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**COMPLAINTS, COMPLIMENTS AND COMMENTS**  
**ANNUAL REPORTS 2014/15**

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

**Responsible Director - Paul Wildsmith, Neighbourhood Services and Resources**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To provide Cabinet with the 2014/15 Complaints, Compliments and Comments Annual Reports for:
  - (a) Adult Social Care (**Appendix 2**);
  - (b) Children's Social Care (Appendix 3);
  - (c) Corporate (Appendix 4);
  - (d) Housing (Appendix 5); and
  - (e) Public Health.
2. To seek Cabinet's approval to extend the timescales in the Council's Corporate, Housing, Adult Social Care and Public Health Complaints Procedures.

**Summary**

3. The Council saw a further increase in the overall number of representations made under its complaints, compliments and comments procedures during 2014/15. This can be attributed to the high volume of complaints received following the introduction of alternate weekly refuse and recycling collections.
4. The Council received a total of 947 complaints during 2014/15, an increase from 845 complaints during 2013/14.
5. The Council received a total of 284 compliments, an increase from 278 in 2013/14.
6. The Council received a total of 273 comments, an increase from 209 in 2013/14.
7. The production of an annual report in respect of representations received under the Adult Social Care Complaints, Compliments and Comments Procedure is a

requirement of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

8. The production of an annual report in respect of representations received under the Children's Social Care Complaints, Compliments and Comments Procedure is a requirement of the Children Act 1989 Representation Procedure (England) Regulations 2006.
9. The production of an annual report in respect of representations received under the Public Health Complaints, Compliments and Comments Procedure is a requirement of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

### **Recommendation**

10. That Cabinet notes the content of the attached reports.
11. That Cabinet endorses the extensions to the timescales in the Corporate, Housing, Adult Social Care and Public Health Complaints Procedures, detailed in paragraph 30.

### **Reasons**

12. To make Cabinet aware of the number and nature of the complaints received by the Council and the organisational learning that has taken place as a result.
13. To enable the Council to providing responses to complaints in a timely manner, while better managing customers' expectations and improving customer satisfaction with complaints handling.

### **Background Papers**

No background papers were used in the production of this report.

Lee Downey - Extension 5451

S17 Crime and Disorder	There is no specific impact on 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	Complaint investigations have led to service improvements for people with protected characteristics.
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 delivery themes.
Efficiency	The revised procedures aim to improve the efficiency with which complaints are handled. The recommendations contained within the appended reports aim to reduce risk and improve efficiency in the way we interact with our customers.

## MAIN REPORT

### Information and Analysis

14. There was an increase in the number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2014/15. There was a decrease in the number of complaints received; an increase in the number of compliments received and the number of comments received remained the same as in 2013/14. Full details and comparisons with previous years are attached at **Appendix 1**.
  
15. There was an increase in the number of representations made under the Children's Social Care Complaints, Compliments and Comments Procedure during 2014/15. There was an increase in the number of complaints received at all stage of the procedure. There was also an increase in the number of compliments and comment received. Full details and comparisons with previous years are attached at **Appendix 1**.

16. There was an increase in the number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2014/15. There was a further increase in the number of complaints received and a significant increase in the number escalated to Stage 2. There was a decrease in the number of compliments received and an increase in the number of comments received. Full details and comparisons with previous years are attached at **Appendix 1**.
17. There was an increase in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2014/15. There was an increase in the number of complaints received. There was a decrease in the number of compliments received and an increase in the number of comments received. Full details and comparisons with previous years are attached at **Appendix 1** (*N.B. Housing Compliments and Comments were included in the Corporate statistics for 2013/14*).
18. As in 2013/14 the Council did not receive any complaints, compliments or comments under the Public Health Complaints, Compliments and Comments Procedure introduced in April 2013. Complaints Managers attending the Northern Regional Complaints Managers Group reported a similar picture across the region.
19. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below.
20. *Adult Social Care Complaints:*
  - (a) A complaint from an individual open to the Occupational Therapy team, primarily about delays in processing a Disabled Facilities Grant, led to a review of the interface between Occupational Therapy and Mental Health services. Training was also provided to Occupational Therapy and Mental Health staff on the Direct Payments scheme.
  - (b) Following a complaint for Ongoing and Complex care it was agreed that a review of the training requirements for social care staff in relation to the Mental Capacity Act 2005 would be undertaken.
  - (c) Following a complaint about a contracted care home a number of measures were put in place to improve the service provided, including better recording of concerns raised by relatives, a more robust process to determine/monitor staffing levels and improvements to the personal hygiene regime.
21. *Children's Social Care Complaints:*
  - (a) Following a complaint for Area 2 Social Work Team it was agreed that refresher training would be provided for Social Workers regarding Private Law applications including Section 7 and 37 reports.
  - (b) Following a complaint for Family Placement staff were reminded of the importance of effective communication and the requirement to keep parents with parental responsibility informed of progress in respect of their children was reinforced.

