

STANDARDS COMMITTEE

8 SEPTEMBER 2009

CORPORATE COMPLAINTS - MONITORING

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PURPOSE OF REPORT

- 1 To present to Members the report for 2008 – 2009 in respect of the Council's Corporate Complaints Procedure.

BACKGROUND

- 2 As previously reported to Members, the full version of the Corporate Complaints IT System (CCITS) was launched in January 2007. The system assists in administering complaints from referral to the Council, through the Council's three stage complaints procedure, and on to Ombudsman consideration.
- 3 This report provides statistical information for the period April 2008 – March 2009, along with comparable figures for 2007 - 2008, so that comparison may be made.

COMPLAINTS 2008 - 2009

- 4 A total of 497 complaints were received last year, compared with 451 the previous year. This represents approximately 3.8% increase.
- 5 Table 1 gives a breakdown of the complaints received by Department. The largest number of complaints relate to Environment Department. This is to be expected, as Environment services (street lighting, bin emptying, street cleaning, etc) are universal services, and as such are used by all residents of Middlesbrough. Considerably fewer people use services such as Economic Regeneration and Social Care.
- 6 The largest significant reduction in complaints over the previous year relate to Children Families & Learning, down from 64 to 38 complaints .

- 7 The largest increase in complaints relates to Environment Services, up from 197 to 305, an increase of approximately 55%.
- 8 The increase resulted from settling in issues in Streetscene Services following an operational review of waste services. This entailed significant changes to working arrangements for staff at the beginning of the year, and moving from a 5 to a 4 day collection of refuse and recycling collections in September. Both of these issues resulted in significant rises in complaints and service enquiries. However, the service is now functioning normally, and complaints have reduced back to previous levels, as shown by the following table:

Quarterly Breakdown of Environment Complaints 2007-2008 and 2008-2009 by Service area

Quarter One	2007/2008	2008/2009
Community Protection	12	12
Streetscene	40	75
Transport & Design	7	5
Total	59	92

Quarter Two	2007/2008	2008/2009
Community Protection	9	11
Streetscene	30	71
Transport & Design	8	6
Total	47	88

Quarter Three	2007/2008	2008/2009
Community Protection	6	7
Streetscene	27	59
Transport & Design	8	8
Total	41	74

Quarter Four	2007/2008	2008/2009
Community Protection	5	3
Streetscene	37	39
Transport & Design	8	9
Total	50	51

Members will note that the only significant increase in complaints occurred in Streetscene Services, but that by Quarter Four these had reduced back down to their (2007/2008) original level.

- 9 Table 2 provides details of complaints received that were not dealt with by way of the Complaints procedures, and the reasons for this. Non-qualifying complaints include complaints relating to decisions of Planning & Development Committee or Licensing Committee, complaints that should be dealt with by way of an insurance claim, or matters where other means for resolution exist (such as Tribunals or Courts). There was a reduction from 33 to 9 in the number of complaints not dealt with under the Complaints Procedures.

- 10 Table 3 provides details of complaints dealt with by way of the Complaints Procedures, by Stage received. The Council has a three stage complaints procedure. Stage 1 is Local Resolution, Stage 2 is Formal Investigation, and Stage 3 is a Review Panel. For Social Services complaints this is an independent review panel. For all other complaints, this is the Complaints & Appeals Committee of the Council. Members will note that only 6.3% of complaints received went on to Stages 2 and 3 of the Complaints Procedures last year, compared with 12.4% the previous year. This would suggest that Local Resolution is effective in resolving the majority of complaints.
- 11 Table 4 provides details of the outcome of complaints dealt with under the Corporate Complaints Procedures. Of the 478 complaints where a decision was made (that is, excluding those complaints that were either withdrawn or cancelled), in 334 cases the complaint was fully upheld. In a further 55 cases the complaint was partially upheld. This means that in 86% of cases, complaints were fully or partially upheld, compared with 75% the previous year. This suggests that complainants are receiving fair treatment in the consideration of their complaints.
- 12 Table 5 expands on Table 4 and shows the outcome of complaints by Department. The significant increase in the number of complaints upheld by Environment needs to be considered in conjunction with the information contained in paragraph 7 above, as the two issues (increase in Environment complaints, and increase in Environment complaints upheld), both relate to the settling in of revised operational practices.
- 13 Table 6 shows the completion times for Stage 1 complaints. The Council's Corporate Complaints Procedures require Stage 1 complaints to be completed in 20 working days unless there are exceptional reasons: examples would be that the complaint is particularly complex, or the complainant is temporarily away from the area.

