



Corporate Issues Overview and Scrutiny Committee

Date Thursday 23 July 2015
Time 9.30 am
Venue Committee Room 1B, 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 20 April 2015 (Pages 1 - 10)
4. Declarations of Interest, if any
5. Quarter 4 2014/15 Performance Management Report: (Pages 11 - 36)
Report of the Assistant Chief Executive.
6. Customer Feedback: Complaints, Compliments and Suggestions Quarter 4 Report 2014/15: (Pages 37 - 54)
Joint Report of the Corporate Director Neighbourhood Services and Assistant Chief Executive.
7. Corporate Complaints: (Pages 55 - 76)
 - (i) Report of the Assistant Chief Executive.
 - (ii) Presentation by Su Jordan, CCU Programme Office Manager, Assistant Chief Executive's.
8. Council Plan 2015/2018 - Refresh of Work Programme for Corporate Issues Overview and Scrutiny Committee: (Pages 77 - 82)
Report of the Assistant Chief Executive.
9. 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
15 July 2015

To: **The Members of the Corporate Issues Overview and Scrutiny
Committee**

Councillor J Lethbridge (Chairman)
Councillor K Henig (Vice-Chairman)

Councillors J Alvey, B Armstrong, J Armstrong, L Armstrong, H Bennett,
G Bleasdale, J Carr, P Crathorne, J Hillary, E Huntington, N Martin, J Rowlandson,
A Shield, P Stradling, L Taylor, A Turner, M Wilkes, S Wilson and R Young

DURHAM COUNTY COUNCIL

CORPORATE ISSUES OVERVIEW AND SCRUTINY COMMITTEE

At a Meeting of **Corporate Issues Overview and Scrutiny Committee** held in **Committee Room 2, County Hall, Durham** on **Monday 20 April 2015** at **9.30 am**

Present:

Councillor J Lethbridge (Chairman)

Members of the Committee:

Councillors J Armstrong, L Armstrong, G Bleasdale, K Henig (Vice-Chairman), J Hillary, E Huntington, N Martin, P Stradling, L Taylor, M Wilkes, S Wilson and R Young

1 Apologies

Apologies for absence were received from Councillors J Alvey, P Crathorne and T Smith.

2 Substitute Members

No notification of Substitute Members had been received.

3 Minutes

Councillor M Wilkes referred Members to Minute 6, 23 January 2015, page 5 of the agenda pack. Councillor M Wilkes noted at the former City of Durham Council he was Chairman of the Policy Scrutiny Panel and added that the work of that Panel had noted the introduction of an external agency for the recording sickness absence had impacted positively on sickness figures. Accordingly, Councillor M Wilkes felt the statement at paragraph 5 of page 5, that the results had not changed at the City of Durham following the implementation of the external system, was incorrect.

The Head of Planning and Performance, Jenny Haworth noted that evidence would be gathered as part of the ongoing review and Councillor J Armstrong added that best practice from comparable organisations would be looked at as part of the review.

The minutes of the meeting held on 23 January were confirmed as a correct record and signed by the Chairman with the following amendment:

Minute 6, paragraph 5 of page 5 of the agenda pack; to include a sentence to read: 'Councillor M Wilkes noted that the introduction of an external agency at the City of Durham Council had made a positive impact on sickness absence.'

Matters arising

The Head of Planning and Performance referred to Minute 5, page 2 of the agenda pack and noted that Members' comments on the Medium Term Financial Plan (MTFP) had been fed back to Cabinet and Council via the Chairman of Overview and Scrutiny, Councillor J Armstrong. In relation to Minute 6 page 6, it was noted that the proposed review of Sickness Absence was included at Item 10 of the agenda.

The Committee noted the query raised by Councillor J Hillary relating to costs as set out under Minute 7, page 6 of the agenda pack and learned that the answer had been provided to Councillor J Hillary direct.

The Head of Planning and Performance referred to the discussions at the January meeting as regards anonymised information relating to financial settlements awarded by the Local Government Ombudsman being provided to Members. It was explained that the issue had been referred to Head of Legal and Democratic Services.

The Head of Planning and Performance noted that in reference to Minute 8, page 7 of the agenda pack, the issue raised by Councillor M Wilkes in respect of information on a High Court decision had been referred to the Legal Services. Councillor M Wilkes noted he had met with the Portfolio Holder to discuss the matter, but added that the wider issue was that of Members being made aware of important issues in advance of them appearing in the local press.

Councillor J Armstrong noted that it was important that Members were kept apprised of issues and added that the Planning Section contacted relevant Local Members in respect of any emerging planning issues.

4 Declarations of Interest

There were no Declarations of Interest.

5 Report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 - Quarter 3 - 2014/15

The Committee considered a report of the Head of Legal and Democratic Services which informed Members about the Council's use of powers under the Regulation of Investigatory Powers Act 2000 (RIPA) during the period 1 October 2014 to 31 December 2014. The Property, Planning and Projects Manager, Legal Services, David Taylor explained that there were three new directions and two Covert Human Intelligence Source authorisations.

Resolved:

That the content of the report be noted.

6 Quarter 3 2014/15 Performance Management Report

The Chairman thanked the Corporate Scrutiny and Performance Manager, Tom Gorman who was in attendance to speak to Members in relation to the Quarter 3, 2014/15 Performance Management Report (for copy see file of minutes).

Councillors noted that some of the key achievements in Quarter 3 included: better than target performance sustained for both new benefit claims and change of circumstance; more customers seen at Customer Access Points within the 15 minute target; improved telephone call handling; and occupancy levels of the Council owned business floor space having exceeded the target and the performance of the same period last year.

It was added that key performance issues going forward included: payment of supplier invoices within 30 days, improved however still outside of target; sickness levels were still outside of target; Employee appraisals rate had improved however remained below target; and the Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests responded to within deadline had deteriorated and remained below national target.

Members were asked to note that, in connection with FOI and EIR requests, there had been an increased workload in relation to data protection and the importance of ensuring quality responses meant there was a balance between quality and timeliness. It was added that MTFP savings meant that all services were managing with less resources and the performance at Quarter 3 reflected the volume of requested received in Quarter 2. Councillors noted that there would be a continued focus on timeliness in respect of the requests.

In respect of sickness absence, Members noted: new Attendance Management Policy; compulsory manager training; the ResourceLink leave management module; and detailed performance monitoring by service managers.

The Corporate Scrutiny and Performance Manager explained that in respect of performance appraisals, 81.7% were completed within the 12 months to December 2014. It was added this was much improved on previous performance, however, was still below target of 85%. Councillors noted that there were alerts via the "MyView" system to assist Managers together with performance appraisal training and support from HR business leads.

The Chairman thanked the Corporate Scrutiny and Performance Manager and asked Members for their questions on the report.

Councillors asked questions relating to: a new system for processing invoices; whether rent arrears for those properties being transferred to the new housing organisation would be an issue for the Authority or the new organisation; whether there was a reason for the spike in Housing Benefit and Council Tax requests in November 2014; and what measures were in place to mitigate the risk of complaints to the Information Commissioner's Office (ICO) as regards those FOI and EIR requests not completed within timescales.

The Corporate Scrutiny and Performance Manager noted the new Business Intelligence System was in place and that rent arrears would be for the new housing organisation. It was added that Housing Benefit claims and change in circumstance requests followed seasonal trends and accordingly there were differential targets and the Revenue and Benefits Manager would be able provide information on any specific reasons.

The Head of Planning and Performance noted the concerns raised by Members in respect of FOI and EIR performance and noted that the position would be reviewed at the end of the year. It was added that often FOI and EIR requests were multi-faceted and therefore required multiple services to respond, prior to a response being collated and sent out. Members were also reminded of the fee-limit of 18 hours in respect of the work in pulling together an FOI or EIR request. The Head of Planning and Performance explained that of issues escalated to the ICO the vast majority were in reference to the quality of the response rather than timeliness and therefore it was important to ensure no detriment in quality when looking to improve timeliness of response.

Councillor J Hillary asked what actions were taken against those Managers not completing appraisals and noted the target for completions, albeit aspirational, should be 100%. The Corporate Scrutiny and Performance Manager noted that figures were reported to Corporate Management Team and Managers would need to be able to account for any appraisal not completed. Councillor N Martin asked whether the training available for Managers in respect of appraisals was compulsory, noting that if not, it should be. The Corporate Scrutiny and Performance Manager noted the training was not compulsory. Councillor J Armstrong reiterated the point raised by Councillor J Hillary, noting that Members needed information on the actions that would be taken should appraisals not be completed. Councillor E Huntington noted that performance appraisals were a very important component of a Manager's or Supervisor's job and appraisals were a part of the process, "oil that keeps the cogs turning".

Councillor M Wilkes noted the situation with appraisals was similar to that of sickness absence. Councillor M Wilkes referred to Performance Indicators RES 34 and 35 as set out at page 26 of the agenda papers and noted an increase in staff numbers in the latest quarter. Councillor M Wilkes asked how many staff the Authority employed in total as this was important in understanding the figures in terms of those with long term sickness absence, the presentation stating the number of posts that had lost 20 full-time equivalent (FTE) days or more being 499. The Chairman noted the figures could be obtained and Councillor J Armstrong added that any figures should include the FTE figures for the Authority, excluding schools.

Resolved:

That the content of the report be noted.

7 Customer Feedback: Complaints, Compliments and Suggestions Quarter 3 Report 2014/15

The Committee considered a Joint Report of the Assistant Chief Executive and Corporate Director, Neighbourhood Services which provided details for each service grouping in relation to both statutory and non-statutory complaints, compliments and suggestions received in Quarter 3 2014/15 (for copy see file of minutes).

The Customer Relations, Policy and Performance Manager, Mary Readman proceeded to provide detail regarding complaints, compliments and suggestions received across the council during Quarter 3, 2014/15 and it was reported that between 1 October 2014 and 31 December 2014: 493 Stage 1 and 41 Stage 2 corporate complaints; 288 compliments; and 62 suggestions had been received. It was added that there had been 33 complaints and 121 compliments received in respect of the statutory services of adult and children's social care during the period. Members noted performance in terms of timescales for responses to complaints and it was noted that the number of complaints received was at the lowest level since Quarter 4 of 2010/11. Councillors noted that the reduction was across all service groupings; however Neighbourhood Services had the most significant reduction, approximately 51%.

The Committee learned that there were a number of key improvements including a reduction in complaints regarding: missed refuse and recycling bins; the garden waste service; Durham City Homes; Planning Development; and Revenue and Benefits. Members noted that an ongoing challenge was that of complaints by residents that felt they had been incorrectly logged as having recycling bins that were contaminated. It was added that work was ongoing in terms of educating residents on recyclable materials and increased enforcement activity to reinforce the message and change behaviours.

The Customer Relations, Policy and Performance Manager noted the outcomes in respect of investigations, with those being accepted as "justified" being approximately 40-50% across most services. Members were informed that Quarter 3 had 227 Stage 1 complaints that were not upheld.

Members noted the breakdown of the number of compliments and suggestions received across service grouping during Quarter 3 with the majority within Neighbourhood Services.

The Customer Relations, Policy and Performance Manager referred to the breakdown of the complaints, compliments and suggestions for each service grouping and detail was also reported in respect of current activity in relation to the Local Government Ombudsman.

The Chairman thanked the Customer Relations, Policy and Performance Manager and asked Members for their questions on the report.

Councillor N Martin noted that he had spoken to the Chairman previously as regards how complaints go "into the system", examples being that a complaint as regards faulty street light could be submitted via a web-form, however, a complaint as regards a bin collection being missed could not. Councillor N Martin added that looking at the Council's website he had noted that for the second example the link for more information toggled the contact details on the screen, though not in a position that was readily visible.

Councillor N Martin suggested that this was effectively inviting complaints to be submitted and that “low-level” issues that could be resolved relatively easily should not constitute a complaint as such, and the difference in respect of which issues were being recorded meant that data was not consistent.

The Head of Planning and Performance noted that this was an area looked at through Customer First work, that “business as usual” issues should be dealt with accordingly and would not constitute a complaint if dealt with satisfactorily in the first instance. It was added that issues as regards the website would be fed back to The Head of Policy and Communications. The Customer Relations, Policy and Performance Manager explained that the “Report It” feature on the website allowed information to be submitted and this was fed straight into the Customer Relations Management (CRM) system, with additional issues being added, for example missed wheelie bins, within the next few weeks. Members were reminded that there was a general “Report It” form and that when Customer Services receive a “complaint” via a web-form they then will contact the customer and if the issue can be resolved, the issue does not go forward as a formal complaint. It was added that there was work ongoing to improve the “Report It” function and the data as set out in the report represented those issues that were not resolved at the first point of contact.

Councillor K Henig noted that she would have expected more complaints as regards the Street Lighting Project, installing new LED lighting as many residents have noted their preference for the old lighting. The Customer Relations, Policy and Performance Manager noted that for such technical issues that were generally “low volume, but complex”, Customer Relations staff have a number of frequently asked questions (FAQs) to be able to help explain the situation. It was added that only if there was a technical fault and this was not resolved would it constitute a complaint and that in respect of the Street Lighting project specifically there would be an update included at the year end. It was added that technical issues often required longer term study to allow for evidence of performance to be measured.

Councillor L Armstrong noted 79 compliments for Aycliffe Secure Services for Quarter 3 and zero recorded for Quarter 2 and asked if there was a specific reason for this sharp increase. The Customer Relations, Policy and Performance Manager noted she would look into the matter and report back on the matter.

Resolved:

That the content of the report be noted.

8 Quarter 3 Forecast of Revenue and Capital Outturn 2013/14

The Committee considered two reports, the first of the Assistant Chief Executive (ACE) and the second of the Corporate Director, Resources which provided details of the Quarter 3 forecast outturn budget position highlighting major variances in comparison with the budget based on the position at the end of December 2014 (for copy see file of minutes).

The Finance Manager, Azhar Rafiq provided a summary report for the Assistant Chief Executive’s service grouping detailing the analysis by Head of Service and highlighting significant variances in the core budget.

It was noted that MTFP savings were on track and that the ACE Capital Programme was relatively small, the largest component being the Members' Neighbourhood Budgets.

The second report related to the Resources service grouping and an analysis by Head of Service was provided alongside those significant variances to the core budget. Members noted that MTFP savings were on track and that the predominant spend within the Resources Capital Programme related to ICT equipment.

The Chairman thanked the Finance Manager and asked Members for their questions on the reports.

Councillor M Wilkes referred to the table set out at page 57 of the agenda papers, where the annual employee costs for Resources were reported as £40m in 2014/15. Councillor M Wilkes noted that staffing spend in 2011/12 for Resources was also reported as £40m and asked why, if there were staffing savings being made as part of MTFP savings requirements, the staffing budget in 2014/15 was the same as in 2011/12 and had not decreased. The Finance Manager explained that it is difficult to draw direct comparisons from one year to the next and care needs to be taken when trying to compare figures going back several years as functions can transfer between service groupings and Government grant funding changes can impact on service budgets. Since 2011/12 a number of functions had been transferred to the Resources service grouping and an example was given of unitisation of finance and human resources staff who were all brought together into Resources whereas previously they were accounted for in other service grouping budgets.

Councillor M Wilkes also noted that the agency and contracted figure set out was £3,940,000, with that figure being zero in 2010/11. Councillor M Wilkes asked how, if savings had been made, was the wage bill increasing. The Finance Manager clarified that the agency and contracted figure did not represent staff; staff would be listed under employees, rather it represented contracts as regards services being provided for the Council by a third party. Councillor M Wilkes noted that it would therefore include a cost of the staff carrying out the contracts. The Finance Manager stated that such costs could not be classified as being Council staffing costs. Any agency costs related to staffing would be included in the Employees heading of the table on page 57. Councillor L Armstrong noted that those staff would be the employees of the company providing the contract, not DCC employees. Councillor M Wilkes noted that the figure for agency and contracted was zero three years ago and therefore he assumed that there would be a corresponding reduction elsewhere in the budget if the contracts represented work the Council undertook itself three years ago. In relation to the £3,940,000 budget appearing in 2014/15, the Finance Manager explained that this was largely due to central government changes in funding and service transfer and a large element of this budget was in respect of the welfare assistance programme which transferred to the Council from Government only recently and did not exist in 2011/12.

The Head of Planning and Performance also commented that the employee figures for both ACE and Resources were affected, as stated by the Finance Manager, by transferring of services such as HR and ICT that had led to savings with centralised services. It was added that ACE now included the County Record Office and the Web Team, two of a number of changes since 2010/11.

The Customer Relations, Policy and Performance Manager added that as part of Welfare Reform, a number of functions and Department of Work and Pensions (DWP) staff were transferred to the Authority, together with the respective budgets. The Finance Manager added that other Government and funding changes had taken place, including the transfer of the Public Health function to Local Authorities and more recently Better Care Funding and reiterated again the difficult in comparing headlines figures over several years.

Resolved:

That the content of the reports be noted.

9 Refresh of the Work Programme for the Corporate Issues Overview and Scrutiny Committee

The Chairman asked the Head of Planning and Performance to speak to Members in relation to the Refresh of the Work Programme for Corporate Issues Overview and Scrutiny Committee (for copy see file of minutes).

The Committee was reminded that the Work Programme was linked to the Council Plan 2015-2018 and that the final draft of the Work Programme would be presented at the July meeting for Members' consideration. The Head of Planning and Performance noted that there were three main areas to highlight in the report, with the first being the four Council Objectives under "Altogether Better Council": Putting the customer first; working with our communities; effective use of resources; and supporting our people through change.

