

Standards Committee

14 February 2005



Complaints Handling for the period October to December 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 October to 31 December 2005 which for comparative purposes also contains a summary for the period October to December 2004.

Summary Analysis and Comparison

4. In the third quarter of 2005/06 64 complaints were received averaging 21 per month, compared with 23/24 per month in the period October to December 2004.
5. Corporately, acknowledgements and full responses or progress reports were within the Council's performance targets.
6. 26 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 52 % compared with 47% in the period October to December 2004. Staff conduct represented 20% of complaints received in the third quarter of this year compared with 19% 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 third quarter of 2005/06

Corporate Services.

9. In this quarter 4 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. The complaints centred around the lack of menu choice available to children on second sittings for lunch. As is the practice Contract staff responded rapidly to the complaints, arranged remedial action and provided parents with explanations.
10. A complaint was submitted by a group of residents about the procedural aspects surrounding the introduction of traffic 'no waiting' restrictions in Medomsley village. A detailed explanation of the sequence of events associated with the consideration of this matter by the Highways Committee was supplied to the residents.
11. Corporate Services received a total of 43 compliments during the period.

Culture and Leisure

12. 3 complaints were received during this period. A visitor to the DLI Museum and Art Gallery suffered a fall in the vicinity of the Reception Desk and complained this was as a consequence of the over assertive attitude of staff. After a thorough investigation there was no evidence that staff were less than courteous to the visitor or in any way responsible for the fall. The outcome of the investigation was relayed to the complainant.
13. The second complaint arose when a visitor took her children along to visit *Santa down the mine* at the Killhope Lead Mining Museum and was unhappy with the standard of service and the subsequent response by staff to her complaint. An apology was offered to the complainant who has been provided with a voucher for a family visit to the Museum during the 2006 season. Managers have reinforced to staff members the importance of sound and courteous customer care at all times when dealing with members of the public.
14. The final complaint arose when a fine was imposed for the non - return of library books, however the borrower had previously arranged verbally with a staff member to renew the books. An apology was provided and the fines were waived.
15. Culture and Leisure received 11 compliments during the quarter.

Education

16. 2 complaints were received, both of which related to the Educational Psychology Service as a consequence of delay in the assessment of support needs for 2 primary school pupils. Arrangements were made for the urgent completion of the assessments and explanations and apologies were offered to the complainants. A procedural review to prevent a recurrence of the situation is underway within the Service.
17. 13 compliments were received during the quarter.

Environment

18. One complainant was unhappy with the location of a school crossing patrol and the resultant traffic queues during rush hour. The location is compliant with Department of Transport criteria and a full explanation has been supplied to the complainant.
19. A local resident complained that a traffic calming scheme formerly considered, amended and approved by the Highways Committee had been further amended to accommodate the needs of one resident. An assurance was given that the speed bump height was not subject to alteration and the scheme would not be affected by the proposed minor design change. However, the complainant was not satisfied and the matter has been referred to Stage 2 of the complaints procedure.
20. The remaining 2 complaints related to Trading Standards matters. One customer complained about the lack of follow up action to address a safety concern raised about a product. Appropriate measures were taken to address this omission, the complainant was appraised of events and confirmed satisfaction with the outcome. The second matter arose when there was a delay in returning computer equipment removed from the complainant during the course of an investigation. An explanation was provided and the equipment returned.
21. Environment received 26 compliments during the quarter.

Service Direct

22. Service Direct received 7 complaints during the quarter 4 of which related to poor service, 1 to delay and 2 to matters of staff conduct.
23. The poor service issues were
 - plumbing works carried out unsatisfactorily which caused resultant water damage to ceilings floors and computer equipment.
 - Redundant materials left on site following street lighting works

- Delay in completing a street lighting repair
 - Failure to programme the 'switching on' of Christmas lights for a client.
24. All matters were investigated, appropriate remedial action was initiated and full explanations and apologies were offered to the clients. Senior management have considered the circumstances of the incidents and will continue to monitor complaints. Disciplinary action was taken against 2 staff members.
 25. One of the 2 staff conduct complaints referred to the inadequacies of Service Direct's telephone system. It transpired that some telephone extensions were not appropriately set up to facilitate the recording of incoming messages. This problem has been rectified. The second complaint arose when an employee had been witnessed on two occasions parking a Service Direct vehicle illegally.
 26. The employee has received specific instruction and has been advised that any recurrence will result in disciplinary action. General advice on parking matters has been issued to all vehicle drivers/holders by the County Transport Manager.
 27. The final complaint related to the delay in installing a bus shelter as part of environmental improvements at Trimdon Station (Deaf Hill.) Clarification was sought on outstanding specifications issues and the works were completed.
 28. Service Direct received a total of 25 compliments /thanks during this period.

