

Name of Scrutiny Panel	Strategy and Performance	
Meeting Date		
Subject	Annual Complaints and Compliments Briefing Note (inc LGO update).	
Wards Affected	All Wards	
Report of	Director, Public Services	
Type of Item (please tick✓)	Review existing policy	
	Development of new policy	
	Performance management (Inc. financial) Briefing (Inc. potential areas for scrutiny)	x
	Statutory consultation	
	Council request	
	Cabinet request	
	Member request for scrutiny (CCFA)	

Why is it coming here?

The purpose of this report is to provide an overview of the complaints and compliments that were received by the Council during the period 1 April 2020 to 31 March 2021.

It should be noted that Adult Health & Social Care and Children's Social Care complaints and compliments are reported separately as these are managed through separate statutory complaints procedures.

What are the key points?

During this reporting period the Council received 397 representations, including 197 compliments.

The following report provides an outline and analysis of the nature and type of complaints and compliments received. The report also outlines complaints received by the Local Government and Social Care Ombudsman.

Calderdale Council welcomes customer feedback, to help us to identify and address problems for customers, and to improve our services.

Possible courses of action

Members are asked to consider and comment on this report.

Contact Officer

Richard Noble, Complaints & Compliments Officer.

Should this report be exempt?
No
Recommendation
The Strategy and Performance Committee are asked to note the report and make suggestions for improvement where necessary.

Background

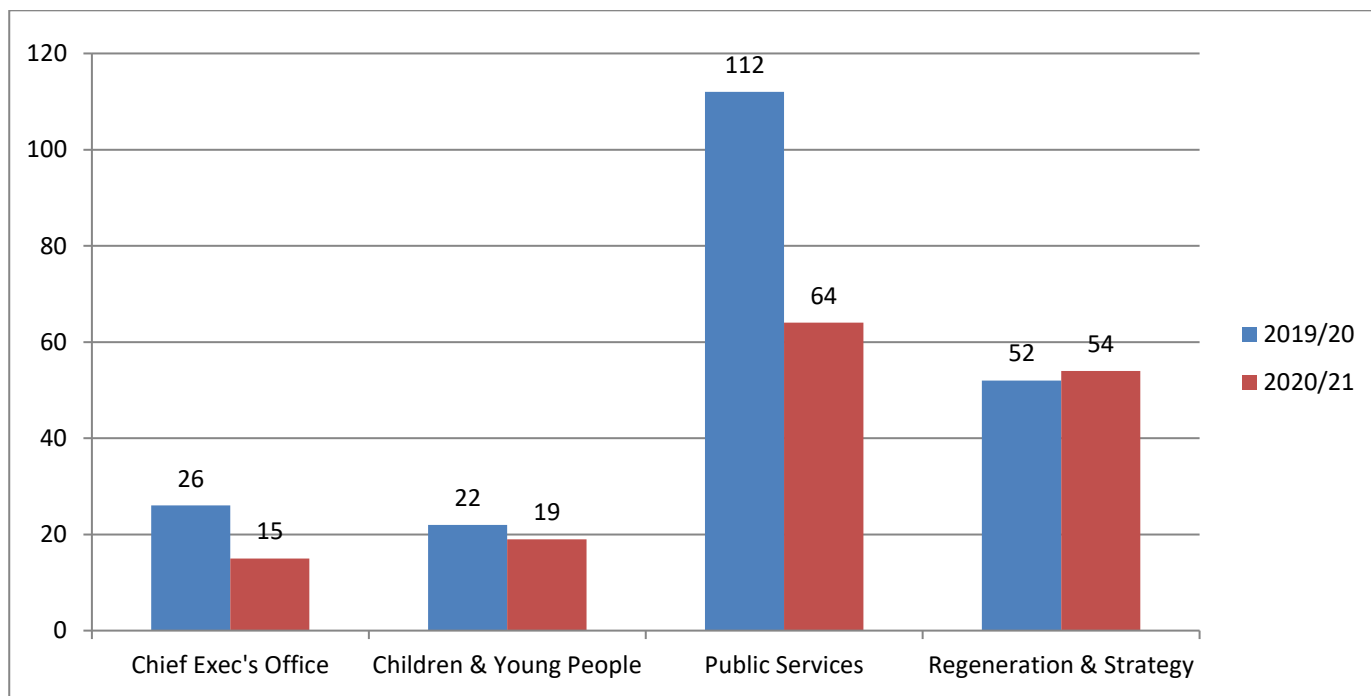
The Council produces statistics and information regarding the number of complaints and compliments received during the year and compares them with the previous year. These are usually presented every 6 months in a briefing note to Directors and members, but an annual report has again been agreed for this year.