Last year 88% of Stage 1 complaints were dealt with within this timescale. However, over 50% were dealt with within 10 working days – just half of the timescale allowed.

Last year Members expressed concern that almost 20% (1 in 5) complaints exceeded the 20 working day time limit. I am pleased to report that this was reduced to just under 12% (1 in 8) last year.

- 14 Members will note that totals for complaints received and outcomes do not tally. This is because some complaints received are not dealt with under the Complaints Procedures (Table 2), and not all complaints received during a given period are resolved during that period. This means that some outcomes for the current period relate to complaints received during the preceding period. Conversely, some complaints received during the current period will not be resolved until the following period.

LEARNING LESSONS FROM COMPLAINTS

- 15 In most cases complaints arise from a straightforward service failure such as missed bin collections; following personal assessments such as those relating to personal care; or following particular actions by the Council such as raising charges for sports facilities or introducing the use of 'wheely bins'.
- 16 In some instances, however, complaints highlight procedural or policy weaknesses. In such cases it is important that the Council learns from these complaints and considers whether the Council needs to revise the way in which it works.
- 17 Last year the Council changed its practices or procedures, or reviewed its policies, in respect of 16 complaints received. Examples of changed working practices or procedures as an outcome of having received complaints are:
 - ✓ Provision of private interview space at a childcare centre for confidential discussions/ interviews
 - ✓ Review of litter bin design and provision with view to replacement
 - ✓ Revised of contract arrangements in respect of independent day care providers
 - ✓ Review of procedures in relation to priorities for receiving day care places
 - ✓ Introduction of revised rota patterns in relation to Adult Services staff
 - ✓ Introduction of a minimum number of staff per service user in respect of adult care users
 - ✓ Revised guidance issued to staff in Asylum Seeker Unit
 - ✓ Changes of practice/ procedures in relation to serious untoward incidents
 - ✓ Review of procedures relating to safeguarding issues
 - ✓ Change of procedures in the way that OT and Social Work staff deal with interventions
- 18 As a result of a further 15 complaints, additional staff training or guidance was identified as an action that needed to be taken. In one instance a complaint resulted in all members of one team of workers receiving customer care training, along with a review of all staff training requirements in that particular service area.
- 19 At present, most 'lessons learned' appear to be in respect of personal care services. This is clearly important, as these services have a very direct and profound effect on the lives of service users. However, it is recognised that if there are lessons to be learned from complaints in other service areas the Council must identify, act on and record these. Officers are currently looking at ways in which we can improve in respect of this area of work.

CONCLUSIONS AND RECOMMENDATIONS

- 20 Overall, the figures contained in the Tables at Appendix 1 suggest that the Council investigates complaints quickly, in a fair and impartial manner, and with a genuine willingness to find a resolution whenever possible.
- 21 This is only the second year that a report has been produced since the full launch of the Council's Corporate Complaints IT System, and so it is still too early to identify meaningful trends.

- 22 However, it is positive that of all complaints received by the Council some 81% are either fully or partially upheld, and only 6.3% progressed to Stages 2 and 3 of the Complaints Procedures, which is approximately half last year's figure of 12.4%.
- 23 In respect of complaint handling time 12% of Stage 1 complaints are not being completed within the 20 working days required by the Council's Complaints Procedures, again a reduction on last year's figure of 20%.
- 24 Members are asked to note the content of this report.

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