

meeting	STANDARDS COMMITTEE	
date	16 MARCH 2010	agenda item number 5

## Report of the Chief Executive

### **CORPORATE COMPLAINTS PROCEDURE: SUMMARY OF COMPLAINTS TO THE COUNTY COUNCIL DURING 2008 – 2009 FINANCIAL YEAR**

#### **1 Purpose of the Report**

The purpose of the report is to present a summary of the number and nature of complaints made to the County Council between 1 April 2008 and 31 March 2009. It also details the levels of adherence to the County Council's timescales for dealing with complaints and reports on enhancements that have been made to the existing procedure.

#### **2 Information and Background**

- 2.1 A report which detailed complaints data for the period 1 April 2007 to 31 March 2008 was presented to this Committee on 2 December 2008. This report compares that data with the period 2008 – 2009.
- 2.2 In the latter quarter of 2008, an extensive review of categories and recording was carried out prior to the implementation of a combined recording system to bring in line the Adult Social Care and Health and Children and Young People's Services recording. From 1 January 2009, this complaints database went live. It is hoped that this will ensure consistency in reporting across each of the three separate procedures. This means, however, for this year's report, it is necessary to separately present data from 1 April 2008 to 31 December 2009 and for the new categories listed between 1 January 2009 and 31 March 2009.

#### **3 Summary of Complaints**

- 3.1 In the period 2008 –2009, there were a total of 465 complaints received, which is a 33% decrease on the previous year. This includes those that we received and dealt with but did not fall under the responsibility of the County Council. These complaints are logged and forwarded to the appropriate body.
- 3.2 A breakdown of complaints by department is shown below and demonstrates that the majority of complaints were against the

Communities Department, although it should be noted that there was a decrease of 24% since the last annual report.

- 3.3 Of the total number of complaints, 80% were received directly by the Chief Executive or the Corporate Complaints Team, with the remaining being logged by departments.
- 3.4 The detailed figures are as follows (2007/2008 figures also appear below for comparison):

<b>DEPARTMENT</b>	<b>07/08</b>
Adult Social Care and Health	8
Chief Executive's	23
Children and Young People	25
Communities	406
Corporate Services	57

<b>DEPARTMENT</b>	<b>08/09</b>
Adult Social Care and Health	7
Chief Executive's	25
Children and Young People	18
Communities	308
Corporate Services	47

- 3.5 It is important to note that the Children and Young People's Department's figures does not include those complaints made about schools. Under the Schools Standards and Framework Act 1998, school governors have a responsibility to deal with all complaints about schools.
- 3.6 Similarly, the Adult Social Care and Health Department's figure of seven complaints do not include the complaints made to the Customer Relations Service, as those complaints are monitored and dealt with separately under statutory powers. Adult Social Care and Health complaints related to the driving of County Council vehicles or payment issues within adult financial services. Complaints about service delivery are dealt with by ASCH under the statutory procedure and are not covered by this report.
- 3.7 Customers may complain in a variety of ways. This financial year has, for the first time, seen a drop in the number of complaints received via e-mail with 324 being received during the last reporting period but only 128 during this period. This will partly be due to the reduction in the number of overall complaints.

3.8 A further breakdown of the ways complaints were received is shown below:

2007-2008

Listening to You leaflet	103
Email	324
Face to face	6
Free phone hotline	89
Letter	78
Referred from Department	12
Referred from District	7
Telephone direct	53
Via councillor	3

2008-2009

Listening to You leaflet	122
Email	113
Face to face	5
Fax	1
Free phone hotline	86
Letter	43
Referred from Department	29
Referred from District	4
Telephone direct	57
Via representative	5

3.9 The agreed timescales for the three stages of the corporate complaints procedure are set out below with all references to days being working days.

3.10 At stage 1, the department has 20 days to reach an outcome and respond to the complainant.

3.11 At stage 1, the departmental stage, 87% of complaints were processed by all departments within the 20 working day timescale, compared to 97% on the last reported figures.

3.12 At stage 2 (third party investigation on behalf of the Chief Executive) the Corporate Complaints Team has 20 days to carry out the investigation to enable the Chief Executive to report the detailed findings and conclusions to the complainant.

3.13 During the period 2008 – 2009, 25% of the 33 complaints were dealt with within the timeframe, compared to 63% on the last reported figures. Complaints investigated at this stage can be complex and time consuming and, during the reporting period, there have been a number of complaints that have been particularly complex and it has proven difficult to access officer time. This may be due to there being a shift in

perceived importance of complaints investigations within departments and will be an area to address.