Main issues for Scrutiny

1. Corporate Complaints

During the period 1 April 2020 – 31 March 2021, the Council received 152 complaints. The graph below highlights the number of complaints per directorate with a year-on-year comparison. inclusive of complaints that were subsequently withdrawn

1.1



There was a significant reduction in the number of complaints received across the Council during this reporting period compared to the previous period particularly for Public Services. At the start of the pandemic, the number of customers complaining was extremely low although this did increase towards the end of the year when services started to reopen.

However, the reduction in complaints cannot solely be credited to Covid-19 or other external influences. Services have been working hard to make improvements in response to complaints and feedback from previous years and have implemented new ways of working as a response.

2. Complaints Outcomes

2.1 Of the 152 complaints that were received:

- 38 (25%) were upheld or partly upheld.
- 79 (52 %) were not upheld
- 35 (23%) were withdrawn

The table below, shows the outcomes for each directorate compared to the previous year.

Directorate	Upheld		Partly Upheld		Not upheld		Withdrawn	
	19/20	20/21	19/20	20/21	19/20	20/21	19/20	20/21
Chief Exec's Office	5	1	5	5	11	6	5	3
Children & Young People Service	1	3	7	5	11	8	3	3
Public Services	21	4	25	10	42	34	24	16
Regeneration & Strategy	5	0	8	10	29	31	9	13
Totals	32	8	45	30	93	79	41	35

2.2 Of the 117 complaints that were investigated these were categorised as follows:

- 1 appeal (Covid)
- 2 change to service
- 4 service delay
- 6 poor communication
- 6 service quality
- 7 staff conduct
- 34 service level
- 57 service/policy decisions

The Complaints and Compliments Team use this information to identify which service areas may require additional training or support. The Complaints Officer regularly reviews themes and trends identified from the quarterly reports and works closely with services to ensure complaints are concluded in a timely, professional and customer focussed manner.

Complaints for service / policy decisions were the highest received this year at 57; this is a slight increase from 2019/20 of the 55 received.

Extracts of complaints received:

- *Decision to send a lone male on a home visit to review information on DHP application. The investigation agreed that though the visit was required, it would have been more appropriate for the visit to not be carried out in this way. This part of the complaint was upheld.*
- *School Transport arrangements to be reviewed for user, who is unable to access school bus, following decision by an independent panel. The investigation concluded that the Council has been making payments equivalent to the cost of the school bus, as awarded by the panel, and therefore, could make their own arrangements. This complaint was not upheld.*
- *Decision to instruct enforcement agents to collect incorrectly issued invoices. The investigation found that due to the stall holder having multiple stalls, errors were made by accounting. The element of the complaint was upheld.*

Other areas of concern related to the level of service received (34); this does however represent a year on year reduction from 2019/20 from 43 complaints received.

Primary reasons for complaint:

- Repeat missed waste & recycling collections
- Damage that was left following street light replacement
- Lack of action following flooding
- Level of service from Council Tax

2.3 Highways received the most complaints across its service area leading to 33 investigations.

The continuation of the LED streetlight scheme generated the bulk of these complaints.

3. RESPONSE TIMES

3.1 The Council's complaints procedure acknowledges the need for complaints to be dealt with in a timely manner. The investigating officer is asked to respond within 10 working days, including detailed outcomes of their investigation. If a full response within 10 working days is not possible, the investigator is asked to liaise with the complainant and agree an extended timescale. The average overall response time in 20/21 was 17 working days, compared to 12.5 during 2019/20. Although this is a substantial increase, the Covid-19 pandemic undoubtedly had an impact as some services were only able to provide a limited service, restricting the ability to investigate these due to Covid-19 restrictions, and as a result of having staff redeployed to support the Covid-19 response.

