

Item No. 3

**Standards Committee**

**15 February 2007**



## **INTERNAL CONTROL REPORT**

### ***Corporate Complaints Procedure***

***December 2006***



INVESTOR IN PEOPLE

## INTRODUCTION

1. In accordance with the County Council's annual Internal Audit Plan, we have carried out a review of the Corporate Complaints system.
2. In carrying out the audit, the time and assistance afforded by Bill McKibbin, Allison Mallabar, and the Standards Committee was greatly appreciated.

## OBJECTIVES

3. The overall objectives of our reviews are to provide a risk based assessment of the systems in place in order to form an opinion as to whether they are robust and provide an adequate basis for effective control. The detailed objectives for this audit, as agreed with managers, were to ensure that;
  - ***The policy and procedures are documented and up-to-date***
  - ***There is an efficient and effective system of recording complaints***
  - ***Appropriate action is taken to deal with complaints***
  - ***Relevant information is reported to the appropriate people***
  - ***Complaints are reviewed, causes established and remedial action taken***

## SCOPE

4. The review undertaken by Internal Audit forms part of the overall assurance process now required by the Chief Executive and the Leader for inclusion within the statement on internal control which is included as part of the Authority's Statement of Accounts. In order to be in a position to best inform this process, the audit includes an increasing emphasis upon issues of a non-financial nature.
5. The report is intended to present to management the observations and conclusions of the audit. Wherever possible the observations and recommendations have been discussed with members of staff and their views taken into account.

## EXECUTIVE SUMMARY

### Policy & Procedure

6. The Authority has an up to date complaints policy and procedure and there are reasonable methods available for prompting updates to it. We were also satisfied that both Corporate and Service complaint officers are in post or, where relevant, replacement posts have been provisionally agreed i.e. for Adult & Community and Children's Services.

7. The Corporate policy is the only one in place, except where statutory responsibilities are covered or additional procedures are required e.g. School place appeals. However, issues highlighted by our testing suggest that a further circulation, including updating of local documentation and wider public communication of the policy, is necessary.

### **Recording Complaints**

8. The Corporate policy states that Services are responsible for “making sure that all complaints received are properly recorded ..”. Our testing suggests that where complaints cannot be resolved immediately Services are identifying them as formal complaints. However, a series of minor gaps in the evidence on complaint files suggests officers would benefit from a re-iteration of the stages required and evidence expected.
9. Where complaints are resolved immediately, the policy requires that Services provide written confirmation of this to the complainant. Our testing confirmed that these are not being captured and reported by the current complaints process but we understand and accept that formally recording and reporting at this level would be very administratively cumbersome.

### **Processing Complaints**

10. The Authority employs very tight timescales for complaint receipt and response and we were very pleased to find that in the vast majority of cases these were being met. However, based on our review of the guidance and testing, we identified isolated examples of poor practice that should be addressed and six areas where we think the standards could be extended.

### **Reporting & Review**

11. Standards Committee and Chief Officers receive complaints information on a regular basis. Overall this is very useful and highlights the central role members currently take in the monitoring of complaints. However, the Committee expressed an interest in more systematic and comprehensive management information and we have identified a series of way in which this could, with Service assistance, be provided.
12. Within Services, we noted some good practice in complaints handling, reporting, and use of outcomes. However, CPA is raising the expectation that across all Services we can evidence this good practice. In this environment, each Service should re-assess how it demonstrates that it is reviewing complaints received, its handling of them, and what impact this has had on developing services.

**OBSERVATIONS, RISKS AND RECOMMENDATIONS**

13. Our observations together with the associated risk(s) are detailed in the action plan accompanying this report. For each area where observations are made, a recommendation and priority for action is attached.
14. We have categorised the importance of our recommendations as follows:
  - Critical – a fundamental control issue which could have a corporate impact and should be addressed immediately,
  - High – a fundamental service control issue which should be addressed immediately,
  - Medium – an important control that should be addressed as soon as possible,
  - Low – an issue that would improve overall control

**CONCLUSION**

15. Our review has highlighted one high and seven medium priority issues considered significant enough for inclusion within this report. A further issue has been identified as low priority and is shown in the report to indicate where overall control could be improved.
16. Our opinion, based upon the number and potential impact of the observations made, is that the system is adequately controlled. Identified complaints are usually handled appropriately, within current time standards, and as such its key objectives are being met.
17. Our recommendations focus on further developing the process (and tightening application of the policy), improving current management information, and highlighting future challenges to the system.

