

**CABINET  
15 SEPTEMBER 2020**

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**COMPLAINTS, COMPLIMENTS AND COMMENTS  
ANNUAL REPORTS 2019/20**

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**Responsible Cabinet Members**

**Councillor Charles Johnson – Deputy Leader and Resources**

**Responsible Directors**

**Paul Wildsmith, Managing Director  
Suzanne Joyner, Director of Children and Adults Services  
Ian Williams, Director of Economic Growth**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To provide Cabinet with the 2019/20 Complaints, Compliments and Comments Annual Reports for:
  - Adult Social Care (**Appendix 2**);
  - Children's Social Care (**Appendix 3**);
  - Corporate (**Appendix 4**);
  - Housing (**Appendix 5**); and
  - Public Health (**Appendix 6**).

**Summary**

2. It is important that the Council's complaints, compliments and comments procedures are accessible so people can tell us what they think about the services we provide. The Council constantly strives to ensure an organisational culture in which complaints are accepted, owned and resolved as quickly as possible and one in which learning from complaints is used to improve services.
3. The Council received a total of 838 complaints during 2019/20, an increase from 825 complaints during 2018/19.
4. The Council received a total of 292 compliments during 2019/20, an increase from 280 in 2018/19.
5. The Council received a total of 168 comments during 2019/20, a decrease from 240 in 2018/19.
6. A summary table is provided at **Appendix 1**.

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. It is recommended that:

- (a) Cabinet notes the content of the attached reports.
- (b) Cabinet endorses the further recommendations made in the Adult Social Care, Children Social Care, Corporate and Housing Complaints, Compliments and Comments Annual Reports.

### **Reasons**

11. The recommendations are supported by the following reasons:

- (a) To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the organisational learning that has taken place as a result.
- (b) To enable the Council to further improve its services as a result of the complaints, compliments and comments received and improve satisfaction with complaints handling.

### **Background Papers**

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

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S17 Crime and Disorder	There is no specific impact on Crime and Disorder.
Health and Wellbeing	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 and Climate Change	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 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.
Impact on Looked After Children and Care Leavers	The purpose of the Children's Social Care Complaints, Compliments and Comments Annual Report is, in part, to improve the service we provide to Looked After Children and Care Leavers.

## MAIN REPORT

### Background

12. Our aim is to put people first and provide them with the best possible service. To make this aim a reality it is important people have the opportunity to tell us what they think about the services we provide. The Council's Complaints, Compliments and Comments Procedures are one way they can do this. They can tell us when we get things wrong so we can put them right. They can also tell us when we get things right, make comments about the things we do and suggest new ways of doing things.
13. We understand that sometimes it is difficult to complain and work hard to ensure an organisational culture in which complaints are seen as a positive means of engagement and an opportunity for the Council to learn and improve services. If people do need to complain we always take their concerns seriously, treat them fairly and with respect and assure them they will not receive a poorer service as a result.

### Information and Analysis

14. There was an increase in the overall number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2019/20. There was a small increase in the number of complaints received, a significant increase in the number of compliments received and a small decrease in the number of comments received. Full details are attached at Appendix 2.
15. There was a decrease in the overall number of representations made under the Children's Social Care Complaints, Compliments and Comments Procedure during 2019/20. There was a decrease in the number of complaints received at Stage 1 of the procedure, a decrease in the number of complaints received at Stage 2 and a decrease in the number of complaints received at Stage 3. There was also a decrease in the number of compliments received, while the number of comments received remained the same as in 2018/19. Full details are attached at Appendix 3.
16. There was a decrease in the overall number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2019/20. Although there was an increase in the number of complaints received at Stage 1, there was a decrease in the number of complaints received at Stage 2 of the procedure. There was a decrease in the number of compliments received and a significant decrease in the number of comments received. Full details are attached at Appendix 4.
17. There was an increase in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2019/20. There was a decrease in the number of complaints received at Stage 1 and Stage 2 of the procedure. The number of complaints received at Stage 3 remained the same as in 2017/18. There was a significant increase in the number of compliments received, while the number of comments received remained the same as in 2018/19. Full details are attached at Appendix 5.

18. There was an increase in the number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2019/20. There was an increase in complaints, an increase in compliments and the number of comments received remained the same. Full details are attached at Appendix 6.
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) Following a complaint regarding a financial assessment it was agreed all social workers and community support officers would make it clear in assessment what level of care the person has been assessed as needing i.e. residential standard care/residential EMI/funded nursing care or fully health funded. The care home were also asked to ensure that families were aware that residents can be given EMI residential enhanced care on both the first and second floor of the home as families must know what level of care their family member is receiving at any time within their care journey.
  - (b) A complaint for Mental Capacity Act/Deprivations of Liberty Safeguards (MCA/DOLS) resulted in Safeguarding Adult Managers being reminded of the timescales for completing Safeguarding Initial Enquiries and that if new information comes to light during the initial enquiries this must be passed on to relevant professionals to investigate.
  - (c) As a result of a complaint for the Ongoing Assessment & Intervention Team (OAIT) it was agreed the social worker would repeat the Council's Data Protection training. It was also agreed social workers would ensure people with a Lasting Power of Attorney are given information and that if they do not respond to telephone calls and messages social workers would write to them to ensure they are fully informed at all times.
  - (d) Following a complaint for the Short Term Assessment & Review Team (STAR) all staff were briefed on the importance of sharing information in relation to Financial Assessments, directed to the policy and advised to provide copies of the information leaflet to all new clients and clients with a change in need i.e. moving from domiciliary support to residential. It was also agreed managers would ensure social workers discuss and record charging implications for the individual with them and/or their financial agent and leave documentation following assessment so they can refer to this for recall of the visit. The Council also committed to reviewing the "Making a contribution" section of the assessment on Liquid Logic (the Council's electronic social care records management system).
21. *Children's Social Care Complaints:*
  - (a) Following a complaint for Life Stages 0 -25 it was agreed the team would develop a letter template and send a letter to recipients of Direct Payments clearly setting out when the payment will end. It was also agreed the Team Manager would contribute to a review of the Direct Payments process to ensure it was clear when a payment ends.

