

Standards Committee

8 November 2005



Complaints Handling for the Period July to September 2005

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

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 July to 30 September 2005 which for comparative purposes also contains a summary for the period July to September 2004.

Summary Analysis and Comparison

4. In the second quarter of 2005/06, 92 complaints were received averaging 30 per month, compared with 26 per month in the period July to September 2004.
5. All complaints in this latest quarter were acknowledged and received full responses or progress reports within the Council's performance targets.
6. 43 complainants 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 considerably when the significant number of complaints still under investigation are complete.
7. In this quarter, poor service was by far the largest single category of complaint at 50 % compared with 40% in the period July to September 2004. Staff conduct represented 21% of complaints received in the second quarter of this year compared with 15% in the comparison period.

Additional Background

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

Corporate Services.

9. In this quarter all 8 complaints related to School Meals provision for which Corporate Services has responsibility for contract monitoring. At the beginning of the new school year catering provision in schools moved away from the serving of processed foods to more traditional food preparation and service. Parents were supplied with Menu details and subsequently six of the complaints focused upon menu choice compared with availability as publicised. Initial operational problems have reduced and there have been no complaints recorded during October.
10. One complaint related to price increases and the final complaint referred to the lack of hot meal provision for a three week period at a school during a kitchen refurbishment. Contract staff responded rapidly to the complaints and where appropriate organised remedial action.
11. Corporate Services received a total of 60 compliments during the period.

Culture and Leisure.

12. Culture and Leisure had a total of 8 complaints in this quarter. One complaint that gave the most concern was apparently made by a child via email and alleged both poor service and that a racist remark had been made by Library staff. This was investigated by a senior manager in contact with the child's parent who had been unaware of the allegation. The child denied having sent the email and also denied ever having any problems with library staff. She suggested that someone had acquired her email password and sent the email as a joke. The Director of Culture and Leisure wrote to the parent advising of a change of password and that it be kept confidential. It was not possible to trace the sender of the email and after discussion with the County Council's Equalities and Diversity Manager it was agreed that the matter could not be taken any further.
13. There have been two other complaints about equalities issues, one involved access to a library for a wheelchair user and this will be resolved by some DDA work to be undertaken in this financial year. The other issue involved a customer who is registered as blind being unable to obtain a library telephone number from Directory Enquiries. A complaint has been made to BT.

14. One other complaint related to organisational issues within a Library. The complainant was contacted by the Group Manager of the library concerned but was not happy with the initial response. The complaint was investigated further by the Assistant Director and further action taken. The complainant has been involved in designing a users questionnaire for the library concerned. The work is ongoing and the complainant has not indicated whether he is now happy with the way his complaint has been handled. Further advice has been given to the Group Manager about dealing with complaints.
15. The remaining complaints centred around internet access in a library, a family visit to the Sculpture Trail in the DLI Museum grounds, an objection to a League Against Cruel Sports display in a library and damage to clothing caused by the transfer of dye from a DCC carrier bag. There are no obvious trends in the complaints being made.
16. 8 Compliments were received during the quarter, these focused on the staff as well as the services provided. 2 users commented particularly on activities for children.

Environment

17. A claimant submitted a complaint about Trading Standards handling of representations to a power supplier and that there had been no progress in the matter. The investigating officer did not substantiate the complaint and noted that it had been a difficult case to resolve. Both the consumer and the power supplier had caused unnecessary delays by their failure to respond to correspondence.
18. A resident complained about chemical spraying which had taken place without prior notice to tenants and no use of warning signs. An explanation was provided that the spraying was probably associated with the District Council's grass cutting programme and an assurance was given that in future 7 days notice would be provided of any County Council operations.
19. One complaint related to the introduction of the Waste Permit Scheme at the County Council's Recycling Centres. The complainant was unhappy with the explanation provided and the matter has been referred to Stage 2.
20. A resident in a rural location complained about sheep escaping from adjoining fields and roaming on the highway. A second aspect of the complaint related to the parity of treatment of individuals by public bodies and their employees. In response it has been explained that the landowners in question had made reasonable attempts to stockproof their land. It was ascertained by the investigating officer that all requests for action by the complainant had been dealt with in an appropriate and timely manner.