Members were referred to the second main area, an overview of the current Work Programme, and the issues looked at including: in depth reviews on the Budget and MTFP process and Customer First Strategy; overview activity including RIPA, Creditors, Customer Feedback and ICT Strategy; and the regular performance and budgetary reporting.

The Head of Planning and Performance noted that the third area was potential topics for consideration in the future Work Programme and this report was to seek member suggestions. The Committee was asked to note that the Sickness Absence item was next on the agenda and that Members' comments would now feed into the draft Work Programme to be brought back to Members at the July meeting.

The Chairman thanked the Head of Planning and Performance and asked Members for their questions on the report and suggestions as regards the Work Programme.

Councillor J Armstrong noted that MTFP would be an important issue for the Committee, together with the planned review on the issue of Sickness Absence. Councillor J Armstrong added that reviews needed to be meaningful, and that all work needed to be undertaken in the context of capacity.

Councillor M Wilkes agreed that the two main issues for the Committee should be MTFP and Sickness Absence. Councillor M Wilkes asked that in the context of MTFP that issues of earmarked reserves be looked at, noting that there were cash limit increases, the proportion of the general reserve had increased from 2.5% to 7.5% and the cost of borrowing in general had decreased. Councillor M Wilkes noted that the issues associated with the MTFP were complex and that it was not always easy to get a whole picture. Councillor J Armstrong noted that he felt Officers provided good explanations in terms of reserves and borrowing.

Councillor M Wilkes cited an example where the DCC insurance reserve was 40% higher than that of Birmingham City Council, and noted that while there may be a reason for this and that he was not aware, he felt that Members needed some further information to be able to have a fuller picture. Councillor J Armstrong noted that receiving Government settlement late may have been a consideration and also Officers could bring back any information as regards Government and financial requirements in terms of reserves.

Councillor N Martin noted that it was the role of Overview and Scrutiny to provide challenge and added that in terms of the review of Sickness Absence that return to work interviews should be linked to appraisals. Councillor J Hillary disagreed noting that the appraisal process should not be part of attendance management, however noted that the appraisal process had a part to play in issues such as succession planning.

Resolved:

- (i) That the information set out in the Council Plan 2015-2018 Altogether Better Council theme be noted.
- (ii) That the Committee refresh the Work Programme considering the actions identified under the Altogether Better Council theme.
- (iii) That the Committee consider a further report detailing the Work Programme 2015-2017 at its meeting 16 July 2015.

10 Sickness Absence Management Policy - Proposed Corporate Issues Overview and Scrutiny Committee Review

The Chairman asked the Head of Planning and Performance to speak to Members in relation to the proposed review of the Sickness Absence Management Policy (for copy see file of minutes).

The Head of Planning and Performance referred Members to four key elements as set out in the report that would inform the Working Group, namely: receiving an overview of current policies and procedures including the role of occupational health; examination of statistics relating to attendance management across the Council to gain an insight into trends and opportunities for improvement; consideration of examples of best practice and research in respect of sickness absence management; and receiving information on staff, manager and Trade Union opinions and experiences of the sickness management policy and management.

The Head of Planning and Performance noted the comments raised by Members during earlier items, including staff welfare, and asked if Members could provide any further comments, and indicate if they wished to form part of the Working Group, by e-mailing the Overview and Scrutiny Support Assistant, E Dunnill by 1 May 2015.

Councillor M Wilkes noted the four elements as set out in the report and reiterated that private sector views and benefits of an external sickness absence reporting system should be looked at. Councillor J Armstrong noted that best practice would be looked at, comparing “like for like” looking at comparable organisations. Councillor M Wilkes added that he understood that private companies would be different to Local Authorities; however, there may be some of their practices that would best deal with issues the Authority faced. Councillor N Martin noted that research should look at which other Local Authorities use external sickness absence reporting and whether they have provided any benefits, adding that managers at the Council were very busy and sickness absence may be best reported using an external organisation. Councillor N Martin added that the Council existed to give best value in providing services to the public and therefore Members would want what was best.

The Head of Planning and Performance noted the issues raised adding that evidence from other sectors could be looked at, though they would not be able to be benchmarked directly, and added that there were issues of staff development and training. Members noted that the comments made would be taken into account in respect of Terms of Reference for the Review.

Resolved:

- (i) That the proposed review of Sickness Absence be agreed.
- (ii) That up to ten representatives be appointed to serve on the Working Group.

**Corporate Issues
Overview and Scrutiny Committee**



23 July 2015

**Quarter 4 2014/15
Performance Management Report**

**Report of Corporate Management Team
Lorraine O'Donnell, Assistant Chief Executive
Councillor Simon Henig, Leader**

Purpose of the Report

1. To present progress against the council's corporate basket of performance indicators (PIs) for the Altogether Better Council theme and report other significant performance issues for the 2014/15 financial year.

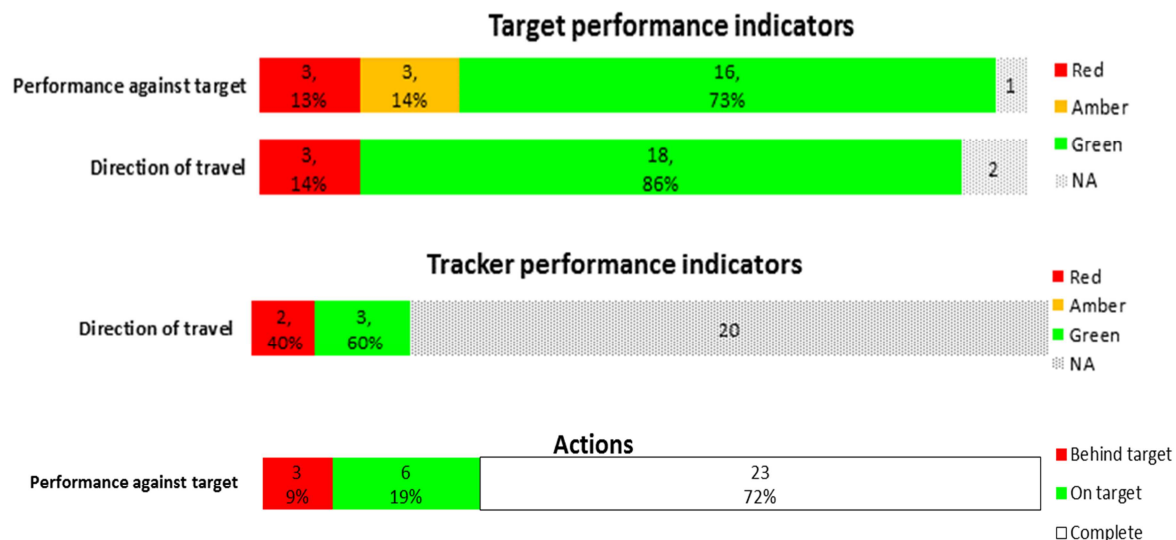
Overall Council Performance

2. Since 2010, the council has made significant financial savings following reductions in government grants and have delivered just under £137 million savings to date and have plans in place to make a further £16 million of reductions in 2015/16.
3. Demand over the year has increased for some of our key services such as children in need referrals, looked after children cases, people requiring rehousing, and freedom of information requests received. However, it is encouraging to note that there have been some notable reductions in demand placed on some of our services in line with council strategy. The number of incidents of fly-tipping being reported is starting to come down after a concerted effort to tackle the perpetrators. All contact through our customer services team whether through face-to-face, telephone or via electronic means is generally reducing in line with our customer first strategy, which aims to answer queries at first point of contact and reduce the need to contact the council again. There has been a large spike in terms of telephone calls received in the last quarter of the year which is predominantly as a result of the introduction of the new garden waste service which has generated a number of additional calls around the time of implementation, some of which have been new customers wanting to join the scheme.
4. Against this backdrop of reducing resources and increasing demand it is critical that the council continues to actively manage performance and ensures that the impact on the public of the difficult decisions we have had to make is minimised.

Altogether Theme Performance

5. The report sets out an overview of performance and progress for the Altogether Better Council theme. Key performance indicator progress is reported against two indicator types which comprise of:
 - a. Key target indicators – targets are set for indicators where improvements can be measured regularly and where improvement can be actively influenced by the council and its partners (see Appendix 3, table 1); and
 - b. Key tracker indicators – performance will be tracked but no targets are set for indicators which are long-term and/or which the council and its partners only partially influence (see Appendix 3, table 2).
6. The report continues to incorporate a stronger focus on volume measures in our performance framework. This allows us to better quantify productivity and to monitor the effects of reductions in resources and changes in volume of activity. Charts detailing some of the key volume measures which form part of the council's corporate set of performance indicators are presented in Appendix 4.
7. A corporate performance indicator guide has been produced which provides full details of indicator definitions and data sources. This is available to view from the intranet or can be requested from the Corporate Planning and Performance Team at performance@durham.gov.uk.
8. Work has been carried out by officers and members on developing the proposed indicator set and targets for 2015/16 (see Appendix 5) to ensure that our performance management efforts continue to stay focused on the right areas.

Altogether Better Council: Overview



Council Performance

9. Key achievements this quarter include:

- a. There has been a significant increase in telephone calls received this period from 218,592 at quarter 3 to 290,384 this quarter. This is also an increase on the same period last year (257,158) (see Appendix 4, Chart 5). Calls for Registration Services were added to the Automatic Call Distribution during this quarter, and a large number of calls were received in relation to the new garden waste collection service.

During 2014/15, 936,286 telephone calls were answered, which is 95% of all calls received, compared to 89% during 2013/14. 93% were answered within three minutes compared to 81% during 2013/14.

Between January and March 2015, 271,967 telephone calls were answered, which is 94% of all calls received, compared to 96% at the same period last year. 97% were answered within three minutes against the target of 80%. This was an improvement on the same period last year, when 95% were answered within three minutes. There was a 15.4% decrease in contact received via emails and web forms (17,669) compared to the same quarter last year (20,895).

- b. During 2014/15, the library footfall figures were removed from customer access point (CAP) figures to present a more accurate reflection on the number of customers visiting CAPs to request a service. Appointments at CAPs for Revenues and Benefits were implemented from 1 December 2014. Average waiting time at a CAP during 2014/15 was three minutes and 28 seconds compared to four minutes and 11 seconds in 2013/14, an improvement of 43 seconds.

During quarter 4, the percentage of customers seen at CAPs within the 15 minutes was 99%, better than the same period last year (95%). The figures show an increase in customers from 46,271 in quarter 3 to 48,349 in quarter 4 but a decrease when comparing to the same period last year (68,283) (see Appendix 4, Chart 6).

- c. The occupancy of Business Durham premises increased steadily during 2014/15 and in the last two quarters reached the highest rate seen since this metric was monitored. At the end of March 2015, performance was 79.1%, exceeding the target of 77% and was better than the same period last year (73.9%). This was the result of intensive support to existing clients and a refurbishment programme funded from the capital programme. During 2014/15, £3,254,000 was generated, better than the target of £3,030,000 and performance for the same time last year (£2,513,000).
- d. Current tenant arrears as a percentage of the annual rent debit reduced from 1.99% in 2013/14 to 1.97% (£1.39m) in 2014/15 exceeding the target of 2.45%.
- e. Better than target performance has been sustained and consolidated for benefit claims processing for new claims and changes of circumstances throughout 2014/15. Processing times are better than the respective year-end target and better than the most recently reported national averages. During 2014/15:
 - i. New Housing Benefit (HB) claims were processed in 20.6 days on average, within the 23 day target and 1.8 days faster than during 2013/14. This compares favourably with the latest (quarter 3) national and nearest statistical neighbour figures which are both 22 days. The volume of new HB claims processed slightly decreased from 13,156 in 2013/14 to 13,054 in 2014/15 (Appendix 4, Chart 1).
 - ii. New Council Tax Reduction (CTR) claims were processed in 21.3 days on average, within the 23 day target and 2.9 days faster than during 2013/14. The volume of new CTR claims processed decreased from 14,799 in 2013/14 to 14,313 in 2014/15 (Appendix 4, Chart 2).
 - iii. Changes to HB claims were processed in 7.3 days on average, within the 11 day target and 4.8 days faster than during 2013/14. Performance was better than both the quarter 3 national and nearest statistical neighbour averages which are both 11 days. The volume of change of circumstances for HB claims processed increased from 113,614 in 2013/14 to 141,043 in 2014/15 mainly due to increased volume at quarter 4 connected with annual billing (Appendix 4, Chart 3).
 - iv. Changes to CTR claims were processed in 9.5 days on average, within the 11 day target and 3.8 days faster than during 2013/14. The volume of change of circumstances for CTR claims processed decreased from 112,567 in 2013/14 to 111,835 in 2014/15 (Appendix 4, Chart 4).

Efforts to improve the flow of information between different parts of the Revenues and Benefits Service have contributed to this improved position. This remains an area of focus as processes and procedures are reviewed.

- f. The 2014/15 collection rate for business rates was 97.2%, exceeding the 96.5% target. This represents a steady improvement over 2013/14 by 0.8%, and is the best collection rate performance since the council became a unitary authority in 2009. The collection rate equates to payments of £115.113m collected in-year against a net charge of £118.429m. However, based on 2013/14 benchmarking County Durham is still in the bottom quartile and below the 2013/14 England average of 97.9%.
- g. The 2014/15 collection rate for council tax was 95.8%, slightly below the 96% target. This represents an improvement on 2013/14 by 0.4% and is the best performance since 2010/11. This achievement is particularly significant considering the context of a circa £7.5m increase in collectable debit year-on-year as a result of council tax increases and the addition of new council tax dwellings. The collection rate equates to payments of £210.857m collected in-year against a net charge of £220.101m in 2014/15. However, based on 2013/14 benchmarking County Durham is still in the bottom quartile and below the 2013/14 England average of 97.2%.

10. The key performance improvement issues for this theme are:

- a. Council-wide efforts particularly during the latter half of 2014/15 resulted in much improved compliance with the council's established appraisal process. The employee appraisal rate of 83.9% in the 12 months to March 2015 only narrowly missed the 2014/15 target of 85%. With six months of more than 80% compliance, it is expected that continued council-wide focus and effort during 2015/16 will sustain and increase activity, embed good practice, and deliver quality appraisals for the benefit of both the council's employees and the council through improved performance.

Support from human resources officers through management alerts from the Resourcelink system will continue to be reviewed in order to assist managers.

- b. Improving the management of attendance and reducing sickness absence continues to be a priority for the council. Data in the 12 months to March 2015 show:
 - i. The average days lost to sickness absence per full time equivalent (FTE) employee (including school based employees) for the rolling year to March 2015 was 9.58 days. Whilst performance is an improvement from the December 2012 peak of 9.8 days, the target of 8.7 days has not been achieved. The average days lost to sickness absence has increased from 9.31 days at quarter 3, a deterioration of 2.9%.
 - ii. The average number of days lost to sickness absence per FTE (when excluding schools based employees) for the rolling year to March 2015 was 12.14 days. Whilst performance is an improvement from the December 2012 peak of 12.72 days, the target of 11.8 days has not been achieved. The average days lost to sickness absence has increased from 11.97 days at quarter three, a deterioration of 1.4%.
 - iii. During the rolling year, 45% of posts (excluding school based employees) had no sickness absence.

- iv. The percentage time lost to sickness absence (excluding schools) was 4.8% at the end of quarter 4.

Sickness absence levels continue to present challenge; significant effort to improve the consistency of attendance management across the organisation has not resulted in overall on-target sickness levels. Recent and ongoing interventions include:

- Attendance management groups to continue to consider detailed data with a view to improving practice and bringing about increased attendance.
- A streamlined draft Attendance Management Policy, including a rehabilitation section, and a strengthened approach for the management of short term sickness.
- Compulsory sickness absence training for managers (tiers 4 and 5).

- c. Overall 2014/15 performance for paying undisputed invoices within 30 days to our suppliers was 91.4%. The 92% target was achieved in only six of the 12 months, and as such, improvement work remains ongoing. Between January and March 2015, over 88,000 supplier invoices were paid and 92.47% of those were paid within 30 days. Performance exceeded the 92% target. This represents an improvement over the previous quarter (2%) and over the same period last year (3.9%). Actions undertaken to improve performance include:

- i. In order to improve payment performance, coded invoices were manually entered into Oracle, bi-passing the DbCapture Solution, since December 2014. This process continued during quarter 4. A review of DbCapture system was undertaken by the software provider in March 2015. This review assessed current processes and payment types in order to ensure the most efficient process is being utilised.
- ii. Monthly Invoice Payment Improvement Group Meetings are being held and attended by representatives from each service to discuss procure to pay developments, process changes and system enhancements in order to improve performance across the council. In addition to this, collaboration meetings between Account Payable Supervisors and each service grouping are being held monthly to discuss developments which are specific to their service.
- iii. The Invoice Payment Improvement Group have finalised the business intelligence (BI) analytics (and guidance notes). Invoice payment performance is now available to all BI users on their desktop.

- d. The percentage of Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests responded to within 20 days was 73% this quarter, one percentage point deterioration from the previous quarter (74%). This remains below the national target of 85%. Performance has improved by three percentage point from the same period last year (70%) (see Appendix 4, Chart 7). 76% of requests were responded to on time during 2014/15, a slight reduction on last year (77%).

