



Standards Committee

Date Friday 15 February 2013
Time 10.00 am
Venue Committee Room 2, County Hall, Durham

Business

Part A

**Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's agreement.**

1. Apologies for Absence
2. Substitute Members
3. Minutes of the Meeting held on 7 November 2012 (Pages 1 - 4)
4. Declarations of Interest
5. Corporate Complaints, Compliments, Comments and Suggestions - Report of Corporate Director, Neighbourhood Services (Pages 5 - 32)
6. Granting of Dispensations in connection with approval of the Council's Budget and Council Tax - Report of Head of Legal and Democratic Services (Pages 33 - 36)
7. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.
8. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Part B

Items during which it is considered the meeting is not likely to be open to the public (consideration of exempt or confidential information)

9. Update on the Handling of Current Complaints - Report of Head of Legal and Democratic Services and Monitoring Officer (Pages 37 - 68)

10. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
7 February 2013

To: The Members of the Standards Committee

Councillor P Charlton (Chair)
Councillor J Shiell (Vice Chair)

Councillors J Armstrong, A Bainbridge, E Bell, C Carr, D Farry, G Holland,
D J Southwell, W Stelling and M Williams

Parish and Town Council Representatives:-

Town Councillor AJ Cooke and Town Councillor T Batson

**DURHAM COUNTY COUNCIL
STANDARDS COMMITTEE**

At a Meeting of **Standards Committee** held in Committee Room 1A - County Hall, Durham on **7 November 2012** at **10.00 am**

Present: **Councillor J Shiell (Chairman)**

Members of the Standards Committee:

Councillors J Armstrong, E Bell, G Holland, D Southwell and M Williams

Town Councillor T Batson; Town Councillor A Cooke.

Apologies:

Councillor P Charlton.

Also in Attendance:

Mr J Dixon-Dawson; Mr P Jackson

1 Minutes of the Meeting held on 7 September 2012

The minutes of the meeting held on 7 September 2012 were confirmed as a correct record and signed by the Chairman.

2 Declarations of Interest, if any

There were no declarations of interest received.

3 Complaints, Compliments and Suggestions: Quarter 2, 2012/13

Consideration was given to the report of the Corporate Director, Neighbourhood Services, the purpose of which was to present performance and information in relation to complaints, compliments and suggestions for quarter 2 of 2012/13 and to highlight any learning outcomes resulting from them (for copy see file of Minutes).

The Customer Relations, Policy and Performance Manager, was in attendance to deliver the report and an overview presentation of the statutory, non statutory and Local Government Ombudsman complaints received throughout the period (for copy of slides see file of Minutes)

Members of the Committee expressed concerns regarding the level of complaints were received regarding planning issues. During the period, 32 Stage 1 complaints had been received by the Planning and Assets service.

The Customer Relations, Policy and Performance Manager advised that planning was very important and that more detailed work would be done in the future to look to reducing the number of planning related complaints.

The Deputy Monitoring Officer advised that planning was an area which would inevitably always generate complaints, as planning was a contentious area, and people were likely to make complaints should a planning application not be determined the way they had wished. Furthermore, Members were advised that as Central Government had introduced an expectation that a high percentage of planning applications would be now determined under delegated authority, it was likely that a lot less applications would be brought before planning committees for Member determination.

In response to a query from a Member, the Customer Relations, Policy and Performance Manager advised that in relation to complaints regarding missed bin collections and other such issues, these would be initially recorded as service requests. For example if a resident made contact to notify that their bin had not been collected, that would not be logged as a complaint unless the resident specified that they wished to make a complaint. Such service requests were usually dealt with at the first point of contact and were not therefore recorded as complaints.

Resolved:

That the report be noted.

4 Annual Representations Report, Children and Young Peoples Services

Consideration was given to the sixth Annual Representations report in respect of services to children, young people and their families, for the period 1 April 2011 to 31 March 2012 (for copy see file of Minutes).

The Representations and Quality Officer, Children and Young Peoples Services, was in attendance to present the report. Members were advised that the aim of the report was to provide performance information in a concise manner and detailed information, such as the aims of and procedures for complaints handling, could be supplied to Members upon request.

Members were advised that a range of factors would influence whether a complaint was classed as complex. For example, complaints where multiple children were involved, or where numerous issues were raised within one complaint, then such instances would be classed as complex.

Resolved:

That the report be noted.

5 Parish and Town Council Briefing Session Feedback

Consideration was given to a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the feedback which had been received from a recent briefing session which had been delivered to delegates from the County's Parish and Town Councils, addressing topics such as changes to the Standards regime, Code of Conduct and Registerable Interests (for copy see file of Minutes).

The Deputy Monitoring Officer presented the report and advised Members that the event had been very well attended and that all feedback received had been extremely positive.

Resolved:

That the report be noted.

6 Exclusion of the Public

Resolved:

That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the said Act.

7 Update on the Handling of Current Complaints

The Committee considered a report of the Head of Legal and Democratic Services which provided an update report in respect of complaints of alleged breaches of the Code of Conduct (for copy see file of Minutes).

Resolved:

That the report be noted.

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Corporate Customer Feedback: Complaints, compliments and suggestions Quarter 3 report 2012/13



Altogether better



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Overview

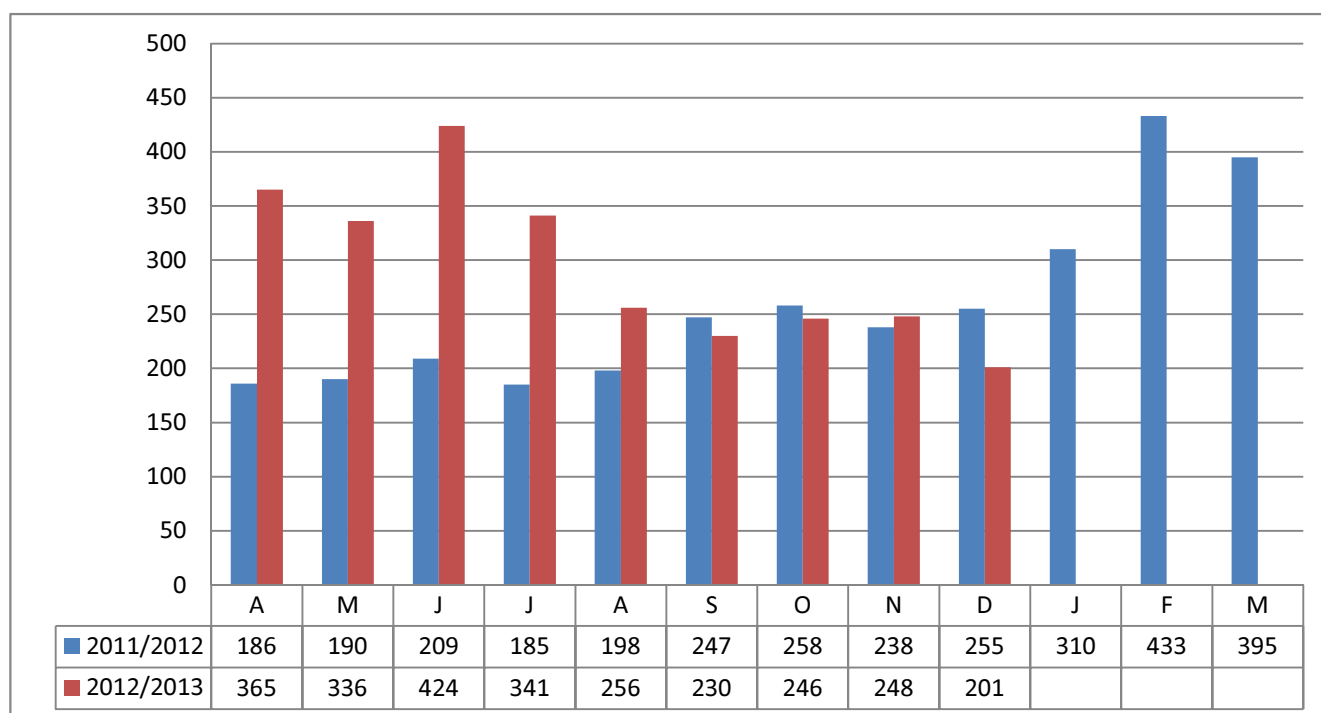
1. This is the third report of 2012/13 providing the performance information and learning outcomes in relation to complaints, compliments and suggestions across the Council; providing information in relation to the 2 types of complaint the Council deals with:
 - **Statutory.** A complaint which arises from the duties placed on a local social services authority to provide assessments and care services under the provisions of relevant adult and children’s social care legislation. The process for managing such complaints is prescribed in Regulations.
 - **Non-Statutory.** All other complaints
2. The council’s service standards for dealing with non-statutory complaints are:
 - Acknowledging all complaints within 2 working days;
 - Responding to stage 1 complaints within 10 working days
 - Responding to stage 2 complaints within 20 working days.

