

Standards Committee

22 May 2007

**Complaints Handling for the
Period January to March 2007**

**Report of Lesley Davies, Acting Director (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 January to 31 March 2007. It is usual practice to incorporate details of the statistics for the comparative period in the previous year in the table, however as a consequence of the Service restructurings within the Council a direct Service comparison is not possible. The relevant data is attached at Appendix 2.

Summary Analysis and Comparison

4. In the final quarter of 2006/07, 70 complaints were received averaging 23 per month, compared with 28 per month in the period January to March 2006. This brings the total number of complaints received during 2006/2007 to 289 compared with 299 complaints received during 2005/2006.
5. The quarterly trend for numbers of complaints for 2006/07 is as follows and for comparative purposes is matched to the levels for 2005/06.

Quarter	2006/07	2005/06
April to June	77	58
July to September	73	92
October to December	69	64
January to March	70	85
Total	289	299

6. 94% of complaints received in this latest quarter were acknowledged within the Council's performance targets. 78% of the Stage 1 complaints resolved were also done so within target.

7. 52 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 further when the complaints still under investigation are complete.
8. In this quarter, poor service was the largest single category of complaint at 41% compared with 44% in the same period in 2006. Staff conduct represented 13% of complaints received in the final quarter of this year compared with 38% in the comparison period.

Additional Background

9. Individual Services have provided the following additional information on the nature and outcome of complaints received during this final quarter of 2006/07.

Adult and Community Services (A & CS)

(A & CS) Culture and Leisure

10. 7 complaints were received by the Corporate Complaints System 4 of which related to the temporary re-location of Consett Library to allow for the installation of a lift to improve public access to those services located on the upper floor. Complainants expressed concerns about the standard of the temporary premises and were advised of the unavailability of more suitable accommodation in the vicinity. The use of the premises had been preferred to the alternative of withdrawing library services during the period of the works. The library has returned to its permanent location.
11. One staff conduct issue arose and related to the manner in which library staff had addressed a parent and two children over the perceived misbehaviour of the children. The complainant has received an apology and Members will be aware of the priority the Service affords to customer care training.
12. A further complaint related to the charge levied for a damaged library book and the final complaint related to changes to the mobile library service.
13. The Mobile Library Review was implemented during the quarter. Prior to implementation it had been the subject of detailed discussions at Member Area Panels. The Review incorporated an appeals process and 130 appeals were received along with additional representations from members of the public on the issue. These have all been handled by the Service within the context of the review's public consultation process.
14. 2 compliments were received during the quarter both of which referred to library staff.

(A & CS) Social Care and Health

15. 25 complaints were received at Stage 1 of the Social Care complaints procedure during the January to March period, 1 of which was referred to Stage 2 for consideration.
16. Following the introduction of a new recording system on SSID further work is required to develop relevant information gathering. There is incomplete information available for the period relating to types of complaint. 5 of the 25 complaints were recorded as poor service, 3 to staff conduct and the remainder were not coded. A closer examination of 2 of the staff conduct complaints reveals that 1 arose as a consequence of the complainant's understanding of information communicated about an assessment process. The other matter was a general expression of concern about the wellbeing of an elderly client from a relative who lived geographically distant.

Example of Stage 1 complaints entered as 'Staff Conduct' (Adult Services):

17. A Service User complained that a staff member spoke to her disrespectfully over the telephone. The matter was resolved with a prompt apology to the complainant by the Responsible Officer and a letter of apology from the staff member involved. The telephone call had been difficult as the staff member had been trying to explain how needs and assessments are prioritised within the service. The matter had been followed through with the individual concerned to ensure that communication issues were addressed. The complainant was satisfied with the outcome and a clinic assessment had been offered and accepted.

