

Standards Committee

2 August 2004

Complaints Handling for the Period April to June 2004



Report of Andrew North, Deputy Chief Executive (Corporate Services)

Purpose of the Report

1. To provide details of complaints handling in the Council during the period in question.

Background

2. The Committee previously agreed that information on complaints handling should in future be presented on a quarterly basis.
3. Attached at Appendix 1 is a summary of complaints received for the period 1 April to 30 June 2004 and for comparative purposes attached at Appendix 2 is a summary for the same quarterly period in 2003.

Summary Analysis and Comparison

4. In the first quarter of 2004/05 complaints received averaged 31 per month, compared with 23 per month in the first quarter of 2003/04. The majority of the increase is attributable to Social Care and Health with 74 complaints received in the first quarter of this year compared with 52 complaints in the first quarter of 2003.
5. All complaints in the period April to June 2004 were both acknowledged and received full responses or progress reports within the Council's performance targets.
6. Once again, a significant number of complainants (51) were either satisfied as to how their complaint was handled or did not pursue their complaint further beyond Stage 1 - and these numbers might well increase when the most recent complaints still under investigation are complete.
7. In this quarter, whilst poor service was by far the largest single category of complaint at 43% this compared favourably with 50% in the same period last year. Similarly staff conduct represented the second largest single category at 30% and 22% respectively.

Additional Background

8. Individual Services have provided the following additional information on the nature and outcome of complaints received during the first quarter of 2004/05:

Chief Executive's Office

9. The complainant expressed dissatisfaction about the action of a member of staff in alerting the Police to the presence of his vehicle which was parked for a protracted period of time in the Dales Centre Car Park.

Corporate Services

10. The three complaints received related to school meals for which Corporate Services has responsibility for contract monitoring. These complaints centred around food standards, menu choice and cleanliness standards. Contract monitoring staff responded rapidly to complaints and organised remedial action.

Culture and Leisure

11. A member of the public complained about the allocation of the public access computers in a library and received an apology for the resulting inconvenience.
12. A member of the public complained that a family visit to Killhope was abandoned after encountering restrictions to access to the mine. An explanation and apology was provided and as a goodwill gesture the family were offered a free tour of the site and museum.
13. A further complaint related to the increased costs of obtaining books from the British Library and an explanation of the charging policy was provided.

Education

14. The single complaint related to a delayed response to requests for information about IT training course availability. An apology was issued and the situation regarding training provision clarified. Staff training has been initiated to cover such future enquiries.

Environment

15. Five complaints in total. The first two complaints related to a long running dispute over the status of a footpath and the presence of illegal gates and the resulting delay in progressing a Definitive Modification Order on the footpath. Countryside officers have been working on this matter and are to submit a report to the Highways Committee on 29 July 2004 with a recommendation to add the path to the Definitive Map. One complainant was not satisfied with the responses and the matter has been referred to Stage 2. The second complainant has not returned the satisfaction survey form.

16. The third complaint concerned the alleged illegal use of signing at Castle Eden and the delay in providing a written response to the complainant. The initial complaint was made by telephone and the delay resulted because the officer concerned believed he had answered the complaint verbally. An apology has been given to the complainant for the delay and he has been informed that the words 'Bus Only' are an authorised traffic sign. The complainant was not satisfied with this response and the matter has been referred to Stage 2.
17. The fourth complaint related to the attitude of an officer who had approached the complainant on two occasions concerning an encroachment on the footway outside of her premises. The complaint was investigated by a senior officer who reminded the officer concerned of the need to ensure that he adopt an appropriate manner in dealing with people. An apology was extended to the complainant, who did not return the satisfaction survey form.
18. The fifth complaint concerned an obstruction (gate) and the alleged failure to provide the complainant with answers concerning this. The matter has been thoroughly investigated by two senior officers and a considerable amount of correspondence has been generated between them and the complainant. It is strongly felt that this is a neighbour dispute. The complainant was informed that the National Coal Board, who consulted with the County Council as highway authority at the time, erected the gate in 1985. There is no record until the recent exchanges of any written or verbal complaint concerning its existence. To date the complainant has not returned the satisfaction survey form.

Service Direct

19. Four complaints were in the area of building works, two in street lighting and one in fleet management. One related to staff conduct and the remainder were poor service. Inadequate communication between Service Direct and customers featured as an overriding factor in the Poor Service Category.
20. This is disappointing since most Service Direct employees undertook customer care re-training in the last 12 months when communication issues were addressed.
21. The importance of this aspect of customer service and service delivery will be reinforced.
22. Issues raised will be reviewed in team meetings, induction training, quality meetings, staff counselling etc. Service Direct also utilise external benchmarking groups and networks on a regular basis for performance measurement and are subject to twice-yearly external audit examinations to validate ISO accreditation.