PART ONE: Summary of Complaints, compliments and suggestions received across the Council during Quarter 3, 2012/13

3. Between 1 October 2012 and the 31 December 2012, 692 non-statutory complaints, 312 compliments and 60 suggestions were received by Durham County Council.

Complaints

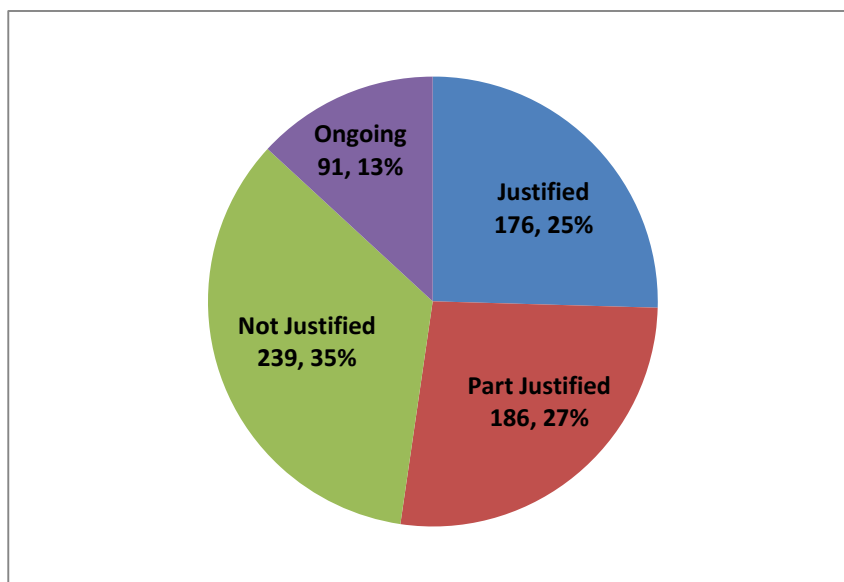
4. Overall, there has been an 8% decrease in the number of non-statutory complaints received and recorded on the CRM or SSID systems during quarter 3, 12/13 compared to those received during quarter 3, 11/12. The table below shows a comparison of the total numbers of complaints received across the Council since April 2011:



5. The table below shows a breakdown of complaints received across Service Groupings since 2010/11:

Service Grouping	10/11	11/12					12/13				
	Total	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total
ACE	6	3	1	2	4	10	0	2	0	-	2
CAS	53	18	32	14	19	83	4	15	4	-	23
NS	1,069	329	301	360	599	1,589	737	537	438	-	1712
RED	297	84	76	79	88	327	85	88	93	-	266
RES	350	151	220	296	428	1,095	299	185	157	-	641
TOTAL	1,775	585	630	751	1,138	3,104	1,125	827	692	-	2,644

6. Analysis of the data shows that the highest numbers of complaints were due to:
- Missed Bins: 81 complaints were received, compared to 174 in quarter 2. The number of complaints of this type are continuing to decrease, 72% fewer were received during quarter 3 compared to quarter 1.
 - Revenues and Benefits Service. 84 complaints related to benefits and 54 to council tax. These complaints can be attributed to a service failure, quality of service, speed of delivery and administration of claims/accounts.
7. During this period, 98% of stage 1 complaints and 80% of stage 2 complaints were acknowledged within the target of 2 working days. This shows an increase of 2% for stage 1 and 5% for stage 2 when compared with quarter 2
8. In addition, 60% of stage 1 complaints were responded to within the target of 10 working days and 83% of stage 2 complaints were responded to within the target of 20 working days. This shows a decrease of 3% for stage 1 and an increase of 34% for stage 2 when compared with quarter 2
9. The Corporate Complaints Unit (CCU) is responsible for both acknowledging complaints and for working with services to endeavour to ensure complainants receive an appropriate response within set timescales. On occasions when complaints are received and a response is not available within the timescales holding letters are sent out explaining the reasons for the delays.
10. There is variation in response times throughout the year: turnaround times being dependent upon the number received. Changes in response times are most notable during the council tax billing period, the implementation of AWC, throughout the implementation of the harmonised Revenues and Benefits system, periods of inclement weather and bank holidays. At these times, officers are unable to handle complaints within the desired timescales due to a combination of the volume received and the relevant officers endeavouring to keep services running during these busy periods.
11. Further investigation of the complaints received shows that during quarter 3, 2012/13 there were 239 occasions (35% of complaints processed) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed the correct procedures.



12. If the not justified complaints and those that are ongoing are removed, DCC is left with 362 (52%) justified complaints, 176 fully and 186 part justified, from which there is possibility of learning.
13. In addition to complaints, we also analyse compliments and suggestions to determine if we can further improve processes, and thereby service delivery. The following table is a summary of the compliments and suggestions received throughout quarter 3, 2012/13.

Service Grouping	Compliments	Suggestions
ACE	7	1
CAS	145	0
NS	108	49
RED	37	10
RES	15	0
TOTAL	312	60

14. A large proportion of compliments are for staff in recognition of their support and help in resolving the customer's concerns and issues. On each of these occasions, the individual officer is notified of the compliment and thanked by their line manager. Many of these relate to the professionalism, politeness and general helpfulness of staff.

PART TWO: Detailed report for each service grouping for quarter 3, 2012/13

15. The following sections provide details for each Service Grouping in relation to complaints compliments and suggestions received in quarter 3 and the learning outcomes applied to improve service delivery for those complaints which were justified

Assistant Chief Executive's Office (ACE)

16. During Quarter 3, the ACE service grouping ACE received 0 complaints, 7 compliments and 1 suggestion

Compliments and Suggestions

17. All 7 compliments were received by the County Records Office. These related to the range of the Durham County Record Office indexes, the speed of response to enquiries and the quality of the digital copying facility.
18. A suggestion was made in relation to the delivery of Durham County News.

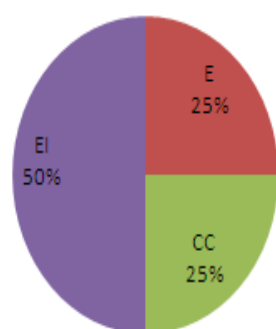
Children and Adults Services (CAS)

Corporate Complaints

19. During the quarter, 4 complaints were received (1 for Education, 1 for Children's Care and 2 for Early Intervention and Involvement). See the table below which shows the performance comparison on previous quarters.

Comparison of Complaints Received by Quarter						
	Q3 11/12 Total	Q4 11/12 Total	Q1 12/13 Total	Q2 12/13 CAS Total	Q3 12/13 CAS Total	Direction of travel from previous Quarter
Adults	12	12	3	15	4	↓
Children	0	7	1			

Complaints



Abbreviation	Service Area
E	Education
CC	Children's Care
EI	Early Intervention & Involvement

20. 100% of stage 1 complaints were acknowledged within 2 working days and 50% were responded to within 10 working days. One complaint related to Service Failure/Poor Service, and 3 related to Staff Attitude.
21. The complaints are in relation to:
- A supply teacher was told he would receive a neutral reference, but did not (justified).
 - A parent believed that an Education Welfare Officer had divulged confidential information and lied to the Police (not justified).
 - The County Council's handling of travellers encampments in one location within the County (not justified).
 - A Social Worker shared confidential (but inaccurate) information with the ex-partner of a complainant, as part of the referral and safeguarding process (not justified).

