

CABINET
10 SEPTEMBER 2024

COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2023/24

**Responsible Cabinet Member –
Councillor Stephen Harker, Leader and all Cabinet Members**

**Responsible Director -
Chief Officers Executive**

SUMMARY REPORT

Purpose of the Report

1. To provide Cabinet with the 2023/24 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 746 complaints during 2023/24, an increase from 709 in 2022/23, 739 complaints in 2021/22 and 629 in 2020/21. While complaint numbers have risen post-pandemic, they remain lower than pre-pandemic levels, with the Council receiving 838 complaints in 2019/20.
4. The Council received a total of 231 compliments during 2023/24, an increase from 202 in 2022/23, 217 in 2021/22, although a decrease from 309 in 2020/21 and 292 in 2019/20.
5. The Council received a total of 77 comments during 2023/24, a decrease from 112 in 2022/23, 127 in 2021/22, 178 in 2020/21 and 168 in 2019/20.
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.
10. The production of an annual report in respect of representations received under the Housing Complaints, Compliments and Comments Procedure is a requirement of the new Housing Ombudsman's Complaint Handling Code, which became statutory on 1 April 2024.
11. The production of an annual report in respect of representations received under the Corporate Complaints, Compliments and Comments Procedure is a requirement of the new Local Government and Social Care Ombudsman's Complaint Handling Code, which the Ombudsman issued as 'advice and guidance' for all local councils in England under section 23(12A) of the Local Government Act 1974.

Recommendations

12. It is recommended that:-
 - (a) Cabinet notes the content of the attached reports.
 - (b) Cabinet endorses the further recommendations made in the Corporate, Children's and Housing Complaints, Compliments and Comments Annual Reports.

Reasons

13. 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 resulting organisational learning.
 - (b) To ensure the Council is:
 - (i) Complying with the Children Act 1989 Representation Procedure (England) Regulations 2006.
 - (ii) Complying with the Housing Ombudsman's Complaint Handling Code.
 - (iii) Complying with the Local Government and Social Care Ombudsman's Complaint Handling Code.

- (iv) Complying with the Council's Complaints, Compliments and Comments Procedures; and
- (v) To improve satisfaction with complaints handling.

Chief Officers Executive

Background Papers

- (i) 2023/24 Complaints, Compliments and Comments Annual Reports for:
 - (1) Adult Social Care (Appendix 2).
 - (2) Children's Social Care (Appendix 3).
 - (3) Corporate (Appendix 4).
 - (4) Housing (Appendix 5); and
 - (5) Public Health (Appendix 6).
- (ii) The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- (iii) The Children Act 1989 Representation Procedure (England) Regulations 2006.
- (iv) The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
- (v) The Local Government and Social Care Ombudsman Complaint Handling Code.
- (vi) The Housing Ombudsman Complaint Handling Code.

Council Plan	Learning from complaints enables the Council to improve the services it provides. This will help in progressing the delivery of the priorities that are set out in the Council Plan for the economy, homes, living well, children and young people communities and the local environment
Addressing inequalities	Complaint investigations have identified the need to complete an equality impact assessment, to ensure the Council has given due regard to protected characteristics when providing services. Regular information is also provided to the Equalities Advisors Group and the Chief Officer's Board.
Tackling Climate Change	There are no specific recommendations contained within the attached reports concerning Carbon Reduction.
Efficient and effective use of resources	This report has no impact on the Council's Efficiency Programme.
Health and Wellbeing	Learning from complaints enables the Council to improve the services it provides in relation to Public Health, Leisure and Adult Services, including commissioned services.
S17 Crime and Disorder	There is no specific impact on Crime and Disorder.
Wards Affected	All wards are affected.
Groups Affected	The proposals do not affect any particular groups within the community.
Budget and Policy Framework	This report does not have a direct impact on the Budget and Policy Framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
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