- e. As reported in the Altogether Better for Children and Young People theme, our tracker indicator for child poverty shows that 22.7% of children in County Durham were living in poverty (20,060 children) at November 2014. This is slight improvement from 23.5% the previous year (20,840 children). The County Durham rate is worse than the England rate (16.8%), although slightly better than the North East rate (23.3%).
- f. The key Council Plan actions which have not achieved target in this theme include:
 - i. There have been further delays to the delivery and completion of the office accommodation programme from April to June 2016. The construction phase of the Newton Aycliffe Library scheme is now scheduled to commence on 29th September 2015 with an opening date of June 2016. Construction of Stanley CAP and Library is programmed for a completion date of March 2016.
 - ii. The development of a community led local development structure to maximise involvement of Area Action Partnerships and increase resources available for locally identified actions has been delayed from March 2015 to September 2015 as the European operational programme has still not been signed off yet by the government.
 - iii. As part of data protection arrangements, the improvement of the use of Privacy Impact Assessments for regular data sharing has been delayed from March 2015 until May 2015.

11. The key risks to successfully delivering the objectives of this theme are:

- a. If there was to be slippage in the delivery of the agreed Medium Term Financial Plan (MTFP) savings projects, this will require further savings to be made from other areas, which may result in further service reductions and job losses. Management consider it possible that this risk could occur, which will result in a funding shortfall, damaged reputation and reduced levels of service delivery. To mitigate the risk, a programme management approach for key projects has been established and embedded across the council. Monitoring by Corporate Management Team and Cabinet provides assurance over the implementation of the agreed MTFP savings projects. It should be recognised that this will be a significant risk for at least the next four years.
- b. Ongoing Government funding cuts which now extend to at least 2019/20 will continue to have an increasing major impact on all council services. Management consider it highly probable that this risk could occur, and to mitigate the risk, sound financial forecasting is in place based on thorough examination of the Government's "red book" plans. This will also be a significant risk for at least the next four years.
- c. Potential restitution of search fee income going back to 2005. Management consider it highly probable that the risk will occur as a firm of solicitors has taken action against all councils across England and Wales to recover the alleged land charge fees overpayment. Lawyers, instructed through the Local Government Association on behalf of local authorities, have produced a framework for settlement and this is currently being considered. Central Government has now agreed to underwrite a significant proportion of the cost and it is anticipated that this can be resolved by the end of June 2015.

- d. The council could suffer significant adverse service delivery and financial impact if the new banking contract is not properly implemented. The new banking contract has been awarded and a project board established to ensure a smooth transition process.
- e. If we were to fail to comply with Central Government's Public Services Network Code of Connection criteria for our computer applications, this would put some of our core business processes at risk, such as Revenues and Benefits, which rely on secure transfer of personal data. A backup ICT site is now in place. The equipment has been installed, data has been transferred, and a full test is planned once remedial electrical work is carried out at the council's primary data site. This will remain on the register as an inherent strategic risk.

Recommendations and reasons

- 12. That the Corporate Issues Overview and Scrutiny Committee receive the report and consider any performance issues arising there from.

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Appendix 1: Implications

Finance - Latest performance information is being used to inform corporate, service and financial planning.

Staffing - Performance against a number of relevant corporate health PIs has been included to monitor staffing issues.

Risk - Reporting of significant risks and their interaction with performance is integrated into the quarterly monitoring report.

Equality and Diversity / Public Sector Equality Duty - Corporate health PIs are monitored as part of the performance monitoring process.

Accommodation - Not applicable

Crime and Disorder - A number of PIs and key actions relating to crime and disorder are continually monitored in partnership with Durham Constabulary.

Human Rights - Not applicable

Consultation - Not applicable

Procurement - Not applicable

Disability Issues - Employees with a disability are monitored as part of the performance monitoring process.

Legal Implications - Not applicable

Appendix 2: Key to symbols used within the report

Where icons appear in this report, they have been applied to the most recently available information.

Performance Indicators:

Direction of travel

Performance against target

Latest reported data have improved from comparable period

GREEN

Performance better than target

Latest reported data remain in line with comparable period

AMBER

Getting there - performance approaching target (within 2%)

Latest reported data have deteriorated from comparable period

RED

Performance >2% behind target

Actions:

WHITE

Complete. (Action achieved by deadline/achieved ahead of deadline)

GREEN

Action on track to be achieved by the deadline

RED

Action not achieved by the deadline/unlikely to be achieved by the deadline

Benchmarking:

GREEN

Performance better than other authorities based on latest benchmarking information available

AMBER

Performance in line with other authorities based on latest benchmarking information available

RED

Performance worse than other authorities based on latest benchmarking information available

Appendix 3: Summary of Key Performance Indicators

Table 1: Key Target Indicators

Ref	PI ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
Altogether Better Council											
64	NS22	Percentage of calls answered within three minutes	97	Jan - Mar 2015	80	GREEN	95	GREEN			
65	NS24	Percentage of customers seen within 15 minutes at a customer access point	99	Jan - Mar 2015	95	GREEN	95	GREEN			
66	RES/038	Percentage all ICT service desk incidents resolved on time	93	Jan - Mar 2015	90	GREEN	90	GREEN			
67	RES/NI/181a1	Average time taken to process new housing benefit claims (days)	20.61	2014/15	23.00	GREEN	22.39	GREEN	22.00 GREEN	22** GREEN	Oct - Dec 2014
68	RES/NI/181a2	Average time taken to process new council tax reduction claims (days)	21.29	2014/15	23.00	GREEN	24.21	GREEN			
69	RES/NI/181b1	Average time taken to process change of circumstances for housing benefit claims (days)	7.33	2014/15	11.00	GREEN	12.14	GREEN	11.00 GREEN	11** GREEN	Oct - Dec 2014
70	RES/NI/181b2	Average time taken to process change of circumstances for council tax reduction claims (days)	9.46	2014/15	11.00	GREEN	13.28	GREEN			
71	RES/001	Savings delivered against the Medium Term Financial Plan (MTFP) (£m)	23.0	As at Mar 2015	23.0	GREEN	20.9	NA			

Ref	PI ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
72	RES/002	Percentage of council tax collected in-year	95.80	2014/15	96.00	AMBER	95.44	GREEN	97.20 RED	96.01* RED	2013/14
73	RES/003	Percentage of business rates collected in-year	97.20	2014/15	96.50	GREEN	96.42	GREEN	97.90 RED	97.76* RED	2013/14
74	RES/129	Percentage of council tax recovered for all years excluding the current year	99.18	Jan - Mar 2015	98.50	GREEN	99.36	RED			
75	RES/130	Percentage of business rates recovered for all years excluding the current year	99.50	Jan - Mar 2015	98.50	GREEN	99.28	GREEN			
76	REDPI39	Current tenant arrears as a percentage of the annual rent debit	1.97	Jan - Mar 2015	2.45	GREEN	1.99	GREEN			
77	REDPI78	Percentage of capital receipts received [5]	109.0	2014/15	100.0	GREEN	100.0	GREEN			
78	REDPI33	Percentage of Business Durham business floor space that is occupied	79.12	As at Mar 2015	77.00	GREEN	73.90	GREEN			
79	REDPI76	Income generated from Business Durham business space (£)	3,254,000	2014/15	3,030,000	GREEN	2,513,000	GREEN			
80	REDPI49b	£ saved from solar installations on council owned buildings	214,000	2013/14	Not set	NA	New indicator	NA			
81	REDPI68	Average asset rating of Display Energy Certificates in county council buildings	97.10	As at Mar 2015	98.00	GREEN	97.70	GREEN			
82	RES/LPI/010	Percentage of undisputed invoices paid within 30 days to our suppliers	91.4	2014/15	92.0	AMBER	90.5	GREEN			

Ref	PI ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
83	ACE006	Percentage of Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests responded to within statutory deadlines	73	Jan - Mar 2015	85	RED	70	GREEN			
84	RES/LPI/012	Days / shifts lost to sickness absence – all services including school staff	9.58	2014/15	8.70	RED	9.00	RED			
85	RES/LPI/012a	Days / shifts lost to sickness absence – all services excluding school staff	12.14	2014/15	11.80	RED	12.08	RED			
86	RES/011	Percentage of performance appraisals completed (excluding schools)	83.9	2014/15	85.0	AMBER	68.9	GREEN			

Table 2: Key Tracker Indicators

Page Ref	PI ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
Altogether Better Council											
183	NS43a	Number of customer contacts- face to face	48,349	Jan - Mar 2015	46,271	NA	68,283	NA			
184	NS43b	Number of customer contacts-telephone	290,384	Jan - Mar 2015	218,592	NA	257,158	NA			
185	NS43c	Number of customer contacts- web forms	4,889	Jan - Mar 2015	3,654	NA	5,390	NA			
186	NS43d	Number of customer contacts- emails	12,780	Jan - Mar 2015	10,669	NA	15,505	NA			
187	NS20	Percentage of abandoned calls	5	Jan - Mar 2015	5	AMBER	4	RED			
188	NS100	Number of complaints recorded on the Customer Relationship Management database (CRM)	641	Jan – Mar 2015	493	RED	685	GREEN			
189	RES/013	Staff aged under 25 as a percentage of post count	5.52	As at Mar 2015	5.59	NA	5.59	NA			
190	RES/014	Staff aged over 50 as a percentage of post count	38.80	As at Mar 2015	38.42	NA	38.34	NA			
191	RES/LPI/011a	Women in the top five percent of earners	52.03	As at Mar 2015	52.32	NA	51.02	NA			
192	RES/LPI/011bi	Black and minority ethnic (BME) as a percentage of post count	1.53	As at Mar 2015	1.50	NA	1.42	NA			
193	RES/LPI/011ci	Staff with disability as a percentage of post count	2.73	As at Mar 2015	2.73	NA	2.85	NA			

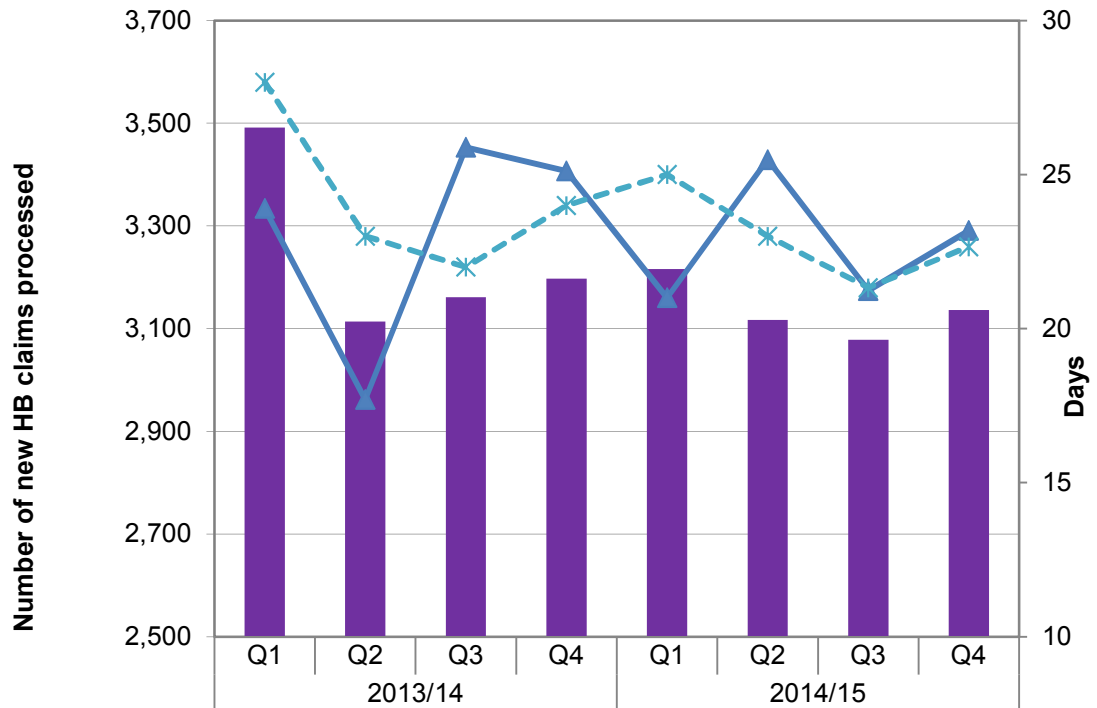
Ref	PI ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
194	REDPI79	Number of tenants of the seven main housing providers seen through the triage process	Not reported	NA	Not reported	NA	813	NA			
195	REDPI79 a	Percentage of triaged tenants of the seven main housing providers who were given employability advice	Not reported	NA	Not reported	NA	35	NA			
196	REDPI79 b	Percentage of triaged tenants of the seven main housing providers who were given debt advice	Not reported	NA	Not reported	NA	37	NA			
197	REDPI79 c	Percentage of triaged tenants of the seven main housing providers who were given income advice	Not reported	NA	Not reported	NA	41	NA			
198	REDPI79 d	Percentage of triaged tenants of the seven main housing providers that have been rehoused	Not reported	NA	Not reported	NA	4.0	NA			
199	RES028	Discretionary Housing Payments - value (£) for customers affected by social sector size criteria	1,146,867.00	2014/15	934,274.00	NA	832,006.57	NA			
200	RES029	Discretionary Housing Payments - value (£) for customers affected by local housing allowance reforms	131,568.00	2014/15	115,379.00	NA	125,977.46	NA			

Ref	PI ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
201	ACE016	Percentage of children in poverty (quarterly proxy measure) (Also in Altogether Better for Children and Young People)	22.7	As at Nov 2014	23.0	AMBER	23.5	GREEN	16.8	23.3*	As at Nov 2014
202	ACE017	Percentage of children in poverty (national annual measure) (Also in Altogether Better for Children and Young People)	22.7	2012	23.0	GREEN	23.0	GREEN	18.9	23.4*	2012
203	RES/034	Staff - total headcount (including schools)	17,840	As at Mar 2015	18,039	NA	17,581	NA			
204	RES/035	Staff - total full time equivalent (FTE) (including schools)	14,119	As at Mar 2015	14,110	NA	14,225	NA			
205	RES/052	Percentage of posts with no absence (excluding schools)	45.02	2014/15	46.66	RED	Data not available	NA [1]			
206	RES/020	Percentage of time lost to sickness in rolling year (excluding schools)	4.80	2014/15	4.73	RED	4.76	RED			
207	RES/036	Number of RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) incidents reported to the Health and Safety Executive (HSE)	12	Jan - Mar 2015	11	N/A	12	NA			

[1] Frequency changed and past data not available

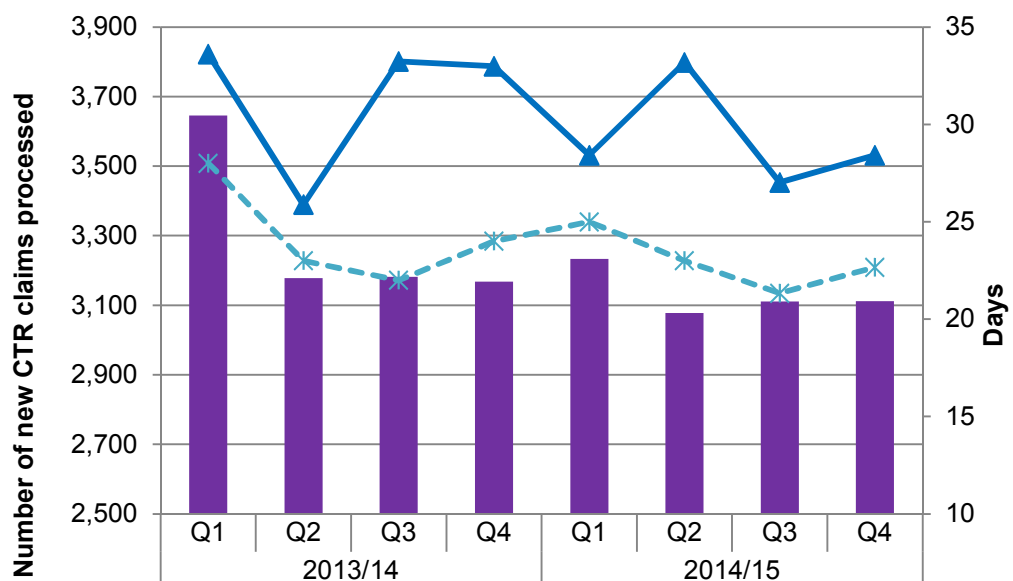
Appendix 4: Volume Measures

Chart 1 – Housing Benefits – new claims



<ul style="list-style-type: none"> Average days taken to process claims Number of claims processed Target (days) 	26.53	20.23	21.02	21.62	21.93	20.28	19.64	20.6
	3,334	2,962	3,453	3,407	3,160	3,429	3,174	3,291
	28.00	23.00	22.00	24.00	25.00	23.00	21.33	22.66

Chart 2 – Council Tax Reduction – new claims



<ul style="list-style-type: none"> Average days taken to process claims Number of claims processed Target (days) 	30.46	22.11	22.18	21.93	23.10	20.31	20.90	20.93
	3,822	3,389	3,801	3,787	3,531	3,798	3,453	3,531
	28.00	23.00	22.00	24.00	25.00	23.00	21.33	22.66