Outcome of Corporate Complaints Completed

(previous Quarter's figures shown in brackets)

Service Area	Justified	Partly Justified	Not justified	Resolved at first point of contact	Ongoing	Total
Adult Care	0 (1)	0 (0)	0 (1)	0 (0)	0 (0)	0 (2)
Early Intervention & Involvement	0 (0)	0 (1)	2 (1)	0 (0)	0 (3)	2 (5)
Education	1 (2)	0 (1)	0 (2)	0 (0)	0 (0)	1 (5)
Children's Care	0 (0)	0 (0)	1 (3)	0 (0)	0 (0)	1 (3)
Total	1 (3)	0(2)	3 (7)	0 (0)	0 (3)	4 (15)

Compliments

22. During the quarter, 145 compliments were received; Early Intervention and Involvement received 61 compliments including 32 received by Welfare Rights, 76 for Education, 7 for Planning and Service Strategy and 1 for Commissioning. There has been a 52.6% increase in the numbers of compliments received.

Suggestions

23. No suggestions have been received.

Children Statutory Complaints, Compliments and Suggestions

24. During the quarter, 9 Stage 1 and 1 Stage 2 complaints were received. Details of the quarterly performance are shown below:

Comparison of Complaints Received by Quarter						
Service Area	Q3 11/12	Q4 11/12	Q1 12/13	Q2 12/13	Q3 12/13	Direction of Travel from previous quarter
Children's Care	5	5	4	18	10	

25. Of these complaints 100% were acknowledged within 2 working days of receipt.
26. Due to their complexity, only 33.3% (3 of 9) of the statutory Stage 1 complaints were resolved within timescales of 20 working days (this is an improvement on the previous quarter, when 16.7% of statutory Stage 1 complaints were resolved in timescale). There were 55.6% (4 of 9) resolved outside 20 days and 22.2% (2 of 9) are still on-going.
27. Maximum efforts are made to resolve complaints informally and at Stage 1 (to potentially avoid lengthy and costly Stage 2 investigations). This may include numerous meetings with complainants, and can result in final responses taking longer than 20 days. Complainants are kept fully aware of the delays throughout the process.
28. During the quarter, one complaint was taken directly to Stage 2 (1 of 10). The complaint relates to a Safeguarding case in which the children's mother died of alcohol-related issues. The complainants (the maternal grandparents) have complained that the Safeguarding Team did not involve the extended family appropriately. The report is awaited.
29. The service within Children's Care receiving the greatest number of complaints was the Initial Response Team with 4 complaints.

Complaints Received by Service Area in the Quarter		
Service Area	Current Quarter	Previous Quarter
Disability Social Work	1	3
Initial Response Team	4	1
Looked After Children Aycliffe	-	1
Safeguarding Children Aycliffe	-	2
Safeguarding Children Bishop Auckland	1	-
Safeguarding Children Crook	1	1
Safeguarding Children Durham	-	3
Safeguarding Children Easington / Fostering & Adoption	-	1
Safeguarding Children Peterlee	-	2
Safeguarding Children Seaham	1	1
Safeguarding Children Stanley 1	1	3
Safeguarding Children Spennymoor	1	
Children's Total	10	18

Declined Complaints

30. As part of the statutory complaints process an initial screening is carried out to determine if the complaint will be considered for investigation under the statutory process. When a screening is carried out and it does not meet the criteria set out there will be no further action with the complaint and it is classed as declined.
31. One complaint was declined during the quarter, due to it being out of timescale by 8 years, and not meeting the criteria for making a complaint as it was from a father wanting an adoption decision to be reversed. Two complaints were not progressed during the quarter, due to the complainants not responding to numerous contacts attempting to arrange meetings to discuss their complaints. There were also three complaints about Children's Care Service Area that were actioned through the corporate complaints route rather than the statutory one, as the complainants did not meet the criteria of for "who may complain".
32. Within Children's Care the highest numbers of complaints were in the categories of poor service and decision regarding a service, with 2 complaints being about both issues.
33. Of the 7 complaints completed in the quarter, 71.4% (5) were not upheld. Of the remaining 2 completed complaints, both were upheld, outcomes are still to be determined in 3 complaints.

Outcome of Complaints Received by Service Area in Quarter 3				
Service Area	Not Upheld	Partially Upheld	Upheld	Total
Initial Response Team	2	-	2	4
Safeguarding Children Crook	1	-	-	1
Safeguarding Children Stanley 1	1	-	-	1
Safeguarding Children Spennymoor	1	-	-	1
Children's Total	5	0	2	7

Actions as a result of statutory complaints

34. During the period the following actions resulted from concluded complaints:
- Locality office reception staff have been reminded about service expectations for high standards of customer service
 - Staff have been reminded to ensure that contact rooms are kept clean, tidy and safe, including that toys are not broken or hazardous.
 - Staff have been reminded of the need to arrive promptly for appointments, and to communicate to colleagues and service users if this will not be possible.

- Staff have been reminded that Initial Assessment Reports must be shared as per procedures, even if staff are off sick; Managers must make arrangements for other staff to cover this task.
- Communication with parents who live out of county to be improved.

Compliments

35. There were 83 compliments received in Quarter 3. See table below.

Service Area	Compliments Received	
	Current Quarter	Previous Quarter
Children's Care compliments		
Aycliffe Secure Services	9	2
CATS (Copelaw Activity Service)	0	95
Children's Homes	2	8
Community Support service	19	14
Countywide Admin teams	12	0
Disabled Children and Families Team	2	-
Emergency Duty Team	3	0
Fostering & Adoption	12	1
Full Circle service	0	2
Initial Response Team	1	0
Looked After Children - Durham	0	3
Looked After Children - Aycliffe	2	2
Safeguarding Children teams	7	6
Young People's Service	1	1
4Real Team	1	16
Total Children's Social Care compliments	83	150

36. The ratio of compliments to formal complaints was 8.3: 1. No suggestions were received during the quarter regarding children's care services.

Adult Statutory complaints, compliments and suggestions

37. During the quarter, 28 complaints were received. Details of the quarterly performance are shown below.

Comparison of Complaints Received by Quarter						
Service Area	Q3 11/12	Q4 11/12	Q1 12/13	Q2 12/13	Q3 12/13	Direction of Travel from previous quarter
Adult Care	35	21	19	26	28	↑

38. During the quarter, 100% of the 28 complaints received were acknowledged within 3 working days.

39. Complaints Resolution Plans were completed in all 28 cases. Of the 28 complaints received 23 were completed within the timescales within the CRP. The remaining 5 cases were not concluded within the quarter but are still within their agreed completion timescales.
40. The Older Persons/Mental Health Services for Older People/Physical Disability/Sensory Support Service Area received the greatest number of complaints at 11, followed by Commissioning with 8. See Table below.

Complaints Received by Service Area in the Quarter		
Service Area	Current Quarter	Previous Quarter
Adult Social Work Teams (Older Persons /Mental Health Services Older Persons/Physical Disability and Sensory Impairment & Sensory Support)	11	11
Adult Social Work Teams (Learning Disabilities, Mental Health, Carers)	6	4
County Durham Care and Support	2	2
Social Care Direct	1	0
Commissioning	8	8
Planning & Service Strategy	0	0
Safeguarding	0	1
Adults Total	28	26

Declined Complaints

41. As part of the statutory complaints process an initial screening is carried out to determine if the complaint will be considered for investigation under the statutory process. When a screening is carried out and it does not meet the criteria set out there will be no further action with the complaint and it is classed as declined.
42. There were 3 complaints declined in the quarter. Two were outside of the remit of the County Council and one was several years outside the twelve month time limit for bringing a complaint. Full explanations were given as to why the complaints could not be accepted.
43. Quality of Service – Communications/Information constituted the highest category of complaint with 6 recorded.
44. Of the 23 complaints completed in the quarter, 73% (17) were not upheld compared to 68% in the previous quarter. Of the remaining 6 completed complaints 5 were partially upheld and one was upheld in full.

