
**COMPLAINTS, COMPLIMENTS AND COMMENTS
FREEDOM OF INFORMATION, ENVIRONMENTAL INFORMATION AND
SUBJECT ACCESS REQUEST
ANNUAL REPORTS 2010/11**

**Responsible Cabinet Member - Councillor Stephen Harker
Efficiency and Resources Portfolio**

Responsible Director - Paul Wildsmith, Director of Resources

SUMMARY REPORT

Purpose of the Report

1. To provide Cabinet with an update on the work of the Complaints and Information Governance (CIG) Team, formerly the Corporate Complaints Unit (CCU).
2. To provide Cabinet with the Corporate Complaints, Compliments and Comments Annual Report 2010/11 (**Appendix 1**).
3. To provide Cabinet with the Adult Social Care Complaints, Compliments and Comments Annual Report 2010/11 (**Appendix 2**).
4. To provide Cabinet with the Children's Social Care Complaints, Compliments and Comments Annual Report 2010/11 (**Appendix 3**).
5. To provide Cabinet with the first Freedom of Information (FOI), Environmental Information (EI) and Subject Access (SA) Request Annual Report (**Appendix 4**).

Summary

6. All of the reports contained within the appendices refer to the period 2010/11 and the organisational structure that was in place at that time.
7. During 2010/11 there was a significant reduction in the overall number of complaints received by the Council.
8. During 2010/11 the Council did not receive any maladministration reports from the Local Government Ombudsman.
9. During 2010/11 the Council received 674 requests for information, 590 FOI requests, 63 EI requests and 21 SA requests.

Recommendation

10. It is recommended that :-

- (a) Cabinet note the content of the attached reports.
- (b) Cabinet note the work of the CIG Team in ensuring the Council handles complaints and requests for information both in accordance with the statutory requirements and in an effective and efficient manner.
- (c) Should any of the attached reports raise issues that Members feel need to be addressed they may wish to refer the report to the relevant scrutiny committee.

Reasons

11. The recommendations are supported by the following reasons :-

- (a) To ensure the Council continues to learn from complaints, compliments and comments and improve services accordingly.
- (b) The need to ensure the Council handles complaints and requests for information as effectively and efficiently as possible whilst adhering to the requirements of the legislation governing these areas of work.
- (c) To improve accessibility and ensure a high level of customer satisfaction with both complaints handling and the way in which the Council responds to requests for information.

Paul Wildsmith
Director of Resources

Background Papers

No Background papers were used in the preparation of this report.

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S17 Crime and Disorder	There are no specific recommendation contained within the attached reports concerning the reduction of crime and disorder.
Health and Well Being	The purpose of the Adult Social Care Complaints, Compliments and Comments Annual Report is to improve the service we provide to service users and their carers.
Carbon Impact	There are no specific recommendations contained within the attached reports concerning Carbon Reduction.
Diversity	Since the introduction of the Corporate Complaints, Compliments and Comments procedure there has been an increase in the number of people from the BME Community accessing the procedure. There have also been a number of complaints that have led to service improvements for disabled people.
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	This report does not have a direct impact on the Budget and Policy Framework.
Key Decision	This report does not constitute a Key Decision.
Urgent Decision	This report does not require an Urgent Decision.
One Darlington: Perfectly Placed	Learning as a result of complaints contributes towards achieving across all of the five delivery themes.
Efficiency	The revised procedures, organisational learning and improved training/support for officers has reduced the amount of time and the cost associated with handling complaints. The recommendations contained within the appended reports aim to reduce risk and improving efficiency in the way we interact with our customers.

