

Summary Sheet

Name of Committee and Date of Committee Meeting
Overview & Scrutiny Management Board – 25 October 2017

Report Title

Rotherham MBC Annual Report – Compliments and Complaints 2016-17

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

This is not a key decision

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

Stuart Purcell, Performance and Improvement Officer
01709 822661 or stuart.purcell@rotherham.gov.uk

Jackie Mould, Head of Performance, Intelligence and Improvement
01709 823618 or jackie.mould@rotherham.gov.uk

Ward(s) Affected

All

Executive Summary

The Council's Annual Report - Compliments and Complaints 2016/17 (hereafter referred to as 'the annual report') sets out information about complaints made to the Council under the Corporate Complaints Procedure, Housing Complaint Procedure and the Adult and Children's Services Complaint Regulations.

It also sets out information on compliments received about council services across adults, children's, housing regeneration and environment.

It provides analysis on the particular trends in the complaints received, by service area, and in terms of the timescales in which responses were provided; as well as about the escalation of complaints.

It also highlights examples of key learning points from the complaints received, which have been used over the last year in regular reports to senior managers to address or correct any mistakes and improve services or procedures as a result.

Recommendations

That the content and key messages of the Annual Report – Compliments and Complaints 2016/17 be noted, including in particular the proposed service and performance improvement actions for 2017/18; and provide any further comments on areas for further and continuous improvement which can be delivered in partnership with service teams and members moving forward.

List of Appendices Included

Appendix – RMBC Annual Report – Compliments and Complaints 2016-17

Background Papers

Nil

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Rotherham MBC Annual Complaint report 2016-17

1. Recommendations

- 1.1 That the content and key messages of the Annual Report – Compliments and Complaints 2016/17 be noted, including in particular the proposed service and performance improvement actions for 2017/18; and provide any further comments on areas for further and continuous improvement which can be delivered in partnership with service teams and members moving forward.

2. Background

- 2.1 All councils need to provide complaint procedures to respond to customer concerns in an open and transparent way within defined timescales.
- 2.2 The annual report details how the Council has responded to complaints and customer feedback in line with the Rotherham MBC complaints procedures and customer care standards during 2016/17. These complaints and associated processes for managing them allow the Council to monitor performance and provide customers with clear expectations with regard to how their complaint will be responded to.
- 2.3 The annual report explains how the Council has performed against these standards and how it has learnt and improved the services it provides. In addition the report provides a summary of the compliments received by the council for each service area and examples of good practice.

3. Key Issues

- 3.1 The annual report presents information about complaints made to the council between 1 April 2016 and 31 March 2017 under the Corporate Complaints Procedure, Housing Complaint Procedure and the Adult and Children's Services Complaint Regulations.
- 3.2 The figures in the report include details of the number of complaints received, numbers of compliments received, and information on those complaints that have escalated to be considered by the relevant Ombudsman. The information includes detailed breakdowns of complaints and enquiries received for each Council Directorate.
- 3.3 The key headlines of the report can be summarised as follows:
 - i. Overall, **the number of complaints received by the Council increased significantly by 304 (44%) from the 695 received in 2015-16, to 999**. This compares to **692** received in 2014-15. However, it should be noted that the number of complaints classified as informal significantly reduced from **594** in 2015-16 to **275 (54% decrease – please see page 5 paragraph 20 of the appended complaint report for an explanation regarding the change in classification)**. The combined figures for all complaints (informal and formal) received in 2016-17 was **1274, a decrease of just 15 (1%)** on the 1289 received in 2015-16.