Service Area	Not Upheld	Partially Upheld	Upheld	Total
County Durham Care and Support	1	-	-	1
Social Work Teams	3	1	-	4

(Learning Disability/Mental Health/Carers)				
Social Work Teams (Older Persons/Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	9	2	-	11
Social Care Direct	1			1
Commissioning	3	2	1	6
Adult's Total	17	5	1	23

Outcome of Complaints Completed in Quarter					
Service Area	Number				
	Not upheld	Partially Upheld	Upheld	TBC	Total
County Durham Care and Support	1	0	0	1	1
Social Work Teams (Learning Disability/Mental Health/Carers)	3	1	0	2	6
Social Work Teams (Older Persons/Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	9	2	0	0	11
Social Care Direct	1	0	0	0	1
Commissioning	3	2	1	2	8
Policy, Planning & Performance	0	0	0	0	
TOTAL	17	5	1	5	28

Actions as a result of statutory complaints

45. During the period the following actions resulted from concluded complaints:
- Staff have been reminded of the importance of assessing service users' needs on an individual basis to ensure services are commissioned consistently. This is to be raised in the Service based development sessions with staff.
 - Finance Team staff have been reminded to ensure they carry out careful and accurate calculations and the importance of familiarising themselves with the details of a clients account details such as Direct Debit dates before making changes to accounts.
 - Arising from an independently investigated complaint from a previous quarter the Safeguarding and Practice Development Manager is undertaking a review on information given on safeguarding processes to clients and family members and an explanatory leaflet about Safeguarding meetings is to be developed.

Local Government Ombudsman (LGO)

46. The LGO initiated one preliminary enquiry during the quarter and three final

decisions were reported during the quarter. The preliminary enquiry was allied to a complaint investigation being carried out by the Parliamentary and Health Service Ombudsman about the Tees, Esk and Wear Valley NHS Foundation Trust and a Continuing Health Care client, who had requested that the LGO obtained investigatory information from DCC. The information requested has been provided.

- In one declined case the LGO advised the complainant that their complaint would not be investigated on the grounds that the original complaint investigation report was thorough and comprehensive; that the Council's proposal to re-assess the client's needs taking into account her medical records was a reasonable and pragmatic way to resolve the dispute; and that the public expense of the LGO's continued involvement could not be justified
- In the second declined case the LGO advised the complainant that there was no maladministration when the Council withdrew the Floating Support Service. In these circumstances no investigation would occur.
- In the third declined case the complainant had referred a complaint to the LGO that had been concluded at local level in 2010. Not only was the complaint outside of the limitation period but the LGO also considered that the Council had previously appropriately addressed the complaint

Compliments

47. There were 71 compliments received in Quarter 3. See table below.

Service Area	Compliments Received	
	Current Quarter	Previous Quarter
County Durham Care and Support	55	45
Social Work Teams (Older Persons/Mental Health Services Older Persons /Physical Disability and Sensory Impairment & Sensory Support)	13	20
Planning & Service Strategy	3	2
Total	71	67

48. The ratio of compliments to complaints is 2.5:1. The decrease in compliments received by Adult Social Care Services, over several reporting periods, relates to changes in provision in County Durham Care and Support services.

Neighbourhood Services (NS)

Overview

49. The NS service grouping consists of 5 main service areas and between 1 October 2012 and 31 December 2012, 438 complaints, 108 compliments and 49 suggestions were received and recorded on the CRM.

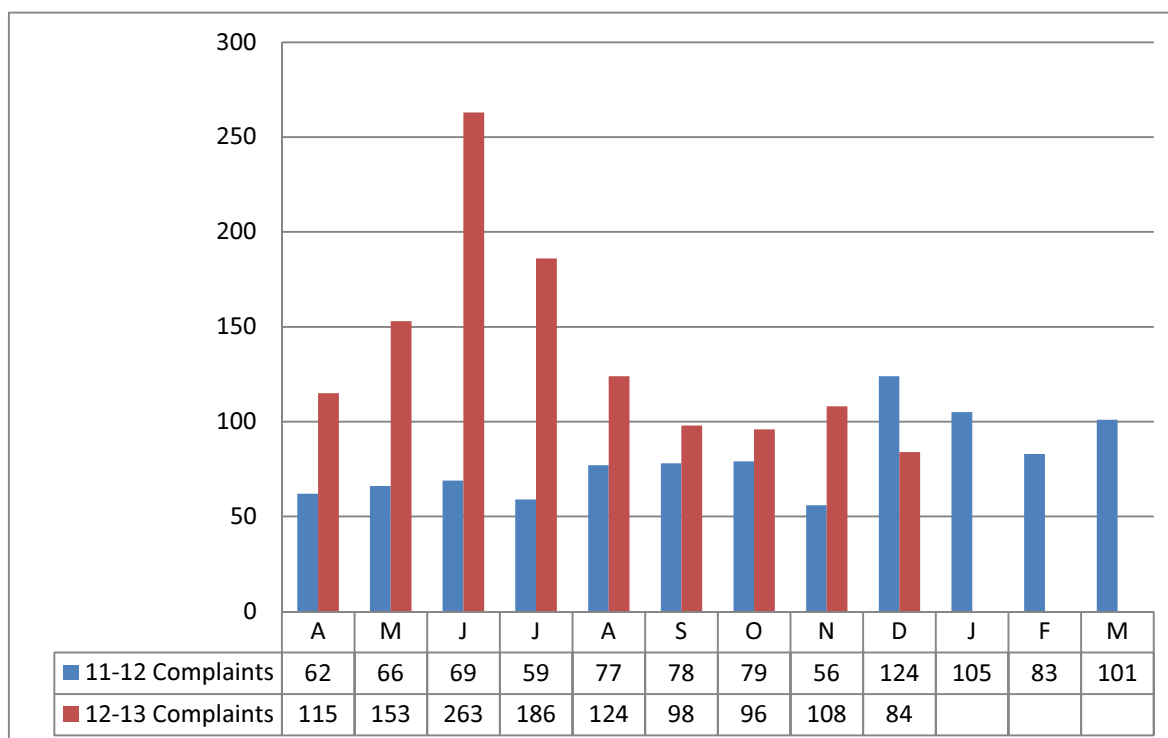
Abbreviation	Service Area
DS	Direct Services
EHCP	Environmental Health & Consumer Protection
PBS	Projects and Business Services
S&L	Sport and Leisure
TS	Technical Services

50. As can be seen in the table below; there is variation in the number of complaints received throughout the year.

Service Grouping	Number Received											% change*
	10/11	11/12	11/12 split by quarter				12/13 split by quarter				12/13 to date	
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
NS	1,032	1,589	329	301	360	599	737	537	438	-	1,712	73

*12/13 year to date compared to the same period last year

51. A monthly breakdown is shown in the graph below.



52. More than 60% of the complaints received during quarter 3 can be attributed to the following 4 categories

- a. Missed Bins: 81 complaints were received, compared to 174 in quarter 2. The number of complaints of this type are continuing to decrease, 72% fewer were received during quarter 3 compared to quarter 1.
 - b. Refuse staff not returning bins/containers. 23 complaints were received from residents, complaining refuse bins/containers are not being returned to the correct location. This is a 30% reduction compared with quarter 2.
 - c. 13 complaints were received from residents complaining that they had not received delivery of their bin/container within the timeframe that they were informed. This type of complaint has reduced by 19% when compared with quarter 2.
 - d. Charges for replacement wheeled bins: 29 complaints were received from residents objecting to the £20 charge for replacement bins.
53. Further investigation of the complaints received shows that during quarter 3, 12/13 there were 152 occasions (35% of complaints processed, i.e. excluding those ongoing) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	241	152	45	438
% of total received	55%	35%	10%	100%