Chart 3 – Housing Benefits – changes of circumstances

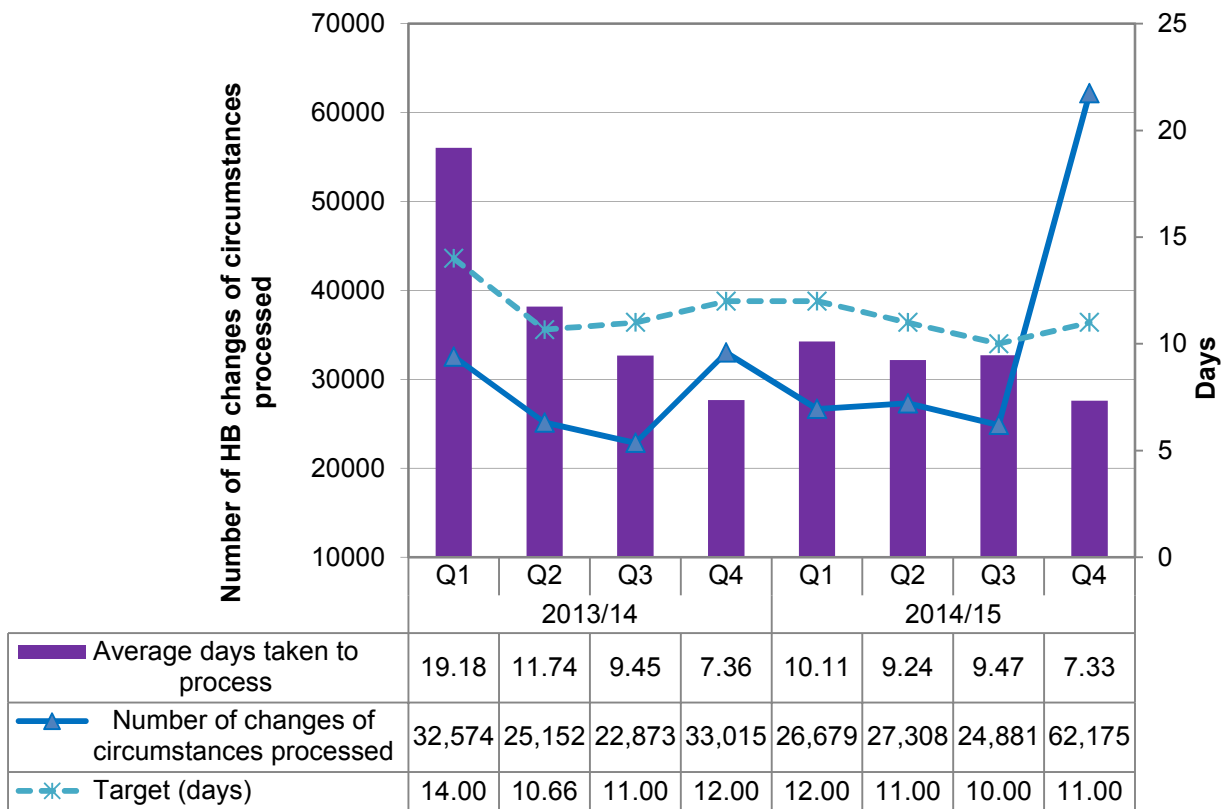


Chart 4 – Council Tax Reduction – changes of circumstances

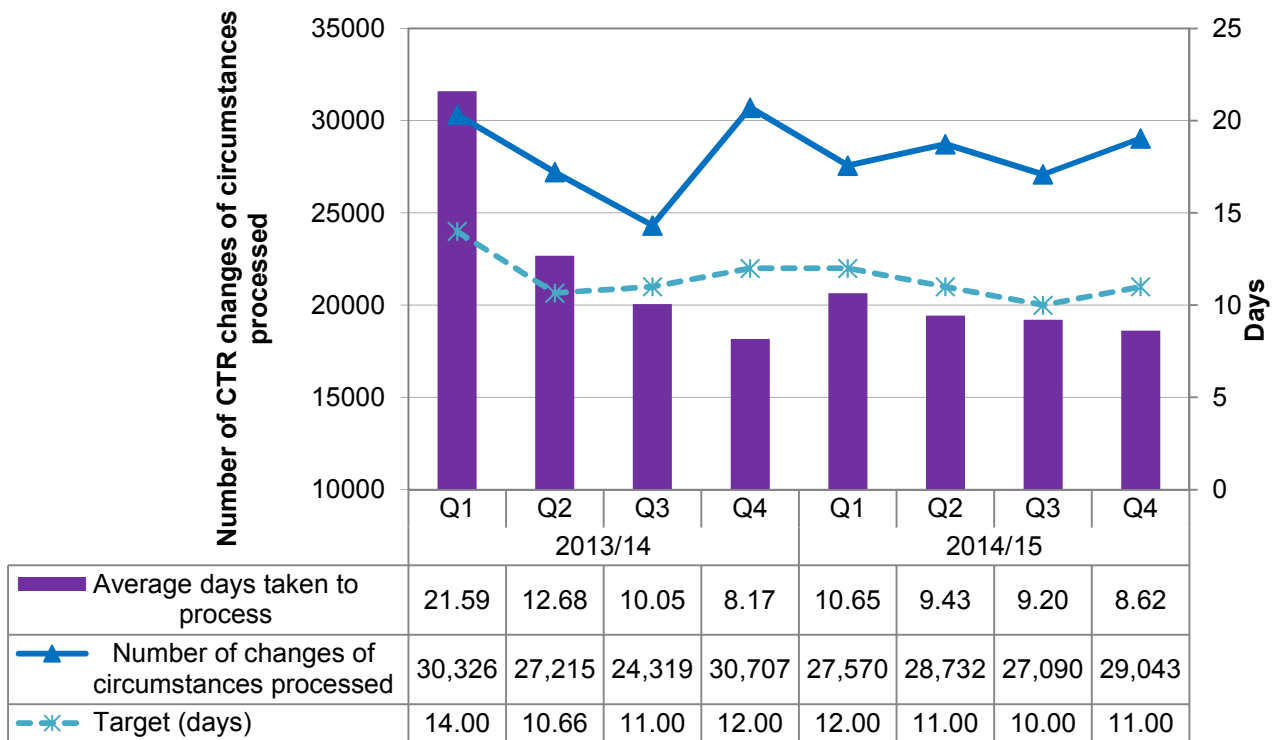


Chart 5 - Telephone calls

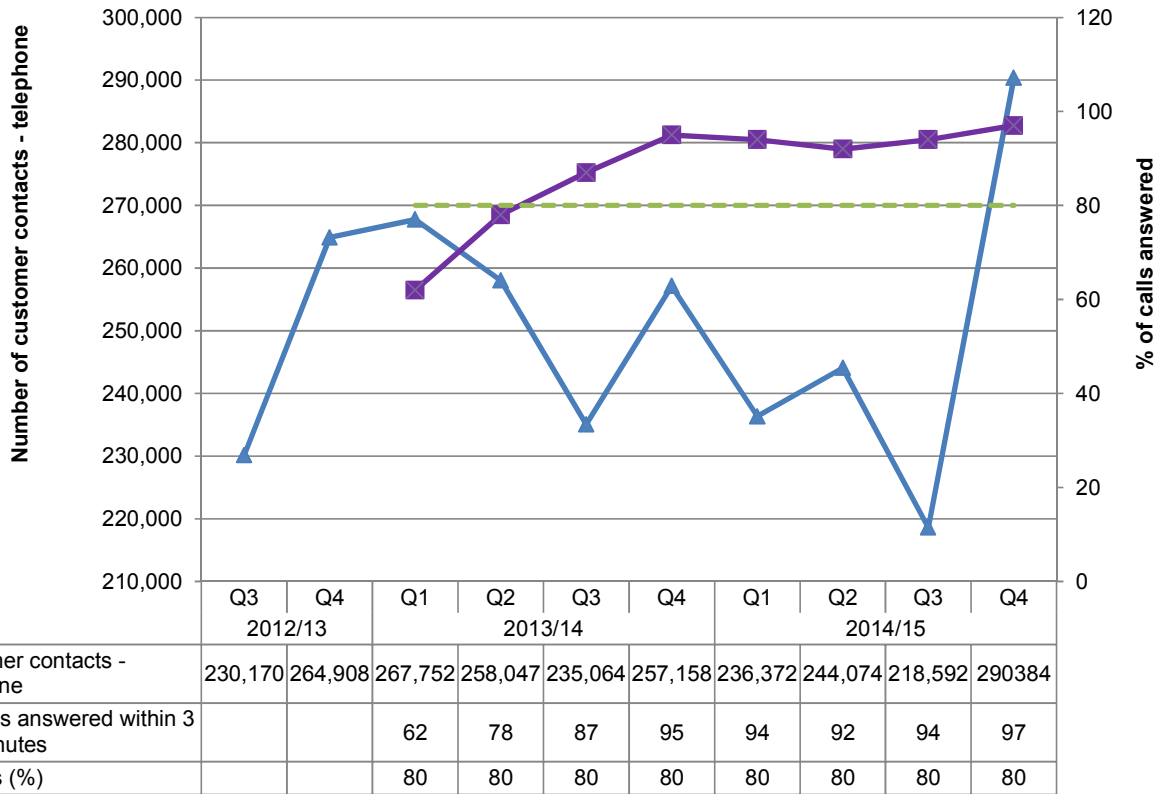


Chart 6 – Face to face contacts

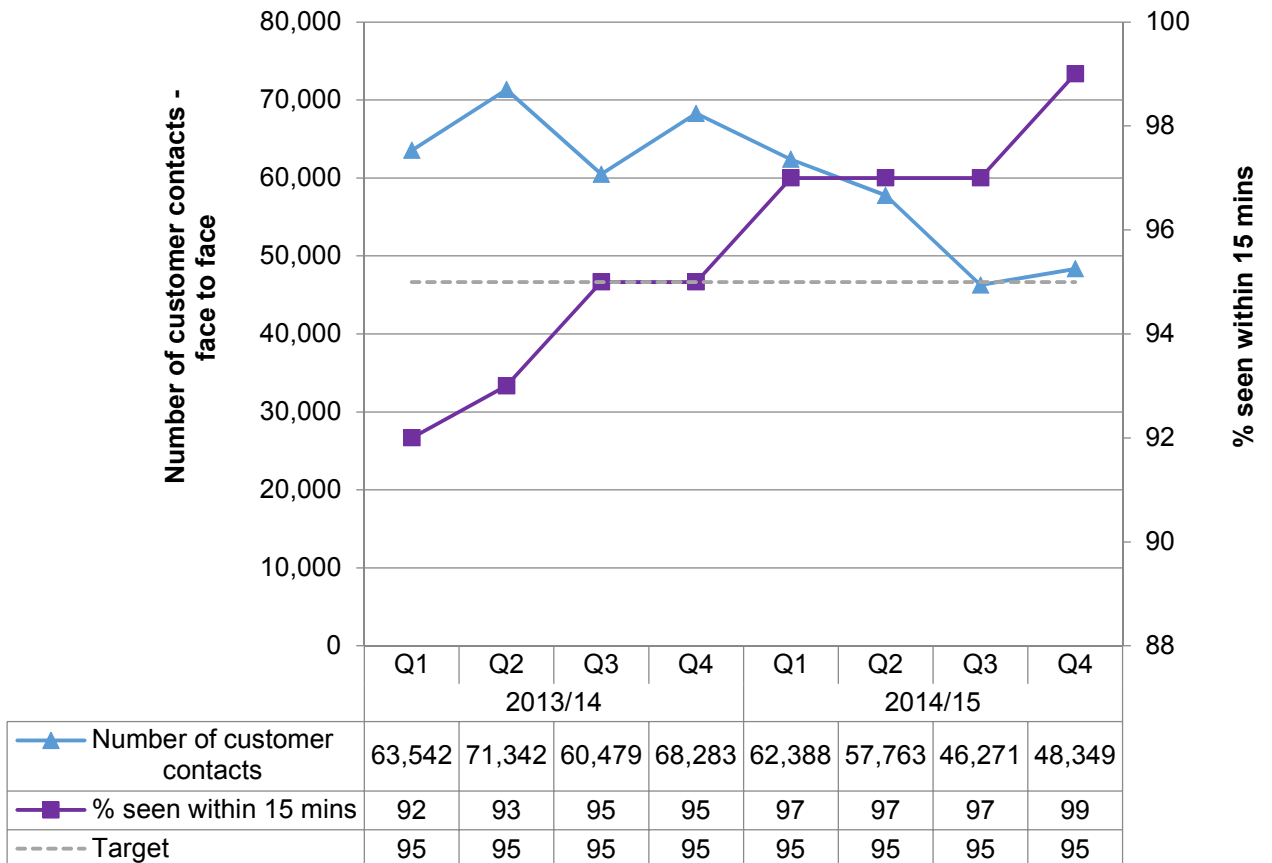
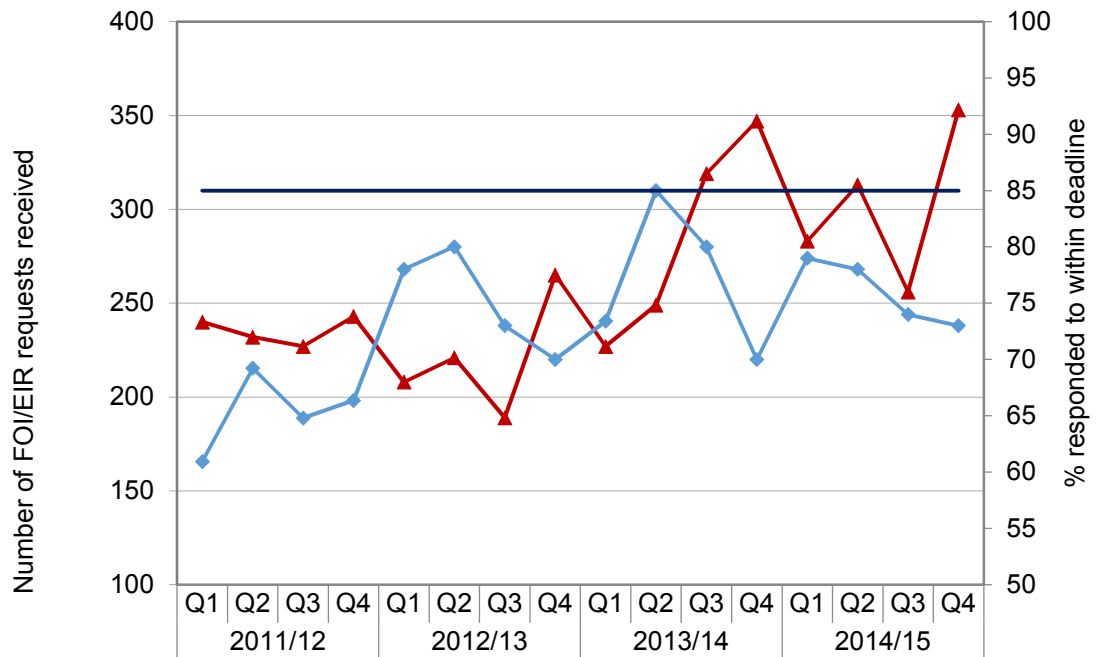


Chart 7 – Freedom of Information (FOI) requests



▲ Number of FOI/EIR requests received	240	232	227	243	208	221	189	265	227	249	319	347	283	313	256	353
◆ % of FOI/EIR requests responded to within statutory deadlines	61	69	65	66	78	80	73	70	73	85	80	70	79	78	74	73
— Target (%)	85	85	85	85	85	85	85	85	85	85	85	85	85	85	85	85

Appendix 5: Proposed 2015/16 Corporate Indicator set and 3 year targets

Indicator Type	PI ref	PI Description	Service Grouping	Frequency	Performance		2014/15 Target	Proposed targets			National Comparison
					2013/14	2014/15 Q3		2015/16	2016/17	2017/18	
Altogether Better Council											
Tracker	NS43a	Number of customer contacts- face to face	NS	Quarterly	263,646	166,422					
Tracker	NS43b	Number of customer contacts-telephone	NS	Quarterly	1,018,021	699,038					
Tracker	NS43c	Number of customer contacts- web forms	NS	Quarterly	18,738	11,997					
Tracker	NS43d	Number of customer contacts- emails	NS	Quarterly	52,341	37,047					
Tracker	NS20	Percentage of abandoned calls	NS	Quarterly	4	5					
Target	NS22	Percentage of calls answered within 3 minutes	NS	Quarterly	95	94	80	80	80	80	
Target	NS24	Percentage of customers seen within 15 minutes at a Customer Access Point (CAP)	NS	Quarterly	95	97	95	95	95	95	
Target	NS25	Percentage of customers with an appointment at a customer access point who are seen on time	NS	Quarterly				95	95	95	
Target	RES/038	Percentage of all ICT Service Desk incidents resolved on time	RES	Quarterly	90	94	90	90	90	90	
Tracker	RES/013	Staff aged under 25 as a percentage of post count	RES	Quarterly	5.59	5.59					
Tracker	RES/014	Staff aged over 50 as a percentage of post count	RES	Quarterly	38.34	38.42					
Tracker	RES/LPI/011a	Women in the top 5% of earners	RES	Quarterly	51.02	52.32					
Tracker	RES/LPI/011b(i)	Black and minority ethnic (BME) as a percentage	RES	Quarterly	1.42	1.5					