Social Care and Health

23. Members will appreciate that with the volume of complaints in this Service it is difficult in this report to briefly summarise their nature and outcome. But this is a Service where issues are often sensitive and interventionist, and a Statutory Representations Procedure is actively promoted. In addition, it is generally anticipated that a significant number of Social Services complaints will be resolved at Stage 1 in the Procedure (i.e. informal problem solving). The Departmental Complaints Officer who will be available at the meeting to give more background has identified some of the key issues which feature in complaints received.
24. Dissatisfaction with contents within a social worker's report for the court - Complaint withdrawn by the individual concerned, following receipt of a full and proper explanation.
25. Concern expressed about length of time waiting for an assessment for adaptations to provide bathing facilities at home - the complainant was satisfied with the explanation given which included the offer of a short-term option of attending a day centre to access bathing facilities with the help of staff.
26. Complaint about not being offered Direct Payments during an assessment of need was resolved to satisfaction once the assessment was completed and the need identified. Direct Payments were offered.
27. Complaint about waiting time for Direct Payments Officer to deal with request to access Payments, in relation to a child with disabilities. Letter of apology sent and, though Direct Payments Officer for children not yet in place, plans made for immediate access.
28. A number of complaints from people at home were received about the reduction of care hours. Explanation given about Social Care and Health's decision, in light of the Government advice to allow only 30 minutes for basic domestic tasks.
29. Complaints were received about services provided by private care providers. Information and advice given to pursue complaint through private providers' complaints procedures.
30. The complaints by type reflect that further attention is needed to poor service and staff conduct. Performance against standards targets continues to progress. The Service continues to use complaints data to provide opportunities for learning, although this is dependent on the quality of systems and practices in place for recording information accurately and effectively.

Compliments

31. Members will recall that in order to present a more balanced picture, details are now included of evidenced compliments/expressions of appreciation that are received.
32. During this first quarter of 2004/05, a total of 188 compliments were received. (For 2003/04 as a whole, a total of 706 compliments were received. This compares with 312 complaints for the same year).

Comparative Complaints Information

33. Members might also recall from a previous report that local government in general (either through the Local Government Association or otherwise) does not produce comparative information on complaints handling. The Local Government Ombudsman's own Annual Report provides limited comparators on complaints investigated by that Office. I had hoped that more such information would soon become available from that source but this has proved problematic to the Ombudsman because of the wide range of comparators for which individual authorities expressed a preference.
34. I do, however, remain hopeful that information can be shared with County and Metropolitan Authorities in the North of England under an existing benchmarking network and after further enquiries the aim would be to have this available later in the year, perhaps when we report next quarter's statistics.

Review of Completed Complaints

35. In Part B of our meeting (closed session) Members of the Committee will be invited to review completed complaints files in order to satisfy themselves on the robustness of the process followed.

Local Government Ombudsman

36. The Local Government Ombudsman is an independent service set up by the Government to investigate complaints about most Council matters.
37. The Ombudsman's Annual Report for 2003/04 has now been received and a full copy has been placed in the Members' Resource Centre, as well as being available for public reference at the County Hall Help Desk. An Executive Summary of the Report is attached at Appendix 3 and copies of the Summary have also been deposited in Branch Libraries.

38. The County Council is in receipt of the second Annual Letter which the Ombudsman has issued aimed at helping Councils to learn from the outcome of complaints; to underpin effective working relationships and generally provide complaint based information which councils would find useful in assessing and reviewing performance. A copy of the Annual Letter for 2003/04 is attached at Appendix 4.
39. The Council has welcomed this initiative from the Ombudsman who has reported that the character of the complaints received in 2003/2004 revealed no serious areas of concern. 31 complaints were considered from which the largest number 12 in total, concerned highways matters but there was no evidence of rising trends within the Council to cause any alarm. Indeed the overall number of complaints received against the Council in the last 12 months fell when compared with the previous two years.
40. It is satisfying to note that the Ombudsman is generally happy with the quality of the information we send her in response to enquiries and that she finds our Council co-operative and generally willing to settle complaints when some fault has been identified.
41. As far as response times to the Ombudsman are concerned, we have addressed this by reminding Departments about timescales that should be adhered to and also our lawyers who handle these enquiries so that they chase Departments early. We do as a matter of course advise the Ombudsman if difficulties are being experienced in responding within time limits (such delay might sometimes be due to Client Departments needing more time to investigate the complaint) - but if this is not the case we have asked the Ombudsman to let us know. We will certainly be making every effort to improve on this particular situation. (NB. Although figures were not available for this year, our previous response times have compared very favourably with other like-size/types of authority).
42. I have discussed with the Director of Education the issue raised about an appeals mechanism for parents in relation to the costs of home to school transport. We certainly believe our school transport policy to be fair, consistent and equitable (not to mention generous). Entitlement to free travel is clear and any appeal cases are likely to fall into the category of exceptional circumstances which are difficult to pre-define.
43. However, the Ombudsman's point about formal objectivity was well taken and our commitment to consider how this could be incorporated into the process without creating unnecessary bureaucracy has been well received by the Ombudsman.
44. I intend in future to share with the Ombudsman complaints information reported to the Committee.

45. From the Information Summary attached to the Annual Letter it is pleasing to note that there were no findings against the Council of maladministration during the year in question.
46. In responding to the Ombudsman's Annual Letter I shall indicate that further comparative performance statistics for like authorities, both regionally and nationally, would be very much valued and additionally I shall express the Council's interest in participating in the training initiative.

Conclusion

47. When this new reporting regime for complaints handling was introduced it was on the understanding that refinements/further development would take place as a continuing process.
48. The views of Members as part of this process would be most welcome.

Background Papers

Correspondence from Departments and the Local Government Ombudsman.

Contact: Bill McKibbin Tel: (0191) 383 3486