Example of other Stage 1 complaints received this quarter

18. 10 of the 25 complaints in the quarter related to the temporary closure of a day centre for almost two weeks due to staff sickness and holidays. The day centre is run by County Council staff in a District Council's Community Centre. Complainants have requested that extra cover be provided at times of staff holidays in the event of sickness absence amongst those remaining. Some anxiety was also expressed about the possible future closure of the service.
19. From the responses provided to the complainants this closure incident was exceptional and unforeseeable. Temporary cover arrangements have always worked well previously during periods of staff absence due to holidays or sickness, utilising temporary cover from staff within the home care service.
20. On this occasion, however, the home care service was also experiencing high levels of sickness and no cover could be provided. Insufficient staff cover would have compromised safety and, as a last resort, the decision was taken to temporarily close the service. Reassurances have been given that the service is valuable and that the closure was temporary. Apologies have been given to the service users for the inconvenience caused.

Learning from Complaints

21. Information regarding complaints continues to be regularly reported to management meetings for dissemination to staff. Specific outcomes are taken up with the relevant personnel, including with independent providers.
22. A new Complaints Officer took up appointment in Adult and Community Services in mid April. A number of issues have already been identified (i.e. in the accurate reporting, updating and closure of complaints reported on SSID) and work is planned to secure improvements in this area. The Complaints Officer will also support Officers in improving communication and outcomes and most importantly extracting learning opportunities to improve the individual experiences of service users and inform the wider quality agenda of the Service.
23. 41 compliments were received during the quarter.

Children and Young People's Services (C & YPS)

(C & YPS) Education

24. 1 complaint was received during the quarter concerning a pupil's SEN assessment and the outcomes for the child's education. The complainant expressed specific concern that written correspondence submitted had been lost in transit between the Services' Officers. The complainant felt that as a direct consequence her child had not accessed Speech and Language Support Programme (SALSP) assistance.
25. The complaint was investigated and a full explanation provided to the complainant on each of the issues raised. Proposals were outlined for a solution to alleviate the complainant's concerns about the handling of the assessment process. Protocols regarding the internal transfer of information between Officers have been reviewed to prevent recurrence of the situation.
26. 29 compliments were received during the quarter covering the work of Achievement Services, Advisory and Specialist Teaching Service, Education Welfare Service, Home and Hospital Support Service, Policy and Planning Unit and Surestart County Durham.

(C & YPS) Social Care and Health

27. 18 complaints were received about Children and Young People's Services entered at Stage 1 of the Complaints Procedure. 18 complaints were resolved of which 16 of the complainants were satisfied with the outcome. 7 complaints were still under investigation at the end of the quarter; this figure also incorporates those stage 1 complaints carried forward from the previous quarter.

Examples of Stage 1 complaints

28. **Complaint:** The family of a child with a disability complained about the social worker, whom, they alleged, refused to provide services after an occupational therapy assessment.
Outcome: The social worker was fulfilling the occupational therapist's recommendations and the complaint was forwarded to the O.T. department. This initiated better communication between departments and the need for clarity of explanation has been noted and is being worked upon.
29. **Complaint:** The complainant requested more help from the social worker, initially stating that she was unhappy with the placement of her son and the lack of contact with him.
Outcome: When the complaint was investigated it transpired that the complainant had become homeless and contact could be made only by her mobile telephone. The social worker acted as a liaison between her and the council to arrange temporary accommodation and the complainant was very satisfied, withdrawing her complaint about the lack of contact with her son.
30. As a consequence of the introduction of new complaints procedures in September of last year Independent Investigators and Independent Persons are now involved at Stage 2 of the Procedures. The Service has continued to consolidate relationships with the Advocacy Service.
31. During the quarter there was 1 Stage 2 complaint ongoing relating to the utilisation of Direct Payments by a service user. This was an extremely difficult complaint for the Independent Investigator to deal with. There were many letters which the claimant claimed not to have received and correspondence forwarded by recorded delivery was returned marked "return to sender". It took 6 months for the Investigator to agree the points of the complaint with the complainant and the investigation will proceed with inspection of related case files and staff interviews.
32. Concerns about service provision or any staff issues have been addressed by Team Managers and the provision of relevant staff training continues to be of paramount importance.
33. 7 compliments were recorded for the quarter, 5 of which related to services provided and 2 praised the work of individual Social Workers. It appears that there is under reporting of compliments received and hence this will continue to be a focus for improvement.