3.2 Of the 117 complaints investigated:

- 64 (55%) were resolved within 10 working days
- 27 (23%) were resolved within 20 working days
- 26 (22%) were resolved over 20 working days

3.3 In order to improve performance and response times, the Complaints Team regularly monitor the time taken to complete investigations and where necessary liaise with services providing performance data and offering further training where identified.

4. COMPLIMENTS

4.1 The Council values feedback from its customers and whilst its focus is to resolve problems and issues raised as complaints, it is also important to recognise the positive feedback that is received from customers.

4.2 197 compliments were received within this period. The table below highlights the number of compliments per directorate and year on year comparison 2019/20.

Directorate	Compliments 2019/20	Compliments 2020/21
Chief Executive's Office	3	6
Children & Young Peoples Service (not Social Care)	2	12
Public Services	245	163
Regeneration & Strategy	46	16
Total	296	197

Due to the number of services closed during the pandemic, a reduction in compliments was expected during this reporting period.

Reminders are regularly sent out to teams prompting them to send compliments and positive feedback to the Complaints and Compliments Team to be captured.

Extracts below indicate the type of compliments received:

- *Having just returned to work following surgery, I was anxious about the long-term sickness trigger process, however, I was actually delighted with the support I have received. My consultant and physiotherapist also complimented Calderdale's approach. I think this is a great demonstration of how the sickness management policy is there to support employees, not to punish or scare them.*
- *I walk round Bankfield Museum Park, twice a day with my dog and I have noticed that the park is looking great, and it is all down to a young man, I don't know his name but what a difference he has made. The park has been opened up with all the cutting back he has done; he has worked really well, and all the*

dog walkers have noticed. I have lived in Boothtown for over thirty years, and this is the first time that the park looks great, hope he can stay looking after it. It has been neglected for so long, he is a credit to the Council.

- I would like to say what an absolutely fantastic job the workers have done to the massive dry-stone wall on Shroggs Road, Wheatley, near the top of Hebble Lane. They have worked extremely hard. It's a work of art. They have exceptional skills and should be proud of their work. Please pass on our thoughts to those involved and their bosses.*
- I'd like to say a particular thank-you to the Web Team, who have worked hard to get this done in a very short space of time.*
- Your staff that have cleared the fly tipping and litter on the road by Willow Valley Golf Club, that leads to the back of the Hartshead Moor Service Station. Can I send a big thank for a job well done. I doubt it will be appreciated, how much work will have gone into clearing all that rubbish by the disrespectful people who cause all the litter, as already one or two bits of paper cups etc have been dropped but we really appreciate what you've done.*
- I would like to pass on my thanks to your Planning Department. I had cause to contact you recently about an issue I had, and the Team Leader contacted me on the back of my concern. She took complete ownership, gave me the information that I needed and showed total professionalism and a passion to provide amazing customer service. She made sure that everything was done as she had promised and did it all with a smile and a fantastically approachable manner.*
- Thank you to the recycling crew who came up our very steep street this morning, in the snow! We had been out as a group of neighbours to clear the road and they made it, despite some wheel spinning in the slush at the top of the hill. I would not have been brave enough to try that! They also waited for us to bring stuff out when we weren't ready because we thought they wouldn't make it.*

5. Training and Development

- 5.1 The Complaints and Compliments Team provide training and support for all colleagues who are required to investigate complaints. The aim is to provide training that specifically relates to their individual area, working practices and identifies how to define a complaint, how to complete a robust investigation and how to respond fairly and proportionately. Training materials/sessions have recently been updated in line with the Ombudsman's new working practices and this is currently available to book on iTrent delivered by remote sessions via Teams.