- (c) Following a complaint for the Looked After Children & Leaving Care Team it was agreed that Children's Social Care deliver mandatory training for its staff on the engagement of and communication with fathers during assessment and care planning work.

22. *Corporate Complaints:*

- (a) Following a complaint for Private Sector Housing it was agreed that the Council would update the Private Sector Housing Operational Plan and the Working Procedure "Improving Housing Conditions - Inspection and Regulation" to accurately reflect current working practice.
- (b) Following a complaint for Lifeline, staff were made aware of the importance of ensuring consultation events are accessible for everyone.
- (c) Following a complaint for Council Tax we agreed to review our website and update the information about empty property premiums and changes to be notified to the Council.
- (d) Following numerous complaints for Refuse Collection and Recycling Collection crews were reminded to return wheeled bins and boxes to the point they were put out for collection.
- (e) Following a complaint for Admissions the Council agreed to change the Common Application Form to include a data protection clause.

23. *Housing Complaints:*

- (a) Following a complaint for Housing Management refresher training was provided to housing officers regarding the void management process.

24. The further recommendation set out in the Housing Complaints, Compliments and Comments Annual Reports 2014/15 is:

- (a) The timeliness of responding to complaints in accordance with the procedure should be addressed with Housing and Building Services staff.

25. Notwithstanding the above, the Council has recognised that the significant upward trend in the number of complaints received against a backdrop of reduced resources has made it increasingly difficult for officers to respond to complaints within the current timescales set in our complaints procedures.

**Proposed amendments to complaints procedures**

26. The present timescales, set in 2009, were ambitious and approved at a time when we had more resources available to consider complaints; both within Departments and the Complaints and Information Governance Team.

27. In recent years there has been a significant upward trend in terms of the number of complaints received, which has had a corresponding impact on our ability to achieve the response targets set (*See Appendix 6 which relates to corporate complaints, although is indicative of the trend across the board*). Anecdotally this has led to increased customer dissatisfaction with complaints handling.
28. Indeed the Local Government Ombudsman (LGO) has commented we may wish to re-consider the timescales set to better manage customers' expectations in relation to complaint handling. In the absence of any statutory timescale the LGO advise they would usually expect a complaint to be determined within 12 weeks.
29. It is intended that extending the timescales will enable the Council to continue providing responses to complaints in a timely manner, while better managing customers' expectations and improving customer satisfaction with complaints handling.
30. The Council proposes to extend the complaint response timescales in the Corporate, Housing, Adult Social Care and Public Health Complaints Procedures as follows.

<b>Procedure</b>	<b>Existing Timescales</b>	<b>Proposed Timescales</b>
Corporate	Stage 1 - 20 working days Stage 2 - 25 working days	Stage 1 - 25 working days Stage 2 - 30 working days
Housing	Stage 1 - 20 working days Stage 2 - 25 working days	Stage 1 - 25 working days Stage 2 - 30 working days
Adult Social Care	Informal investigation – 20 working days Formal Investigation – 25 up to a maximum of 65 working days	30 working days with an extension of up to a maximum of six months*.
Public Health	25 working days	30 working days with an extension of up to a maximum of six months**.

*\*While the Local Authority Social Services and National Health Service Complaints (England) Regulations allow up to six months to respond to a complaint, we set local targets depending on the complexity/nature of the complaint.*

*\*\* While the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations allow up to six months to respond to a complaint, we set a local timescale of 25 working days.*

## **Outcome of Consultation**

31. The Complaints and Information Governance Manager attended the Housing Tenants' Board who were in agreement with the proposal to extend the timescales for the reasons stated in this report.

## Total Representations by Year

Type of representation	2014/15	2013/14	2012/13
<b>Complaints</b>			
Corporate			
<i>Stage 1</i>	744	672	383
<i>Stage 2</i>	99	72	58
Adult Social Care	24	26	20
Children's Social Care			
<i>Stage 1</i>	60	46	63
<i>Stage 2</i>	15	9	5
<i>Stage 3</i>	1	0	0
Housing			
<i>Stage 1</i>	106	101	N/A
<i>Stage 2</i>	13	12	N/A
<i>Stage 3</i>	2	1	N/A
Public Health	0	0	N/A
<b>Compliments</b>			
Corporate	185	233	199
Adult Social Care	40	39	42
Children's Social Care	12	6	13
Housing	47	0	N/A
Public Health	0	0	N/A
<b>Comments</b>			
Corporate	263	209	254
Adult Social Care	0	0	0
Children's Social Care	1	0	1
Housing	9	0	N/A
Public Health	0	0	N/A

*N.B. Housing Compliments and Comments were recorded under the Corporate Procedure in 2013/14 – (49 Compliments and 8 Comments).*