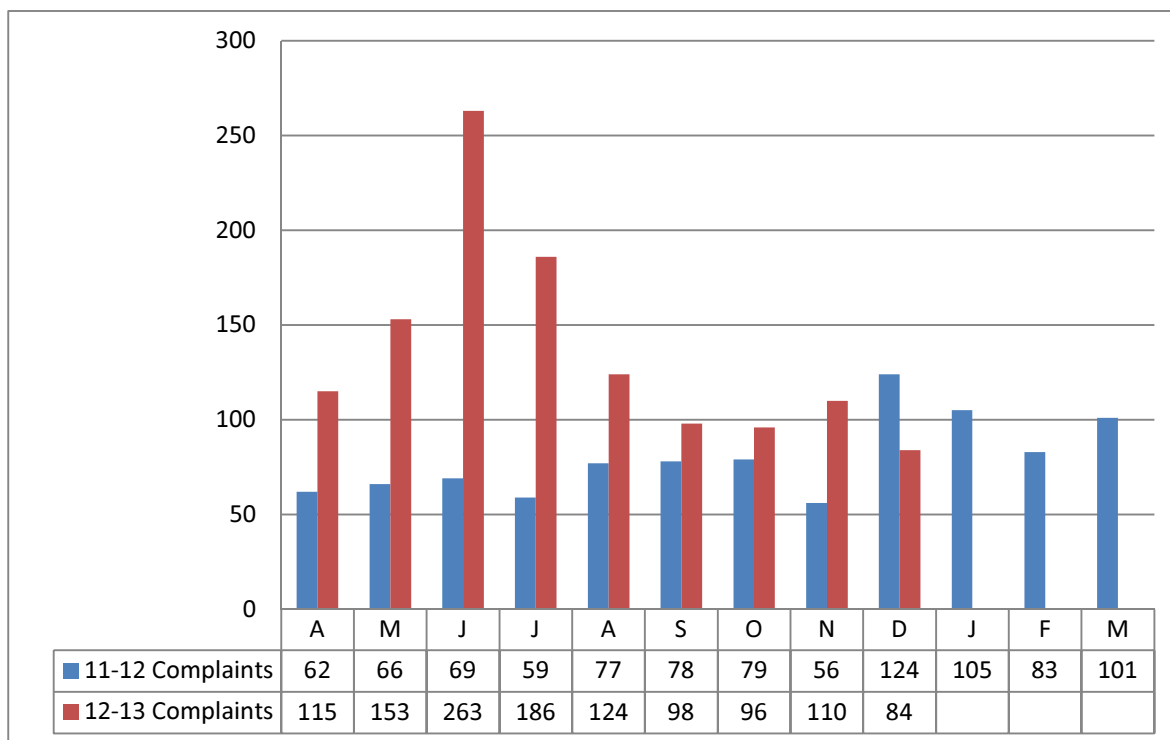
54. If the not justified complaints and those that are ongoing are removed, NS is left with 241 justified complaints, 127 fully and 114 partly

Direct Services (DS)

55. Between 1 October 2012 and 31 December 2012, 288 complaints were received by DS

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	174	90	27	288
% of total received	60.4%	31.3%	8.3%	100%

56. The number of complaints received by DS each month is shown in the graph below.



57. There was a marked increase in the number of complaints received by DS during quarter 1: this is mainly due to an increase in missed bins as changes to our refuse and recycling service have been implemented. However, after peaking in June, the number of complaints has started to decline. There was a slight increase in November due to inclement weather conditions.

Overarching Complaint Category	Detail	Q2 Dec-13	Q3 Dec-13	Change		Direction of Travel	% of total complaints Received in Q3
				No	%		
Missed Collection		174	76	-98	-56	✓	26.4
Staff not returning bins / containers		33	22	-11	-33	✓	7.6
Staff making a mess		4	8	4	100	✗	2.8
Special collections		5	6	1	20	✗	2.1
Charges		24	29	5	21	✗	10.1
Non-delivery of bins and containers		15	10	-5	-33	✓	3.5
Staff Attitude		16	12	-4	-25	✓	4.2
TOTAL		271	163	-108	-40	✓	56.6

58. Other complaints received by DS during quarter 3 are listed in the following table.

COMPLAINT CATEGORY	TOTAL	% of total
Condition of local area: dog fouling	1	0.3%
Condition of local area: fly-tipping	1	0.3%
Condition of local area: grass cutting	1	0.3%
Condition of local area: litter	1	0.3%
Condition of local area: overhanging hedges / trees	3	1.0%
DCC fleet: drivers on mobile	2	0.7%
DCC fleet: driving issues	2	0.7%
DCC fleet: inappropriate parking	3	1.0%
Highways: street furniture	1	0.3%
Lack of action	15	5.2%
No communication / missed appointments	3	1.0%
Other	48	16.7%
Other: damage caused by council	15	5.2%
Pest Control: charges	7	2.4%
Other: staff attitude	21	7.3%
website / communication	1	0.3%
TOTAL	125	43.4%

59. 21.9% of the other complaints have been categorised as other and lack of action. A more detailed piece of work is currently being carried out in order to establish the full detail of these and to understand if a refresh of the categories is required or any other appropriate course of action such as staff training or system improvements.

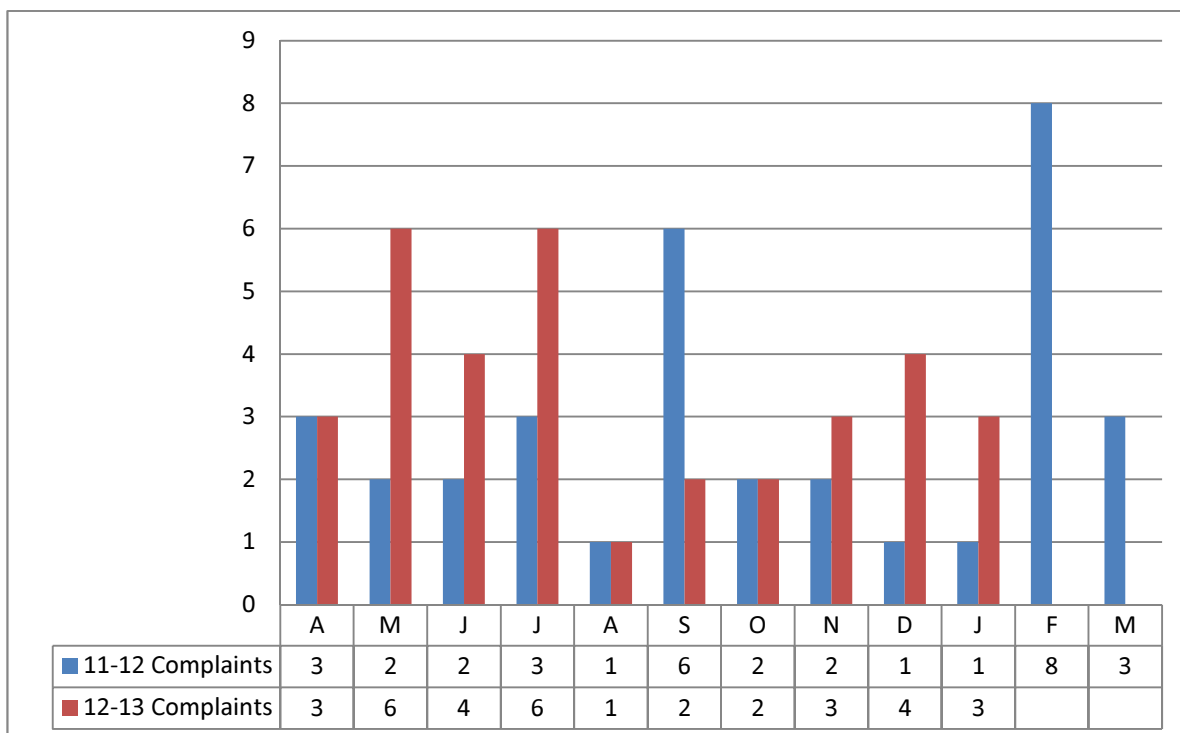
60. A regular meeting, named the “Customer Experience” has been set up for exchanging data, including complaints and suggestions, in order to improve our contact with customers. Learning outcomes from this analysis will result in a number of Improvement actions which are in the process of being implemented.

Environment, Health and Consumer Protection (EHCP)

61. Between 1 October 2012 and 31 December 2012, 9 complaints were received in relation to EHCP

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	1	7	1	9
% of total received	11%	78%	11%	100%

62. The number of complaints received by EHCP remains relatively low. The complaints tend to be specific and as such, learning outcomes are difficult to identify. However, the service continues to monitor all complaints in order to identify any emerging trends.