14. 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.
15. 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.
16. There was an increase in the overall number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2023/24. While there was an increase in the number of complaints received, complaint numbers remained slightly lower than pre-pandemic levels. There was an increase in the number of compliments received, while no comments were received. Full details are attached at Appendix 2. There was an increase in the overall number of representations made under the Children's Social Care Complaints, Compliments and Comments Procedure during 2023/24. There was an increase in the number of complaints received at Stage 1 of the procedure, higher than pre-pandemic levels, however there was a decrease in the number of complaints received at Stage 2 with an increase of 2 in the number of complaints received at Stage 3. There was a decrease in the number of compliments received, while no comments were received. Full details are attached at Appendix 3.
18. There was a decrease in the overall number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2023/24. While there was a decrease in the number of complaints received, and Stage 1 complaint numbers remained significantly lower than pre-pandemic levels, there was an increase in the number of complaints received at Stage 2. The number of compliments received was the same as in 2022/23 and there was a decrease in the number of comments received. Both compliments and comment remained lower than pre-pandemic levels. Full details are attached at Appendix 4.
19. There was an increase in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2023/24. There was an increase in the number of Stage 1 and Stage 2 complaints received, which were higher than pre-pandemic levels. There was also an increase in the number of compliments received, which surpassed pre-pandemic levels. No comments were received. Full details are attached at Appendix 5.
20. The number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2023/24 remained low. The Council received the same number of complaints as in 2022/23. There was a slight increase in the number of

compliments received, while no comments were received. Full details are attached at Appendix 6.

21. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below:

Adult Social Care Complaints:

- (a) The Council agreed to ensure that written advice and guidance outlining the implications of the cost of care is always provided to service users at the time of undertaking a care and support needs assessment, and that a written record is made that the information has been provided.
- (b) It was also recommended that the Council considers what action is necessary to remedy the delay in financial assessments as a priority, as this is causing worry and distress to people at an already difficult time.
- (c) The Council agreed to consider conducting regular audits and inspections to assess compliance with regulatory standards in a care home, including record-keeping practices, falls protocol adherence, and communication procedures to address any identified deficiencies promptly and implement corrective actions to ensure ongoing quality improvement. The Council also considered reviewing the care home's training requirements, to ensure staff feel confident in their approach to end-of-life planning.
- (d) The Council agreed that, in conjunction with another care home it would review existing safeguarding protocols to ensure that incidents are promptly reported and addressed.
- (e) The Council also agreed to consider how it could implement focused medication audits with a home care provider, similar to those undertaken by the NHS in care homes, to allow for a more effective, informed deep dive of the repeated issues resulting in medication errors and to satisfy itself the issues are not more prevalent across the provision.

Children's Social Care Complaints:

- (a) The Council agreed to review its process for responding, when other local authorities make requests for information.
- (b) The Council agreed to reinforce to social workers the importance of accurate record keeping.
- (c) The Council reminded staff of importance of ensuring core group meetings are held every 20 days in Child Protection Cases and that all those with parental responsibility are kept up to date.
- (d) The Council agreed to ensure that all those with parental responsibility are updated regarding any changes to planned meetings, and that communication is recorded accurately. Also that Child in Need (CIN) meetings are held within the statutory

timeframe, and appropriately recorded, either by the allocated worker, or a duty worker.

- (e) Strengths based case recording training was also delivered. Learning was also taken forward to ensure recording is balanced and made in line with our policies. The need for cultural diversity training was also identified.

Corporate Complaints:

- (a) Following a complaint for Development Management, the Council made explicit reference to the factors which can impact on the timeliness of planning enforcement matters in section 3 of A Charter for Development Management.
- (b) Following another complaint for Development Management, learning from the complaint was shared with officers to ensure any future applications for works to trees are properly considered in accordance with the Town and Country Planning Act 1990.
- (c) Following a complaint for the Complaints and Information Governance Team about the Council's response to a Subject Access Request (SAR), Children's Services were reminded of the importance of undertaking thorough searches to ensure all information held is provided and of the importance of providing records in a timely manner.
- (d) Following a complaint for Housing Options, officers were advised that during investigations around someone's suitability for a tenancy or when issues are raised about unacceptable behaviours, they should update the applicant/tenant every 20 working days with progress, and they should inform an applicant/tenant in writing of any decision made within five working days, including setting out clearly what procedures have been considered, how and why the decision was reached, any actions the applicant/tenant can consider and next steps.
- (e) Following a further complaint for Housing Options, training was provided to ensure the team advise people applying for housing they will be carrying out a home visit to anyone who is awarded a priority banding.
- (f) Following a complaint for Lifeline, it was agreed Lifeline would review the telecare agreement and include that there are limitations to care provided when personal equipment (such as hoists) are required.
- (g) Following a complaint for SEND, officers were reminded of the need to keep accurate records in relation to the discharge of the Council's statutory duties.
- (h) Following a complaint for School Admissions and Transport the team decided to review how sensitive information is shared with personal assistants, how sharing is documented/measured and if the use of IT equipment would improve service delivery.
- (i) Following a complaint for Early Help, the Building Stronger Families Service agreed to review their response process when concerns are raised and investigated further.