Corporate Services

34. In this quarter 8 complaints related to School meals provision for which Corporate Services has responsibility for contract monitoring. They centred on menu choice and the standards of food services. As is the practice staff responded rapidly to these complaints, arranged remedial action and provided parents with explanations.

35. 1 further complaint relating to the handling of the procedural aspects of a Hearing was the subject of a Stage 3 investigation during the quarter. This was carried out by a senior manager from a different Service who upheld some elements of the complaint. Corporate Services managers have considered and will implement the investigating officer's recommendations in relation to procedural aspects and the complainant has received an apology.
36. 47 compliments were received during the quarter 39 of which related to the Registration Service and 8 to the County Hall Facilities Team.

Environment

37. A total of 9 complaints were received during this quarter relating to issues surrounding the winter maintenance of roads, planning application procedures, parking issues and street lighting repairs.
38. Details of the complaints relating to the planning issues are provided below:
39. A complainant expressed dissatisfaction because the Service did not acknowledge every letter of objection to a planning application. The complainant was advised that this was because of the volume of up to 1,000 letters that had been received, a large majority of which had been a proforma letter that residents had personalised with their name and address. The matter was reviewed and a decision taken to acknowledge every letter. The complainant was advised of this and was satisfied with this course of action.
40. The second 'planning issue' related to the complainant's perception that an applicant had delayed a submission of a planning application for a time extension to a landfill site. The Planning Officer responded with details of the prescribed timescales and explained the authority was not in a position to request organisations to submit applications earlier than the specified date.
41. The complainant was not happy with this explanation and after a stage 2 investigation received a further explanation that the application had been dealt with as expeditiously as possible by the Council given the constraints of the statutory processes. The complainant remains dissatisfied with the response and the complaint will be investigated under stage 3 of procedures.
42. The Service received 25 compliments during the quarter.

Service Direct

43. 2 complaints were received during this period, 1 concerned staff conduct and the other related to the damage to property and nuisance caused during the completion of works by Service Direct employees.

44. In the first instance a Head Teacher complained that a Service Direct employee attending the school premises to undertake work had been unpleasant and unhelpful. The employee was interviewed and had been unaware that his manner had caused offence. His manager has advised that in future he must maintain a strictly professional approach with all clients and customers. No formal disciplinary action was taken on this occasion.
45. With regards to the remaining complaint a member of the public claimed damage to his doorstep had been caused by the use of a mini digger and workmen had also used a stihl saw without dust suppression in his vicinity that could exacerbate his asthma condition. It was disputable whether the damage had been caused by the use of the digger however as a gesture of goodwill remedial works were carried out to the doorstep and the complainant was issued with an apology regarding the use of the saw.
46. These issues will be addressed in a toolbox talk with all gang members and details of the training will be recorded for future reference. The complainant accepted this course of action and requested that there be no further contact on the matter.
47. Service Direct managers are pleased to note that the incidence of staff conduct complaints have reduced this quarter. The remedial and preventative measures introduced in recent months will remain in play and managers will continue to be vigilant. The Customer Care training referred to in the previous complaint handling report is progressing, to date 92 employees have completed the programme with a further 188 employees still to undergo the training.
48. A total of 10 compliments were received during the period, 5 in the Building Works Division, 4 in the Catering Division and 1 in Civil Engineering.

Compliments

49. 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.
50. During this final quarter of 2006/07, a total of 161 compliments were received. For 2006/07 as a whole, a total of 656 compliments were received compared with a total of 289 complaints during the year. (For 2005/06 as a whole, a total of 890 compliments were received. This compares with 299 complaints for the same year).

Review of Completed Complaints

51. 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 – Current Activity

52. There were no formal requests for information relating to new matters under investigation by the Ombudsman during this period.
53. The Ombudsman had indicated previously that the office held a backlog of stockpiled complaints awaiting allocation to investigators. In this context we received and responded to brief preliminary enquiries in relation to two Social Services matters, one child care and one concerning charges for respite care.
54. The Ombudsman also referred one Highways matter to the Council for investigation under corporate procedures because we had not had a reasonable opportunity to do so.

Conclusion

55. 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

56. Correspondence from Departments.

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