MAIN REPORT

Information and Analysis

12. During 2010/11 the Complaints and Information Governance Manager took part in a research project by the Local Government Ombudsman and the Centre for Public Scrutiny. The resulting paper 'Aiming for the best – Using lessons from complaints to improve public services' is available at **Appendix 5**.
 13. On the 1 April 2010 the CIG Team launched a new Adult Social Care Complaints, Compliments and Comments Procedure. The procedure has one stage and ensures the Council handles complaints in accordance with the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009. In addition to the procedure the CIG Team developed comprehensive guidance for staff on handling complaints in accordance with the procedure/regulations.
 14. On the 1 January 2011 the CIG Team launched a revised Children's Social Care, Complaints, Compliments and Comments Procedure to ensure a consistent approach to complaints handling across the Council. In addition to the procedure the CIG Team again developed comprehensive guidance for staff on handling complaints in accordance with the procedure/regulations.
 15. In order to ensure the Council can resolve as many complaints as possible at the earliest opportunity and reduce the costs associated with complaints handling the Council commissioned the Local Government Ombudsman 'Effective Complaints Handling' training for Adult and Children's Social Care managers. Members of the CIG Team also attended the training.
 16. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below.
 17. *Corporate Complaints:*
 - (a) Following a complaint about Housing Benefits the Council have reviewed their procedures around direct payments to landlords along with the letter templates and information leaflets provided to all parties.
 - (b) Following a complaint about the manner in which a planning application was publicised, planning officers were asked to ensure planning applications for major developments are publicised in line with both the regulations and the requirements set out in the Council's Statement of Community Involvement.
 - (c) As a result of a complaint to Licensing the Hackney Carriage licence application form and public information were updated.
 - (d) One complaint about Housing Benefits led to the procedures for notifying Local Taxation when a customer dies being reviewed.
 - (e) Following a complaint about Kids and Co. Nurseries, staff awareness training was undertaken to ensure all staff understand what constitutes as an "incident or accident"
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and that all incident/accident recording forms are completed on the day of the incident/accident.

18. *Adult Social Care Complaints:*

- (a) Following a complaint about a referral from a GP not being acted upon it was agreed with our health services colleagues that in future all faxed referrals would be followed up with an e-mail to ensure they are received.
- (b) Following the conclusion of a particularly complex and long standing complaint the decision was made to review all record keeping and information security practices within Adult Social Care.

19. *Children's Social Care Complaints:*

- (a) Following a complaint, the process for sending out copies of assessments to service users was reviewed.

20. The further recommendations set out in the Corporate Complaints, Compliments and Comments Annual Report 2010/11 and endorsed by the Chief Officers Board are:

- (a) Staff should ensure they contact complainants within 5 working days to discuss their complaint and desired outcomes.
- (b) All staff responsible for policies and procedures should ensure that appropriate Disability Equality Impact Assessments are in place.
- (c) Development Control - in order to improve the service to the public and attempt to reduce the number of complaints people find it necessary to make greater emphasis should be placed on the importance of good communication and customer service.

21. The CIG Team have developed the functionality within the Council's complaints management system to record, manage and report on FOI, EI and SA Requests. In addition to enabling the Council to produce accurate performance management information in relation to complaints these developments have enabled the Council to analyse the nature of the requests received. It is envisaged that by making the information most frequently requested readily available to the public via the Council's website, the Council will not only be able to ensure a higher degree of transparency but will be able to improve the efficiency with which it complies with the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

22. Some of the recommendations contained within the FOI, EI and SAR Annual Report 2010/11 aimed at improving transparency and efficiency are provided below. The implementation of these recommendations will also successfully deliver the objectives of the Access Channel Strategy (Sub Strategy - Publishing Information to Enhance Efficiency).

- (a) Children's Services – Planning and Resources should publish information about school admissions, including admissions policies, and associated statistics, e.g. the number of children being granted a place at their preferred school.

- (b) Children's Services – Planning and Resources should publish information about Children's Services spending, budgets and government funding (if not already available).
- (c) Children's Services – Planning and Resources should produce and publish a contracts log, with advice from the CIG Team about the level of detail that should be included.
- (d) Community Services - Adult Services should publish a contracts register, with advice from the CIG Team about the level of detail that should be included.
- (e) Community Services - Cultural Services should publish the costs associated with specific, high-profile leisure and arts events and high-level accounting information relating to leisure and arts facilities.
- (f) Community Services - Environmental Services should publish details of contract funerals, where the deceased has no known next of kin.
- (g) Corporate Services – Borough Solicitor should publish statistical information on personal search volumes. The service should also consider publishing details of the Council's approach to refunding personal search companies.
- (h) Corporate Services - Public Protection should publish information about licences (there may be personal data contained within the documents; advice should be sought from the CIG Team before any information is published).
- (i) Corporate Services - Public Protection should publish statistical information about penalty charge notices issued in respect of parking infringements.

Outcome of Consultation

- 23. No consultation has been undertaken as the reports provide a factual representation of the complaints and requests for information received during the previous financial year.