In addition to the training, the Complaints and Compliments Officer attends team meetings to discuss their role, how to develop an effective complaints procedure for there services and the benefits of working and being supported by the Complaints and Compliments Team,

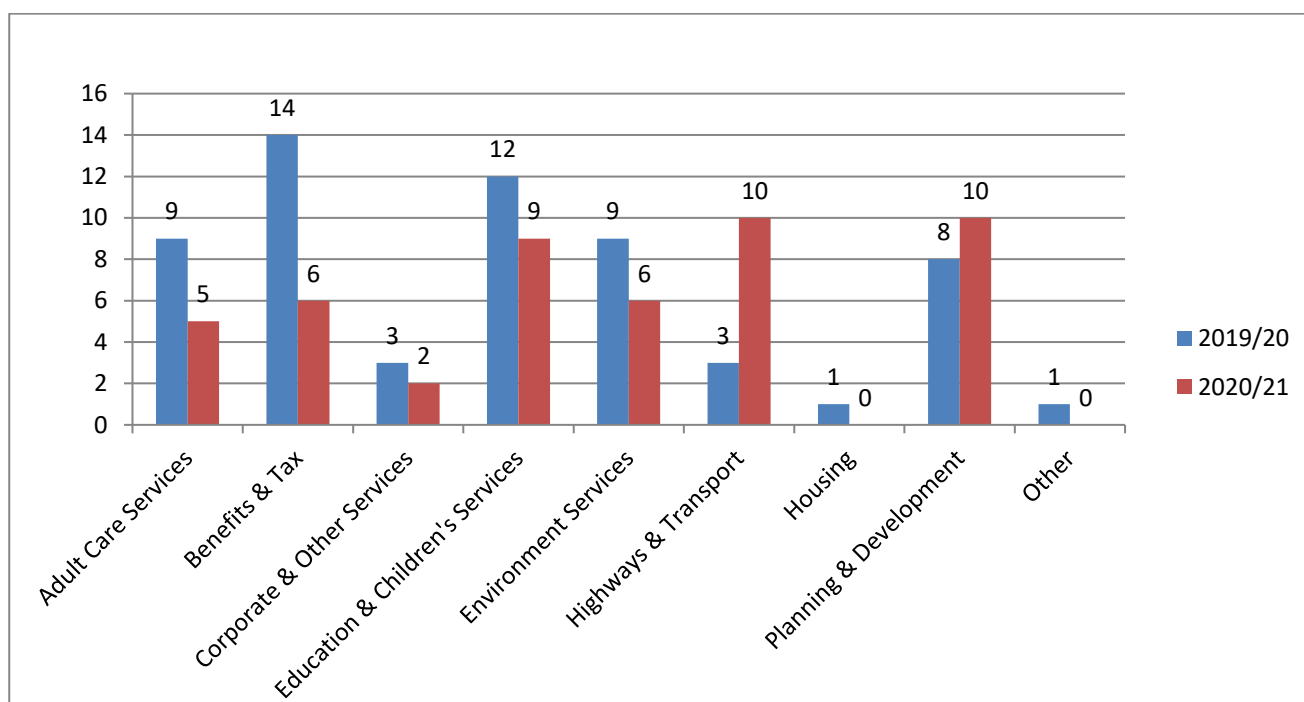
6. LGO Update

The complaints received by the Local Government and Social Care Ombudsman that are featured here have previously been received and investigated by the Council through its own complaint procedures.

The figures have been taken from the annual report produced by the Ombudsman and compares the reporting periods 2019/20 and 2020/21.

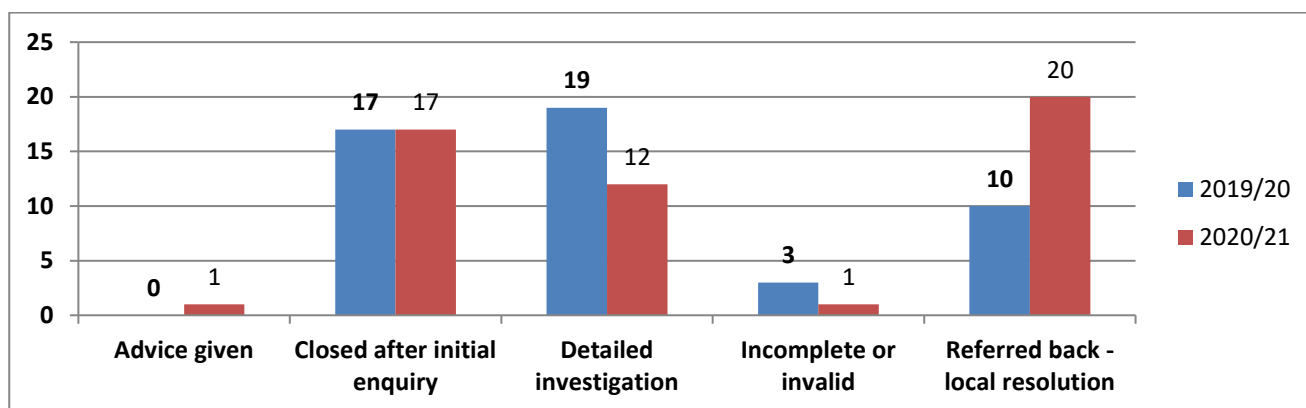
- 6.1 The overall number of complaints and enquiries that were received by the Ombudsman has reduced from 60 in 2019/20 to 48 in 2020/21.