- ii. **Overall 80% of all complaints were responded to within the required timescales, which means that 2015-16 performance was maintained despite the increase in formal complaints.** It should be noted that the 2016-17 Corporate Plan set the Council a target of responding to at least **85%** of complaints within the required timescales and performance is reported and tracked quarterly.
- iii. The percentage of complaints upheld reduced slightly from 21% in 2015-16 to 20% in 2017-18. In addition, **fewer complaints were escalated** to further stages (4%, or 38, compared to 6%, or 45, escalated in 2015-16) indicating that more complainants were satisfied with initial responses. 29 complaints were referred to the Ombudsman compared to 30 in 2015-16, with 9 upheld compared to 8 in 2015-16.
- iv. In terms of the specific Ombudsman cases there was an increase **in the amount of financial remediation** awards: up to £15,060 from £12,000, most of which related to reimbursed overpayments or incorrect fees.
- v. The council has seen an increase in the number of compliments received across services areas: 908 were recorded in 2016/17 compared to 604 in 2015-16.

3.4 Further performance results, from April 2016 to March 2017, can be summarised as follows:

- i. Slightly more complaints for Adult Services received, at **90** (76 received in 2015-16). An increase in compliments from 59 last year to 337 in 2016-17.
- ii. More complaints for Housing and Neighbourhood Services, at 368 (268 received in 2015-16). An increase in compliments from 97 last year to 114 in 2016/17.
- iii. More complaints for Finance and Customer services at **91** (39 in 2015-16). The service received 17 compliments, an increase from 5 in 2015-16.
- iv. Slightly more complaints for Children and Young People's Services, at **222** (204 received 2015-16). Compliments have increased from 72 last year to 84 in 2016/17.
- v. More complaints for Regeneration and Environment at **239** (108 in 2015-16). The number of compliments increased from 371 last year to 414 in 2016/17.

4. Options considered and recommended proposals

4.1 The format of the Annual Report broadly follows those published in previous years. It provides an overall summary of performance across the entire Council, followed by themed summaries of performance by Directorate, including more detailed annexes for each Directorate.

- 4.2 All Councils are required to provide complaint procedures to respond to customers' concerns in an open and transparent way and within defined timescales. These procedures are informed by the relevant local government legislation and differ depending on the service area in question.
- 4.3 Rotherham Council's standards and procedures are made available to the public on the website – see www.rotherham.gov.uk/info/200025/complaints - and allow the Council to monitor performance and provide customers with clear expectations regarding how their complaint will be handled.
- 4.4 The Council has four established procedures covering: Corporate Complaints, Housing Complaints, Adult Services and Children's Services. These set out what customers should expect in terms of when their issues will be acknowledged, how they will be contacted to get all relevant information, when they should expect a response, and what they can do if they remain dissatisfied. A summary of these procedures are in Table 1 below:

Table1: Overview of the four complaints procedures adopted by the Council¹:

Service Area / Procedure	Stage 1	Stage 2	Stage 3
Children and young People's Services (statutory process)	Line/Service Manager response – within 10 working days where possible (or within 20 days for most complex cases)	Investigation by person independent of the Council - with response issued within 25 working days (or, for most complex cases, within 65 working days)	Independent Complaints Review Panel –may take up to 50 working days to reach a conclusion
Adult Social Care (statutory process)	Agree with complainant who should investigate the issue – with a response provided within 10 working days (or no later than 20 days for most complex cases)	A more senior officer investigation (or an external consultant if required) – with a response issued within 45 working days	A further, more senior (usually Director) level investigation - with a response issued within 20 days
Housing (statutory process)	Line/Service Manager response - within 10 working days (where this is not possible, complainant is written to with full details for delay and a revised date)	Independent Council officer investigation (usually Complaints Team) – with response issued within 25 working days of receipt.	No third stage for Housing complaints
Corporate Complaints (discretionary process)	Line/Service Manager response - within 10 working days of receipt	Investigation by senior independent officer (usually Complaints Team) – full written response within 25 days of receipt	Elected member complaints review panel – date set within 20 days of receipt and report provided within 5 days of panel hearing

¹ Full details of all four procedures are set out on the Council's website at www.rotherham.gov.uk/downloads/download/119/complaints_procedures

