

**CABINET
6 SEPTEMBER 2022**

COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2021/22

Responsible Cabinet Members

**Councillor Jonathan Dulston, Leader
Councillor Andy Keir – Local Services
Councillor Scott Durham, Resources Portfolio
Councillor Lorraine Tostevin - Adults
Councillor Jon Clarke - Children and Young People
Councillor Kevin Nicholson - Health and Housing
Councillors Mike Renton – Stronger Communities
Councillor Alan Marshall – Economy**

Responsible Directors

**Ian Williams, Chief Executive
Elizabeth Davison, Group Director of Operations
James Stroyan, Group Director of People
Dave Winstanley, Group Director of Services**

SUMMARY REPORT

Purpose of the Report

1. To provide Cabinet with the 2021/22 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 (**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 739 complaints during 2021/22, an increase from 628 in 2020/21, although complaint numbers remain lower than pre-pandemic levels with the Council receiving 838 complaints in 2019/20 and 825 in 2018/19.
4. The Council received a total of 217 compliments during 2021/22, a decrease from 309 compliments in 2020/21, 292 in 2019/20 and 280 in 2018/19.
5. The Council received a total of 127 comments during 2021/22, a decrease from 178 in 2020/21, 168 in 2019/20 and 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.

Recommendations

10. It is recommended that:-
 - (a) That Cabinet notes the content of the attached reports.
 - (b) That Cabinet endorses the further recommendations made in the Corporate, Children's 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 ensure the Council is complying with the Children Act 1989 Representation Procedure (England) Regulations 2006, its complaints, compliments and comments procedures and to improve satisfaction with complaints handling.

Elizabeth Davison
Group Director of Operations

Background Papers

No background papers were used in the preparation 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.
Council Plan	Learning from complaints contributes towards the delivery of the priorities in the Plan.
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

Information and Analysis

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.
14. There was a slight decrease in the overall number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2021/22. While there was a slight increase in the number of complaints received, complaint numbers remained significantly lower than pre-pandemic levels. There was a decrease in the number of compliments received and a small increase in the number of comments received. Full details are attached at Appendix 2.
15. There was an increase in the overall number of representations made under the Children's Social Care Complaints, Compliments and Comments Procedure during 2021/22. There was a significant increase in the number of complaints received at Stage 1 of the procedure, although Stage 1 complaints remained lower than pre-pandemic levels. There was an increase in the number of complaints received at Stage 2 and a small decrease in the number of complaints received at Stage 3. There was a decrease in the number of compliments received, while there was a small increase in the number of comments received. 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 2021/22. While there was a significant increase in the number of Stage 1 complaints received, Stage 1 complaint numbers remained significantly lower than pre-pandemic levels. There was also a significant increase in the number of complaints received at Stage 2 of the procedure. There was a significant decrease in the number of compliments and comments received, both of which remained lower than pre-pandemic levels. Full details are attached at Appendix 4.
17. There was a slight increase in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2021/22. There was a significant increase in the number of Stage 1 complaints received. The number of Stage 1 complaints received was higher than pre-pandemic levels. There was also an increase in the number of Stage 2 complaints received, which were higher than before the pandemic. There was a decrease in the number of compliments received, which remained below pre-pandemic levels. There was also a decrease in the number of comments received. Full details are attached at Appendix 5.

18. There was a decrease in the number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2021/22. There was a small decrease in the number of complaints received, a small increase in the number of compliments received and a slight decrease in the number of comments received. 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 care home, it was recommended the home's visiting policy was regularly reviewed during the pandemic to ensure it was consistent with Government guidance.
 - (b) Following a Local Government and Social Care Ombudsman (LGSCO) decision, the Council agreed to carry out a review of how it supports, monitors and audits recipients of direct payments. This is to ensure all current and future recipients of direct payments are adequately monitored and audited in line with statutory guidance.
 - (c) Following a complaint for Life Stages 26+, it was recommended that a Direct Payment Procedure be developed to inform Adult Social Care staff of the use and processes involved in service users having a Direct Payment, including what Direct Payments can and cannot be used for.
 - (d) Following a LGSCO decision, staff were reminded to ensure they adhere to the Council's safeguarding policy, in particular to retain complete and accurate records to demonstrate how decisions are made regarding safeguarding enquiries. Furthermore the Council decided to update existing/provide new training for staff in order to ensure social workers retain complete and accurate records to demonstrate how decisions are made, not only in relation to safeguarding enquiries but in other areas of social work practice.
 - (e) Following a complaint for Ongoing Assessment & Intervention Team (OAIT), social workers were reminded of the importance of holding Best Interests meetings to inform planning in adult social care and that this should always include an invitation to family members were identified as appropriate and with consent where possible of the cared for person.
21. *Children's Social Care Complaints:*
 - (a) Following a complaint for Children's Initial Advice Team (CIAT) at the front door, the importance of verifying information contained within assessments and verifying this with parents prior to finalisation was reinforced with social workers. The importance of including birth fathers within assessments and ensuring that all information recorded is current and accurate as per Working Together to Safeguard Children 2018 was also reinforced with social workers.