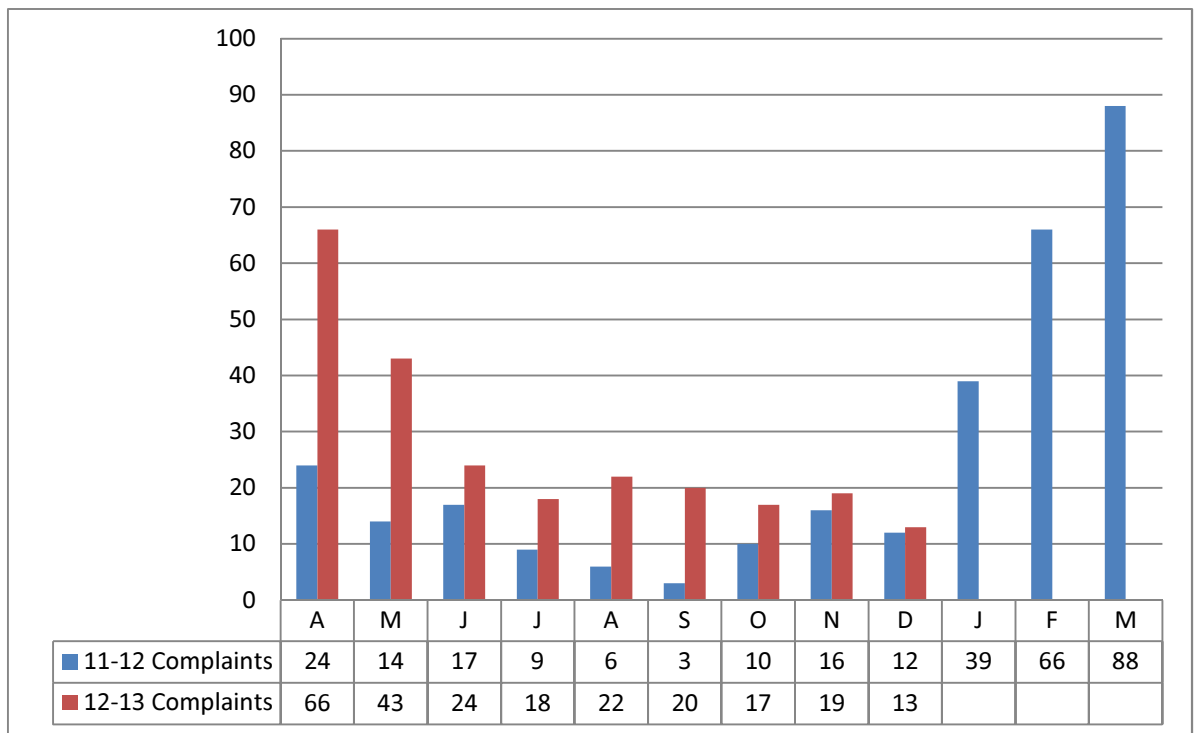


Projects and Business Services (PBS)

63. Between 1 October 2012 and 31 December 2012, 51 complaints were received in relation to PBS.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	27	18	6	60
% of total received	53%	35%	12%	100%

64. 3 complaints were received in relation to call waiting times in Customer Services; a significant reduction from the complaints received in this respect in quarter 1 which totalled 67. 4 complaints were related to missing documentation & potential data breaches at Customer Access Points. There were no specific trends identified with 2 of the complaints not being upheld and 2 only partly justified. All staff have been reminded of procedures to be followed when handling customer documentation / details.
65. We received 5 complaints regarding the household waste recycling centres. 4 of these were related to staff attitude and 1 regarding the criteria used for the allocation of permits
66. The rest of the complaints relate to phone system issues where individuals were cut off; customers unhappy with the information/advice given; but the majority relate to dissatisfaction in not be kept abreast of progress by the service area after raising a service request; these issues are being addressed through the customer experience meetings to improve customer follow up. A summary of complaint numbers are shown below:



Sport and Leisure Services (S&L)

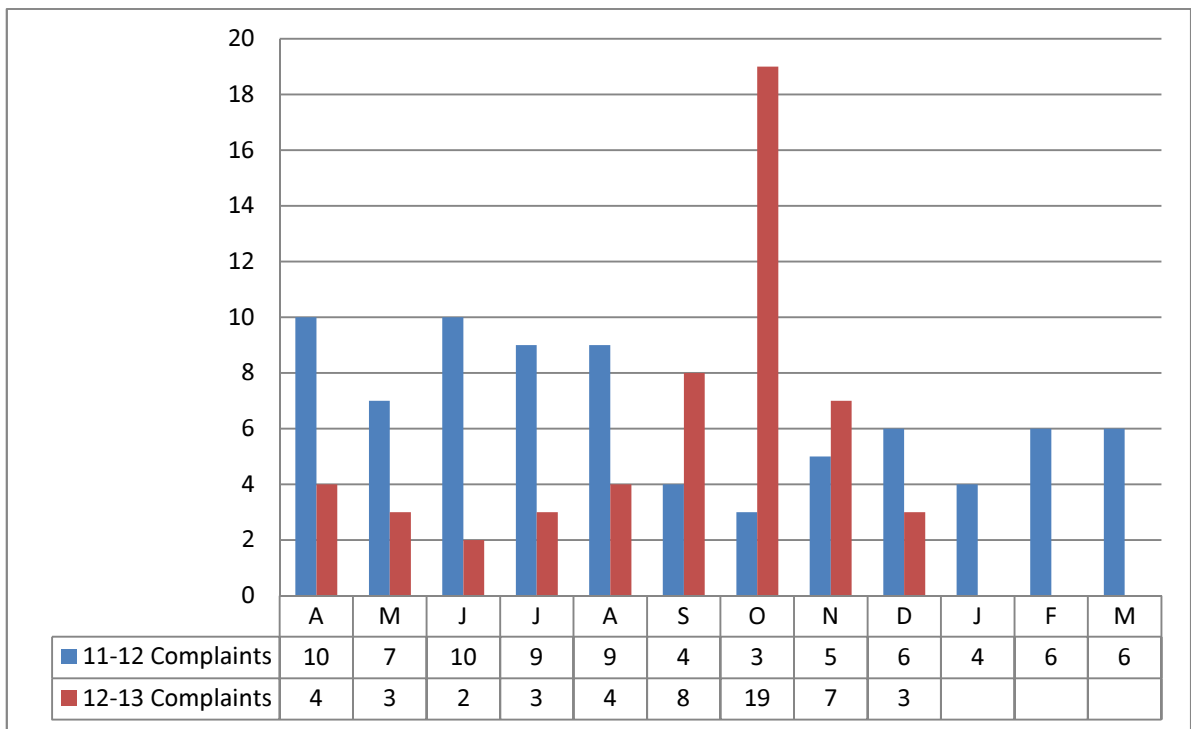
67. Between 1 October and 31 December, 29 complaints were received in relation to S&L.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	16	10	3	15
% of total received	55%	34%	10%	100%

68. The number of complaints received by S&L remains relatively low. The complaints generally tend to be specific and as such, learning outcomes are difficult to identify. However, this month there were 7 complaints regarding road closures for the Pennines Etape Cycle Ride.

The feedback has been reviewed and from further investigation it was found that the correct processes and procedures were followed throughout the planning of the event. Consultation and engagement was carried alongside the event organisers, the police, and the traffic management team in line with the safety advisory process. It was however, following customer feedback it was identified that crossing points were not adequate, signage was poor and the correct diversions were not put in place. As this is a regular event the areas for improvement have been identified by all parties and actions have been put into place will be taken on board when the next event is planned and established.

