

Public Report
Overview and Scrutiny Management Board

Committee Name and Date of Committee Meeting

Overview and Scrutiny Management Board – 17 November 2021

Report Title

Annual Compliments and Complaints Report 2020-21

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)

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Simon Dennis, Acting Head of Performance, Intelligence and Improvement, Assistant Chief Executive Directorate, 01709 822114, simon.dennos@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 2020/21 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 2020/21.
2. Provide comments on areas that require further improvement regarding complaints handling and reporting.

List of Appendices Included

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|------------|---|
| Appendix 1 | Annual Compliments and Complaints Report, 2020/21 |
| Appendix 2 | Ombudsman Annual Review letter 2020/21 |

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 2020-21

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 1 April 2020 31 March 2021, 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:

- The overall number of complaints received by the Council decreased by 32%, going from 1,372 in 2019/20 to 931. This decrease was driven by the reduction of complaints in the first quarter of 2020. 349 complaints were received in the first quarter of 2019/20 compared to 135 complaints received in the first quarter of 2020/21(61% decrease).
- All Council departments saw a decrease in complaints from the previous year. It is fully expected that the number of complaints received in the current financial year, 2021-22 will be back to near average levels continuing the trends over the last five years. (Currently 261 complaint received in the first three months of 21-22 compared to 135 in the same period 20-21)
- The largest percentage decrease was in Finance and Customer services from 182 to 76, 58%, followed by Children and Young People's Services from 147 to 86, 41%. Then in line with the overall Council average decrease (32%), Housing Services decreased from 551 to 367, 33%. Adult Social Care reduced from 72 to 48, 33% and Public Health decreased from 4 to 3, 33%. The smallest percentage decrease was Regeneration and Environment Services which decreased from 411 to 346, 16% Finally, Assistant Chief Executives remained the same at 5 received.
- Overall, 86% of complaints were responded to within timescales, compared with 89% in 2019/20. This means that this is better than the five-year all council average of 84%. The response rate significantly increased in Adult Social Care (85% 2020/21 from 73% 2019/20). The response rate remained the same in Childrens and Young Peoples services (83% 2020/21 and 83% 2019/20). Response rates in other areas decreased slightly but remained over target.
- The number of compliments received decreased to 695 received in 2020/21, in comparison to 794 in 2019/20.

- The most frequent category of complaints received by the Council was again 'quality of service', accounting for 35% of all complaints (325 of 931.)
 - Fewer complaints escalated to Stage 2 of the complaint's procedure, at 25 (in contrast with 31 in 2019/20.) Of the 931 complaints that were taken through the Council's formal complaints procedures, less were upheld in 2020/21 at 235 or 26%, in contrast with 365 or 27% in 2019/20.
- 2.2 The Annual Review letter from the Local Government and Social Care Ombudsman (LGSCO) was received on 21st July 2021, setting out their records of referred complaint investigations. In total 37 complaints and enquiries were directed to the LGSCO, of which 6 were subject to full investigation. Out of the 6, 3 were upheld and 3 were not upheld (50% upheld rate). This compares to 72 enquiries, 7 investigations with 4 upheld and 3 not upheld in 2019/20 (57% upheld rate). This review letter is attached as an appendix to the report (please see appendix two.)
- 2.3 Overall, the Annual Review letter in the main presents a positive picture of the Council's handling of formal complaints in 2020/21 despite a very challenging year. The number investigations were small and the uphold rate is below average. All requested remedies were completed and learning, and service improvement was completed. On two occasions the remedy was provided late, and the Annual Review letter is critical of this. The reason for the delays has been considered (these were specific issues relating to each case) and feedback has been provided to those Directorates and the managers who were responsible for the delays.
- 2.4 Based on a statistical comparator group of 16 other Local Authorities (see appendix one of the Annual Complaint Report), Rotherham had the joint third lowest number of complaint investigations, compared to its statistical neighbours. In addition, its upheld rate at 50%, based on the total investigated was below the average of 72% for similar Local Authorities.
- 2.5 The Council received four decisions by the Housing Ombudsman, two were part upheld and two were not upheld. This compares to two decisions, one upheld and one part upheld in 2019/20.
- 2.6 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 Building on the key developments in 2020/21, the Council will again apply particular focus to the following issues:

- Continue to improve the way in which the Council learns from complaints, ensuring that all learning reported is considered and the impact of service improvement is understood and recorded. This will also include a revised protocol around learning from Ombudsman complaints.
- Work to ensure that complaint investigations are more outcome-focussed. Resolving the complaint and finding solutions should be at the centre of all investigations.
- Work to improve performance to complaint procedure timescales.
- Ensure remedy requests by the Ombudsman are completed within required timescales.
- Increase the number of compliments recorded; the Complaints Team to continue 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 are to be implemented in 2021/22. Progress against these actions will be reported on as part of the annual report for 2021/22.
- 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 (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

- 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 (to be written by Legal Officer on behalf of Assistant Director Legal Services)

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)

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 pandemic, 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.

14. Accountable Officer(s)

Simon Dennis, Acting Head of Policy Improvement and Performance
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)	Judith Badger	05/11/21
Head of Legal Services (Monitoring Officer)	Bal Nahal	05/11/21
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.

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