



## Regulatory and Other Committee

### Open Report on behalf of Andrew Crookham, Executive Director - Resources

Report to:	<b>Audit Committee</b>
Date:	<b>22 July 2019</b>
Subject:	<b>Annual Report on Corporate and Statutory Complaints and Compliments</b>

#### Summary:

This report provides an update on Corporate and Statutory Complaints and Compliments, a description of performance data and what it is telling us, including improvement actions. Complaints received in 2018/2019 have seen a 10% reduction on the previous year. The end of the year has also seen some significant changes in the way that complaints move through the process. Lessons are being learned from complaints and improvement actions are being implemented.

The last four months have seen the installation of a single system for handling complaints. Implementation of Lagan has brought with it new challenges, however these are being addressed immediately by those involved in the process and the reporting system which works alongside the logging system will enable us to run detailed reports upon request. Further detail is provided within the report about the new system and its capability.

#### Recommendation(s):

The Audit Committee should consider, note and comment on the report.

#### Background

The Corporate Complaints & Compliments Policy underpins our work to ensure that our customers are satisfied with all of our services all of the time, making sure we provide professional services to meet our customer's needs. To help make this happen, we want to hear what people think of the services they receive, so that we can continually review and improve.

The policy has therefore been reviewed and updated to ensure effective, fair and timely resolutions which take into account any reasonable adjustments that need to be made to meet individual needs. Our new processes will ensure that lessons are learnt, acted upon and shared and compliments for our successes are celebrated.

## Update

The Complaints function, and in-scope staff, were TUPE'd back in-house on 1<sup>st</sup> March 2019 providing the authority with greater control in shaping the future of the complaints service. The future model means changes to the staffing structure and ways of working. The future models emphasis is on the team taking ownership of complaints and working towards early resolution with service areas where achievable. It is anticipated that this will be fully implemented from 1 August 2019. Alongside the transfer a new case management system (Lagan) was introduced. This is a more robust system than previously used, to capture all data centrally and consistently. Lagan will enable live reporting, serving to improve learning and timeliness and improve tracking of actions and learning identified. As a result of these changes and the revised policy, a new training package is to be produced later this year and delivered ensuring the new ways of working and expectations are clearly communicated to all staff. This will continue to be a combination of e-learning and face to face training.

The quarterly Data Group, Training Group and Quality Assurance Groups facilitated by the Community Engagement Team have achieved, as far as they can, what they were designed to do and have, therefore, been disbanded. However the working relationships of the team with service areas will continue and be improved upon moving forward. As the team become more heavily involved in the specific complaints and actively facilitate resolution for customers, these relationships will naturally improve.

## Performance Narrative

Below is a summary narrative of complaints performance from key areas of the Council for 2018-19:

- *Environment and Planning* - A total of 27 complaints were received during 2018/2019 by Environment and Planning. This number is significantly less than the previous year when over 70 complaints were received in relation to the planning proposals for the hazardous waste recycling at South Hykeham (Lincoln). Out of the 27 complaints 16 were substantiated, in the main relating to the Household Waste Recycling Centre. Out of the total number, 2 complaints were escalated internally to stage 2 and none were referred to the Ombudsman. During 2018/2019, the area received 11 compliments relating to the service provided and the improvements made.
- *Highways and Transport* – H&T received a total of 176 complaints during 2018/2019, similar to the total received for the previous year. The subject matter of these complaints included road works, road condition, school transport and grass cutting. Out of the 176 complaints, 13 were fully substantiated; in the main relating to the quality of service. Out of the total number, 48 complaints were escalated internally to the second stage of the process and 43 were referred to the Ombudsman. The Ombudsman found the service at fault in two instances and as a result a process has been in place to ensure that the promises made to customers are kept as far as is reasonable.

During 2018/2019, the area received 61 compliments relating to the service provided and the improvements made.