69. The service will continue to monitor all complaints in order to identify any emerging trends.

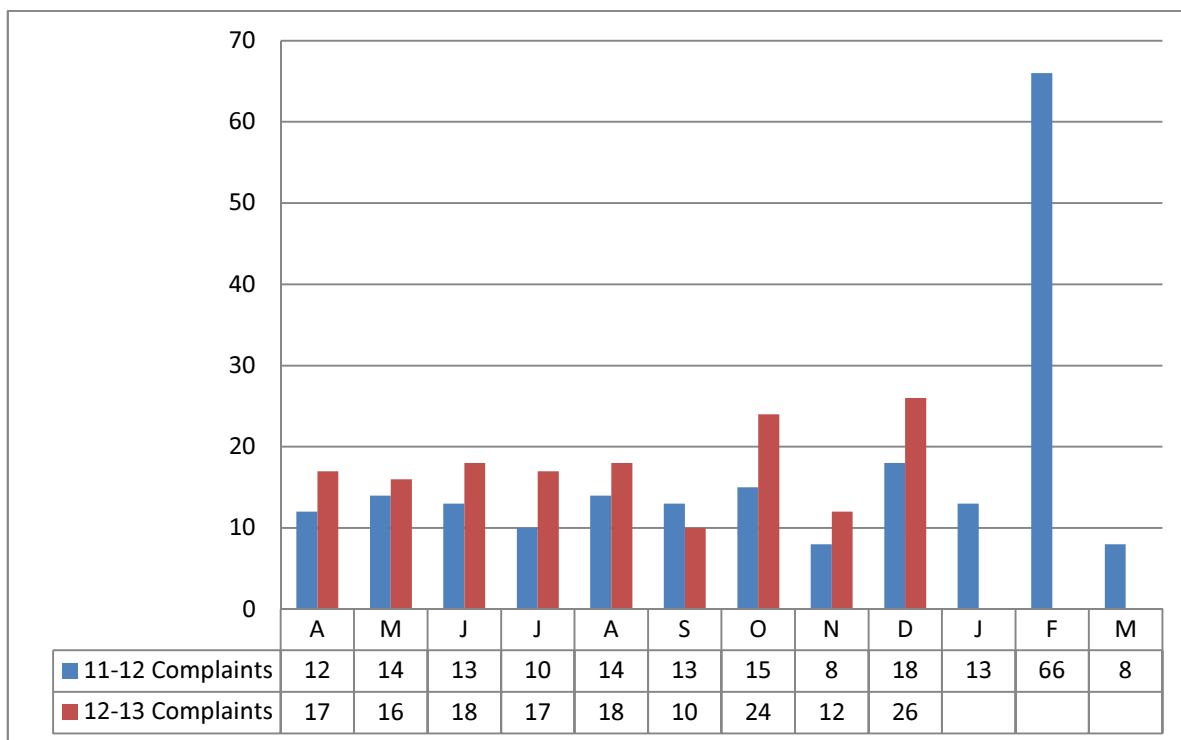


Technical Services (TS)

70. Between 1 October 2012 and 31 December 2012, 61 complaints were received in relation to TS.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	23	27	11	45
% of total received	38%	44%	18%	100%

71. 18 complaints received were in relation to lack of response to requests for blocked drains and repairs to street lighting. A full end to end review is currently being carried out to identify failures in the process. Learning outcomes from this analysis will result in a number of Improvement actions which will be implemented.



Compliments

72. Between 1 October 2012 and 31 December 2012, NS received 108 compliments which covered a wide range of subjects and service areas.
73. A large proportion of compliments relate to staff from the Refuse and Recycling, Clean and Green, Winter Maintenance and Customer Service Teams in recognition of their support and help in resolving the customer's concerns and issues. On each of these occasions, the individual officer is notified of the compliment and thanked by their line manager. Many of these relate to the professionalism, politeness and general helpfulness of staff.
74. The remaining compliments relate to our service provision, examples include
- Standard of work, e.g. keeping local areas clean and tidy, carrying out remedial work, road improvements
 - Speed of work, e.g. repair to street lights, filling in pot holes.

Suggestions

75. Between 1 October 2012 and 31 December 2012, NS received 49 suggestions which covered a wide range of subjects and service areas. The suggestions tend to be specific and as such, learning outcomes are difficult to identify. However, each suggestion is passed to the appropriate service area and reviewed and the service continues to monitor all suggestions in order to identify any emerging trends.

Regeneration and Economic Development (RED)

Overview

76. The RED service grouping consists of 3 main service areas and between 1 October 2012 and 31 December 2012, 93 complaints, 37 compliments and 10 suggestions were received and recorded on the CRM.

Abbreviation	Service Area
EDH	Economic Development & Housing
PA	Planning & Assets
TCS	Transport & Contract Services

77. As can be seen in the table below the level complaints received by RED has remained consistent in comparison with previous quarters. During the period there has been a reduction in the level of Planning related complaints and an increase in Housing related complaints. Taken in the context of service changes and budget reductions the maintaining of complaints levels can be seen positively.

Service Grouping	Number Received											
	10/11	11/12	11/12 split by quarter				12/13 split by quarter				12/13 to date	% change*
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
RED	3340	336	84	76	79	72	94	95	93	-	282	23%

*12/13 year to date compared to the same period last year

78. Further investigation of the complaints received shows that during quarter 3, 12/13 there were 38 occasions (35% of complaints processed, i.e. excluding those ongoing) where the complaint was not upheld, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	39	38	16	93
% of total received	42%	41%	17%	100%

Economic Development and Housing

79. Between 1 October 2012 and 31 December 2012, 34 complaints were received in relation to EDH.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	13	13	7	34
% of total received	39%	39%	22%	100%

80. Of these, 26 were in relation to Durham City Homes mainly repairs and maintenance issues, 2 were in relation to Housing Directions, 1 was in connection with Business Durham, 1 was in connection to Housing Solutions, 1 was for Housing Regeneration, 1 in connection with Regeneration and Development, 1 for Economic Development and 1 for Visit County Durham.
81. Economic Development and Housing had no complaints that had escalated to Stage 2 during the Quarter 3 period.

Planning and Assets

82. Between 1 October 2012 and 31 December 2012, 29 complaints were received in relation to PA.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	10	12	7	29
% of total received	35%	40%	25%	100%

83. Of the 23 stage 1 complaints received, 14 were in relation to Development Management mainly in relation to planning decisions, 8 were in relation to Assets and 1 in connection with Spatial Policy.
84. 6 complaints escalated to Stage 2 during Quarter 3, 5 were received by Development Management and were in relation to planning decisions and 1 was received by Assets.

Transport and Contract Services

85. Between 1 October 2012 and 31 December 2012, 30 complaints were received in relation to TCS.

	Justified (fully or partly)	Not justified	Ongoing	Total
Number	15	13	2	30
% of total received	50%	43%	7%	100%

86. Of the 30, 18 were received by Sustainable Transport and 12 were received by Strategic Traffic. For Sustainable Transport the majority of complaints refer to bus services and for Strategic Traffic the majority are parking related.
87. Transport and Contract Services had no complaints that had escalated to Stage 2 during the Quarter 3 period.

Compliments

88. Between 1 October 2012 and 31 December 2012, RED received 37 compliments which covered a wide range of subjects and service areas.
89. A large proportion of compliments relate to staff in recognition for the service they have provided. All compliments have been passed to the relevant staff and teams and have also been raised during team meetings highlighting the importance of a positive customer focus. Many of these relate to the professionalism and general helpfulness of staff and the efficient and effective way in which the service has been provided.

Suggestions

90. Between 1 October 2012 and 31 December 2012, RED received 10 suggestions which covered a wide range of subjects and service areas.
91. The suggestions tend to be specific and as such, learning outcomes are difficult to identify. However, each suggestion is passed to the appropriate service area and reviewed and the service continues to monitor all suggestions in order to identify any emerging trends.

Resources (RES)

Overview

92. The Resources service grouping consists of 5 main service areas.

Abbreviation	Service Area
FS	Financial Services including the Revenues and Benefits Service
CF	Corporate Finance
HROD	Human Resources and Organisational Development
ICT	Information and Communication Technology
LDS	Legal and Democratic Services

93. During Q3 2012/13 a total of 157 complaints were recorded on the Customer Relationship Management (CRM) system that related to services delivered by the Resources Service Grouping. This represents a 47% reduction (improvement) over the same period in 2011/12 when 296 complaints were received. Improvements in the Revenues and Benefits Service and in benefit claims processing times in particular account for the reduction in recorded complaints.
94. During Q3 2012/13, a total of 15 compliments were logged in the CRM. The majority of compliments related to wedding ceremonies. No suggestions were received in this quarter.
95. Of the 158 complaints received in Q3 for Resources, 52% were either justified or part justified (64% in Q2), 29% were not justified (20% in Q2) and 19% were unresolved at the point of reporting (16% in Q2).
96. The proportion of complaints responded to within the 10 days standard has improved from 53% in Q2 to 68% in Q3.

Financial Services

97. During Q3 2012/13, 147 complaints were received in relation to Financial Services (which includes the Revenues & Benefits Service). This represents a 17% reduction over Q2 when 178 were received.