Social Care and Health

29. Social Care and Health received a total number of 43 complaints during this period of which 17 related to Children's Services, and 26 to Adult's Services.
30. 10 of the complaints recorded were categorised as Staff Conduct, however, it should be noted that this refers to actions and attitude, which, on inquiry, may not be found to have been deficient.
31. Examples of some of the Staff Conduct complaints received were as follows:

Adult Services

Complaint: "Medication not given".

Outcome: when medication changes in the future, Team Leader will visit the complainant/service user to discuss it.

Complaint “Attitude of home care worker”

Outcome: Manager unable to obtain evidence to support complaint, however the member of staff received Customer Care Training.

Complaint Staff attitude and failure to provide information were part of 3 elements of a complaint. The complainant reported that he had contacted the Service several times and sought information to which, he believed, he was entitled (as an ex-husband of a service user). He alleged that the staff refused to give him any information, saying that it was confidential, and he felt that they were unhelpful, obstructive and patronising.

Action taken: The matter was discussed with the complainant; the staff involved and relevant Managers were interviewed; documents were examined, and a report compiled. The available information suggested that the conversations with the complainant were intense and antagonistic, and that he became increasingly frustrated and annoyed by the refusal to give him information. There was no evidence to substantiate the allegation that staff spoke in an inappropriate way. However, it appears that they should have been alerted to the possibility that the complainant might be entitled to some information in response to his queries, and they should have offered (at the time or shortly afterwards) to check the position and get back to him. As this was not done, the response to the complainant was not satisfactory, and this point of complaint was partly upheld.

Outcome:

- A senior manager to send the complainant a formal response, with apologies for shortcomings in the service
- The response will include a copy of the investigation report, so that the complainant can see the basis for the conclusions of the investigation.
- The staff involved, are to be informed of the outcome of the investigation.
- Practice issues are to be followed up in staff supervision.
- General reminder to be issued to staff regarding the need to seek advice where the boundaries of confidentiality and information sharing seem unclear.

Children's Services

Complaint: Conduct of staff member regarding the completion of an initial assessment where a child was not spoken to as part of the assessment.

Action taken: The complaint was partially upheld as it was agreed a full assessment should include the child's views. The Service agreed to re-assess the case, including the child's view. This did not alter the outcome of assessed needs but the parent was satisfied that the assessment was now complete.

Outcome: Training needs of the Initial Assessment Team were addressed regarding who should be included in assessments.

Complaint: Conduct of staff regarding lack of communication to complainant.

Outcome: Complaint was found to be unjustified due to complainant being a grandparent with no parental responsibility and within the scope of procedures does not have an automatic right to information. Complainant was asked to contribute their views to future core groups.

Complaint: This complaint was extremely complex with 8 points of complaint. The main points were: failure of the Service to pass relevant information on to the complainant in a timely fashion, and a refusal to allocate her disabled son with a respite holiday placement due to a change in eligibility criteria. The complainant felt that she had been disadvantaged by not having the relevant information. An independent investigator was commissioned and they interviewed the complainant, staff and managers involved. Documents were examined and a report was compiled.

Outcome: A response was given to the complainant from the Service apologising for the stress and distress caused. As a result of the findings of the investigation a review of the shared care and allocation panel was undertaken with regards to its terms of reference and practice. An undertaking was given that these would be shared with parents and carers giving them an understanding of the eligibility criteria.

The social work staff in the Children with Disabilities Team who are involved with carers assessments, within the framework of assessment of children and their families, have had the expectations of their role explained and reinforced.

The function and process of the section 17 panel has been put into a written format, shared with all social workers and there is an expectation that they will ensure this information is appropriately shared with parents/carers.

Development Work on Social Care and Health Representations Systems:

The Acting Director of Social Care and Health has reported that work is continuing on the overhaul of the Social Care and Health representations system, with the aim of revising the procedures for implementation from April 2006.

This work is being led by Gerald Tompkins, Head of Service for Strategic Planning and Health Improvement and the associated action plan spans four areas:

- information and guidance for staff
- the IT system
- information for the public
- monitoring, learning and training

The service's local time-scales match the reported national time-scale for implementation of the new national guidance on complaints. However, this guidance has not yet been published by Government, making the time-scales for taking account of it extremely tight.

Social Care and Health received 68 compliments during the period.

Compliments

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 27 compliments.

During this third quarter of 2005/06 a total of 213 compliments were received. In the comparative quarter in 2004/05, a total of 178 compliments were received.

Review of Completed Complaints

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.

Conclusion

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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