Prepared by:

Reviewed by:

Daniel Bainbridge PIIA  
Senior Auditor  
December 2006

Stephen Carter CPFA  
Audit Manager  
December 2006

No.	Observation	Associated Risk	Priority	Recommendation	Management Comment	Resp/Timescale
01	<p>A corporate policy is in place and it is only supplemented where alternative statutory responsibilities apply e.g. Adult &amp; Children's Services</p> <p>However, our testing has highlighted that:</p> <ul style="list-style-type: none"> <li>-The old corporate policy is still accessible on the intranet</li> <li>-In isolated cases old complaints checklists/ procedures are in circulation with out of date time targets.</li> <li>-Governance CPA KLOE 4 (Q4.1) seeks evidence of "a well publicised, user-friendly and supportive system for service users and staff to submit complaint's."</li> </ul>	Inconsistent procedures are applied by Services.	High	<p>Corporate Services should:</p> <ol style="list-style-type: none"> <li>1. re-issue the policy and ensure old versions are removed from corporate systems e.g. the intranet.</li> <li>2. Remind Services of the revised procedure especially on time targets and request that local process, including documentation, is updated to reflect this.</li> <li>3. Request that the policy and process for lodging corporate complaints be regularly publicised e.g. within Countywide and prominently on the Authority's Website.</li> </ol>	The policy and guidance was last issued to services in August 2005 and it is timely to review the Policy in light of the recommendations contained in the Audit Report and further consultation with Service Complaints Officers prior to the reissue of the Policy and comprehensive guidance incorporating the reminders on time targets and processes etc.	Lesley Davies, Acting Director of Corporate Services 31/3/07

No.	Observation	Associated Risk	Priority	Recommendation	Management Comment	Resp/Timescale
02	<p>The Corporate policy states that Services are responsible for “making sure that all complaints received are properly recorded ...”</p> <p>Based on our testing and interviews we are confident that where complaints cannot be resolved immediately they are being recorded by Services.</p> <p>However, our testing has shown that in isolated cases, key evidence had not been kept on the complaints file e.g.</p> <ul style="list-style-type: none"> <li>-in 3/24 (13%) of our sample a record of the original complaint was not on the file.</li> <li>-in (8/21) 38% cases reviewed we could not find evidence (returned form, supporting Authority letter, or file note) that a satisfaction survey had been issued.</li> </ul> <p>Officers would benefit from a re-iteration of the stages required and evidence expected in recording a complaint.</p>	<p>Reputation damage to the authority if complaints are not handled appropriately.</p>	<p>Medium</p>	<p>Corporate Services should remind Services of the minimum evidence / stages expected in a complaint file:</p> <ol style="list-style-type: none"> <li>1. Record of the complaint.</li> <li>2. Record of initial attempt at resolution</li> <li>3. If successfully resolved, record of confirmation sent to complainant</li> <li>4. (if 2. unsuccessful) record of acknowledgement sent to complainant</li> <li>5. If delay in making final response, record of update to complainant on progress</li> <li>6. Record of final response, including evidence of issue of satisfaction survey</li> <li>7. Record of survey if returned e.g. where complainant still unsatisfied</li> <li>8. (if unsatisfied) record of acknowledgement sent to complainant and process repeated for Stage 2 / 3.</li> <li>9. (if satisfied) record of outcomes from complaint i.e. if it was justified, what changes made, training provided etc.</li> </ol> <p>NB A suitable record can include: letter, e-mail, telephone note, note of interview, local form detailing action, Computer record from SSID etc.</p> <p>Corporate Services should also consider including this list as part of a revised Complaints policy and guidance.</p>	<p>Instructions will be issued to Services with the specified timescale.</p>	<p>Lesley Davies, Acting Director of Corporate Services 31/3/07</p>

