

Summary Sheet

Overview and Scrutiny Management Board – 7 November 2018

Report Title

Annual Compliments and Complaints Report

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

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

All wards

Summary

The purpose of this report is to:

- a) Outline the complaints and compliments that the Council received in 2017/18 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 2017/18.
2. Provide comments on areas that require further improvement regarding complaints handling and reporting.

List of Papers Included

1. Annual Compliments and Complaints Report, 2017/18

Background Papers

N/A

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

1. Recommendations

1.1 Members of Overview and Scrutiny Management Board are asked to:

1. Note the Annual Compliments and Complaints Report for 2017/18.
2. Provide comments on areas that require further improvement regarding complaints handling and reporting.

2. Background

2.1 In December 2017, a review of Whistleblowing and Complaints was undertaken by the Commissioners' Office. Based on the findings of this review as well as the feedback received from the Overview and Scrutiny Management Board for the Annual Compliments and Complaints Report for 2016/17, it was recommended that the report be redesigned for 2017/18.

2.2 The review included a series of recommendations regarding how the annual report should be redesigned. These recommendations were as follows:

- Graphical tables should be used to indicate trends over a longer period of time – (the previous report was limited to comparing trends over two years.)
- There should be less of an emphasis on the Directorate breakdowns, with more of a focus on lessons learned and the impact on the service.
- The previous report was found to be too long and difficult to navigate. It was recommended that future reports should be streamlined.
- It was determined that there was too much confusion surrounding the distinction between 'informal' and 'formal' complaints and that one classification would be preferable.

2.3 The review also noted that whilst the annual report is shared with senior staff in directorates, it is not routinely shared at the highest level and could be included in strategic council-wide improvement discussions.

2.4 This feedback has influenced the production of this annual report as well as the recommended next steps for 2018/19 to continue to improve the way that complaints are handled and reported on.

3. Key Issues

3.1 The performance headlines outlined within the report include:

- The overall number of complaints received by the Council increased to 1,304 in 2017/18 from 1,284 in 2016/17. This is the first time in several years that the overall number of complaints has increased. The biggest increases were in Regeneration and Environment Services which received 39 more complaints in comparison with 2016/17 and Children and Young People's Services which received 21 more.

- The two highest areas for complaints were Housing (427) and Regeneration and Environment Services (426). The third highest area was Children's and Young People's Services (258). This is consistent with previous years' figures, as these three areas typically receive the highest volume of complaints.
- Overall, 79% of complaints were responded to within timescales, compared with 80% in 2016/17. The response rate dropped significantly in Children and Young People's Services (68% 2016/17 to 59% 2017/18). The response rate also dropped slightly in Adult Social Care (73% 2016/17 to 71% 2017/18) and Finance and Customer Service's (96% 2016/17 to 91% 2017/18). Response rates in other areas were maintained or improved.
- Despite the increase in complaints, the number of compliments received has increased at a faster pace - 1,064 received in 2017/18, in comparison to 979 in 2016/17.
- The most frequent category of complaints received by the Council was 'quality of service', accounting for approximately two thirds of all complaints (834 of 1,304.)
- In comparison with the previous year, more complaints were escalated to Stage 2 of the complaints procedure, at 52 (in contrast with 38 in 2016/17.) Additionally, of the 1,087 complaints that were taken through the Council's formal complaints procedures, more were upheld in 2017/18 at 260 or 24% in contrast with 209 or 20% in 2016/17.

3.2 The Annual Review letter from the Local Government and Social Care Ombudsman (LGO) was received on 18th July 2018, setting out their records of referred complaint investigations. In total 58 complaints and enquiries were directed to the LGO, of which 5 were subject to full investigation, which is a historically low figure. Out of the 5, 4 were upheld and 1 was not upheld (80% upheld rate). This compares to 42 enquiries, 13 investigations with 8 upheld and 5 not upheld in 2016-17 (62% upheld rate).

3.3 Based on a statistical comparator group of 16 other Local Authorities, Rotherham Council had the fewest number of complaints and enquiries investigated by the LGO.

3.4 A number of service improvements have been made over the year, based on the feedback from 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 the improvements made are included within the report.

4. Options considered and recommended proposal

4.1 The annual report includes several recommendations regarding how complaints handling and reporting can be improved over 2018/19, including:

- Exploring how the new e-case management system can be utilised to keep Elected Members routinely apprised of progress regarding complaints.
- Developing the training offer for officers who sit outside of the Complaints Team.
- Focussing more on the lessons learned from upheld complaints and how these can be addressed effectively.
- Continuing to report the key themes emerging from customer feedback into Directorate Leadership Teams and including complaints as a key source of intelligence within the performance review sessions for senior officers.
- Working to improve performance within statutory timescales.
- Reporting on improved intelligence around complainants, particularly with regards to equality and diversity information.
- Developing further the way that complaints are categorised and tracked, to better reflect the complexity and diversity of the feedback received.
- Using the new neighbourhood working model to work with residents on the issues that matter most to them, including any opportunities to learn from feedback and complaints.

5. Consultation

- 5.1 The findings of this report have been reported to each Directorate Leadership Team to enable key areas for improvement to be identified.
- 5.2 There has been no further consultation on this report beyond the requirements of internal processes, alongside consultation with the Cabinet member.

6. Timetable and Accountability for Implementing this Decision

- 6.1 The proposed improvements outlined in section 4 are to be implemented in 2018/19. Progress against these actions will be reported on as part of the annual report for 2018/19.
- 6.2 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.

7. Financial and Procurement Implications

- 7.1 Where appropriate, financial remediation is occasionally offered to complainants in the form of refunds or corrections. This is determined on a case-by-case basis depending upon the grounds of the complaint.
- 7.2 There are no procurement implications arising from this report.

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 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.

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.

11. Equalities and Human Rights Implications

11.1 Investigations through the complaint procedure consider all relevant policy and legislation, including those relating to equalities and human rights.

11.2 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.

11.3 This information will be reported on to Directorate Leadership Teams throughout the year and will be included within the 2018/19 annual report.

12. Implications for Partners and Other Directorates

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 continues to face budget pressures and the need to deliver significant financial savings in 2018/19. There is a risk that the impact of delivering these savings will lead to a rise in complaint volumes.

13.2 It will therefore, be vital that the Council continues to manage customer expectations around what is sustainable for the Council to deliver. One way of approaching this will be through the upcoming budget consultation.

14. Accountable Officer(s)

Shokat Lal, Assistant Chief Executive

Jackie Mould, Head of Performance, Intelligence and Improvement

Approvals obtained from:

	Named Officer	Date
Strategic Director of Finance & Customer Services	Judith Badger	30/10/18
Assistant Director of Legal Services	Dermot Pearson	29/10/18
Head of Procurement (if appropriate)	N/A	N/A
Head of Human Resources (if appropriate)	Lee Mann	16/10/18

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