The graph below, details the number of new complaints received by category.



Due to the nature of some of the complaints received, evidence gathering from external stakeholders and assessment by LGO not all of the complaints received are closed during the same reporting period and as such a final decision could be made in a different reporting year.

The graph below details the number of decisions made by the Ombudsman, compared to the previous year 2019/20.

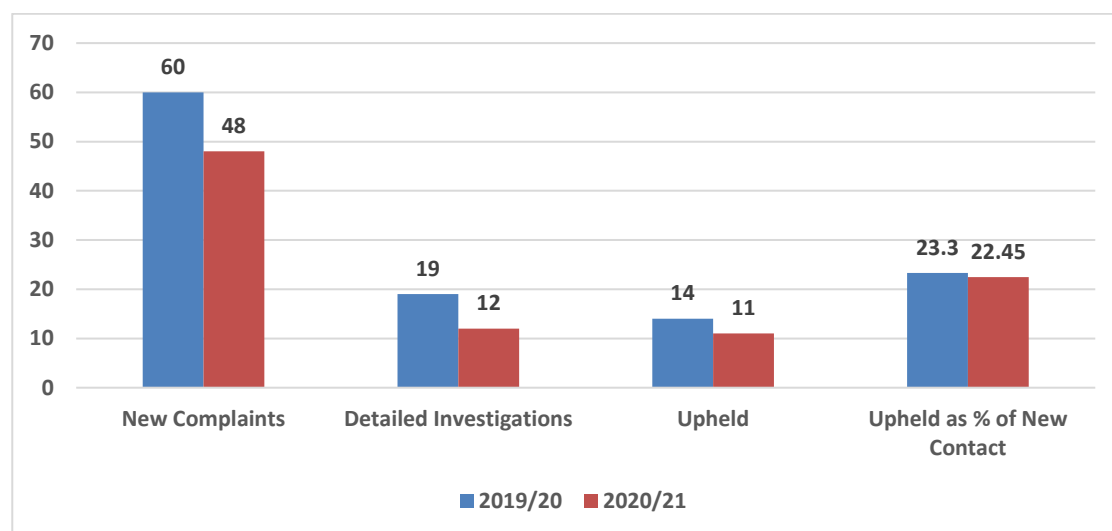


The Ombudsman have a system in place, where received complaints are triaged prior to allocation, establishing if there are significant grounds to investigate, and if there is a likely case of injustice to the complainant, therefore using public funds wisely in deciding whether to investigate.