Indicator Type	PI ref	PI Description	Service Grouping	Frequency	Performance		2014/15 Target	Proposed targets			National Comparison
					2013/14	2014/15 Q3		2015/16	2016/17	2017/18	
Page 32		of post count									
Tracker	RES/LPI/011c(i)	Staff with disability as a percentage of post count	RES	Quarterly	2.85	2.73					
Tracker	ACE016	Percentage of children in poverty (quarterly proxy measure) (Also in Altogether Better for Children and Young People)	ACE	Quarterly	23.6	23.3 (May 14)					17.6
Tracker	ACE017	Percentage of children in poverty (national annual measure) (Also in Altogether Better for Children and Young People)	ACE	Annual Q2	23 (2011)	22.7 (2012)					18.9
Tracker	ACE019	Percentage of households that need to spend more than 10% of their income on fuel to maintain an adequate standard of warmth	ACE	Annual Q2	19.5 (2011)	17.9 (2012)					13.9 (2012)
Tracker	RES/028	Discretionary Housing Payments - value (£) for customers affected by social sector size criteria	RES	Quarterly	832,006.57	934,274.00					
Tracker	RES/029	Discretionary Housing Payments - value (£) for customers affected by Local Housing Allowance Reforms	RES	Quarterly	125,977.46	115,379.00					
Target	RES/NI/181a1	Time taken to process new Housing Benefit claims year to date and (discreet quarter)	RES	Quarterly	22.39	19.64	23	22	21	TBC	23 (Q2 13/14)

Indicator Type	PI ref	PI Description	Service Grouping	Frequency	Performance		2014/15 Target	Proposed targets			National Comparison
					2013/14	2014/15 Q3		2015/16	2016/17	2017/18	
Target	RES/NI/1 81a2	Time taken to process new Council Tax Reduction claims year to date and (discreet quarter)	RES	Quarterly	24.21	20.9	23	22	21	TBC	
Target	RES/NI/1 81b1	Time taken to process change of circumstances for housing benefit claims year to date and (discreet quarter)	RES	Quarterly	12.14	9.47	11	10	10	TBC	10 (Q2 13/14)
Target	RES/NI/1 81b2	Time taken to process change of circumstances for Council Tax Reduction claims year to date and (discreet quarter)	RES	Quarterly	13.28	9.2	11	10	10	TBC	
Target	RES/001	Savings delivered against the Medium Term Financial Plan (MTFP) (£m)	RES	Quarterly	20.9	22 (23 @ Q4)	23	16.283	36.554	34.829	
Target	RES/002	Percentage of Council Tax Collected In-Year	RES	Quarterly	95.44	82.94	96	96.2	96.4	96.6	97 (13/14)
Target	RES/003	Percentage of business rates collected in-year	RES	Quarterly	96.42	81.63 (97.20 @ Q4)	96.5	96.7	96.9	97.1	97.9 (13/14)
Tracker		Staff - total post count (excluding schools)	RES	Quarterly	New indicator	9,987 (Q4)					
Tracker		Staff - total full time equivalents (excluding schools)	RES	Quarterly	New indicator	7,450 (Q4)					
Target	RES/129	Percentage of council tax recovered for all years excluding the current year	RES	Quarterly	99.36	99.07	98.5	98.5	98.5	98.5	
Target	RES/130	Percentage of business rates recovered for all years excluding the current year	RES	Quarterly	99.28	99.18	98.5	98.5	98.5	98.5	

Indicator Type	PI ref	PI Description	Service Grouping	Frequency	Performance		2014/15 Target	Proposed targets			National Comparison
					2013/14	2014/15 Q3		2015/16	2016/17	2017/18	
Target	REDPI49b	£ generated from solar installations on council owned buildings	RED	Annual Q4	214,000 (13/14)	214,000 (13/14)	242,000	242,000	242,000	242,000	
Target	REDPI68	Average asset rating of Display Energy Certificates in county council buildings	RED	Quarterly	97.7	99.1	98	97	96	95	
Target	ACE006	Percentage of Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests responded to within statutory deadlines (20 working days)	ACE	Quarterly	70	74	85	85	85	85	
Target	RES/LPI/010	Percentage of undisputed invoices paid within 30 days to our suppliers	RES	Quarterly	89	91	92	92	93	93	
Target	RES/011	Percentage of performance appraisals completed	RES	Quarterly	68.85	81.72	85	90 87.5 (Q2)	95	95	
Tracker	RES/020	Percentage of time lost to sickness in rolling year (excluding schools)	RES	Quarterly	4.76	4.73					
Tracker	RES/052	Percentage posts with no absence (excluding schools) rolling year	RES	Quarterly		46.66					
Target	RES/LPI/012	Days/shifts lost to sickness absence - all services including school staff	RES	Quarterly	9	9.31	8.7	8.5	8.2	8	
Target	RES/LPI/012(a)	Days/Shifts lost to sickness absence - all services excluding school staff	RES	Quarterly	12.08	11.97	11.8	11.5	11.2	11	

Indicator Type	PI ref	PI Description	Service Grouping	Frequency	Performance		2014/15 Target	Proposed targets			National Comparison
					2013/14	2014/15 Q3		2015/16	2016/17	2017/18	
Tracker	RES/036	Number of RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) Incidents reported to the Health and Safety Executive	RES	Quarterly	64	45					

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Corporate Issues Overview and Scrutiny Committee



23 July 2015

**Customer Feedback : Complaints
Compliments and Suggestions
Year End Report 2014/15**

Joint Report of the Corporate Director for Neighbourhood Services and Assistant Chief Executive

Purpose of the Report

- 1 To present to Corporate Issues Overview and Scrutiny Committee (CIOSC) the Customer Feedback : Complaints, Compliments and Suggestions year-end report 2014/15 (Full report attached at Appendix 2).

Background

- 2 The report in relation to the Council's performance and key issues regarding complaints, compliments and suggestions is aligned to the performance reporting mechanisms, so the implications of this customer feedback can inform scrutiny of Council performance.

Year-end Report 2014/15

- 3 The full report at appendix 2 provides details for each service grouping in relation to both statutory and non-statutory complaints, compliments and suggestions received in the year-end report 2014/15.

Recommendations

- 4 Members are asked to note the information in the report.

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Appendix 1: Implications

Finance

None

Staffing

None

Risk

None

Equality and Diversity

None

Accommodation

None

Crime and Disorder

None

Human Rights

None

Consultation

None

Procurement

None

Disability Discrimination Act

None

Legal Implications

None

Customer Feedback Report: Complaints, compliments and suggestions 2014/15



Altogether better



Overview

- This report provides the performance information and learning outcomes in relation to Customer Feedback: Complaints, Compliments and Suggestions received for all Council Services in 2014/15. Complaints are categorised as:
 - Statutory.** A complaint arising 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.
 - "Corporate".** All other complaints

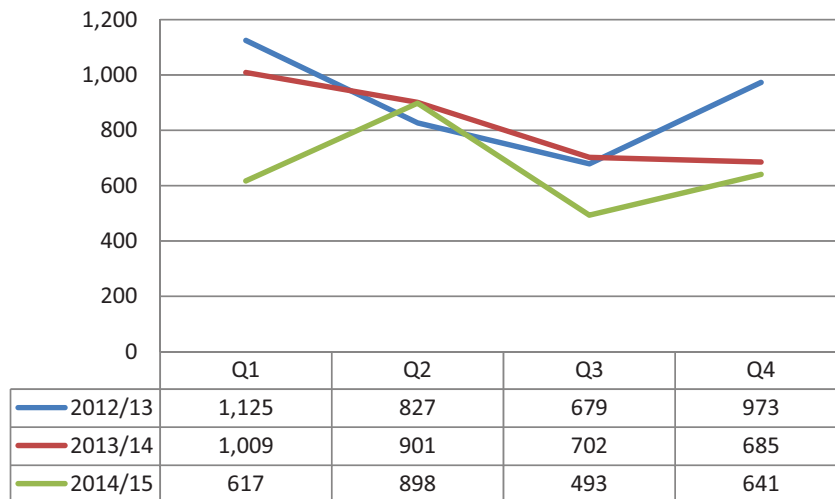
PART ONE: Summary of complaints, compliments and suggestions received across the Council during 2014/15

- Between 1 April 2014 and 31 March 2015, Durham County Council received 2,649 stage 1 corporate complaints, 1,193 compliments and 299 suggestions. During the year, 195 complaints were escalated to stage 2.
- During this period, there were 177 complaints and 509 compliments received in relation to adult and children's social care statutory services
- Complaints handling performance showed:
 - 81% of stage 1 and 92 of stage 2 complaints were acknowledged within 2 working days;
 - 79% of stage 1 complaints were responded to within 10 working days
 - 24% of stage 2 complaints were responded to within 20 working days.
- In relation to Statutory complaints the handling performance showed:
 - 100% of Stage 1 complaints were acknowledged within 2 working days of receipt
 - 77% of the 20 statutory complaints about children's social care services were resolved within the prescribed timescale of 20 working days. Of the remaining 7 Stage 1 complaints, 2 were resolved after 20 working days and 5 were ongoing at the quarter end.
- The table below shows numbers of complaints received across Service Groupings since 2012/13:

Service Grouping	2012-13	2013-2014					2014-2015				
	Total	Q1	Q2	Q3	Q4	Total	Q1	Q2	Q3	Q4	Total
ACE	7	3	3	2	1	9	1	2	2	4	9
CAS	33	10	15	18	11	54	6	8	7	11	32
NS	2,398	724	614	446	446	2,230	447	691	339	463	1,940
RED	357	92	128	97	95	412	67	79	67	55	268
RES	809	180	141	139	132	592	96	118	78	108	400
TOTAL	3,604	1,009	901	702	685	3,297	617	898	493	641	2,649

Key Improvements

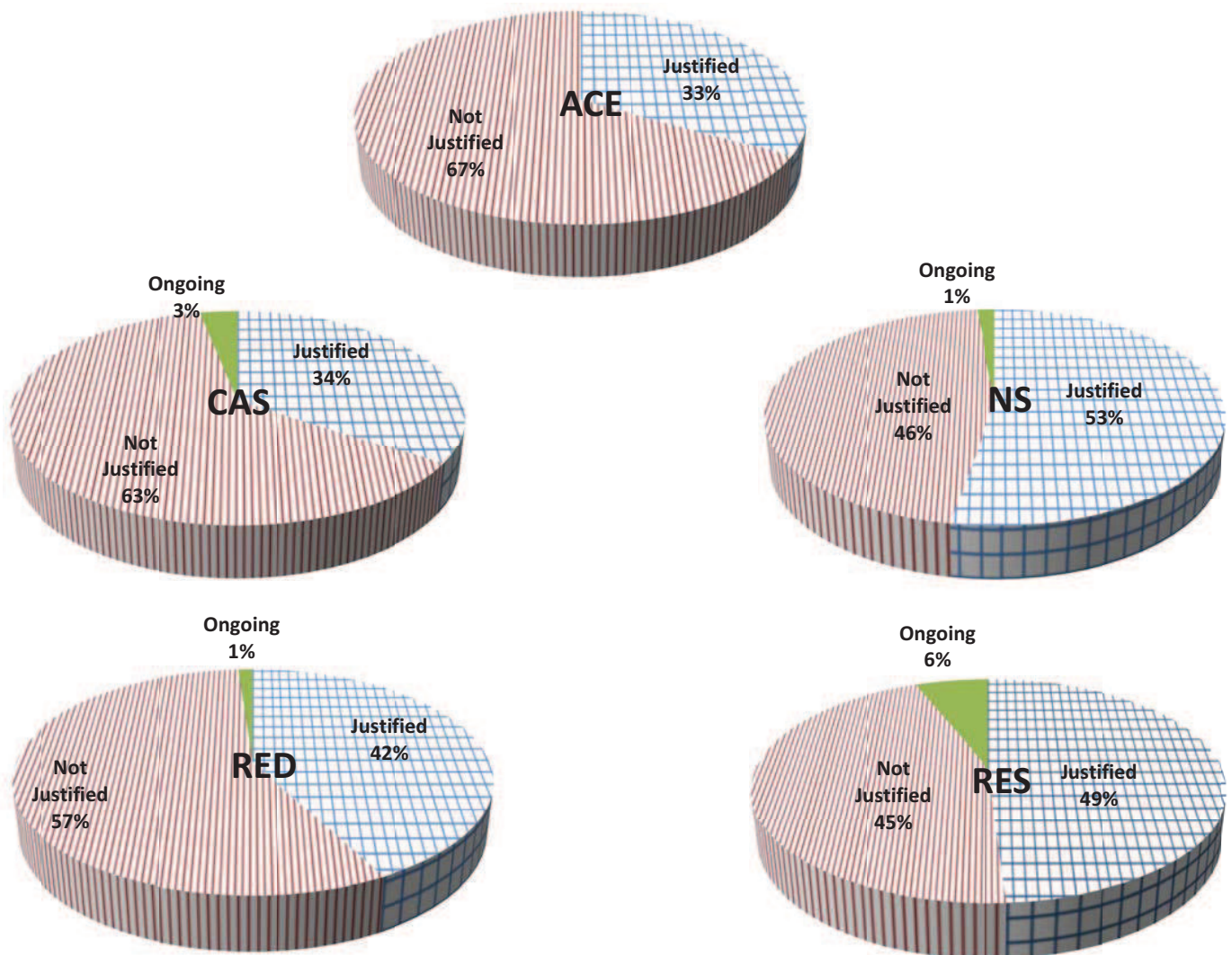
7. There has been a 20% reduction in complaints received this year when compared with 2013/14; this reduction is apparent across all Service Groupings. Details of the improvement areas for each service grouping are outlined in part two of the report.



8. Significant improvement has been made in responding to stage 2 complaints; with the average complaints open at any one time reducing from over 60 at the beginning of 2014/15 to fewer than 20 by the end of the year. These improvements are as a result of a number of key changes including increased training, the implementation of a robust assessment and prioritisation process and an improved quality assurance and performance management framework. The service standard of response within 20 working days remains very challenging for stage 2 complaints as they are often complex and require thorough independent investigation. This is reflected in the 24% performance level; however, this has improved since year end to 39% within target.

Investigation of complaints: Outcomes

9. Following categorisation of stage 1 complaints, for the year 2014/15 there were 1,255 occasions (47% of complaints processed) where the complaint was not upheld. This indicates that, although service users were dissatisfied, the service had acted properly and followed the correct procedures.
10. If the not justified complaints and those that are ongoing are removed, DCC is left with 1,359 (51%) justified complaints, from which there is possibility of learning.
11. The Service Grouping breakdown of this categorisation is shown overleaf.



Compliments and Suggestions

12. The table below shows compliments and suggestions received during 2014/15.

Service Grouping	Compliments	Suggestions
ACE	57	16
CAS	262	5
NS	595	238
RED	140	26
RES	139	20
TOTAL	1,193	305

13. 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.

PART TWO: Detailed report for each service grouping for 2014/15

Assistant Chief Executive's Office (ACE)

Overview

14. A summary of Customer feedback since 2012/13 is shown below:

Service Grouping ACE	Number Received										
	12/13 Total	13/14				13/14 Total	14/15				14/15 Total
		Q1	Q2	Q3	Q4		Q1	Q2	Q3	Q4	
Complaints	7	3	3	2	1	9	1	2	2	4	9
Compliments	25	3	9	25	12	49	8	5	31	13	57
Suggestions	9	3	3	4	14	24	1	2	3	10	16

Complaints

15. There were no trends identified for ACE in terms of complaints received in 2014/15 as they related to a variety of issues including:
- Deleted and banned postings on DCC's Facebook page
 - Response time regarding a Freedom of Information (FOI) request
 - Non-delivery of Durham County News
 - Poor maintenance of a Community centre which has subsequently caused damp in a neighbouring private property
 - The Freedom of Information Act not listed on the council's A to Z website menu
 - Free parking over Christmas festival period
 - Delivery of an information leaflet to the wrong area
16. Seven out of the nine complaints (79%) were resolved within 10 working days.
17. Of the 9 complaints received during 2014/15, only 3 were justified, indicating that although service users were dissatisfied with the service received, the service had in fact acted properly and followed appropriate procedures.

Compliments and Suggestions

18. The majority of compliments related to the helpfulness of staff and the efficiency of service provided across all service areas within ACE.
19. During 2014/15, ACE service grouping received 10 suggestions covering a variety of subjects, relating mostly to communication and publications. Although no learning outcomes were identified due to the specific nature of each suggestion, all suggestions are passed to the relevant service area where they are reviewed and monitored in order to identify any emerging trends and to inform their service improvement.

Children and Adults Services (CAS)

Corporate Complaints Overview

20. A summary of the feedback since 2012/13 is shown below:

Service Grouping CAS	Number Received										
	12/13 Total	13/14				13/14 Total	14/15				14/15 Total
		Q1	Q2	Q3	Q4		Q1	Q2	Q3	Q4	
Complaints	33	10	15	18	11	54	6	8	7	11	32
Compliments	547	88	42	47	7	184	55	51	45	111	262
Suggestions	26	0	0	1	4	5	0	4	1	0	5

Complaints

21. From 1 April 2014 to 31 March 2015, 32 corporate complaints were received for CAS; a 41% reduction from 2013/14. A breakdown by service area is shown in the table below:

	Q1	Q2	Q3	Q4	Totals
Adult Care	0	0	0	0	0
Children's Services	2	1	1	9	13
Commissioning	0	1	0	0	1
Education	4	6	4	2	16
Planning & Service Strategy	0	0	2	0	2
Public Health	0	0	0	0	0
Totals	6	8	7	11	32

22. Of the 32 complaints received, 97% were acknowledged within 2 working days of receipt, 56% were responded to within 10 working days, and 1 was still ongoing at year-end. 11 of these complaints were categorised as justified.
23. Corporate complaints about CAS are diverse in nature and the issues raised within them are unique to the complainant; there are no particular identifiable themes for 2014/15.
24. Learning from those corporate complaints which were upheld has led to :
- Staff within the One Point service being reminded of good practice in relation to managing sensitive issues linked to safeguarding.
 - Staff who work directly with families who need financial information being reminded to signpost to the Council's Welfare Rights Service.