- 4.5 The Council is able to compare in general terms its performance nationally by considering the Local Government Ombudsman's Annual Review letter. This demonstrates that, based on a national average, the Council is performing well, with the Ombudsman receiving more complaints in the last year and also upholding more, at 54%, of those investigated. The Council received fewer Ombudsman enquiries and 62% of those investigated were upheld (8 out of 13 investigated). This compares to 53% upheld in 2015-16 (9 out of 17 investigated).
- 4.6 The 2018-19 Corporate Plan continues the target to achieve 85% performance for in-time responses in the current year. This has helped to maintain the performance rate at 80% despite an increase in formal complaints.
- 4.7 There has also been a continuing emphasis over the last year on learning from complaints, and the re-instatement of management reporting , which have aimed to improve levels of management oversight and information.
- 4.8 The Complaints Team working with services and Elected Members will ensure a constant focus on improving the way that the Council manages complaints and learns from them in 2017-18. Some example outline improvement actions are noted as follows:
- i. Improve in-time responses to complaints with a target of 85% (corporate target) in the next year.
 - ii. Ensure better learning from complaints by capturing more qualitative information and supporting managers to drive through service improvements.
 - iii. Continue to support the learning and service improvement framework currently managed by the CYPS Performance Team.
 - iv. Continue to report performance as part of the Council's corporate performance framework.
 - v. Review the current council complaints policy and procedures to ensure they are fit for purpose.
 - vi. Revise current Council procedures to ensure that equalities information is captured and included in future performance reports.

5. Consultation

- 5.1 The Directorate sections in the annexes of the Annual Report have been reported to each Directorate Management Team across the Council, building on the complaint monitoring information which is now reported regularly to these senior managers. This enables progress to be tracked and key learning points to be emphasised. In CYPS, Adults and Housing, complaints are also reported to the Directorate Management Team on a weekly basis.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Improvements to the way the Council manages complaints and learns from them, as set out in the report, will be implemented within year 2017-18 for the next Annual Report in the summer of 2018.

7. Financial and Procurement Implications

- 7.1 The enclosed Annual Report details financial remuneration payments made as a result of complaint investigations, with a greater amount noted as awarded overall in 2016-17 (£15,060.02 compared to £12,376.85 in 2015-16). The majority of this - £13,117.07 - was a result of refunds of charges and fees; with £1,942.95 awarded in *ex-gratia* payments for distress and inconvenience caused.
- 7.2 An increase in external complaint investigation costs in Children & Young People's Services is also noted – i.e. **£32,096.43** (£12,350 in 2015-16 and £20,956 in 2014-15).

8. Legal Implications

- 8.1 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)

9. Human Resources Implications

- 9.1 There are no Human Resources implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 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.
- 10.2 In Children and Young People's Services the performance management process includes: a weekly complaints report to the Directorate Leadership Team, highlighting outstanding enquiries which require a response; issuing of weekly reminders for all enquiries; and a process acting swiftly to resolve those complaints which are at risk of not being responded to within statutory requirements.

11. Equalities and Human Rights Implications

- 11.1 Investigations through the complaint procedure will consider all relevant policy and legislation, including those relating to equalities and human rights. All complaints are investigated with due consideration to the Council's policies and legislation. As noted in paragraph 4.8 above, the complaints procedure will be reviewed to ensure that equalities information is captured and included in future performance reports and that service improvements are made accordingly.

12. Implications for Partners and Other Directorates

- 12.1 The enclosed report is applicable to all Directorates and the information contained within it – specifically the relevant Directorate annexes - have been considered by all Directorate Management Teams and Service Management Teams where appropriate.

13. Risks and Mitigation

- 13.1 Although positive management of complaints has been achieved, the number and type of complaints received is sometimes determined by circumstances beyond the control of the services and Corporate Complaints Team. Regardless of any external factors, the services are required to maintain a high level of performance and excellent customer care.
- 13.2 In addition, as the Council continues to deal with significant funding reductions and the impacts this may have on service provision going forward, there is a risk of an increased level of complaints from clients and customers, which the corporate complaints team and service leads will need to manage. It will be important to ensure an ongoing good level of service to the public that ensures complaints can continue to be handled with appropriate levels of care and consideration, in line with required timescales and legal requirements.

14. Accountable Officer

Shokat Lal, Assistant Chief Executive