

STANDARDS COMMITTEE

7 SEPTEMBER 2010

CORPORATE COMPLAINTS - MONITORING

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PURPOSE OF REPORT

- 1 To present to Members the report for 2009 – 2010 in respect of the Council's Corporate Complaints Procedures.

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 2009 – March 2010, along with figures for the previous two years, so that comparison may be made.

COMPLAINTS 2008 - 2009

- 4 A total of 358 complaints were received last year, compared with over 450 for each of the previous years. This is a fairly substantial decrease.
- 5 Table 1 gives a breakdown of the complaints received by Department. As ever 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 relates to Environment Department, down from 305 to 168 complaints. However, last year's Environment complaints were artificially high due to issues in Streetscene Services following an operational review of waste services which took effect in 2008-2009. Environment complaints last year were the lowest for the three years that corporate complaints statistics have been systematically recorded.
- 7 Although Social Care complaints have reduced and complaints relating to Mouchel services have increased, there are no other significant increases or decreases in trends taken over the three years available.
- 8 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).
- 9 Table 3 provides details of complaints dealt with by Stage received.
- 10 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. The only exceptions are in relation to complaints about personal social services as these are governed by regulations approved by Parliament. In respect of Children's complaints, the Stage 3 is an independent review panel. In respect of adult social care complaints, there is no longer provision for a Stage 3: if the person is still dissatisfied after Stage 2 then they have the right to complain to the Ombudsman. For all other complaints, Stage 3 is the Complaints & Appeals Committee of the Council.
- 11 Disregarding those complaints referred by the Ombudsman, Members will note that only 10% of complaints received went on to Stages 2 and 3 of the Complaints Procedures last year, and that 90% of complaints are resolved at Stage 1 of the procedures. This would suggest that Local Resolution at Stage 1 is effective in resolving the majority of complaints.
- 12 Table 4 provides details of the outcome of complaints dealt with under the Corporate Complaints Procedures. Of the 326 complaints where a decision was made (that is, excluding the 9 complaints that were either withdrawn or cancelled), in 196 cases the complaint was fully upheld. In a further 40 cases the complaint was partially upheld. This means that in 72% of cases, complaints were fully or partially upheld, compared with 86% last year and 75% the previous year. This suggests that complainants are consistently receiving fair treatment in the consideration of their complaints.
- 13 Table 5 expands on Table 4 and shows the outcome of complaints by Department. The significant variation in the number of complaints relating to the Environment Department has been explained in paragraph 6 above. Otherwise, there are no other significant changes in departmental statistics over the past three years

- 14 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.
- 15 Last year 83% of Stage 1 complaints were dealt with within this timescale, compared with 88% the previous year, a slight fall. However, 49% were dealt with within 10 working days – just half of the target timescale.
- 16 The year before last Members expressed concern that almost 20% of complaints dealt with at Stage 1 exceeded the 20 working day time limit. Last year I reported that for 2008-2009 this was reduced to 12%. Unfortunately, this has again increased to 18% for 2009-2010.
- 17 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 same 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

- 18 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'.
- 19 In some instances, however, complaints highlight procedural or policy weaknesses. In such cases it is important that the Council learns from these complaints and that consideration is given as to whether working practices need to be reviewed or revised.
- 20 Last year the Council changed its practices or procedures, or reviewed its policies, in respect of a number of complaints received. Many of these changes simply involved revising administrative procedures. Examples of changes implemented by various Departments as a result of complaints handling include:
 - ✓ Revised procedures for dealing with complaints and correspondence
 - ✓ New procedures as to how files are compiled including 'Good Practice' notes
 - ✓ Modification to the Referral and Recruitment procedures
 - ✓ Incoming telephone calls to be recorded
 - ✓ 'Waiting List' letter template amended
 - ✓ Training for all staff in section
 - ✓ Address lack of adherence to procedures
 - ✓ Team managers to undertake audit of cases where Supervision Orders apply
 - ✓ Protocol to be established regarding Supervision Orders, and circulated to staff

In other cases the lessons learned from complaints have a more direct impact on the public:

- ✓ Revision of information sharing and Data Protection issues between multi-agency professionals dealing with cases where children are at risk of, or suffering, significant harm
- ✓ New service level agreements to ensure that family/ carers to be informed if staff feel that a service user is at risk
- ✓ Carelink service users who have experienced falls to be automatically followed up and family/ carers informed
- ✓ New advice and guidance notes relating to planning enforcement matters
- ✓ Team and service managers to be offered Adult Protection Chairs' training

COMPLIMENTS

- 21 Last year I reported, at the request of Members, on the number of compliments that had been lodged with the Council. Table 7 shows that overall, compliments were slightly fewer last year than in 2008-2009. The biggest increase has been in Social Care (which also manages the Street Warden service). Taken together, compliments received by Social Care increased from 62 in 2008-2009 to 94 in 2009-2010.

CONCLUSIONS AND RECOMMENDATIONS

- 22 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.
- 23 This is only the third year that we have been able to produce a comprehensive statistical report on Corporate Complaints, following the introduction of the Council's Corporate Complaints IT System in 2007. It is therefore still too early to identify meaningful trends.
- 24 However, it is positive that of all complaints received by the Council some 72% are either fully or partially upheld, and only 10% progressed to Stages 2 and 3 of the Complaints Procedures.
- 25 In respect of complaint handling time 18% of Stage 1 complaints were not completed within the 20 working days required by the Council's Complaints Procedures, and work will be undertaken to improve that figure over the remainder of this current year (2010-2011).
- 26 Members are asked to note the content of this report.

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