Compliments and suggestions

25. During 2014/15, 262 compliments were received; an increase of 42% compared to 2013/14, which can in part be due to regular reminders to staff about the importance of reporting positive comments. These relate to the following services:
- Children's Services received 189 compliments
 - Education received 71 compliments
 - Planning and Service Strategy received 2 compliments
26. Most of the compliments relate to the helpfulness of staff and training/briefing courses being well received

Statutory Complaints, Compliments and Comments Annual Overview 2014/15

27. A regulatory requirement in the management of statutory complaints, compliments and comments is the production of an annual report. The report for 2014/15 will be presented to Overview and Scrutiny Corporate Issues Committee on 28 September 2015.

Neighbourhood Services (NS)

Overview

28. A summary of feedback since 2012/2013 is shown below:

NS	Number Received										
	12/13 Total	13/14 split by quarter				13/14 Total	14/15 split by quarter				14/15 Total
		Q1	Q2	Q3	Q4		Q1	Q2	Q3	Q4	
Complaints	2,398	724	614	446	446	2,230	447	691	339	463	1,940
Compliments	402	126	134	125	121	506	129	161	152	153	595
Suggestions	215	62	57	41	88	248	52	49	45	92	238

Complaints

Key Improvements

29. Analysis shows that when compared to 2013/14, the number of complaints received has reduced by 13%, mainly due to:
- Changes to Household Waste Recycling Centres (HWRCs):** We received 80 complaints regarding HWRCs during 2014/15, which is a 65% decrease when compared with 2013/14. Complaints related to a number of issues including tighter control of the waste being put through the sites, waste permit issues, opening hours at sites and staff attitude. Complaints of this nature peaked in Q2 2013/14 following changes to the management of the service in June 2013. Close working with the contractor ensures that issues are addressed; this has included delivery of customer care training.
 - Telephone lines busy / customer cut off:** Complaints of this nature have reduced by 76% when compared with 2013/14. This is due to service improvements in relation to performance management and staff training and also close working with ICT to resolve issues in relation to the telephony system.
 - Charge for replacement bins:** During 2014/15, 57 complaints were received regarding the policy to charge for lost or stolen bins. This is a 42% reduction when compared to the same period last year. Also during 2014/15, 2,102 paid for bins were delivered to customers. Customers are more aware of this policy as it has now been in place for a number of years and while some customers remain dissatisfied with the charge, complaints are steadily reducing.
 - Libraries:** We received 9 complaints regarding various aspects of the library service, which is a 74% reduction when compared to the previous year. Complaints related to a variety of issues, such as limited or unavailable stock, staff assistance and

computer facilities at our sites. Complaints of this nature have continued to reduce since 2012.

- **Crew not returning bins to collection point:** 61 complaints were received from customers who were unhappy that refuse crews are not returning bins to their original collection point after emptying. This is a 27% decrease when compared with 2013/14. We have seen a reduction in complaints of this nature due to increased monitoring and discussions through team briefings.
- **Missed Bins:** 477 complaints were received regarding missed bins during 2014/15, which is a slight increase (3%) when compared with 2013/14. However, 28% of these missed bins related solely to the impact of strike action in July 2014. If we exclude complaints resulting from strike action there has been a reduction in the number of complaints of this nature. This improvement can be attributed to a number of factors including the 'bedding in' of the Alternate Weekly Collection service; the new 'Repeat Missed Container' Process; improved communications in relation to bank holiday collection dates and the implementation of the incab 'Bartec' system which provides better operational information capture.

Challenges

- **Garden waste scheme:** During 2014/15 we received 102 complaints from customers unhappy with the changes to the garden waste service. These complaints relate to both the introduction of a charge for the service and also following implementation we have received a number of complaints regarding various operational aspects of the scheme including bins not being delivered and emptied, and delays or non-receipt of documentation. Between 17 March 2015 and 27 April 2015, we received 99 complaints regarding this service. 67% of these complaints were from customers whose garden waste bins had not been emptied.

So far, over 58,000 customers have signed up to the scheme. The service is implementing a number of improvements actions to address the issues which have been raised by customers, including improved communications and system enhancements.

- **Contaminated waste:** Customers submitted 51 complaints regarding various aspects of the contamination process. This is a 67% increase when compared with 2013/14. Complaints from customers related to their bin being incorrectly logged as contaminated and customers who did not consider themselves to be responsible for the incorrect items in their bin. Although previous work has been carried out to educate residents on recyclable materials, this campaign and enforcement activity has been necessary to reduce the amounts of contamination within the recycling collection.
- **Changes to Street Lighting:** Following the introduction of new LED street lighting in June 2014, 23 complaints were received during the latter half of 2014/15. Customers felt that residential areas were now poorly lit and expressed concerns for safety. We have now completed the retrofit of over 20,000 LED street lights to date as part of the Street Lighting Energy Reduction Project, covering over 85,000 households.

A number of key actions have been identified and implemented as a result of learning from these complaints including improved communication regarding the scheme;

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desktop reviews and on-site lighting levels checks to ensure lighting levels were within the design criteria. All reviews and checks carried out confirmed that the lighting was operating to the British Standard for street lighting. We are continuing to monitor complaints of this nature.

Compliments and Suggestions

30. 595 compliments were received during 2014/15. The majority of compliments related to the helpfulness of staff and recognition of their support by resolving customer enquiries in a professional and timely manner.
31. 238 suggestions were received; a number of these related to locks or catches being fitted to waste bins to prevent waste spillage in high winds. There were also suggestions received regarding more frequent street cleaning, more proactive campaigning to prevent dog fouling and empty bins being laid down following collection to prevent loss or damage in windy weather.
32. Previous suggestions which have been actioned include all refuse and recycling crews carrying a brush and shovel on the vehicle, to clear up items dropped during collection and the installation of additional dog poo bins in the Chester-Le-Street area

Regeneration and Economic Development (RED)

Overview

33. A summary of feedback since 2012/2013 is shown below.

Service Grouping RED	Number Received										
	12/13 Total	13/14 split by quarter				13/14 Total	14/15 split by quarter				14/15 Total
		Q1	Q2	Q3	Q4		Q1	Q2	Q3	Q4	
Complaints	357	92	128	97	95	412	67	79	67	55	268
Compliments	125	34	27	85	39	185	15	27	54	44	140
Suggestions	33	11	6	13	10	40	8	5	8	5	26

Complaints

Key Improvements

34. Analysis shows that when compared to 2013/14, complaints have reduced by 35%; this reduction is apparent across a number of services within RED as detailed below:
 - **Durham City Homes:** 87 complaints were received, mainly regarding the handling of repairs and maintenance issues. This is a significant decrease (42%) from the previous year when 149 complaints were received.
 - **Planning Development:** 79 complaints received which were mainly regarding planning decisions; a decrease of 21% compared to the previous year when 100 complaints were received. There are no identifiable trends and the nature of this service can involve decision making in relation to sensitive and contentious

applications, although in 2014/15, we received 207 fewer applications in total compared to 2013/14.

During 2014/15 the government's Planning Portal was launched and is advertised on the Council's website. The portal gives residents greater and improved access to information and services relating to planning applications, building regulations, appeals, legislation and policy. This, in turn, affords customers the opportunity to research their issues in great detail and easily accessible way.

- **Strategic Traffic:** 41 complaints were received in the year, which covered a range of different issues such as parking. This is a decrease of 44% from the previous year when 73 complaints were received. The reduction can be largely attributed to a number of factors including the transfer of the road works team to Neighbourhoods. 14% of the complaints received in 2013/14 were in relation to this service. Also, in 2013/14, we received a number of complaints regarding traffic management as a result of the Lumiere event held in Durham City.

Compliments and Suggestions

35. The service grouping received 140 compliments in 2014/15, 60 of which were for Planning Development and 47 for Care Connect. These are generally thanks to staff for the service they have provided.

Resources (RES)

Overview

36. A summary of feedback since 2012/2013 is shown below:

RES	Number Received										
	12/13 Total	13/14 split by quarter				13/14 Total	14/15 split by quarter				14/15 Total
		Q1	Q2	Q3	Q4		Q1	Q2	Q3	Q4	
Complaints	809	180	141	139	132	592	96	118	78	108	400
Compliments	69	14	10	17	38	79	32	40	33	34	139
Suggestions	24	3	5	3	8	19	6	1	5	8	20

Complaints

37. In line with previous trends, during 2014/15, 358 complaints related to Financial Services (specifically the Revenues and Benefits Service), 1 for Corporate Finance, 5 for ICT, 4 for Human Resources and 32 for Legal & Democratic Services. While the majority of complaints related to Revenues and Benefits, across 2014/15 there was a significant reduction in complaint activity in this service.
38. The proportion of complaints responded to within the 10 day standard was 86% across 2014/15 which was a significant improvement when compared to the previous year, when 69% of responses met the standard. The proportion responded to within the 10 day standard during quarter 4 reached 88%.

Key Improvements

39. As a result of ongoing improvements to practices & procedures to ensure the maximum level of service is being achieved as well as working with its software suppliers to ensure that the service functions as efficiently as possible the Revenues and Benefits Service has seen a significant reduction in the number of complaints received.
40. The Assessment Team, responsible for the administration of Housing Benefit and the Council's Council Tax Reduction scheme, received 142 complaints. This is a 40% reduction when compared with last year. Of these complaints, 22% were submitted by landlords or agents regarding issues with payments, such as payments being made directly to tenants instead of themselves, or the frequency of payments. Complaints from claimants covered a range of issues, such as suspension of claims, disputes over calculations of benefit entitlement and delays receiving payments.
41. The Awards and Collection teams received 205 complaints during 2014/15, which is a 32% decrease when compared with the previous year. Recovery action has escalated in the past year with a stricter schedule of collection and in-year action has reached the most serious of the recovery stages in quarter 4. During 2014/15, over 12,000 cases have been issued to our enforcement/debt collection agents. This is the most contentious of recovery routes and can be attributed to the increase in the number of complaints over the course of the year. There have also been changes to the Tribunal, Courts and Enforcement Act with regard to enforcement action (bailiffs) and it was speculated that this may result in more complaints.
42. The service has regular meetings with key stakeholders including landlords to improve information flows, communication and working relationships. Likewise regular liaison meetings are held with Customer Services to ensure that processes and procedures are continually reviewed. As well as an ongoing review of recovery processes, bailiff action is monitored and reviewed at regular meetings with the three appointed bailiff companies to enable them to develop effective processes and procedures.

Compliments and Suggestions

43. Over the year, 139 compliments were received from satisfied customers. The majority of the compliments related to the conduct of wedding ceremonies; others highlighted excellent service provided by the Revenues and Benefits Service and Human Resources Organisational Development Officers.
44. Over the same period 20 suggestions from customers / residents were considered. In the majority of cases, the suggestions made related to council practice that is covered by prescriptive legislation, and it was not therefore possible to adopt the suggestion. However, all feedback is essential to the ongoing development and delivery of our services.

Analysis of data across County geographies

45. In order to provide an analysis by area of complaints, 8,551 complaints received between April 2012 and March 2015 were geocoded (ie pinpointed to a specific location within the county) and included in this geographic analysis, which considers complaints by Strategic Partnership Areas as shown overleaf:



46. Even using larger geographical units to aggregate data can still present comparative problems because some services are not universally delivered throughout the county. For example, Durham City Homes (DCH) complaints have been managed by the Council's process, whereas other Housing Providers have been responsible for their own and remained outside of this report. Over the last three years there have been 378 complaints relating to DCH, 362 of which were made from addresses in Central Durham.
47. The table below shows relative complainant rates, excluding DCH complaints, and also as a rate per 1,000 households at Strategic Partnership Area over the last three financial years. Complainants are used in preference to complaints to reduce the influence of a small number of people making many complaints in a specific area.

Complainant rate per 1,000 households (excluding DCH complaints)¹

	Number of Complainants (excluding DCH)			Rate per 1,000 Households		
	2012-13	2013-14	2014-15	Rate 2012-13	Rate 2013-14	Rate 2014-15
Central Durham	579	569	447	13.3	13	10.2
East Durham	466	413	378	11.3	10	9.1
North Durham	743	606	547	12.5	10.2	9.2
South Durham	586	530	557	9.1	8.2	8.6
The Dales	124	110	104	8.4	7.4	7
Total	2498	2228	2033	11.2	10	9.1

¹ Using a complainant rate enables some indicative statistical significance testing to be undertaken. This was determined by the observation of non-overlapping confidence intervals, which were themselves derived using Byar's method. This is explained in detail in the APHO Technical Briefing on Commonly Used Public Health Statistics and their Confidence Intervals <http://www.apho.org.uk/resource/item.aspx?RID=48457>.

48. Although this information does not present the complete picture, it does provide some indication of the relative prevalence of numbers of local complainants. It is acknowledged that the capability of the existing CRM is limited in terms of producing informative customer insight reports. Procurement of a new CRM system will enable the Council to not only support the delivery of complaints responses but also to build a better suite of Business Intelligence reporting which will enable improved analysis of complaints to a much more local level.

Complaints by Service

49. Part of the limitations of complainant analysis is that it is very resource intensive to determine the specific issue of complaint. Complaints can often be complex covering a number of aspects that can defy simple categorisation. However, some level of inference can be made by comparing the number of complaints allocated to each service.
50. Analysis of complaints by service and area reveals that there are few large differences in the breakdown of complaints between areas. The most notable was that there were proportionally a slightly higher level of complaints from North Durham dealt with by Neighbourhood Services (NS). Over three quarters of complaints in Central Durham (78%) and North Durham (76%) were dealt with by NS compared to 72%% of all complaints overall.
51. Furthermore, for some differences there tends to be an underlying reason. For example, both East Durham and South Durham have relatively high levels of Resources related complaints. (both 24% of complaints vs 19% overall). This is likely to be because Resources contains the Benefits team and so these higher levels are likely to be the result of East and South Durham both having higher levels of benefits take up generally compared to other areas in County Durham. The Dales had a relatively high proportion of their complaints dealt with by Regeneration and Economic Development at 12%% compared to 7% overall.

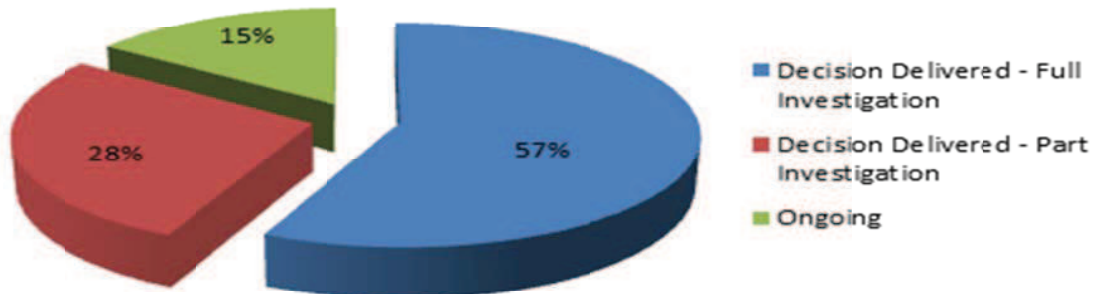
Conclusions

52. While initial analysis indicates that complaints are higher in Central Durham random variation is also present in these data, therefore trends and comparisons should be treated with caution. Especially as a significant proportion of complaints are excluded because they cannot be geocoded. Overall the number of complaints is declining up to 2014-15 and falls are largest in areas with relatively high rates.
53. A further factor to this locality analysis is that the socio-economic make-up of an area's population may influence the likelihood that residents will engage with the council. Previous research by the Local Government Ombudsman has highlighted that complaints can vary with so-called 'Blue Collar Communities'² being least likely to complain.