3.14 Stage 3 (Members' Review Panel) allows 20 days for the complaint to be heard by councillors with notification of the outcome within 5 days of the decision being reached by the Panel.

3.15 Of the seven complaints at this stage, only one panel was held within the timeframe. The reasons for any delay at this stage are due to the availability of the customer, councillors and officers required to attend the Panel. However, any delay is always notified to the complainant.

3.16 Overall, out of the 465 complaints received, 158 complaints either upheld fully or partially upheld.

#### **4 Categories of complaints**

4.1 In terms of the nature of complaints received, as stated in 2.2 of this report, an extensive review of categories and recording was carried out prior to the implementation of a combined recording system to improve the new Respond complaints database. The figures for the categories used in the previous reporting period are shown below:

2007-2008

Access to services – equal opps	7
Challenge to decisions	52
Change of policy	11
Change to existing service	21
Compensation claim	9
Delay/failure to respond to request	44
Discriminatory staff	4
Disputed decision	114
Failure to act on promise	9
Failure to provide service	131
Inaccurate/misleading information	23
Poor delivery of existing service	77
Poor driving of CC vehicles	47
Poor staff attitude	21
Poor/unsatisfactory response	21
Quality of service	9
Rude/abusive staff	3
Staff misconduct	13
Unhelpful staff	5
Withdrawal of a service	13

The new categories were implemented from 1 January 2009 and, therefore, the data for 1 April 2008 – 31 December 2008 and 1 January 2009 – 31 March 2009 is separate as follows:

1 April 2008 – 31 December 2008

Access to services – equal opps	5
Challenge to decisions	42
Change of policy	11
Change to existing service	17
Compensation claim	7
Delay/failure to respond to request	22
Discriminatory staff	0
Disputed decision	41
Failure to act on promise	5
Failure to provide service	54
Inaccurate/misleading information	7
Poor delivery of existing service	51
Poor driving of CC vehicles	35
Poor staff attitude	17
Poor/unsatisfactory response	7
Quality of service	23
Rude/abusive staff	4
Staff misconduct	11
Unhelpful staff	3
Withdrawal of a service	2

1 January 2009 – 31 March 2009

Attitude/behaviour	13
Delay/failure to respond	6
Delay in decision making or provision	5
Discrimination	2
Failure to communicate	6
Misconduct	2
Misleading communication	2
Non-delivery	21
Poor/unsatisfactory response	3
Quality/appropriateness	6
Quantity/frequency/change	2
Policy	13
Unwelcome/disputed decision	20

NB: These do not include 'not County Council' complaints as these are not categorised.

4.2 While other annual reports have noted rises in complaints in particular categories, it is pleasing to note that there has been a significant decrease in the volume of a number of the categories including:

- delay/failure to respond to request (44 to 28)
- disputed decision (114 to 61)

4.3 These are detailed as follows:

4.3.1 Delay/failure to respond to request

Although there had been an increase in the number of complaints categorised, on examination, there was no particular service or department that these complaints were attributed to. The complaints were varied and wide-ranging and, therefore, it is not possible to make any valued judgement on cause.

4.3.2 Disputed decision

Last year's report highlighted that 35% of complaints categorised as 'Disputed decision' and related to the current policy governing household waste and recycling centres (HWRCs) across the county. At that time, customers could only dispose of waste by using a car rather than a van or trailer. It was recognised that this was inconvenient and impractical and, therefore, in October 2008, the Council agreed to introduce a permit system for Nottinghamshire residents wishing to use a van, pick-up or trailer to take their own waste to the HWRCs.

However, while the number of complaints has reduced significantly, this has now led to complaints about the implementation of the scheme. It is acknowledged that there will be initial teething problems with such schemes and, as such, a review has recently been carried out.

**5 Equality monitoring**

5.1 As part of our commitment to making sure we reach all parts of the community, we routinely ask our customers who have complained to supply information about their ethnicity, sexual orientation, gender, and disability.

5.2 This information is only given where the customer is willing to do so. The majority of customers do not supply this information either in part or in full. However, for those who do provide the information, it does give us some useful data. For instance, the majority of complainants categorise themselves as white British, Irish or Other White.