No.	Observation	Associated Risk	Priority	Recommendation	Management Comment	Resp/Timescale
03	<p>Where complaints are resolved immediately, the corporate policy requires that Services provide written confirmation to the complainant of the resolution. (Stage 1, problem solving)</p> <p>Based on our testing, this activity is not being systematically captured and recorded by the current complaints process.</p> <p>We have no evidence to suggest that Services are failing to deal with these 'expressions of dissatisfaction', but not capturing this information impacts on the accuracy of our management information and corporate reporting on volumes of complaints received.</p> <p>We have discussed these concerns with the relevant Corporate Services managers and we understand and accept that formal recording and reporting of these possible complaints would be very administratively cumbersome.</p>	Complaint is dealt with inadequately due to failure to capture complaint	Low	Corporate Services management should review the wording of Stage 1 of the policy and guidance, to ensure this accurately reflects Service practice in recording and responding to complaints.	Service Complaints Officers will be consulted in relation to this issue and the wording of the Policy document at Stage 1 of procedures will be reviewed and clarified to reflect recording and reporting practices.	Service Complaints Officers 30/6/07

No.	Observation	Associated Risk	Priority	Recommendation	Management Comment	Resp/Timescale
04	<p>The Complaints policy includes challenging timescales for receipt and response at all stages of dealing with a complaint.</p> <p>However, our review of the guidance, supported by the results of our testing, has identified six areas where we think the standards should be extended.</p> <p>For example:                      -In 1/21 (5%) case from our sample the complainant at stage 1 did not receive an update on their case for over 4 weeks.                      -In 2/21 (10%) cases from our sample, satisfaction surveys had been issued over a month after the completion of the case.</p>	<p>Reputation damage to the authority if a timely response is not provided to the complainant.</p>	<p>Medium</p>	<p>Corporate Services should include these additional standards as part of any review and re-issue of the policy:</p> <p>Stage 1:                      1. In the minority of cases where there are delays in responding, requirement to provide progress reports at least every 15 working days until full response.                      2. The satisfaction survey should be issued with the Services final response.                      3. acknowledgement of a complainant, unsatisfied with stage 1 should be issued within 5 days of receipt.</p> <p>Stage 2:                      4. In the minority of cases where there are delays in responding, requirement to provide progress reports at least every 20 working days until full response.                      5. acknowledgement of a complainant unsatisfied with stage 2 should be issued within 5 days of receipt</p> <p>Stage 3:                      6. Include a requirement to provide progress reports at least every 25 working days until full response.</p>	<p>Refer to response at 1 above and incorporate the additional standards as specified.</p>	<p>Lesley Davies,                      Acting Director of Corporate Services                      30/6/07</p>



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05	<p>Services are generally meeting the standards and applying the correct procedure for handling complaints.</p> <p>As part of our testing we reviewed the detail of the responses provided by Officers at stage 1 and 2, and were generally very pleased with the content and clarity of their communication and their commitment to resolve complaints promptly and fairly.</p> <p>However, in a minority of cases, we identified some poor practice that should be addressed:</p> <ul style="list-style-type: none"> <li>-in at least 2 cases officers did not include in their acknowledgement letters the date when a full response will be given, e.g. officer will be in touch etc.</li> <li>-One case was rejected from going on to Stage 2 because the complainant was "unhappy with the answer rather than the way the complaint was dealt with". We accept that this was factually correct, but the manner of its completion, and the lack of supporting advice on alternative channels for the complainant to follow was not satisfactory.</li> </ul>	<p>Reputation damage to the authority if a timely response is not provided to the complainant.</p>	<p>Medium</p>	<p>Corporate Services should remind complaints officers that:</p> <ol style="list-style-type: none"> <li>1. In line with our policy the acknowledgement of a complaint should include a date when the complainant can expect a full response or update.</li> <li>2. Where a complaint is considered not covered by the complaints policy, in line with the guidance in the policy, the complainant should be provided with a comprehensive explanation of the reason (referring to our policy – including a copy) and, where relevant, with advice on alternative channels for pursuing the issue.</li> </ol>	<p>Service Complaints Officers will be advised accordingly. In a wider context Service Complaints Officers will be supplied with a new guidance note published by the Local Government Ombudsmen, <i>Unreasonably persistent complainants and unreasonable complainant behaviour</i>. The note contains advice to help local authorities formulate policies on such behaviour based on what the Ombudsmen regard as good practice in dealing with these complaints.</p>	<p>Service Complaints Officers 31/3/07</p>