- (b) Following another complaint for Life Stages 0 – 25 it was agreed the Council would review its training in respect of PREVENT and the Channel Panel.
- (c) As a result of a complaint for Safeguarding Team A, social workers were reminded to ensure that they continue to consult with parents when children have been removed from their care so that they are fully involved in on-going assessments and involvement by the Local Authority.
- (d) Following a further complaint for Safeguarding Team A social workers were reminded that when sensitive personal information in respect of members of the family is to be included within reports, this should be made clear to the family.
- (e) A complaint for Fostering led to an agreement that an audit of Special Guardianship Order (SGO) allowance payments would be undertaken and appropriate action taken to address any issues identified.

## 22. *Corporate Complaints:*

- (a) Following a complaint for the Special Educational Needs and Disabilities (SEND), it was agreed that the views of Foster Carers involved in the Education, Health and Care (EHC) Plan process would be properly recorded. It was also agreed that the Council would review its policies, procedures or processes to ensure that where a child with an EHC Plan is out of education, the Council reviews or amends their EHC Plan in accordance with the timescales set out in the Special educational needs and disability code of practice: 0 – 25.
- (b) As a result of a complaint for Highway Network Management, it was arranged for a dropped kerb to be placed on double yellow lines adjacent to a disabled parking bay near South Park.
- (c) A complaint to the Hippodrome resulted in a review of processes regarding customers causing a disturbance, this also led to additional training with the front of house team and also ensured the security firm communicate clearly to managers.
- (d) As a result of a complaint to Customer Services, the scanning stations were moved further away from the kiosk to allow further access and more privacy.
- (e) Following a complaint to the Elections Team regarding delayed receipt of ballot papers, it was agreed that future mailings will go directly into the Royal Mail, rather than via Adare Post.
- (f) A complaint regarding Council's disregard of its statutory obligations under Regulations 113 (7) & (8) of the Public Contracts Regulation 2015 resulted in the necessary information being published on the website.

## 23. *Housing Complaints:*

- (a) Following a complaint for Housing Management Services officers were reminded of the importance of the correct procedure to follow when considering requests for major adaptations.

- (b) Following another complaint for Housing Management Services officers who are responsible for carrying out void inspections were reminded of all the items they are required to inspect.
  - (c) Following a further complaint for Housing Management Services the process was changed to ensure vans always have at least one of a particular boiler on shelf in future.
  - (d) As a result of a complaint for Income Management it was recommended that the Council considers how it can better plan works to ensure they are included in Section 125 notices in future; thereby ensuring they can appropriately charge leaseholders and reduce the likelihood of complaints/claims from leaseholders who have undertaken works which were planned, but of which they were not notified.
  - (e) A complaint for Service & Repairs identified there was a need to improve knowledge of a particular type of heating system, ensure spare parts are available for a quick response and have full units in stock in case they need to be exchanged.
24. The further recommendations set out in the Adult Social Care, Children Social Care, Corporate and Housing Complaints, Compliments and Comments Annual Reports are:
- (a) The Council should ensure Adult Services complaints are responded to in a timely manner and that where an extension is required this is communicated to the complainant and properly recorded.
  - (b) The Council should continue to work to improve performance against the Stage 2 response timescale for Children's Social Care complaints.
  - (c) The Council should work to improve performance against the Stage 2 response timescale for Corporate complaints.
  - (d) The Council should continue to work on improving performance against the Stage 2 response timescale for Housing complaints.

### **Outcome of Consultation**

25. No consultation was required in preparing this report.

## Total Representations by Year

Type of representation	2019/20	2018/19	2017/18	2016/17	2015/16
<b>Complaints</b>					
<b>Corporate</b>					
Stage 1 complaints	632	623	628	402	403
Direct to Stage 2 complaints	15	1	8	10	11
<i>Total complaints</i>	<i>647</i>	<i>624</i>	<i>636</i>	<i>412</i>	<i>414</i>
Stage 1 escalated to Stage 2	44	70	80	51	47
<i>Total Stage 2 complaints</i>	<i>59</i>	<i>71</i>	<i>88</i>	<i>61</i>	<i>58</i>
<b>Adult Social Care</b>	67	64	92	44	49
<b>Children's Social Care</b>					
Stage 1 complaints	57	67	54	58	54
Stage 2 complaints	10	16	16	16	14
Stage 3 complaints	3	4	2	5	3
<b>Housing</b>					
Stage 1 complaints	65	69	86	86	94
Direct to Stage 2 complaints	1	1	0	0	0
<i>Total complaints</i>	<i>66</i>	<i>70</i>	<i>86</i>	<i>86</i>	<i>94</i>
Stage 1 escalated to Stage 2	6	9	18	14	15
<i>Total Stage 2 complaints</i>	<i>7</i>	<i>10</i>	<i>18</i>	<i>14</i>	<i>15</i>
Stage 3 complaints	0	0	0	0	0
<b>Public Health</b>	1	0	3	3	0
<b>Compliments</b>					
Corporate	170	199	79	106	173
Adult Social Care	62	33	6	13	33
Children's Social Care	7	19	12	4	6
Housing	49	28	19	34	31
Public Health	4	1	0	0	0
<b>Comments</b>					
Corporate	166	236	224	195	143
Adult Social Care	0	2	0	0	0
Children's Social Care	0	0	0	0	1
Housing	2	2	0	3	5
Public Health	0	0	0	1	0