5.3 Out of all the other ethnic groupings there were just a handful of other categorisations provided:

Black/black British	Chinese	Gypsy/Romany	Irish White	Other ethnic group	Other white	White/Black Caribbean
1	1	1	5	2	2	2

5.4 For those respondents that supplied information relating to having a disability, this is demonstrated below:

Yes	No
24	73

5.6 In terms of how our customers described their gender this is demonstrated as follows:

Male	Female	Female to male transgender	Male to female transgender	Dual complaint by couple
226	179	0	2	9

5.7 The age range of complainants who supplied the information is as follows:

18-25	26-35	36-45	46-55	56-65	66+
0	16		2	2	0

5.8 The sexual orientation of complainants who supplied the information is as follows:

Lesbian	Gay	Bisexual	Heterosexual
0	2	0	104

5.9 As part of the Council's continuing work to improve customer access to services, visits were made to the black and minority ethnic forum to share information about the complaints process with the group. The information was welcomed, with a number of representatives showing particular interest in promotional visits to their own ethnic groups.

5.10 A visit also took place to Daneshill Travellers' site to meet with the residents and families there. Discussions took place with a number of residents about the process and listened to individual concerns, which were then brought back to the departments.

5.11 Consultation also took place with the Nottingham Chameleons – a social and self-help group for the transgendered community.

5.12 The corporate complaints leaflet was shared with the group and a discussion took place on how the Council would deal with any complaint they had on service delivery. As a result of this meeting, changes have been made to the way we capture and retain monitoring information.

## 6 Local Government Ombudsman

6.1 Once the County Council's complaints procedure is exhausted, a complainant still has the right to take the matter to the Local Government

Ombudsman. On publication of her Annual Letter to the Council, it was shown that the Ombudsman had dealt with 37 such complaints (an increase of two from the previous reporting period). Nine of these were determined as local settlements, four of which related to Education Admission Appeals, and one each about school transport, adult care services, children and family services, land and enforcement. There were no findings of maladministration causing injustice against the Council during this period.

- 6.2 The Ombudsman also reported on the Council's response rate within their requested 28 days. The Council averaged a response time of 20 days (reducing down from 25 days in the previous reporting period) and she thanked the Council for its continued co-operation and prompt responses as it helps her staff reduce the time to respond to complaints, ensuring a better service for their customers.
- 6.3 The Ombudsman also reported that staff were helpful and willing to settle complaints where appropriate.

## **7 Evidence of learning from complaints**

- 7.1 The Corporate Complaints Team always looks for solutions as a result of complaint, that can bring long-term benefit to the organisation.

### **7.2 Household Waste Recycling Centres**

One such recent complaint was about operatives verbally abusing a customer over the tannoy at a site. The customer was upset and complained which resulted in tannoy systems at all sites in the County being withdrawn with immediate effect.

### **7.3 Rights of Way**

Complaints about rights of way are quite frequent and contentious. As a result, of a recent complaint, the Rights of Way Team has now decided to leaflet all affected properties directly affected by schemes rather than using a signpost notification to increase local knowledge of events which may affect residents. This will allow local residents a better opportunity for comment.

### **7.4 Registrars**

A complaint about a wedding that had started earlier than planned at a Register Office resulted in key family guests missing the service. This led us to change pre-wedding literature so that parties were fully informed about the protocol for the day in advance and didn't have any misconceptions about the law and the process. Additionally, all marriage rooms now have clocks.

## 7.5 Courier/Postal Services

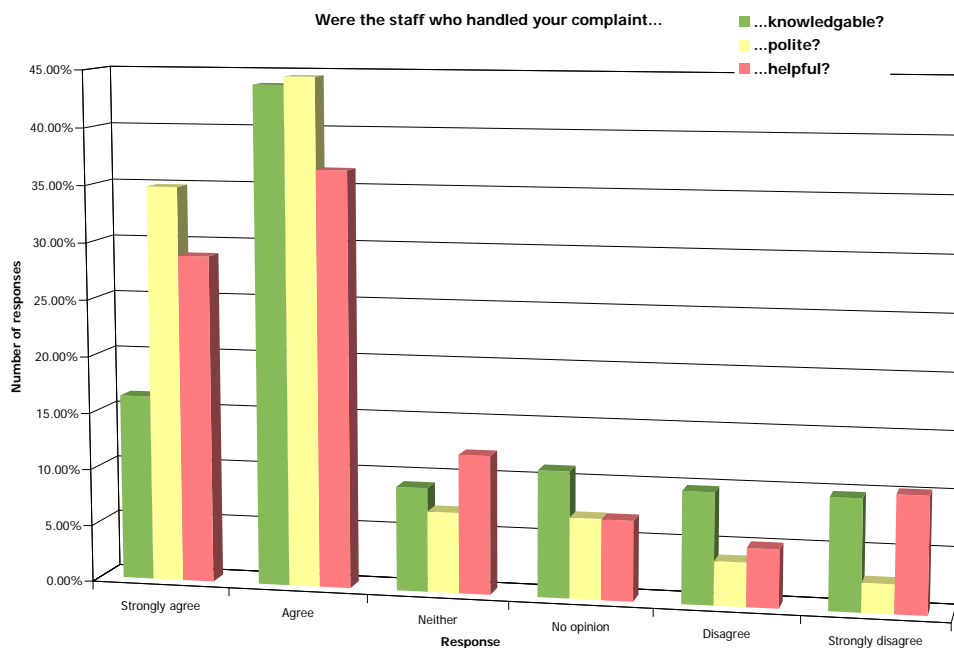
A customer complained to us about the loss of her father's personal data, which had been sent through the post to County Hall. This highlighted an issue with the internal post system with no checks in place for personal data recording. Corporate Complaints recommended changes to the process for both a better service to the customer and for efficiency savings. This didn't help this customer but would prevent other similar instances happening again.

