

## Standards Committee

8 August 2005

### Complaints Handling for the Period April to June 2005



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### Report of Andrew North, Deputy Chief Executive (Corporate Services) and Monitoring Officer

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#### 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 2005 which for comparative purposes also contains a summary for the period April to June 2004.

#### Summary Analysis and Comparison

4. In the first quarter of 2005/06, 58 complaints were received averaging 19 per month, compared with 31 per month in the period April to June 2004. There is a notable reduction in the number of Social Care and Health complaints from 74 in the first quarter of 2004/2005 to 41 in the first quarter of 2005/2006.
5. All complaints in this latest quarter were acknowledged and received full responses or progress reports within the Council's performance targets.
6. 52 complainants were either satisfied as to how their complaint was handled or did not pursue their complaint further beyond Stage 1.
7. In this quarter, poor service was the largest single category of complaint at 38% compared with 43% in the same period in 2004. Staff conduct represented 28% of complaints received in the first quarter of this year compared with 30% in the comparison period.

#### Additional Background

8. Individual Services have provided the following additional information on the nature and outcome of complaints received during this first quarter of 2005/06.

## **Corporate Services**

9. Three complaints related to School Meals for which Corporate Services has responsibility for contract monitoring. The complaints centred around menu choice and the lack of provision of a free school meal on a school outing.
10. The complaint categorised under staff conduct arose as a consequence of arrangements for a civil marriage ceremony and action to resolve an anomaly with the registered name of the marriage premises. A thorough investigation was carried out and it is a matter of concern that on this occasion the standard of service in part fell short of that which is required. Advice has been issued to the members of staff involved in the process to address these concerns and to prevent a recurrence of the issues in the future. The complainant has received a full explanation and a bouquet of flowers in recognition of the inappropriate level of customer service provided on this occasion.
11. The final complaint was submitted by a participant who was unhappy with the way in which a consultation exercise was handled by the Health Scrutiny Sub-Committee. An investigation was carried out and it was determined that there was no basis to the issues lodged by the complainant. The Local Government Ombudsman has subsequently contacted the authority to indicate an investigation into the matters will proceed.

## **Culture and Leisure**

12. A parent complained because a member of the library staff had suggested to her that her child's regular 3 hour visits to the library unsupervised were too long. It had been proposed that if the child was accompanied she may gain more from her visit. However the child does not attend the library now. The complaint was considered carefully, it was felt the member of staff had acted properly and no remedial action was necessary.

## **Education**

13. A School Crossing Patrol was verbally abusive to the complainant during a parking incident. In interview the member of staff has acknowledged their conduct was unprofessional and has been advised that if there is a recurrence disciplinary action may result. The complainant has confirmed that she is satisfied with the outcome.

## **Environment**

14. One complainant was unhappy with the highway authority's installation of road humps in the vicinity of his property. An explanation of the reasons for adopting the specific traffic calming measures was provided. However the complainant was not satisfied and the complaint has been referred to Stage 2.

15. One complaint related to a particular development and the Council's change of opinion on the proposed access to the property. An explanation for the actions taken during the planning application consultation was provided and the complainant was happy with the response.
16. A resident had been temporarily moved out of her house, by agreement, to allow the safe demolition of adjoining houses in conjunction with the construction of a new road. The period of evacuation had extended beyond the estimated 8 week period. As a result of a complaint an ex-gratia payment was offered in compensation for this extended inconvenience. The complainant refused the offer and the matter was referred to Stage 2. A further offer was made, which the complainant accepted bringing the matter to a mutually satisfactory conclusion.
17. The fourth complaint for Environment related to the decision of the Highways Committee to confirm the proposals relating to the gaps in the central reservation at a particular location on the A167. The Traffic Business Manager wrote to the complainant responding to the specific issues raised. The complainant replied indicating the matter would be referred to the Local Government Ombudsman.