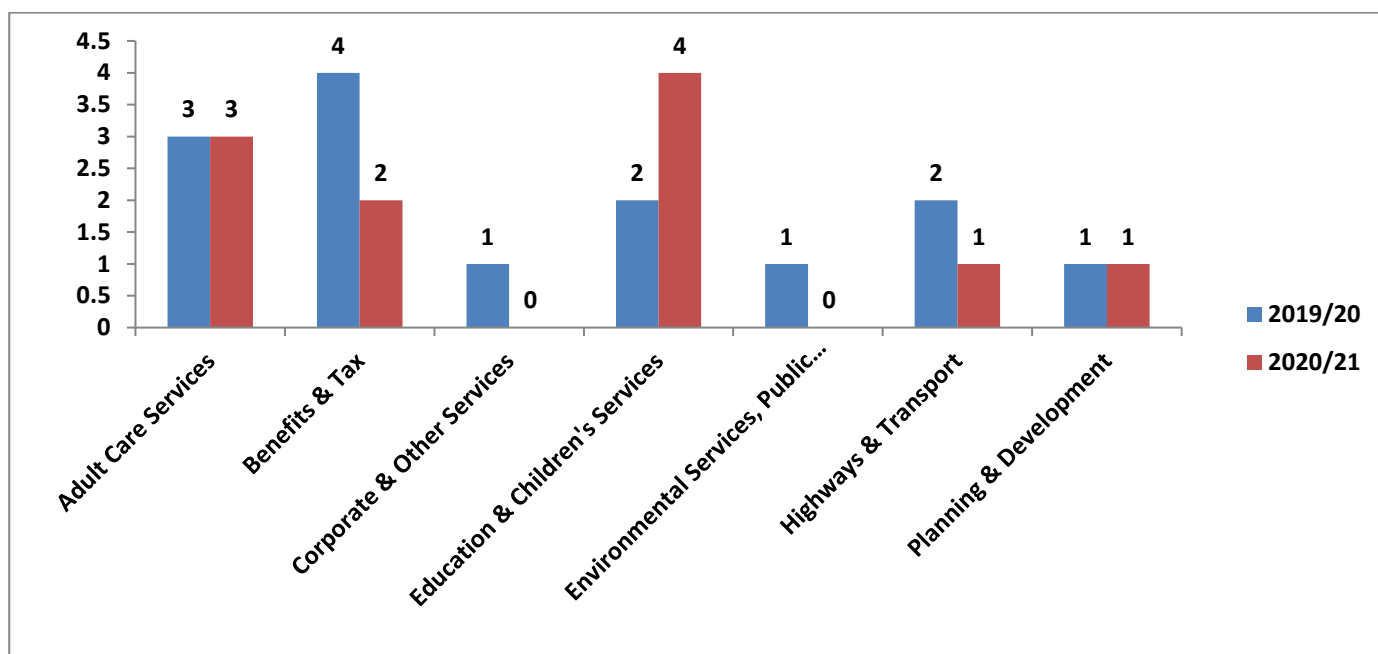
The number of detailed investigations carried out by the Ombudsman in 2020 was 12, compared to 19 in 2019/20.

Of these 12 investigations, 11 were upheld (92%). In 2019/20 14 (74%) complaints were upheld. Although the upheld figure has increased, the actual number of complaints where the Ombudsman considered there may be fault, has reduced.

The following graph shows year on year comparison of 2019/20 of the upheld % against the number of new complaints received..



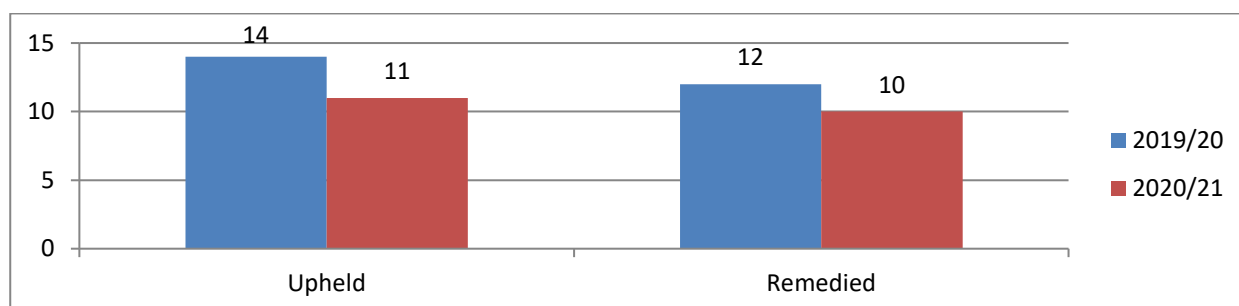
The graph below details upheld complaints per relevant service area. There is an increase for Education and Children's Services, from 2 upheld complaints in 2019/20 to 4 in 2020/21.



