications

- A resident was unhappy with the delay in response to their enquiries in respect to the filming of a council meeting.

Human Resources

- Two complaints were received about the same issue. Complainants were unhappy with the action taken to recover an overpayment.

10.3 Compliments

Examples include:

"Thank you for all your help in dealing with my Covid Winter Hardship payment, it is really appreciated"

"I think Rotherham did an amazing job at looking after the tenants/ residents who were clinically extremely Vulnerable."

"He guided me through each stage and was reassuring throughout the process. He couldn't be more professional or helpful. What an absolute asset he is to your team. I can't thank him enough."

10. NEXT STEPS 2022/23

During 2021/22 the numbers of complaints increased demonstrating the challenges facing the council and the pressures on the delivery of services, as services normalised followed the pandemic.

The need to provide excellent customer services that are efficient and cost effective is fundamental to the management of the council. Therefore, it is vital that complaints are responded to in a timely manner and the complaints procedures work effectively for both customers and staff.

The following were the planned actions in 2022/23 to ensure that the way the Council deals with complaints and responds to customer feedback continues to improve.

In addition, changes to the regulation of Housing Services (The Charter for Social Housing Residents), the introduction of Tenant Satisfaction Measures by the Regulator of Social Housing and a revised Housing Ombudsman code has also informed our ongoing improvement actions.

Key actions included:

- Complaints Team self-assessment completed every 12 months to ensure compliance with the Housing Ombudsman Complaint Handling Code.
- Stage 2 complaints for Housing Services (Landlord Function) will be responded to in four weeks (previously five weeks).
- Complaint satisfaction survey to be introduced for all complaints.
- Learning from complaints meeting introduced in Housing Services. With trends from complaints analysed and learning and service improvements tracked to completion.
- New Housing Services complaint web page to include better information for tenants, including learning from complaints case studies and satisfaction information.
- Continuing review of all customer complaint literature, including website information, easy read guidance and information for children and young people.
- Ongoing complaints training for staff. Continue to seek ways to deliver training to front line staff to allow them to understand the role and purpose of the complaint procedures.
- Work with management meetings in all departments to create a better learning from complaints programme. That all learning reported is considered and the impact of service improvement is understood and recorded.
- Ensure remedy requests by the Ombudsman are completed within required timescales and that senior managers are involved at all stages of the enquiry process, including a revised sign off process.
- Complaints Team will work with Council departments to check to see if there is anything more that can be done to resolve a complaint after notification of Ombudsman investigation is received.
- Work to improve performance to complaint procedure timescales.
- Increase the number of compliments recorded, Complaints Team to continue to work with managers to ensure that the process for recording and reporting compliments is improved.

APPENDIX ONE

Local Government and Social Care Ombudsman decisions 2021/22, Rotherham Council and statistical neighbours.

Authority Name	Invalid or Incomplete	Advice Given	Referred Back for Local Resolution	Closed after Initial Enquiries	Not Upheld	Upheld	Total Investigated	Total	Uphold rate (%)	Average uphold rate (%) of similar authorities
Halton Borough Council	2	2	8	12	4	2	6	30	33 %	64 %
Wigan Metropolitan Borough Council	2	2	24	23	2	5	7	58	71 %	68 %
Gateshead Metropolitan Borough Council	5	13	12	14	6	2	8	52	25 %	68 %
Walsall Metropolitan Borough Council	4	1	15	17	3	6	9	46	67 %	68 %
Telford & Wrekin Council	4	1	5	17	3	8	11	38	73 %	64 %
Stockton-on-Tees Borough Council	2	1	7	14	8	5	13	37	38 %	64 %
Barnsley Metropolitan Borough Council	0	0	8	15	4	9	13	36	69 %	68 %
St Helens Metropolitan Borough Council	1	0	17	10	2	11	13	41	85 %	68 %
Stoke-on-Trent City Council	6	4	23	30	2	12	14	77	86 %	64 %
Doncaster Metropolitan Borough Council	4	3	11	30	6	11	17	65	65 %	68 %
Rotherham Council	3	2	17	17	6	12	18	57	67%	68%
Rochdale Metropolitan Borough Council	2	1	10	12	5	13	18	43	72 %	68 %
Dudley Metropolitan Borough Council	6	9	23	27	7	14	21	86	67 %	68 %
Tameside Metropolitan Borough Council	2	3	21	32	4	17	21	79	81 %	68 %
Bolton Metropolitan Borough Council	1	4	19	23	8	14	22	69	64 %	68 %
Wakefield City Council	4	6	21	30	10	13	23	84	57 %	68 %