- *Public Protection and Communities* - This area received 56 complaints during the year. Registration, Celebratory and Coroner's Services accounted for 9 of the Public Protection and Communities complaints, as in the previous year this was followed by Trading Standards and F&R. It should be noted that F&R have previously handled their own complaints and therefore the complaints figures for this and previous years may not have been captured accurately.
- *Trading Standards* – TS received 6 complaints this year, compared to 3 last year, one of which progressed to Stage 2. The service has stopped taking telephone calls directly and all incoming calls and emails are now filtered through the national service Citizens Advice and Consumer Service helpline. This is consistent with the majority of TS services across England and Wales and is bound to have an effect on the number of complaints received. The Trading Standards service review email and website information regularly and update the message as appropriate but do receive occasional complaints from members of the public who wish to speak to an Officer directly.
- *Children's Services* - During 2018/19 there have been significant changes in relation to how complaints within Children's Services are managed. The implementation of a restorative approach to complaints has altered the way in which complaints are dealt with. The impact of this has been that complaints from 2018-19 are the lowest they have been in ten years, down from 158 (2017-18) to 119 of which only 7 were substantiated. If a customer expresses dissatisfaction, there is an expectation that staff will discuss what they can do to address this, the aim of which is to resolve issues without the need for a formal complaint.

There have been more meetings between complainants and Children's Service Managers in an attempt to mitigate and resolve matters face to face when issues of dissatisfaction are raised. The future model will also see the Complaints Manager taking a more active role in engaging with customers.

The policy and procedures have been updated to reflect these changes. Additional practice changes in Children's Services have supported a more restorative way of working. An example of this is the new Child and Family Assessment being completed alongside children and families and new care plans are also written with children and young people involved in the process. Reports and assessments are starting to be written more frequently to children and young people and this is reflected in QA work that has been undertaken. With the Customer Relations team moving back to LCC additional resources have been deployed to assist and improve the function. This has contributed to the improved frequency and value of the contacts between the Complaints Service and Children's Services. Team Meetings have been scheduled to further raise the profile of complaints and the new service and procedures.

- *Adult Care & Community Wellbeing* - There were a total of 232 formal complaints received by Adult Care during the reporting year. This represents an increase of 5% compared to 2017/18 but still accounts for less than 1% of the typical 28,000 adults who interact with Adult Care on an annual basis. Less than half of the complaints were upheld either fully or partially and only 22 of the 232 progressed to stage 2, this represents just 9% of all formal complaints.

75% of the complaints received related to Adult Frailty & Long Term Conditions, which also includes hospitals and special projects such as the Reablement service. This figure has seen a reduction of 6% from last year. 15% relate to Specialist Adult Services, covering Learning Disability and Mental Health services, and a further 11% relate to Finance and Safeguarding.

The top four complaint themes account for 72% of complaints concluded in the year. These are Service Provision/Quality, Assessment process, Finance, and Staff Conduct. 'Deep Dive' type reviews were undertaken to understand any emerging trends from these themes, with the intention to learn, remedy and improve service delivery; however rather than trends, it was found there is a need to simplify and unify perception of complaint categorisation. This will be remedied by new planned approaches, with on-going monitoring and reporting.

18 LGO cases were concluded; in four of these cases fault was found by the Ombudsman. These figures are consistent to the previous 2 years. When fault is found comprehensive Action Plans are developed in Adult Care. These are disseminated to all teams to embed complaint learning and quality improvements countywide. This includes, over the past year; service improvement, which implemented standardised and auditable practice; ensuring that people are provided with relevant advice and information when they request an assessment.

- *Local Government Ombudsman's (LGO)* - Reviewing the annual letter on complaints is not possible to report on this year as the letter has not yet been received. Once received a short update to the committee will be provided. Based on communications with the LGO throughout the year, what can be advised is that a significant amount of cases which have been escalated to the ombudsman were never brought to the local authority. Had they entered our process we may have had an opportunity to deal with the complaint sooner.

## Performance Indicator Data

The performance data provided below includes some comparisons between 18/19 financial year and the previous two years.