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	31	46	41	29	147
% of total received	52%		28%	20%	100%

98. The number of complaints received was evenly spread across the quarter. 39 complaints (27%) were received in December, the lowest monthly total in 2012.
99. The 147 complaints received in quarter 3 can be attributed to a number of categories: Service Failure –45%, Quality of Service –15%, Speed of Delivery - 11%, Administration – 13%, the remainder allocated to Council Policy, Communications and Staff Attitude.
100. The Benefits service received 84 complaints of which 28 were made by landlords or agents. The Revenues service received 54 complaints in the quarter. The complaints were evenly distributed between billing and recovery queries.
101. There was no discernible trend common to both the Benefits and Revenues services. Almost half of the Benefits complainants made by landlords were disputing payment of benefit direct to the customer rather than the landlord. Analysis has indicated that the increase in this nature of complaint is related to improved benefits performance because payments can only be made direct to landlords in cases of rent arrears. The majority of Revenues complainants were disputing Council Tax liability on receipt of the bill or Council Tax recovery arrangements. Again, analysis indicates that the nature of complaint reflects the fact that recovery processes are now fully operational resulting in an increase in the number of bills and reminders being issued compared to last year.
102. To contextualise the level of complaints received, the Revenues and Benefits Service has issued 264,009 Council Tax and NNDR Bills in period to 31 December 2012; assessed 24,745 HB/CTB claims amended 160,213 Housing Benefit accounts, and issued 87,130 reminder / summons' notices during this period.
103. Despite the relatively low number of complaints compared to claims processed / bills and recovery correspondence issued, the Revenues and Benefits Service is committed to service improvement and is continually reviewing processes and procedures as well as working with software suppliers to ensure that the service functions as efficiently as possible; this will ensure that customer contacts are handled accurately and timely.
104. The service continues to engage with both internal and external stakeholders including Customer Services, Landlords, the Department of Work and Pensions, Welfare Rights, other welfare agencies and local authority benchmarking groups.

Legal and Democratic Services

105. During Q3 2012/13, 10 complaints were received in relation to Legal and Democratic Services.

	Justified	Partly Justified	Not justified	Ongoing	Total
Number	3	1	5	1	10
% of total received	40%		50%	10%	100%

106. During Q3 2012/13, 2 complaints were received in relation to the Registration Service. Each of the complaints cited difficulties experienced in making contact with the service, in particular Aykley Heads Registry Office. It is anticipated that complaints of this

nature should reduce as additional resource has been deployed to ensure the availability of office and telephone cover in response to customer feedback.

107. Of the 10 complaints handled within the quarter, 4 were either justified or part-justified and 5 not justified. Relevant Managers within Legal and Democratic Services have been involved in the necessary investigations and responses and have considered the implications of each.

Compliments and Suggestions

108. During Q3 2012/13 we received a total of 15 compliments.
109. Compliments related to carrying out wedding ceremonies and individual members of staff in Revenues & Benefits Service. One compliment was praise to staff in Legal & Democratic Services or their assistance in getting a building licensed for civil ceremonies. No suggestions were reported in Q3.

Local Government Ombudsman (LGO): current activity

110. During the Q3 2012/13 the Local Government Ombudsman (LGO) made initial enquiries / initiated investigations into 11 matters relating to a range of complaints concerning:

- 2 x Adult Social Care issues – Following preliminary enquiries the Ombudsman decided not to initiate a full investigation into one of the cases. In relation to the second case the investigation is ongoing.
- 1 x Grounds Maintenance/Corporate issue – Following preliminary enquiries the Ombudsman decided not to initiate a full investigation into the complaint.
- 2 x Revenues and Benefits issues – Preliminary enquiries have been made by the Ombudsman into both complaints, the outcomes of which are awaited.
- 1 x Planning Enforcement issue - Preliminary enquiries have been made by the Ombudsman, the outcome of which is awaited.
- 1 x Neighbourhood Wardens issue – Preliminary enquiries have been made by the Ombudsman, the outcome of which is awaited.
- 1 x Environmental Services issue – Following preliminary enquiries the Ombudsman has decided not to initiate a full investigation into the complaint.
- 1 x Planning & Development issue – The investigation was discontinued as the matter was determined to be outside of the jurisdiction of the Ombudsman.
- 1 x Home to School Transport issue – The investigation is ongoing.
- 1 Environmental Health issue – The investigation is ongoing.

111. The Ombudsman delivered decisions on 7 matters which had been subject to investigations that had been initiated prior to the beginning of the quarter. These matters can be summarised as follows:

- 3 x Planning & Development issues – the Ombudsman discontinued one of the investigations having found no fault with the Council. In relation to the 2 other complaints the Ombudsman decided not to initiate full investigations.
- 1 x Corporate issue - the Ombudsman decided not to initiate a full investigation into this matter.
- 1 x Taxi Licensing issue - the Ombudsman decided not to initiate a full investigation into this matter.
- 1 x Highways & Transport issue – the Ombudsman decided not to initiate a full investigation into this matter.

- 1 x Housing issue – the Ombudsman decided not to initiate a full investigation into this matter.

112. During the quarter the Ombudsman also notified the Council of the outcome in relation to a range of matters which were not subject to full investigation. The Ombudsman's investigators reached their decisions on the basis of the details supplied by complainants, supplemented in some instances with contextual information from Council officers. These matters can be summarised as follows:

- 1 x Complaints Handling issue – Investigation not initiated.
- 2 x Children's Services issues – Investigations were not initiated.
- 3 x Adult Care Services issues – Two cases were outside of the Ombudsman jurisdiction; in the other case an investigation was not initiated.
- 1 x Planning and Development issue – Investigation not initiated.
- 1 x Benefits & Tax issue – Investigation not initiated.

Learning Outcomes

113. Details of learning outcomes have been sought in relation to all Ombudsman investigations which have been concluded during the quarter. During Quarter 3 no learning outcomes have been reported.

Review of the complaints process

114. The Council's Customer First Strategy is in the process of being refreshed and includes a review of the current Corporate Complaints Policy and a revised mechanism for capturing learning outcomes. This work cuts across all service areas of the council and is aimed at both streamlining the processes currently in place and implementing an approach to working much more closely with service areas to use customer feedback, and in particular customer demand instigated by service failure, to ensure that improvement actions are implemented. Work is also currently underway to review the way in which complaints are captured on the CRM system to enable the system to capture more detailed information and improve the work flow which should result in better reporting.

Recommendations and Reasons

115. Members of Standards Committee note the report.

116. 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.

Contact:

Mary Readman

Customer Relations, Policy and Performance Manager

Tel: 03000 268161

Standards Committee

15 February 2013



Granting of Dispensations in connection with approval of the Council's Budget and Council Tax

Report of Colette Longbottom, Head of Legal and Democratic Services

Purpose of the Report

1. To inform the Committee of dispensations granted to members in connection with the forthcoming Council meeting which will approve a budget and set Council tax for 2013/14.

Background

2. The Members Code of Conduct which was replaced in July 2012 used to contain an express provision permitting all Councillors to participate in setting Council tax and precepts despite the fact that they might be regarded as having an interest as residents of County Durham. When Parliament passed the Localism Act 2011 it introduced new criminal offences for Councillors who participated in decision making on matters where they had a discloseable pecuniary interest. Parliament chose not to repeat the exceptions for participating in regular business such as Council tax setting where Councillors would be regarded as having no greater interest than any other resident who was liable to pay the tax.
3. The Association of County Secretaries and Solicitors advised its members that they should consider the need for the issue of dispensations to Councillors when setting the budget and council tax/precepts. Such decisions could be regarded as falling within the definition of a discloseable pecuniary interest because of the potential financial impact on the individual Councillor. It was therefore decided that Councillors should be alerted to this risk and they were advised to take the precaution of applying for a dispensation. At the time of dispatch of this report 110 requests for a dispensation had been received and granted under section 33 (2) (a) of the Localism Act 2011 on the grounds that without the dispensation the number of persons prohibited from participating in the business would be so great as to impede the transaction of the business.

Recommendations

4. The Standards Committee is requested to note the action taken by the Monitoring Officer under the delegated powers granted by Council.

Contact: David Taylor

Telephone: 03000 269727

Appendix 1: Implications

Finance: N/A

Staffing: N/A

Risk: The invitation to apply for dispensations was issued as a precaution to avoid any risk of challenge to the decision making or any allegation of breach of code of conduct against individual Councillors.

Equality and Diversity/Public Sector Equality Duty: N/A

Accommodation: N/A

Crime and Disorder: N/A

Human Rights: N/A

Consultation: N/A

Procurement: N/A

Disability Discrimination Act: N/A

Legal Implications: All referred to within the report.

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