This page is intentionally left blank

Local Government & Social Care OMBUDSMAN

20 July 2022

By email

Ms Kemp
Chief Executive
Rotherham Metropolitan Borough Council

Dear Ms Kemp

Annual Review letter 2022

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information

about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Your organisation's performance

During the year, we published one public report about your Council, highlighting its failure to act in line with the Mental Capacity Act 2005 and to properly outline why it decided to prevent the complainants from having contact with an individual. We found these actions caused significant distress. We asked the Council to apologise, to make a payment of £1,200, and to complete service improvements. I was pleased the Council accepted our findings and recommendations and welcome the proactive steps the Council took to implement service improvements ahead of the final report being issued.

It is disappointing that, having raised my concerns about your Council's late responses to our enquiries for the past two years, we have continued to encounter the same problems. The Council was late in responding to our enquiries in more than half of the cases we investigated during the year. I would ask that you improve communication with my staff and set out the steps you will take to ensure that these are not matters I will be commenting on in future.

Supporting complaint and service improvement

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

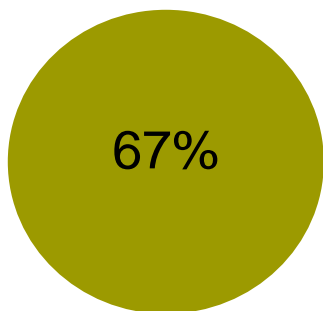
An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit www.lgo.org.uk/training.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'MK' with a stylized flourish underneath.

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

Complaints upheld



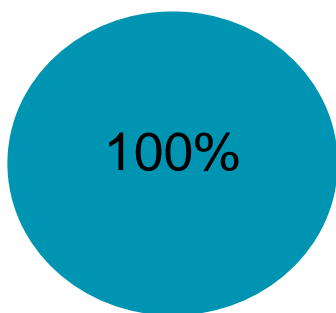
67% of complaints we investigated were upheld.

This compares to an average of **68%** in similar organisations.

12
upheld decisions

Statistics are based on a total of **18** investigations for the period between 1 April 2021 to 31 March 2022

Compliance with Ombudsman recommendations



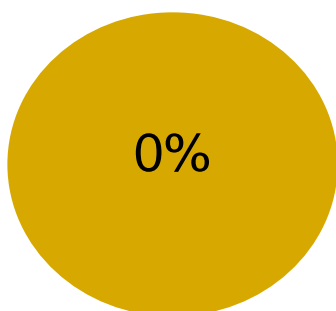
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **8** compliance outcomes for the period between 1 April 2021 to 31 March 2022

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the organisation



In **0%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **11%** in similar organisations.

0
satisfactory remedy decisions

Statistics are based on a total of **12** upheld decisions for the period between 1 April 2021 to 31 March 2022

Appendix 3

Complaint procedures overview

There are 3 stages to the Council's Corporate and Social Care complaint procedures.

There are 2 stages about complaints in respect of the Council's Landlord function. (Most Housing Services complaints)

Stage 1 - Response from line manager

Full response within **10** working days for Corporate Complaints. Up to **20** working days for Social Care complaints.

Stage 2 - Investigation by independent officer (Corporate and Adult Social Care stage 2 complaints are investigated by the Council's Complaint Team and Childrens Social Care complaints by an externally contracted investigator)

Full response:

- Up to **25** working days for Corporate Complaints.
- Up to **45** working days for Adult Social Care complaints.
- Up to **65** working days for Childrens Social Care complaints.

Complaints about the Council's Landlord function end after stage 2. Tenants have the option of having their complaint considered by an Independent Tenants Panel (operated in Rotherham by Rotherfed) or by an Independent Person (Councillor or MP)

Stage 3 – Complaint's review panel / review by Assistant Director

Full response:

- Up to **25** working days for Corporate Complaints (Members panel).
- Up to **20** working days for Adult Social Care complaints (Review by Assistant Director).
- Up to **50** working days for Childrens Social Care complaints (Externally contracted independent professionals).

If unresolved, a complaint can be taken to,

Local Government and Social Care Ombudsman / Housing Ombudsman (Landlord function complaints)

This page is intentionally left blank