### **Service Direct**

18. Five of the Service Direct complaints were categorised as poor service. One of these occurred in the Building Works Division and related to inadequate roofing repairs. Arrangements were made for a temporary repair during inclement weather and permanent repair will be carried out once weather conditions allow.
19. Two complaints of poor service featured in the Fleet Services Division, one as a result of delay in providing Driver Testing to employees to enable them to drive County Council vehicles. This created operational difficulties for the service concerned. Increasing demand for this service was exacerbated by staff absences however after some rescheduling the service was provided. The second complaint related to the delay in issuing an invoice for vehicle servicing. However it was explained that the total work had not been completed in one visit so the invoicing process was delayed until all the works were completed. The Fleet Service Manager has reviewed the progress system and brought forward the 'alert' measures timescale.
20. The remaining poor service complaints arose in the Civil Engineering and Grounds Division. After an employee left an exit gate open at a primary school site the entire Grounds workforce were reminded about adherence to safety and security requirements. A complaint was received about redundant materials left on site following completion of work on a particular renaissance scheme which was encouraging fly tipping by the general public. Prompt remedial action was taken to resolve the problem.

21. The final Service Direct complaint was one of staff conduct. A report was received about a DCC vehicle seen illegally flytipping. The driver and vehicle were identified and an investigation held. Disciplinary procedures have been implemented.

## **Social Care and Health**

### **Examples of some of the complaints received:**

22. (i) Service users experienced problems in relation to respite care invoices. An apology was given and action taken to ensure the problem did not recur. The complainant was satisfied with the response.
- (ii) A service user complained about the quality of service in relation to the delay in being informed about re-housing and provision of a wheelchair. An explanation was offered with an apology for the delay which was due in this case to the linked Social Worker's absence from work. Matters were expedited and the complainant was satisfied with the actions taken.
- (iii) A service user in receipt of home care services complained about the rudeness of the Home Care Team Leader and changes made to her services. Action was taken in respect of the staff member involved in this complaint and a letter of apology was sent to the complainant. Changes made to her service were reasonably reversed, and the complainant expressed satisfaction with the outcome of her complaint.
- (iv) Stage 2 Complaints - 2 complaints were referred to Stage 2 of the Statutory Representations (Complaints) Procedure, both of which related to Children's Services. Stage 2 complaints are complex in nature often involving allegations of wrongdoing on the part of Social Care and Health staff personally or that specific actions/decisions taken by the Service adversely affect the rights and entitlements of certain individuals. Therefore a more formal investigation into such complaints is called for.

## **Compliments**

23. 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.
24. During this first quarter of 2005/06, a total of 205 compliments were received. In the comparative quarter in 2004/05, a total of 188 compliments were received.

## **Review of Completed Complaints**

25. In Part B of the 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**

26. The Local Government Ombudsman is an independent service set up by the Government to investigate complaints about most Council matters.
27. The Ombudsman's Annual Report for 2004/05 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 2 and copies of the Summary have also been deposited in Branch Libraries.
28. The County Council is in receipt of the third 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 2004/05 is attached at Appendix 3.
29. The Council has previously welcomed this initiative from the Ombudsman who has reported that the character of the complaints received in 2004/2005 revealed no serious areas of concern. 38 complaints were received (compared with 35 the year before) 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.
30. It is pleasing to note that the Ombudsman has again acknowledged our willingness to settle complaints when some fault has been identified. However one such settlement resulted in a compensatory payment of £3,000 and the Ombudsman indicated this reflected less well on the Council. The Ombudsman also identified two instances where we were slow to process a complaint through our own procedures and this particular issue needs to be addressed.
31. As far as response times to the Ombudsman are concerned we are pleased to note that with effect from July 2005 the target has been revised from 21 to 28 days. We do, however, remain committed to responding as quickly as possible.
32. From the Summary attached to the Annual Letter it is also pleasing to note that there were no findings against the Council of maladministration during the year in question.

## **Conclusion**

33. When the current reporting regime for complaints handling was introduced it was on the understanding that refinements/further development would take place as a continuing process. The views of Members as part of this process are always welcome.

## **Background Papers**

Correspondence from Departments and the Local Government Ombudsman.

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