- (b) Following a complaint for Independent Reviewing Officers, it was recommended that consideration is given to either establishing a clear signposting in procedures so that all Foster to Adopt placements are managed in line with embedded adoption processes.
- (c) Following a complaint for Looked After Through (LATC) Team, it was agreed Children's Services should ensure that attendance records for Looked After Reviews (LAR) clearly evidence attendees of the LAR meeting. It was also agreed that LAR minutes should contain information shared by a young person's advocate to ensure there is a transparent record of a young person's views, wishes and feelings captured at that point in time.
- (d) Following a complaint for Team C, it was agreed that as per the Placement and Review Regulations 2015, social workers would ensure parents/carers are consulted prior to any significant social worker actions or changes to agreed care plan actions.
- (e) Following a further complaint for Team C, it was agreed that an existing function within Liquid Logic (the Council's social care system) should be used to modify the content of CLA documentation that relates to Foster to Adopt (and Adoption Placements) to prevent the automatic insertion of information into documentation that is distributed to birth family members.

22. *Corporate Complaints:*

- (a) Following a complaint for Highway Network Management, the Council improved its knowledge of its enforcement powers set out in Section 25 of the Land Drainage Act 1991.
- (b) Following a further complaint for Income Management, it was agreed consideration would be given to developing a Customer Standards Charter which clearly gives timescales for responses to urgent and non-urgent communication from customers.
- (c) Following a complaint for People and Families Information Service, it was agreed the Council would review entitlement for children and young people who reside in Darlington but attend a school setting out of area.
- (d) Following a complaint for Strengthening Families, it was agreed the assessment for Direct Payments as part of an Early Help Assessment for children under the age of five would be reviewed to ensure the service is appropriate for those who need it.
- (e) Following a complaint for Anti-Social Behaviour & Civic Enforcement Ops, it was agreed refresher training would be provided to Civic Enforcement Officers (CEOs) in relation to their jurisdiction.

23. *Housing Complaints:*

- (a) Following a complaint for Housing Management, further staff training was provided in relation to the process of void inspections and void standards and all major work voids are now jointly inspected by both Asset Management and the Housing Management Officer prior to a person taking on that tenancy, with any failed post-inspections immediately addressed with Building Services.
- (b) As a result a complaint for Housing Management, the Council agreed to look at the processes around voids and glazing to ensure we reduce the chances of delays happening in future.
- (c) Following a complaint for Housing Management, it was agreed that Housing Management would provide tenants with a copy of repair notices and information on how the right to repair scheme works.
- (d) Following a complaint for Housing Management, Building Services were reminded of the need to confirm the time and date of appointments before arriving to undertake works and it was agreed a detailed operational manual would be provided to prospective tenants.
- (e) Following a complaint for Tenancy Enforcement it was recommended that the clauses in the Tenancy Agreement regarding succession of properties be reviewed and that all relevant staff receive refresher training in relation to this.

24. The further recommendations set out in the Corporate, Children's and Housing Complaints, Compliments and Comments Annual Reports are.

- (a) The Complaints & Information Governance Team should work to improve performance against the Corporate Stage 2 complaint response target.
- (b) The Complaints & Information Governance Team should work to improve performance against the Housing Stage 2 response target.
- (c) Children's Services should work to improve performance against the Stage 2 timescale for Children's Social Care complaints.

Consultation

25. No consultation was required in preparing this report.

Total Representations by Year

Type of representation	2021/22	2020/21	2019/20	2018/19
Complaints				
Corporate				
Stage 1 complaints	532	457	632	623
Direct to Stage 2 complaints	17	24	15	1
Direct to Ombudsman	0	1	0	0
<i>Total complaints</i>	<i>549</i>	<i>483</i>	<i>647</i>	<i>624</i>
Stage 1 escalated to Stage 2	53	26	44	70
<i>Total Stage 2 complaints</i>	<i>70</i>	<i>50</i>	<i>59</i>	<i>71</i>
Adult Social Care	48	46	67	64
Children's Social Care				
Stage 1 complaints	49	37	57	67
Direct to Stage 2 complaints	4	0	0	0
<i>Total complaints</i>	<i>53</i>	<i>37</i>	<i>57</i>	<i>67</i>
Stage 1 escalated to Stage 2	8	7	10	16
<i>Total Stage 2 complaints</i>	<i>12</i>	<i>7</i>	<i>10</i>	<i>16</i>
Stage 3 complaints	1	2	3	4
Housing				
Stage 1 complaints	88	60	65	69
Direct to Stage 2 complaints	0	1	1	1
<i>Total complaints</i>	<i>88</i>	<i>61</i>	<i>66</i>	<i>70</i>
Stage 1 escalated to Stage 2	16	12	6	9
<i>Total Stage 2 complaints</i>	<i>16</i>	<i>13</i>	<i>7</i>	<i>10</i>
Stage 3 complaints	0	0	0	0
Public Health	1	2	1	0
Compliments				
Corporate	154	209	170	199
Adult Social Care	33	38	62	33
Children's Social Care	8	15	7	19
Housing	21	47	49	28
Public Health	1	0	4	1
<i>Total compliments</i>	<i>217</i>	<i>309</i>	<i>292</i>	<i>280</i>
Comments				
Corporate	123	171	166	236
Adult Social Care	2	1	0	2
Children's Social Care	1	0	0	0
Housing	1	4	2	2
Public Health	0	2	0	0
<i>Total comments</i>	<i>127</i>	<i>178</i>	<i>168</i>	<i>240</i>