### i. Total number of complaints

2018/19	Corporate	Adults	Children's	TOTAL
Q1	128	75	29	232
Q2	89	55	32	176
Q3	84	47	30	161

Q4	76	55	28	159
<b>TOTAL</b>	<b>377</b>	<b>232</b>	<b>119</b>	<b>728</b>

<b>2017/18</b>	<b>Corporate</b>	<b>Adults</b>	<b>Children's</b>	<b>TOTAL</b>
Q1	69	43	45	157
Q2	112	68	37	217
Q3	144	57	39	240
Q4	74	82	41	197
<b>TOTAL</b>	<b>399</b>	<b>250</b>	<b>162</b>	<b>811</b>

<b>2016/17</b>	<b>Corporate</b>	<b>Adults</b>	<b>Children's</b>	<b>TOTAL</b>
Q1	77	59	32	168
Q2	55	51	26	132
Q3	73	34	33	140
Q4	76	50	36	162
<b>TOTAL</b>	<b>281</b>	<b>194</b>	<b>127</b>	<b>602</b>

**ii. Percentage of Corporate Complaint responses given within agreed 10 working days timescale**

Total number of complaints received:

- iii. Q1 – 128: 4 corporate complaints resolved outside of 10 business days (3%, which means 97% compliance with above indicator)
- iv. Q2 – 89: 3 corporate complaints resolved outside of 10 business days (3%, which means 97% compliance)
- v. Q3 – 84: 3 corporate complaints resolved outside of 10 business days (3.5%, which means 96.5% compliance)
- vi. Q4 – 76: 8 corporate complaints resolved outside of 10 business days (10.5%, which means 89.5% compliance)

**vii. Total number of cases closed within 10 working days**

<b>2018/19 Corporate</b>	<b>Q1 Corp</b>	<b>Q2 Corp</b>	<b>Q3 Corp</b>	<b>Q4 Corp</b>	<b>Total</b>
Substantiated	9	11	2	8	30
Partly substantiated	65	33	33	28	159
Unsubstantiated	36	34	38	19	127

<b>2018/19 Children's/Adult</b>	<b>Adult</b>	<b>Children's</b>	<b>Total</b>
Substantiated	33	7	40
Partly substantiated	28	39	67
Unsubstantiated	61	69	130

**viii. Total number of Corporate cases resolved and closed within agreed timescale**

- Total number of cases resolved and closed at Stage 1

	Q1	Q2	Q3	Q4	TOTAL
Stage 1	91	64	63	47	265

- Total number of cases resolved and closed at Stage 2

	Q1	Q2	Q3	Q4	TOTAL
Stage 2	21	15	13	12	61

**ix. Total number of unresolved open Corporate cases outside timescale (separating those at Stage 1 and Stage 2)**

	Q1	Q2	Q3	Q4	TOTAL
Stage 1	4	3	3	8	18

	Q1	Q2	Q3	Q4	TOTAL
Stage 2	0	1	1	1	3

Figures provided at 'v' above show those acknowledged and closed within time scales. The information in IMP identifies when the complaint is closed on the system *not* when it was responded to; this could lead to a misinterpretation of performance. Response times are now recorded in Lagan for future reporting accuracy.

It should be noted that the teams return to LCC will mean that the acknowledgement indicator will no longer be measured as closely. Importance is now being placed on providing our customers with a full conclusion to their complaint within the required timescales.

**x. Feedback/lessons learned documentation completed**

A significant amount of follow up work was carried out in terms of chasers in Children's Services which led to great improvements on previous years in the number of feedback forms received. Not accounting for withdrawn complaints, in quarter one, only 1 form was missing; in Q2 and 3 none were missing and in Q4 10 were missing. This increase in the last quarter was due to the feedback forms not having been completed by end of year and also as a result of sickness absence within the team and the move back to LCC reducing capacity.

Adults Feedback forms were provided at a lower rate to the Complaints Team. The service did keep track of their complaints internally and were able to provide this information to the team upon request. The new process will move towards the team being the main point of contact for customers, providing consistency in communication. This relationship will also see responses to complaints being completed and sent by the team allowing for consistent recording of outcomes and timescales. With the introduction of Lagan complaints cannot be closed on the system without an outcome being logged, this will ensure that any cases which have not been responded to by the team will be still be logged fully.

## **Conclusion**

Quarterly Quality Assurance meetings throughout the last year have further identified and refined thoughts and processes in relation to good practice and this has been shared and fed back more widely and consistently to relevant service areas and enabled them to retrospectively address any varying issues. As a result of the complaints service being brought back in house it is anticipated that this will further improve as the team take ownership of and provide consistency in responses to complainants.