Officers were also reminded of the importance of adhering to the timescales in the Council's Corporate Complaints Procedure.

- (j) Following a complaint for Arboriculture, officers were made aware of the fact cancer is a disability as defined by the Equalities Act 2010.

Housing Complaints:

- (a) Staff were reminded to ensure they adhering to the Councils Customer Service Standards. They were also reminded to follow the follow liquid disposal guidance.
 - (b) It was agreed that an equality and diversity course would be arranged for all Tenancy Management staff.
 - (c) An issue with the Council's IT system, which allowed appointments to be booked on bank holidays, was identified and fixed.
 - (d) Staff were reminded to show their ID when attending a property to undertake repairs and the information on the Council's website regarding who to contact in relation to an Emergency Repair was updated.
 - (e) In response to a complaint, the process for alternative heating sources when someone's heating is broken was reviewed.
22. The further recommendations set out in the Children's, Corporate and Housing Complaints, Compliments and Comments Annual Reports are.

Children's Social Care Complaints

- (a) While there has been an improvement in performance against the Stage 1 and Stage 2 timescales, Children's Services and the Complaints & Information Governance Team should continue to work to improve performance.

Corporate Complaints

- (a) Stage 1 Responding Officers should familiarise themselves with the new Stage 1 timescales in the complaints procedure (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), and ensure they are complying with them prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.
- (b) The Complaints & Information Governance Team should ensure they are complying with the new Stage 2 timescales (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.

Housing Complaints

- (a) Housing Services and the Complaints & Information Governance Team should establish why there has been an increase in the number of complaints escalated to Stage 2 and work to reduce this in during 2024/25.
- (b) The Complaints & Information Governance Team experienced issues in terms of the resource available to investigate Stage 2 complaints during 2023/24. Housing Services and the Complaints & Information Governance Team should continue working to improve performance against the Stage 2 response target during 2024/25.

Consultation

23. The Housing Services Tenants Panel were consulted in preparing this report.

Total Representations by Year

Type of representation	2023/24	2022/23	2021/22	2020/21	2019/20
Complaints					
Corporate					
Stage 1 complaints	463	478	532	457	632
Direct to Stage 2 complaints	14	21	17	24	15
Direct to Ombudsman	0	0	0	1	0
<i>Total complaints</i>	<i>477</i>	<i>499</i>	<i>549</i>	<i>483</i>	<i>647</i>
Stage 1 escalated to Stage 2	70	49	53	26	44
<i>Total Stage 2 complaints</i>	<i>84</i>	<i>70</i>	<i>70</i>	<i>50</i>	<i>59</i>
Adult Social Care	61	54	48	46	67
Children's Social Care					
Stage 1 complaints	65	56	49	37	57
Direct to Stage 2 complaints	1	0	4	0	0
<i>Total complaints</i>	<i>66</i>	<i>56</i>	<i>53</i>	<i>37</i>	<i>57</i>
Stage 1 escalated to Stage 2	14	20	8	7	10
<i>Total Stage 2 complaints</i>	<i>15</i>	<i>20</i>	<i>12</i>	<i>7</i>	<i>10</i>
Stage 3 complaints	4	2	1	2	3
Housing					
Stage 1 complaints	140	98	88	60	65
Direct to Stage 2 complaints	0	0	0	1	1
<i>Total complaints</i>	<i>140</i>	<i>98</i>	<i>88</i>	<i>61</i>	<i>66</i>
Stage 1 escalated to Stage 2	30	17	16	12	6
<i>Total Stage 2 complaints</i>	<i>30</i>	<i>17</i>	<i>16</i>	<i>13</i>	<i>7</i>
Public Health	2	2	1	2	1
Total Complaints	746	709	739	629	838
Compliments					
Corporate	130	130	154	209	170
Adult Social Care	39	31	33	38	62
Children's Social Care	6	8	8	15	7
Housing	55	33	21	47	49
Public Health	1	0	1	0	4
Total Compliments	231	202	217	309	292
Comments					
Corporate	77	110	123	171	166
Adult Social Care	0	0	2	1	0
Children's Social Care	0	0	1	0	0
Housing	0	2	1	4	2
Public Health	0	0	0	2	0
Total Comments	77	112	127	178	168