² A term describing ONS Output Area Classification system. A socio-demographic segmentation tool used to analyse socio-economic diversity between communities. Analysis from Customer Demographic Research conducted by the Local Government Ombudsman, summarised here <http://www.lgo.org.uk/downloads/About%20us/Commission%202011/1522-Commission-minutes-22-November-2011.pdf>

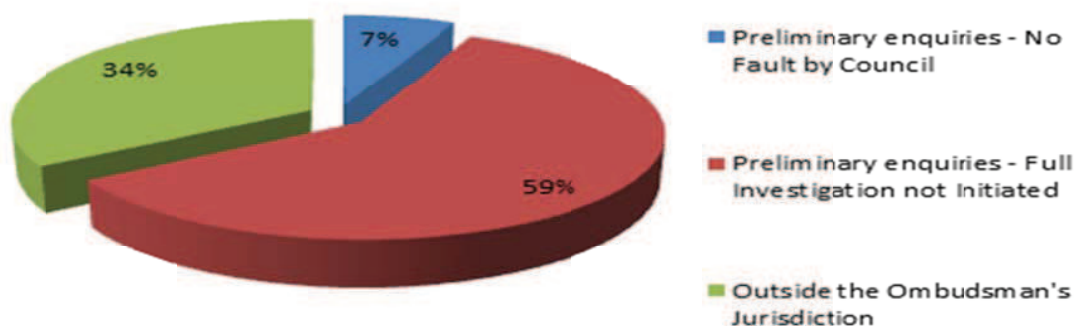
Local Government Ombudsman (LGO) Activity

54. During 2014/15 the LGO made initial enquiries / initiated investigations into 130 matters. A summary of the activity across this period is shown in the graph below:



Decisions Delivered – Part Investigation

55. During the year the LGO 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:



56. Five cases relating to children’s services were closed following preliminary enquiries; all were closed on the basis that no maladministration or fault had been found.
57. Following preliminary enquiries, the ombudsman decided that a full investigation should not be initiated in 44 cases, which were then subsequently closed:
- 20 Environmental services issues
 - 6 Planning issues
 - 4 Benefits issues
 - 4 Highways issues
 - 4 Corporate issues
 - 3 Children’s services issues

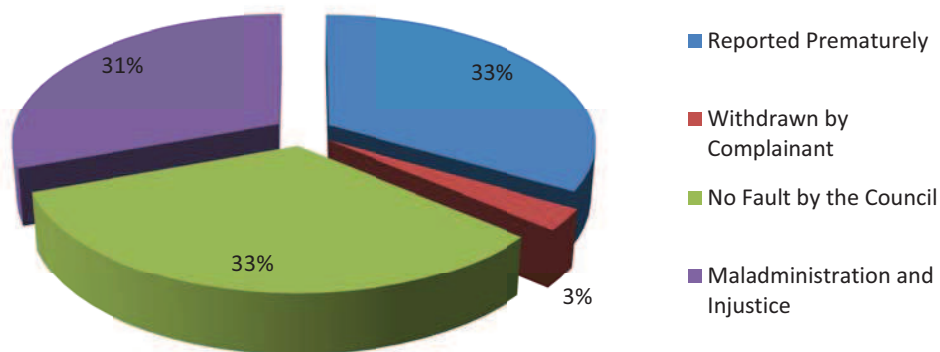
- 2 Adult care issues
- 1 Housing issue

58. 25 cases were determined to be outside the jurisdiction of the Ombudsman. These cases related to the following matters:

- 6 Environmental services issues
- 5 Corporate issues
- 5 Benefits issues
- 4 Children’s services issues
- 2 Housing issues
- 1 Planning issue
- 1 Adult care issue
- 1 Highways issue

Decisions Delivered – Full Investigation

59. The Ombudsman delivered decisions on 36 matters which had been subject to investigations during 2014/15. A summary out the outcomes is shown in the graph overleaf:



60. Twelve investigations were discounted as they were reported prematurely and were referred back to the Council to be dealt with under the complaints procedure:

- 3 Corporate issues
- 3 Education issues
- 2 Benefits issues
- 2 Environmental issues
- 1 Planning
- 1 Adult care issues

61. In one case that related to a housing issue, the complainant withdrew their complaint.

62. In 12 of these cases the Ombudsman found no fault or maladministration on the part of the Council. These cases related to a number of service areas including; Planning, Adult Care, Highways, Corporate Services and Environmental Services.

63. Eleven of the cases investigated by the Ombudsman found both maladministration and injustice to the complainant. All investigations were closed as the Council agreed to various actions to remedy the issues raised in the complaints; five of these cases included a financial settlement. These cases related to the following areas:

- 3 Children's services issues
- 2 Benefits issues
- 1 Planning issue
- 1 School admission issue
- 1 Adult care issue
- 1 Highways issue
- 1 Corporate issue
- 1 Environmental services issue

Ongoing Enquiries

64. We are still waiting for a decision for 19 cases subject to LGO enquiries as follows:
- 9 Planning issues
 - 5 Adult care issues
 - 2 Environmental health issues
 - 1 Benefit issue
 - 1 Children's services issue
 - 1 Corporate services issue
65. One case relating to planning issues is on hold pending legal proceedings.

Review of the Complaints Policy and Process

66. Following the refresh of the Council's Customer First Strategy in 2014, a review of the current Corporate Complaints Policy and Process was instigated to address the commitments made to use customer feedback to inform learning.
67. The new policy and process, approved at June's Cabinet meeting, sets out to improve:

- **Ownership of stage 1 complaints.** The involvement of the Corporate Complaints Team at this stage was resulting in some duplication of effort and lack of relationship between the complainant and the service area. Following consultation with service users who had previously complained to the council the elements of service delivery they wished to :
 - Be able to speak to someone who understands the complaint and can resolve it;
 - Be able to speak to someone from the relevant service who has the authority to make the required changes to ensure that mistakes do not reoccur;

The revised process will mean service areas taking full account of this feedback.

- **Training and Guidance for staff on handling complaints.** A training programme and detailed guidance will be provided to all staff dealing with customer feedback
- **Handling of vexatious and persistent complainants.** The Policy sets out the Council's approach moving forward

Recommendation

68. To note the contents of the report

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**Corporate Issues Overview and Scrutiny
Committee**

23 July 2015



Corporate Complaints Review

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the Report

1. To present to members of the Corporate Issues Overview and Scrutiny Committee the revised corporate complaints policy following the Corporate Complaints Review agreed by Cabinet on 10 June 2015.

Background

2. At its meeting held on 10 June 2015, the Cabinet approved a revised corporate complaints policy which had been developed following a corporate complaints review. A copy of the Cabinet report is attached to this report (Appendix 2).
3. Su Jordan, Civil Contingencies Unit and Programme Office Manager, Assistant Chief Executive's will be in attendance to give members a presentation outlining the key revisions to the corporate complaints policy.

Recommendation

4. The Corporate Issues Overview and Scrutiny Committee is asked to note the revised Corporate Complaints Policy that includes a new approach for dealing with abusive, unreasonably persistent or vexatious complaints.

Contact: Stephen Gwilym, Principal Overview and Scrutiny Officer
Tel: 03000 268 140 E-mail: stephen.gwilym@durham.gov.uk

Appendix 1: Implications

Finance – There are currently no financial implications.

Staffing – No additional resources are envisaged but staff may take on a changing role to ensure an enhanced customer experience and improved service delivery.

Risk – There is a risk that current performance could be negatively affected by the introduction of the new approach but this will be closely monitored throughout the rollout and action taken to address any issues.

Equality and Diversity – A screening of the revised policy has been completed.

Accommodation – There are currently no accommodation implications.

Crime and Disorder – N/A

Human Rights – N/A

Consultation – As part of the review process consultation has been undertaken with customers who had previously complained to the council.

Procurement – There are currently no procurement implications.

Disability Discrimination Act – A screening of the revised policy has been completed and is attached to the report.

Legal Implications – No legal implications although legal advice sought throughout the development of the policy.

Cabinet

10 June 2015

Corporate Complaints Review



Report of Corporate Management Team

Report of Lorraine O'Donnell, Assistant Chief Executive

Councillor Brian Stephens, Cabinet Portfolio Holder for
Neighbourhoods and Local Partnerships

Purpose of the Report

1. To request Cabinet approval of the revised corporate complaints policy following the Corporate Complaints Review.

Complaints Review

2. The Customer Focus Board commissioned the ACE Programme Office to review the approach to Corporate Complaints to improve the experience of customers when contacting the council as part of the Customer First Strategy.
3. The review showed that 95% of complaints aligned to ten service areas:
 - I. Direct Services
 - II. Revenues and Benefits
 - III. Customer Services
 - IV. Strategic Waste
 - V. Technical Services
 - VI. Planning
 - VII. Housing
 - VIII. Transport
 - IX. Sport & Culture
 - X. Environmental Health & Consumer Protection
4. The review identified areas to streamline the process and improve customer communications.
5. The opportunity was also taken to incorporate feedback from residents who had previously complained.

Proposed Changes

6. Based on the review and guidance published by the Local Government Ombudsman a revised process has been developed. The majority of complaints are received through customer services and the new process has five steps:
 - I. The council is contacted by a customer when they want to make a complaint.
 - II. Customer Services team either resolve the complaint at the first point of contact, or if this is not possible, capture full details of the complaint.

- III. The Complaints Unit would then ensure the complaint is allocated to the correct service area. If the complaint requires more than one service to respond then the Complaints Unit will assess the complaint and determine the next steps.
 - IV. The service area will contact the customer, apologise and clarify the details of the complaint. Then, if needed, they will carry out an investigation, identify solutions and ensure that the customer receives an appropriate response.
 - V. If the customer is still unhappy with the response the Complaints Unit would review the initial response and assess the feasibility of a further investigation. Then if appropriate, they would carry out an investigation before responding again to the customer as a stage 2 response or direct them to the Local Government Ombudsman.
7. Where the complaint is made direct to the service they should deal with this following the process above.
 8. The new process has been tested through a number of pilot studies which showed the benefits of resolving complaints within the services. Over time customer satisfaction rates should increase as a result of the change in approach and the learning from complaints that service areas will obtain.
 9. Performance in relation to complaints continue to be reported to Corporate Issues Overview & Scrutiny Committee and reporting will include additional measures for example customer satisfaction.
 10. The revised policy which is attached in Appendix 2 also includes guidance regarding abusive, unreasonably persistent or vexatious behaviour from customers. A small minority of customers behave in this way, however resolving these complaints can take a considerable amount of time and resources.

Conclusion

11. The review of the corporate complaints process has shown there are improvements that can be made to the current approach which will improve the experience of the customer.
12. The suggested improvements have been tested through a range of pilots that have shown by providing direct contact between the service and the customer this will enable an improved outcome.
13. To support the implementation of the new approach a revised policy for corporate complaints has been developed. This policy now includes a new approach for dealing with abusive, unreasonably persistent or vexatious complaints. This policy provides greater clarity to the customer as to how the council will manage corporate complaints and what they can expect.
14. Following the approval of Cabinet the ACE Programme Office will continue to work with each service group and the Complaints Unit to implement the new approach to improve the customers' experience.

Recommendations

15. It is recommended that Cabinet approve the revised Corporate Complaints Policy that includes a new approach for dealing with abusive, unreasonably persistent or vexatious complaints.

Contact: Su Jordan, Civil Contingencies Unit and Programme Office Manager

Tel: 03000 268 055

Appendix 1: Implications

Finance – There are currently no financial implications.

Staffing – No additional resources are envisaged but staff may take on a changing role to ensure an enhanced customer experience and improved service delivery.

Risk – There is a risk that current performance could be negatively affected by the introduction of the new approach but this will be closely monitored throughout the rollout and action taken to address any issues.

Equality and Diversity – A screening of the revised policy has been completed.

Accommodation – There are currently no accommodation implications.

Crime and Disorder – N/A

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Consultation – As part of the review process consultation has been undertaken with customers who had previously complained to the council.

Procurement – There are currently no procurement implications.

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Legal Implications – No legal implications although legal advice sought throughout the development of the policy.

Assistant Chief Executive's Office

Policy and Communications

Corporate Complaints Policy

Summary

1. This policy supports the vision of our Customer First Strategy 2014 – 2017 to:

“Deliver customer service that provides value for money, flexibility and choice whilst placing our customers at the heart of everything we do”
2. Service user feedback informs learning and supports service improvement. The policy provides a single approach for handling corporate complaints with an emphasis on getting the most appropriate outcome for service users.
3. Complaints are an important element of service user feedback which is an integral part of service provision. The policy sets out effective ways of capturing, analysing, responding and learning from complaints with a view to being sensitive and responsive to service users and innovative in our approach to improving services.
4. The policy defines the process for managing corporate complaints in order to meet our service user needs without overwhelming individuals, services or service groupings. It provides a consistent approach and is built on the following principles in line with the Local Government Ombudsman (LGO) guidance:-
 - Accessibility
 - Accountability
 - Timeliness
 - Fairness
 - Learning

Purpose

5. The policy sets out the principles and process that should be followed by all staff when they receive corporate complaints from service users to ensure that complaints are handled in a consistent, fair and appropriate manner.
6. It outlines the principles and high level process that should be followed and clarifies what a corporate complaint is.

Scope

7. This policy is for all Durham County Council staff and covers all complaints except:
 - (i) Statutory complaints about Children’s or Adults Social Care Services and Schools, as separate policies and procedures are in place to deal with these. Further information can be provided by the Children and Adults complaints officers.

- (ii) Where there are existing appeals procedures in place for decisions (e.g. decisions on planning applications, applications for housing benefits and homelessness applications). The complaints procedure will only be available to investigate how the application was handled and not the decision.
 - (iii) Complaints against Elected Members as these are dealt with under a separate policy and procedure. Further information is available from the Council’s Monitoring Officer.
 - (iv) All instances involving potential insurance claims. These will be logged and then directed to the council’s legal team.
8. Incorporated within this policy are steps that have been developed to address the behaviour of service users who act in an Abusive, Unreasonably Persistent or Vexatious manner and who place unreasonable demands upon staff and the council.
9. A separate guidance for staff is also available that underpins this policy and ensures there is a consistent approach to handling corporate complaints that is embedded across the council.

Definition and principles

10. A corporate complaint is a verbal or written expression of dissatisfaction about Durham County Council’s service (whether it is provided directly by us or by one of our contractors or partners) that requires a response and is not covered by one of our other feedback mechanisms.
11. Complaints should be handled in such a way that the service user is the focus and not the process itself and it is within this context that the following principles should be applied:

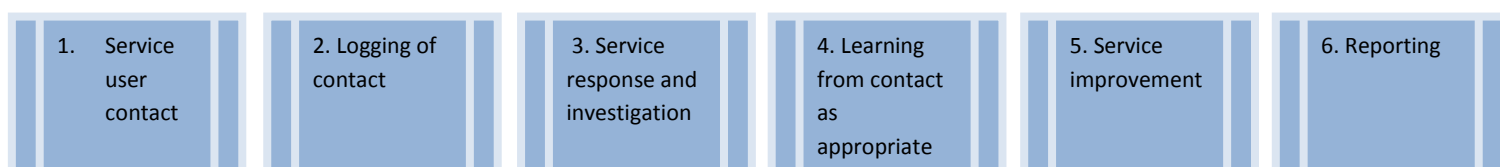
Principle	What we will do
Accessibility	<ul style="list-style-type: none"> • Our complaints policy will be well publicised, accessible and understood by staff. • The guidance and process for feeding back to the council will be simple yet effective and provide a clear and effective process for handling complaints. • Stages in the complaint handling process will be kept to a minimum. • Information on support services will be provided to

Principle	What we will do
	service users.
Accountability	<ul style="list-style-type: none"> • Information will be provided in a clear and open way and honest evidence based explanations provided to give reasons for our decisions. • We will acknowledge our mistakes and put matters right. • We will ensure that service users are informed of their right to complain to the Local Government Ombudsman.
Timeliness	<ul style="list-style-type: none"> • Wherever possible and within the parameters of what is appropriate, investigating officers from relevant service groupings will try and resolve the complaint at first point of contact. • Timescales for responding to the service user will be communicated to the service user, adhered to and monitored. • Complaints will be acknowledged within 24 hours and if it is not possible to resolve the complaint immediately, timescales will be agreed between the investigating officer and the service user.
Fairness	<ul style="list-style-type: none"> • Feedback will be received and dealt with in an open-minded and impartial way. • Service users will be treated fairly and their issues taken seriously. • Responses will be proportionate; one size does not fit all. • Roles and responsibilities will be clear both to the service user and staff. • Service users will be assured that making a complaint will not adversely affect their future dealings with the council.

Principle	What we will do
Learning	<ul style="list-style-type: none"> Feedback will be used to show how our performance is perceived by service users and how it can be improved. As a council we will have a feedback loop into the service areas. In order to learn, there will be ongoing monitoring to ensure that timescales and satisfaction levels are met.

Process

12. When the council receives a corporate complaint, a six step process is in place to ensure that the council has a mechanism to record all complaints and subsequent feedback:



Complaint handling arrangements

Service user contact:

13. The initial contact with the service user is vital as it gives the service user a window into how the council operates and the values and behaviours of its staff. If a service user has contacted the council with a complaint, they may already have a negative view of the council.
14. When a service user first contacts the council with a complaint they will be reassured that their issue will be treated fairly and taken seriously.
15. When the contact is received verbally (telephone or face to face) staff will listen to service user issues to ensure they fully understand the problems the service user has experienced.
16. The service user will be allowed to have their say and be given the time to fully explain what has happened. The initial requirement at this stage is to understand the service user's issue and what their expectations are, not to defend the council.
17. Service user issues will be addressed as soon as possible and if immediate action to resolve an issue can be taken at this stage then this will be arranged.
18. If a decision is taken for a complaint to continue to investigation stage, service users will be notified of what will happen next to ensure they understand what the council will do about their complaint.

19. If it has been over 12 months since the subject of the complaint came to the notice of the service user then this will not be considered a complaint. This decision is in accordance with recommendations by the Local Government Ombudsman.

Logging of contact:

20. All complaints will be logged in sufficient detail to inform learning and improve services, to enable analysis and allow staff to investigate the service users' issues effectively.
21. Notifications of single service failures will be logged as a service request, such as a missed refuse collection. This information will be used to correct service failures, to understand how much avoidable contact the council has and to ensure that repetition of such failures can be identified, as they may indicate more systemic problems, which if not dealt with will result in a corporate complaint.
22. Service users' details will be treated lawfully and all logs will comply with Data Protection legislation.