A renewed focus is being placed on the customer experience and how we can improve this. Some of the frequent downfalls found when reviewing complaints is a lack of well-rounded responses which don't always address all concerns raised. In addition it has been noted that responses being sent should be more personal, allowing customers to know that they have been heard and their concerns fully considered. By providing customers with named contacts from within the team we will automatically deliver a more personal service.

Moving forward the intention is that regular reporting and liaison/feedback with service areas will occur. The introduction of Lagan and the complaint data that is being input will aid this in providing more effective, reliable and timely reporting. It will also ensure any changes in complaint levels, types and trends are identified and acted upon to drive service improvement.

These changes are reflected in the new Complaints Policy which gained approval in May 2019. This shifts the focus of training delivered in previous years to reflect the focus on early resolution and personal relationships and will be rolled out as a combination of e-learning and face to face learning as appropriate. This is actively being reviewed at present.

It is encouraging to see a reduction in complaint levels across the Corporate and Statutory areas as a whole. Of 377 Corporate (non-statutory service) complaints dealt with 30 were substantiated; 159 partially substantiated, 127 unsubstantiated and 61 have no outcomes provided. An agreed process between Children's Services and the complaints service saw a vast improvement in the Feedback forms provided and this shows 7 complaints were substantiated; 39 partially and 69 unsubstantiated. Adults Services complaint tracker shows 33 complaints were substantiated, 28 partially upheld and 61 unsubstantiated. Learning captured in

these forms and now recorded on Lagan feeds through to service, driving complaints handling improvements.

Children's Services in particular have seen a notable decrease in their levels of complaints and this can be seen as a reflection of the positive work they have done to address this. A significant portion of complaints related to the conduct and attitude of staff. Although rarely found to be substantiated it does show a clear perception by complainants of staff and the service. What should be given consideration is that the public's interaction with this particular area is rarely welcome due to the nature of the service. This has been highlighted and features in the action plan of the Annual Statutory Children's Complaints Report 2018/19. It should be noted that 57% of children's services complaints were found to be unsubstantiated and that fewer than 7% progressed to Stage 2 and 2.5% to Stage 3 of the Statutory Complaints process.

### **Data Review**

It is important to note that the information reported from data in IMP identifies when the complaint is closed and not when the complaint was responded to which could lead to a misinterpretation of performance. Over the year ahead a better picture will be gained through the use of Lagan.

64 complaints reached Stage 2 in 2018/19 which was on a par with 66 in 2017/18, however given there was a decrease in overall complaints this is a greater percentage compared to last year. This equates to 17.5% of the overall corporate complaints. The percentage for the two years prior was 16% for each.

Going forward all complaints received will be managed within the Customer Relations Team as the central point for all complaints across the council.

Previously F&R were managed separately to this and therefore data was not necessarily consistently captured.

Complaints from MP's on behalf of their constituents are currently processed via the Chief Executive's office, however work is being undertaken to ensure consistency in the logging of these complaints so that in future we have accurate and up to date information.

Legal Services Lincolnshire (LSL) operates its own complaints handling procedure for its clients. Similarly their policy is to try to sort out problems without redress to the formal complaints handling process however if they are unable to resolve the problem informally then a client is encouraged to make a formal complaint through the LSL complaints process. This is due to the guidelines they must adhere to.

Where a third party who is not an LSL client wishes to complain about LSL or a member of our staff they should use the Council's Corporate Complaints Policy and procedures, available on the LCC website.

## Consultation

### a) Have Risks and Impact Analysis been carried out?

Yes

### b) Risks and Impact Analysis

EIA completed in March - June 2018 is still applicable. ([www.Lincolnshire.gov.uk](http://www.Lincolnshire.gov.uk)) Documents for Easy Read and access for young people are currently being reviewed.

## Background Papers

Document title	Where the document can be viewed
Local Government Act 1972	<a href="https://www.legislation.gov.uk/ukpga/1972/70">https://www.legislation.gov.uk/ukpga/1972/70</a>

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