It should be noted that not all complaints and enquiries are appropriate for the Ombudsman to investigate. This can be attributed to a number of factors:

- After initial assessment the Ombudsman may decide against investigation, where their remit sits outside the existing governance/legislation or it would not be an effective use of public funds.
- In some instances, the complaint is referred back to the authority to investigate. This is predominantly due to the complainant failing to complain firstly to the authority to resolve and thus bypassing the authorities' process.
- Ombudsman advice has been provided to the complainant in relation to their complaint to address their issues.

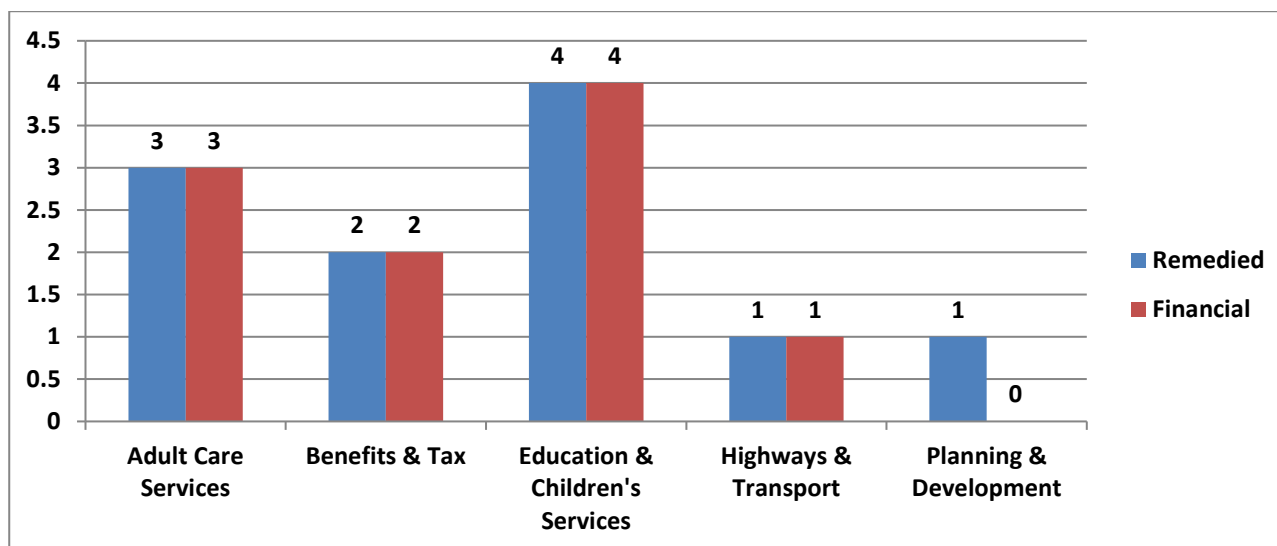
6.2 The graph below shows that during 2020/21, 10 out of 11 investigations (91%), were remedied by the Ombudsman, compared to 12 out of 14 (86%) during 2019/20.



It should be noted as previously detailed (6.2), that the number of remedied complaints may not equal the number of upheld complaints during a reporting period. Additionally, if the Ombudsman finds fault in the way that the authority has carried out its duties, they will then consider whether this has caused an injustice to the person affected. If this is the case, recommendations will be made regarding actions to address this. Recommendations are deemed as remedies by the Ombudsman which originate from upheld complaints, but does not necessarily mean there has been a direct injustice to the complainant. In such instances the Ombudsman looks carefully at the root cause of

problems and, where appropriate, recommends improvements to systems or procedures, which have failed or not been effective.

The following graph details the number of remedies required per service area, for the current year, whilst highlighting how many of these included a financial remedy. In 2020/21 the Ombudsman included 10 financial remedies from their 11 upheld investigations (91%) compared to 11 from 14 (78.5%) for 2019/20. Of the 10 financial remedies, 8 were awarded for avoidable distress/time and trouble.