These are examples of positive outcomes and are an excellent illustration of the Council learning from complaints.

## 8 Customer feedback

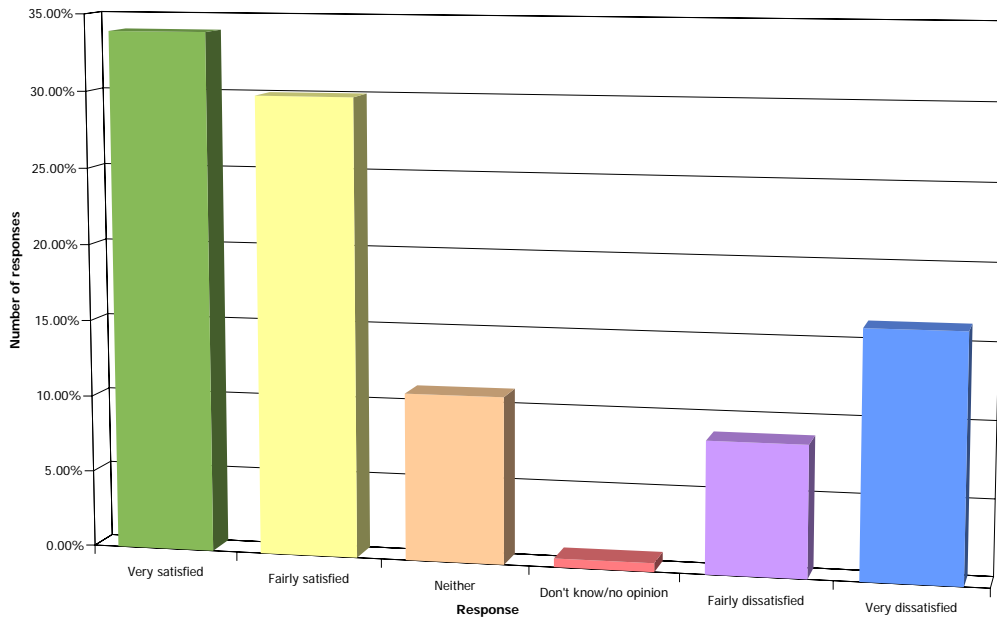
8.1 As part of the County Council's commitment to listening to its customers, the Corporate Complaints Team routinely seeks feedback from each customer who has been through the complaints procedure. The information received helps to shape and enhance the delivery of the complaints procedure.

8.2 Key messages have shown us:



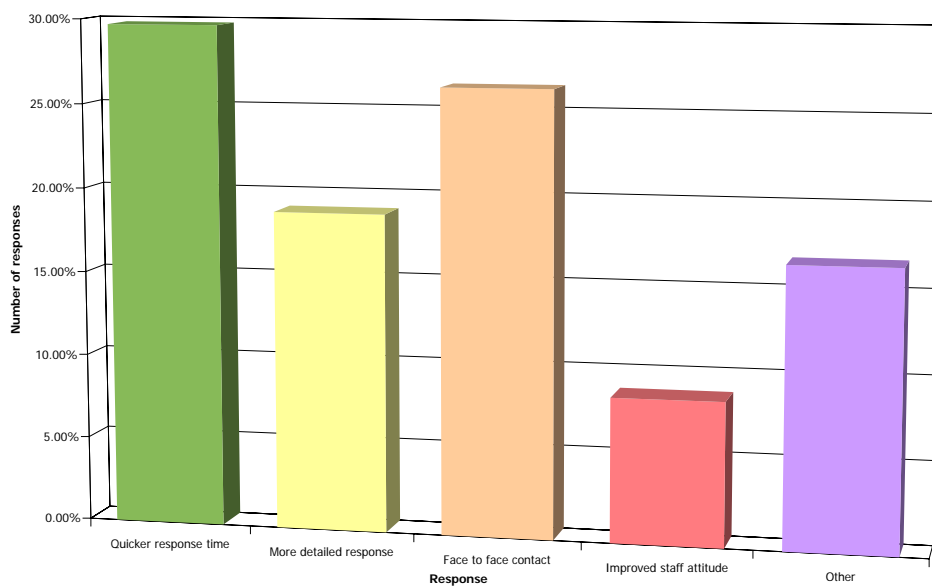
8.3 It will be noted that the majority of respondents were happy with the helpfulness, politeness and depth of knowledge that staff displayed and were satisfied with the length of time it took to respond to their complaint.