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06	<p>Members receive a quarterly report on complaints, and complaints handling.</p> <p>Chief Officers also now receive six-monthly summaries based on the same information.</p> <p>At Service level we have clear evidence that in the main areas receiving complaints e.g. Adult's and Children's Services, there is good practice in reporting on them and addressing related service improvements. However, CPA assessment is increasing the focus on complaints handling and its links to service development. (Governance CPA Performance management Q4.1-4.3)</p> <p>Under these circumstances, each Service will need to re-assess how it demonstrates that it is formally reviewing its complaints and addressing any service development issues that may arise.</p>	<p>Inappropriate action or policy etc. continues because management do not know it is happening</p>	<p>Medium</p>	<p>In line with the Corporate policy, Corporate Services should remind Services that:</p> <ol style="list-style-type: none"> <li>1. They are responsible for "make[ing] sure that... systems are in place for reviewing at regular intervals the causes of complaints."</li> <li>2. That as a minimum, a formal review of complaints received, and complaints handling, should form part each of Services' SMT programme.</li> <li>3. As part of Service management teams review of complaints they should be identifying issues for service improvement, and confirming that changes etc. have be implemented.</li> <li>4. That this review should be completed at least annually, and included as part of Service reporting to Standards Committee.</li> </ol>	<p>The recommendation is accepted and advice regarding reporting arrangements and review by Services Senior Management Teams will be issued.</p>	<p>Lesley Davies, Acting Director of Corporate Services 31/3/07</p>

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07	<p>The authority provides a quarterly complaints report to Standards Committee. A summary form of this information also forms part of CMT's half-yearly performance review.</p> <p>The report is in a suitable format and contains useful information. However, our review of the latest reports, attendance at Standards Committee, and testing of complaints records, has highlighted a series of areas where we consider improvements can be made.</p>	<p>inappropriate action or policy etc. continues because reporting information is not provided, in a format that does not support challenge.</p>	Medium	<p>With the Agreement of Standards Committee, Corporate Services should change the format of their reported figures:</p> <p>Table 1 'Complaints':</p> <ol style="list-style-type: none"> <li>1. Should be split into two separate tables, covering                     <ul style="list-style-type: none"> <li>-no's received, being processed, and resolved</li> <li>-time performance in handling complaints</li> </ul> </li> <li>2. No's received should include records of complaints resolved immediately</li> <li>3. The 'average' of response times should be replaced by no's of completed complaints (and %), in/out of target for period</li> <li>4. A Similar breakdown of no's (and %) for stages 2 &amp; 3, as well as stage 1</li> </ol> <p>Table 2 'Complaints by type':</p> <ol style="list-style-type: none"> <li>5. The number of complaints in each type should be supported by %, to allow clearer comparisons</li> </ol> <p>Trend analysis:</p> <ol style="list-style-type: none"> <li>6. The current comparison with the same quarter last year / written notes on trend in numbers should be supported by a 'year to date' trend of complaints (total / Service) matched to the levels for the previous year</li> </ol>	<p>In agreement with the recommendation and with regard to Trend Analysis propose discussions are held with the Corporate Policy Team to ensure presentation of the data is compatible with the requirements for consideration of complaints by Chief Officer's at the Performance Clinic.</p>	<p>Lesley Davies, Acting Director of Corporate Services 30/6/07</p>