Extracts of final decisions where financial redress was requested:

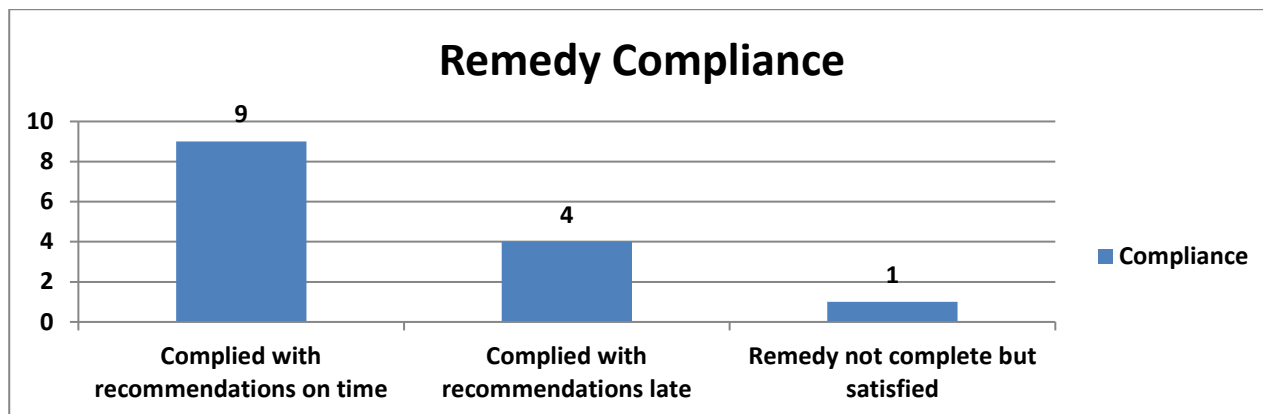
- *The Council incorrectly took enforcement action and failed to deal with her Council Tax case effectively when it was highlighted Miss C did not owe the debt. It was also claimed that an Officer ended the phone call to Miss C, when she highlighted, she felt suicidal. The Council agreed to remedy the complaint with a £250.00 payment for the avoidable distress and put Miss C back in the position, she would have been in before the error occurred.*
- *The Council failed to check provision in an Education, Health and Care plan, secured for a child with special educational needs. On balance of probabilities, the child did not receive the provision they were entitled to and therefore, the Council agreed to apologise, review its processes and pay the amount of £750.00 for the lost provision.*
- *The Council was at fault as it poorly communicated with Miss Y, did not involve her in decisions about her care, wrongly stopped direct payments and delayed carrying out a care act assessment. As a result, Miss Y was denied care and support for approximately 19 months. The Council agreed to reimburse the costs of support during this period and an additional payment of £500.00 to remedy the injustice.*

6.3 The Ombudsman makes recommendations on what they deem to be a suitable remedy for upheld complaints, and then measures the Council's compliance rate, based on the recommendations made, and the agreed timescales for completion. During this reporting period, the Ombudsman closed 14 complaints, with a 100% compliance rate.

Of these 14 complaints 1 originated from 2018/19, 11 from 2019/20 and 2 from 2020/21.

The graph below shows that 4 of the complaints were closed outside of the agreed timescales and 1 was not complete, however all were classed as satisfied.

The complaint which was not completed was due to the complainant refusing to accept the payment remedy offered by the Ombudsman following legal advice. This was evidenced to the Ombudsman, who were satisfied that the Council had made every effort to conclude and closed the case.



The delays to respond by the authority for the 4 complaints within the agreed timescales are as follows:

- Adult services & Wellbeing (2) – Remedies were allocated to the service area with the required timescales. The service area failed to meet these timescales despite being chased. As a result of this failure to respond in agreed timescales changes have been made by the service area to ensure remedies are dealt with and documented within a new working procedure to prevent recurrence.
- Sport Services complaint – The authority agreed to review its policy to ensure that it addresses appeal rights and reviews procedures for people banned from facilities and premises. Information was provided to the Ombudsman; however, further changes were required and subsequently the complaint was closed after the original agreed date.
- Contact Centre – Remedies were agreed which included, providing training to staff, to ensure they were equipped to recognise and deal with mental health when dealing with customers. Despite the other agreed remedies being completed on time, the training delivery was not completed until after the agreed date.

FOR FURTHER INFORMATION ON THIS REPORT CONTACT:

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