Service response and investigation:

23. The council will investigate all complaints in a manner appropriate to resolve them as efficiently as possible and the response will be in proportion to the complexity of the complaint.
24. It is important that the service is afforded an opportunity to put the matter right in the first instance, therefore, when a service receives a complaint to investigate, an in service investigating officer will be assigned the complaint. They will then be responsible for the investigation of the issue and for responding to the service user. If a complaint is made about the conduct of an officer it is essential that an independent officer is assigned to the complaint.
25. The investigating officer will try to make verbal contact with the service user within 24 hours from when they receive the complaint. This contact is to provide assurances to the service user that the council has taken the complaint seriously and is actively doing something about it.
26. During this contact the complaint will be clarified with the service user and if immediate action can be taken to address their issue this will be arranged at this point.
27. If this is not possible, the service user will be informed when the investigation will be complete and when they will receive a response to their complaint. It will also be agreed what format this will be in.

28. If verbal contact cannot be established within 24hours then a written acknowledgement of the complaint will be provided and the service user informed as to when they will receive a response.
29. As soon as it is reasonably possible after completion of the investigation, and within the timescale agreed with the service user, the council will contact the service user with a formal response which will be approved by their line manager.
30. If the service user is not satisfied with the response from the relevant service then an independent investigation can be carried out by the Corporate Complaints Unit (CCU). However if the CCU believes there is no value in an independent investigation the service user will be advised to contact the Local Government Ombudsmen to take the matter further.

Learning from contact:

31. When investigating the complaint, consideration must be made for what potential actions could be taken to prevent a similar complaint from occurring again. If action(s) are identified before formally responding to the complaint they will be included in any response.
32. All learning and actions will be logged and monitored through the CRM to assess their effectiveness and will be reviewed to understand their impact on the service and their users.
33. In addition to identifying learning from individual complaints, trends will be assessed by each service to proactively identify patterns and investigate potential causes. This will be done in conjunction with other service improvement activity to ensure a holistic approach is taken to service improvement.

Service improvement:

34. Any service improvements identified will be recorded in the CRM to help inform future service delivery ensuring continuous improvement across all service groupings.

Reporting:

35. Learning from complaints offers the council a holistic view of service users' perceptions. All learning will be reported and monitored through the council's performance management framework.
36. Timescales will be monitored and reported with comparison to the delivery dates agreed with the service user.

37. In line with the council's service standards customer satisfaction with the process will be monitored and reported.

Independent mediation

38. Where very complex issues are involved between two parties where one is the council, it can sometimes be advisable to seek independent mediation in order to resolve the complaint in the best interests of both parties.
39. Advice and guidance will be sought from the Head of Legal Services before entering into agreements for independent mediation.
40. Dealing with a complaint is a straightforward process, but in a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the council. This can happen either while their complaint is being investigated, or once the council has finished dealing with the complaint.
41. When this occurs both statutory and corporate complainants will be subject to the following.
42. We will not normally limit the contact which complainants have with council employees. It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are simply being difficult. It must be recognised that service users may sometimes act out of character at times of anxiety or distress and reasonable allowances should be made for this.
43. We do not expect staff to tolerate abusive, vexatious or unacceptable persistent behaviour by complainants or any service users. Where a person's behaviour threatens the immediate safety and welfare of staff, a decision will be taken to place that person on the council's Potentially Violent Persons Register. Abusive, vexatious or unacceptable persistent behaviour is defined as behaviour which is abusive, offensive, threatening or includes physical assault. The following apply to all of the access channels including: telephone, face to face, email, web form and social media.
- Using abusive or foul language
 - Multiple contact to the service
 - Physical assault
44. Raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant.

45. Even where an applicant displays abusive, vexatious or unacceptable persistent behaviour they can still make requests for information. These will be assessed according to the relevant access to information legislation. There are grounds within the Freedom of Information Act to declare a request as vexatious. However, this is a separate process managed by the Information Management Team in consultation with Legal Services.
46. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent. The principles outlined in paragraph 11 must be applied.

Abusive, unreasonably persistent and/or vexatious definitions

47. We define abusive, vexatious or unreasonably persistent complainants as those complainants who, because of the frequency or nature of their contacts with the council, hinder our consideration of their or other people's complaints. The description 'abusive', 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant. Once complainants have exhausted the councils complaints procedure they can pursue their complaint with the Local Government or Housing Ombudsman, or through legal challenge.
48. Examples include the way or frequency that complainants raise their complaint with staff, or how complainants respond when informed of our decision about the complaint.
49. Features of an abusive, unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, one single feature on its own does not necessarily mean the person will be considered as being in this category)

An abusive, unreasonably persistent and/or vexatious complainant may:

- have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that he or she does not admit or make obvious)
- refuse to specify the grounds of a complaint despite offers of assistance
- refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure (e.g. parking ticket and planning appeals; policy decisions)
- refuse to accept that issues are not within the power of the council to investigate, change or influence (examples could be a complaint about a

private car park, or something that is the responsibility of another organisation)

- insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (insisting, for instance, that there must not be any written record of the complaint)
- make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced
- make an unreasonable number of contacts with us, by any means in relation to a specific complaint or complaints
- make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate responses to numerous, frequent and/or complex letters, faxes, telephone calls or emails)
- harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive language
- change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- deny statements he or she made at an earlier stage in the complaint process
- refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded, and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure
- persistently approach the council through different routes about the same issue
- persist in seeking an outcome which we have explained is unrealistic for legal or policy (or other valid) reasons
- refuse to accept documented evidence as factual

- complain about or challenge an issue based on a historic (more than a year old) and irreversible decision or incident
- have knowingly recorded meetings or face to face/telephone conversations without prior knowledge and consent by the parties involved.

Imposing restrictions

50. We will ensure that the complaint is being, or has been, investigated properly according to the corporate complaints procedure.
51. In the first instance the service manager will consult with the Customer Relations, Policy and Performance Manager prior to issuing a warning to the complainant. The service manager will contact the complainant either in writing, by phone or face to face to explain why this behaviour is causing concern, and ask them to change this behaviour. If a complainant has a disability, reasonable adjustments will be made if necessary. The service manager will explain the actions that the council may take if the behaviour does not change. All telephone or face to face conversations will be carefully documented.
52. If the abusive, vexatious or persistent unacceptable behaviour continues, the Customer Relations, Policy and Performance Manager will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact the council in future will be restricted. The Customer Relations, Policy and Performance Manager will make this decision and inform the complainant in writing of what procedures have been put in place and for what period.
53. Any restriction imposed on the complainant's contact with the council will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis. Any entry onto the Potentially Violent Person's Register will be for 12 months.
54. Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:
- Banning the complainant from making contact by telephone except through a third party e.g. councillor/friend acting on their behalf.
 - Banning the complainant from using some council buildings to access services.

- Banning the complainant from accessing any council building except by appointment agreed by relevant service manager.
 - Requiring contact to take place with one nominated single point of contact.
 - Restricting telephone calls to specified days / times / duration.
 - Requiring any personal contact to take place in the presence of an appropriate witness and/or advising that the conversation will be recorded.
 - Letting the complainant know that we will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence) .
 - In extreme circumstances, the Council may involve the Police. Where this is the case, the complainant will be advised that this is the course of action that the Council is taking and why. Examples include:
 - Abusive and threatening behaviour
 - Physical abuse
 - Refusal to leave the premises
55. When the decision has been taken to apply this policy to a complainant, the Customer Services, Policy and Performance Manager will contact the complainant in writing (and/or as appropriate) to explain:
- why we have taken the decision,
 - what action we are taking,
 - the duration of that action,
 - the review process of this policy, and
 - the right of the complainant to contact the Local Government Ombudsman about the fact that they have been treated as an abusive, vexatious/persistent complainant.
56. The Customer Services, Policy and Performance Manager will enclose a copy of this policy in the letter to the complainant.
57. Where a complainant continues to behave in a way which is unacceptable, the Customer Services, Policy & Performance Manager, in consultation with the Head of

Legal Services, may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

58. The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by the Customer Services, Policy and Performance Manager after three months and at the end of every subsequent three months within the period during which the policy is to apply. During this period an integrated restorative practice approach will be considered to try and find a positive way forward for all parties involved.
59. The complainant will be informed of the result of this review if the decision to apply this policy to them has been changed or extended.
60. Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action. In those cases the complainant will be put on the Potentially Violent Persons Register for a minimum of 12 months.

New complaints from complainants who are treated as abusive, vexatious or persistent

61. New complaints from people who have come under this policy will be treated on their merits. The Customer Services, Policy & Performance Manager will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. We do not support a “blanket policy” of ignoring genuine service requests or complaints where they are founded.

Referrals to the Local Government Ombudsman

62. Following an independent investigation, if a service user remains dissatisfied with the handling of their complaint by the council they will be advised that they can ask the Local Government Ombudsman to review their case.
63. In some cases, relations between councils and abusive, unreasonably persistent or vexatious complainants break down completely while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure; where this occurs the Ombudsman may be prepared to consider a complaint before the Council’s own procedure has run its course.

Equality and diversity

64. Equality is at the heart of everything the council does to treat people fairly with respect and dignity. The policy complies with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation. Reasonable

adjustments will be made for people with disabilities. Complaint leaflets will be available in alternative formats and languages on request.

Record keeping and data protection

65. Keeping clear and accurate records of complaints is important and these will be retained for a period of two years for complaints and six years if the Local Government Ombudsman is involved.
66. When storing information, the council's data protection policy will be followed which incorporates the storing, managing, and use of the records created as a result of the policy. The policy can be accessed at:
[http://content.durham.gov.uk/PDFRepository/Durham County Council Data Protection Policy.pdf](http://content.durham.gov.uk/PDFRepository/Durham_County_Council_Data_Protection_Policy.pdf)

Training for staff

67. All officers who deal with complaints on behalf of the council will be given training on the implementation of this policy. In addition all staff will be provided with training in relation to the guidance manual and associated policies that underpin the delivery of the complaints process.

Roles and Responsibilities

Customer Services:

68. Customer Services are most likely to be the people who will be contacted initially by service users. They will be responsible for providing the service user with assurance the council will treat them fairly and they will be taken seriously.
69. They will also be responsible for making sure the details of the service user's complaint are complete, accurate and understandable.

Service/Strategic Managers

70. Service Managers are accountable for the delivery of the Corporate Complaints process in their service.
71. Service managers must ensure appropriate arrangements are in place to manage complaints in their service and that their staff have the skills, knowledge and authority to deal with complaints.
72. Service managers can request training when required.
73. They must also ensure arrangements are in place to assess and analyse complaints to ensure service improvements can be identified and implemented.

Investigating Officers

74. An investigating officer is responsible for recording the process and outcome of the complaint.

75. If a complaint cannot be resolved at first point of contact the complaint will be assigned to an investigating officer within the relevant service who will investigate the complaint to establish the facts and identify issues/resolutions without bias or prejudice.
76. The investigating officer will provide effective communication to the service user and ensure they fully understand the outcome of the complaint and the reasons for the outcome.

Corporate Complaints Unit

77. The Corporate Complaints Unit is responsible for the effective delivery of the corporate complaints process including performance monitoring and reporting.
78. When a complaint covers more than one service area the Corporate Complaints Unit are responsible for the coordination of responses from services to ensure a single response is provided by the council.
79. They will provide support, advice and training to staff on managing complaints and will ensure each service has effective arrangements in place.
80. They will provide an independent review following a service investigation should the service user request it and the Complaints Unit deem it appropriate to do so.

Review

81. The Corporate Complaints Unit will review the policy by April 2016.

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**Corporate Issues
Overview and Scrutiny Committee**

16 July 2015



**Review of the Committee's Work
Programme 2015-16**

Report of Lorraine O'Donnell, Assistant Chief Executive

Purpose of the Report

- 1 To provide for Members consideration an updated work programme for the Corporate Issues Overview and Scrutiny Committee 2015-16.

Background

- 2 At its meeting on 20 April 2015, the Corporate Issues O/S Committee considered the actions identified within the Council Plan 2015-18 for the Altogether Better Council priority theme and agreed to refresh its work programme to include a number of these actions.

Detail

- 3 In accordance with this decision, a work programme for 2015-16 has been prepared, which is attached at Appendix 2.
- 4 Members are requested to also identify any possible areas of scrutiny investigation, (in-depth and light touch reviews). Members may recall, at the CIOSC meeting of 20 April, discussions highlighted that:
 - the MTFP is the ongoing area of major focus and that early involvement is important.
 - the planned review of attendance management will be an important area of focus.
- 5 Subsequent discussion between the Chair of the Corporate Issues Overview and Scrutiny Committee and Cabinet members has highlighted that in addition to updates already planned on the Customer First Strategy, there is potential identified for a follow on scrutiny exercise.

Recommendation

- 6 Members of the Committee are asked to agree the attached work programme.

Background papers

Council Plan 2015 -18.

Corporate Issues OSC Report 20 April 2015 – Council Plan 2015-18 – Refresh of the Work Programme for the Corporate Issues Scrutiny Committee.

Contact: Jenny Haworth, Head of Planning and Performance
Tel: 03000 268 071 E-mail: jenny.haworth@durham.gov.uk

Appendix 1: Implications

Finance

The Council Plan sets out the corporate priorities of the Council for the next 3 years. The Medium Term Financial Plan aligns revenue and capital investment to priorities within the Council Plan.

Staffing

None

Risk

None

Equality and Diversity / Public Sector Equality Duty

None

Accommodation

None

Crime and Disorder

None

Human Rights

None

Consultation

None

Procurement

None

Disability Issues

None

Legal Implications

None.

**OVERVIEW AND SCRUTINY WORK PROGRAMME
2015 TO 2017**

Corporate Issues Overview and Scrutiny Committee (CIOSC)

Lead Officer: Jenny Haworth

IPG contact: Jeff Garfoot/Paul Darby

Note:

O/S Review – A systematic 6 monthly review of progress against recommendations/Action Plan

Scrutiny/Working Group – In-depth Review/Light Touch Review

Overview/progress – information on an issue; opportunity to comment, shape, influence, progress with a scrutiny review

Performance/Budget – ongoing monitoring (quarterly) performance reports/budgets

	When	Who	Outcome	Comment
O/S Review				
Customer First Strategy	28 September 2015	Alan Patrickson	To follow up on the recommendations of this review	To provide updates on progress and allow discussion around a potential future scrutiny review relating to Improving Customer Relationship Management.
Scrutiny/Working Group (Light Touch/In-depth review)				
Attendance Management Policy	May – Nov 2015	J Haworth S Gwilym Kim Jobson	To enable Scrutiny Members to have input into the Attendance Management Policy	Task and Finish Group – objectives: improved management performance and absence levels

Budget and MTFP process Improving efficiency and value for money	Sept 2015 – March 2016 Dates to be confirmed	Jeff Garfoot/ J Haworth	To enable scrutiny Members to comment and feed into MTFP and DCC's budget setting process – and also monitor continuously as a priority for CIOSC (joint with OSMB)	A commissioned approach to look at any issues/reviews linked to achieving savings within the MTFP as and when requested Update reports considered by CIOSC
Overview/Progress				
Regulation of Investigatory Powers	2014/15 Annual Review –28 Sept 2015 2015/16 Q1 – 28 Sept 2015 2015/16 Q2 – 26 Jan 2016 2015/16 Q3 – 20 April 2016 2015/16 Annual Review - tbc	Colette Longbottom/Clare Burrows	To inform Members of the Council's use of powers under the Regulation of Investigatory Powers Act 2000 ('RIPA') on a quarterly basis	Members' information
Customer Feedback – Compliments, Complaints and Suggestions quarterly report	2014/15 Q4 – 23 July 2015 2015/16 Q1 – 28 Sept 2015	A Patrickson/Mary Readman	To inform Members of the Customer Feedback report on a quarterly basis	Members' information

	2015/16 Q2 – 26 Jan 2016			
	2015/16 Q3 – 20 April 2016			
	2015/16 Q4 - tbc			
Corporate Complaints Review	23 July 2015	Su Jordan	To inform Members of progress in improving complaints handling	Members' information
CAS Annual Representations Report	17 Nov 2015	Gill Ward/Clare McLaren	To inform Members of the key messages in relation to the management and handling of statutory representations of CAS	Members' information
ICT Strategy Update	17 Nov 2015	Phil Jackman	To regularly update Members on ICT services	Members' information

Performance/Budget

<p>Performance</p> <p>Quarter Reporting (Assistant Chief Executives and Resources)</p>	<p>Q4 2014/15 – 23 July 2015</p> <p>Q1 2015/16 – 28 Sept 2015</p> <p>Q2 2015/16 – 26 Jan 2016</p> <p>Q3 2015/16 – 20 April 2016</p> <p>Q4 – tbc</p>	<p>Jenny Haworth</p>		<p>Standing item</p>
<p>Budget Outturn Report</p> <p>Quarter Reporting (Assistant Chief Executives and Resources)</p>	<p>Q4 2014/15 and Q1 2015/16 – 28 Sept 2015</p> <p>Q2 – 26 Jan 2016</p> <p>Q3 – 20 April 2016</p> <p>Q4 - tbc</p>	<p>Jeff Garfoot</p>		<p>Standing item</p>