21. The remaining complaints included delay in street lighting repairs, the continuing closure of a bridleway, the poor condition of specified approach roads in Leadgate and lastly incorrect road markings. Explanations were provided in each instance, an alternative route was proposed with regard to the bridleway, information was supplied with regard to carriageway works scheduled in Leadgate and the Highways Agency will be responsible for rectifying the road markings. Environment received 13 compliments during the period in question.

Service Direct

22. One complaint related to the lack of warning signs/traffic management procedures during works on A693. The complainant also contacted the Health & Safety Executive (HSE) as this was the second complaint of this nature. A full investigation was carried out by the Operations Manager and it was ascertained that Service Direct Supervision did not use specialist traffic management as is usual practice. A full response has been made to HSE and the Supervisor together with workforce underwent an internal audit by SD Health & Safety Section on this issue.
23. A complaint arose about the lack of progress on project works. The Grounds Manager investigated and found the complaint substantiated. An additional construction team was installed on the project.
24. A resident complained when part of a footpath was missed out of surfacing treatment. Service Direct employees had been reluctant to disturb the resident's plants overgrowing the path. A site inspection was carried out and the works were completed at the location.
25. Three further complaints related to parking of works vehicles in an inconsiderate manner. In each of the instances after an investigation remedial action was taken and employees have been counselled with regard to appropriate parking and conduct when addressing public.
26. The final complaint referred to Service Direct Canteen and menu availability and the complainant was provided with an explanation.'
27. A total of 19 compliments and letters of thanks have been received during the quarter.

Social Care and Health

28. Social Care and Health received a total number of 61 complaints during this period of which 27 related to Children's Services, 33 to Adult's Services and 1 to Strategic Finance & Business Support. It should be noted that most complaints tend not to proceed beyond Stage 1, indicating that once matters had been discussed and clarified they were not pursued.
29. An example of some of the complaints received were as follows:
 - (i) A service user complained about the lack of assistance with a disabled child and respite care issues. Access for the child to a Playscheme was agreed for 4 days over the Summer Holiday with an adjustment to active care support during this time. A further Social Worker assessment was scheduled for September.
 - (ii) A second complaint related to a reduction in overnight respite care for disabled child. An interim arrangement was made to increase the allocation of overnight short break services whilst a full inter-agency assessment of needs is undertaken.
 - (iii) A service user complained about the availability of day care at a Day Centre. However the complaint was subsequently withdrawn as the client is now satisfied with care services from Social Care and Health and will attend a Day Hospital for an assessment.
30. Social Care and Health received 75 compliments during the period.

Compliments

31. Members will recall that in order to present a more balanced picture, details are included of evidenced compliments/expressions of appreciation that are received. In addition to those specified in the preceding paragraphs Chief Executive's Office received 63 compliments and Education 46.
32. During this second quarter of 2005/06 a total of 284 compliments were received. In the comparative quarter in 2004/05, a total of 216 compliments were received.

Review of Completed Complaints

33. 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 Investigation

34. The Local Government Ombudsman investigated a complaint against the Council following the erection of bollards to prevent car parking on a paved area/footway outside the complainants' property. This paved area is adopted highway and the bollards were erected because parked cars caused visibility problems for pedestrians and road users at the nearby junction.
35. The complainants alleged that the County Council did not provide this information in its answers to the standard Local Search Inquiries made prior to the purchase of their property. They were of the opinion this information together with details of a new layout with respect to a nearby road junction should have been provided and if it had they would not have purchased their property. They requested a substantial sum in compensation.
36. On investigation of the matter, whilst satisfied that the County Council did provide the correct information, it was discovered that the plan showing the extent of the adopted highway was incorrect. In recognition of this error a without prejudice offer of £250 was made to the complainants via the Ombudsman and the Chairman of the Standards Committee has accordingly authorised payment of the compensation . The Ombudsman decided not to pursue the complaint further as she identified the issue to be one of legal liability and recorded her decision as a local settlement.

Conclusion

37. 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

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