How satisfied or dissatisfied were you with the time it took to respond to your complaint? Were you...



8.4 The majority also felt that they were either very satisfied or fairly satisfied with the time it took to respond to their complaint and the quality and detail of the response. However, when asked how they thought the process could be made better, almost 30% wanted a quicker response time, which seems to contradict that earlier information. The Council allows 20 working days for a full response to the customer although it often takes fewer days if the complaint is not particularly complex. To reduce the timescale would compromise on the quality of those complaints that do require the full 20 working days.

How do you think we could make the process better?



8.5 A further 26% of respondents wanted more face to face contact. This has been addressed through the complaints training available for staff,

as experience has shown that meeting with the customer can often help to resolve issues and stop escalation.

## 9 Future developments

- 9.1 As reported in last year's report, three separate Respond complaints databases were been incorporated into one over-arching system, sitting on one platform.

From 1 January 2009, the Adult Social Care and Health, the Children and Young People's Services Team and the Corporate Complaints Team brought together the three separate Respond complaints databases, incorporating them into one over-arching system, sitting on one platform within the County Council's IT server.

- 9.2 In many ways, this has helped with consistency i.e. in terms of categories. However, the statutory process that is now in place for adult and children's social care complaints mean that in terms of combined reporting, it would not be possible because the processes and timescales are so dissimilar to the corporate process.

- 9.3 Phase two of the project was to look at further enhancements to allow our customers to report their complaints directly through the County Council's website and be able to go back and track progress. CDC Respond has the software available to provide this service.

### 9.3.1 'Customer'

This software allows the customer the benefit of being able to log their complaint directly through the County Council's website with it 'dropping' straight in to the Council's corporate complaints database. It also allows the customer to check back while the complaint is still live to see the complaint's status.

- 9.3.2 Respond has also developed software called 'TouchPoint', which allows staff to log and review feedback on a customer's behalf using the corporate intranet.

### 9.4.1 'TouchPoint'

The benefits of the system are that this application enables any customer-facing employee across the organisation to log complaints, reducing the need to transfer calls/send emails to different departments.

- 9.4.2 All frontline, customer-facing employees are given the ability to log a new piece of feedback and provide updates on outstanding issues. Staff can review a summary of the feedback and relay an update to the customer without having to transfer them, therefore offering a single point of contact, regardless of where they are located in the Council. This enables the customer to give their feedback to any member of staff and receive a consistent update – no matter who takes the call.

## **10 Conclusions**

10.1 The information detailed in this report offers a summary of the quantity and nature of complaints made to the County Council, which shows that, for the first time since records have been kept, there has been a decrease in the number of complaints which have been made. The information that these complaints present, gives the County Council the opportunity to improve service provision and, as indicated in this report, work is underway on a number of projects to achieve this.

## **11 Statutory and Policy Implications**

11.1 This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and users. Where such implications are material, they have been brought out in the text of the report.

## **12 Recommendations**

12.1 It is recommended that the report is noted and used as a baseline for comparison with future reports to improve levels of satisfaction within the services provided by the County Council.

## **13 Strategic Director (Resources) Financial Comments**

13.1 There are no specific financial implications arising from the report.  
(MB 04/03/10)

## **14 Legal Comments (SLB 18/02/2010)**

By virtue of Article 9 of the Council's Constitution the Standards Committee has responsibility for monitoring and reviewing the County Council's complaints procedures. It is the appropriate body to consider the matters set out in this report.

## **15 Background papers available for inspection**

None available.

## **16 Electoral Divisions affected**

Nottinghamshire.

**Tim Gregory**  
**Corporate Director**  
**Corporate Services Department**