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08	<p>Members review a sample of completed complaints each quarter.</p> <p>We recognise that this ensures members have a 'hands on' appreciation of the authority's complaints handling performance, but we are also concerned that this opportunity to directly assess the complaints process is as focused and effective as possible.</p> <p>Standards currently,                      -Rely on Services to provide their sample (or all recently completed cases)                      -Are provided with brief summary on each file, with space for their comments                      -have certain Services who are reluctant for the Committee to have full access to their records.</p> <p>We were pleased to see such close interest in the Authority's handling of individual complaints and suggest ways in which, using the correct information, members can bring further focus to their review.</p>	<p>inappropriate action or policy etc. continues because reporting information is not provided, in a format that does not support challenge.</p>	Medium	<p>With the agreement of Standards Committee, Corporate Services should change the format of case sampling:</p> <ol style="list-style-type: none"> <li>1. Choice of files to review should be made based on Members criteria or requests e.g.                             <ul style="list-style-type: none"> <li>-Exceptional /new areas/rare complaints</li> <li>-Services, and Service areas, with high volumes of complaints / increasing complaints volumes</li> <li>-Those outside response targets</li> <li>-Complainants not satisfied with the response at Stage 1</li> </ul>                             This will require improved management information on Service complaints (see Rec. 09 below)                         </li> <li>2. (pending legal opinion) Standards Committee members should have full right of access to Adult and Children's Services Complaints records.</li> <li>3. Members assess files using a slightly extended checklist i.e.                             <ul style="list-style-type: none"> <li>- Is the relevant evidence on file i.e. initial complaint, response etc.?</li> <li>-Is the complaint response satisfactory?</li> <li>-If necessary, was remedial action taken?</li> <li>-Do you require a response from the Service?</li> </ul>                             Those considered serious enough should be referred back, requesting Services' formal response the next quarter.                         </li> </ol>	<p>The recommendation is agreed in principle and as acknowledged, there will be a change in the Management Information being provided by Services in response to the specifications of the Standards Committee. The recommendation could be implemented after agreement is reached regarding access to Adult and Children's Services complaints records. (Point 2) and propose an Aide - memoir be designed to address Point 3.</p>	<p>Lesley Davies,                      Acting Director of Corporate Services                      30/6/07</p>

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09	<p>Corporate Services managers are satisfied with the quantity of information provided to them by Services and it forms the core of their current reporting to Standards Committee.</p> <p>The sophistication of Service systems (IT and paper based) for recording, monitoring and reporting performance on complaints handling varies widely across the Authority.</p> <p>A unified complaints CRM system (excluding the statutory process for Adult &amp; Children Services) is planned as part of the Authority's change programme but we have not been able to confirm its implementation date.</p> <p>In the interim, to support our recommendations for improved reporting to Standards and SMT's etc. (see rec's 06 and 07) Corporate Services should request that all Services revise their local practices to ensure a minimum level of information available.</p>	<p>Inadequate information management systems hinder the production of relevant reporting information.</p>	<p>Medium</p>	<p>As an interim measure, Corporate Services should request that, as a minimum, Services produce sufficient information to support the new requirements for reporting on complaints i.e. to Standards Committee:</p> <ol style="list-style-type: none"> <li>1.No's received</li> <li>2.No's resolved</li> <li>3.No's currently being managed</li> <li>4.Stage at which they are (1, 2, or 3)</li> <li>5.Type(s) of complaint</li> <li>6.No's acknowledged, and responded in /out standard (1, 2, or 3) for this Services will have to review complaints files or maintain a local log for each complaint:</li> </ol> <ul style="list-style-type: none"> <li>-Date of receipt</li> <li>-Date of response (stage 1, 2, or 3) for each complaint.</li> </ul> <p>As a longer term solution Corporate Services seek to progress the implementation of the Complaints CRM module.</p>	<p>The recommendation is accepted and matches the Ombudsmen's reporting practices. Initial consideration has been given as to how the statistical information might be presented to meet these requirements (Recommendation 7 also refers.)</p>	<p>Service Complaints Officers 30/6/07</p>