

HAMPSHIRE COUNTY COUNCIL

Report

Committee/Panel:	Audit Committee
Date:	28 September 2017
Title:	Complaints Report
Report From:	Director of Transformation and Governance

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1. Summary

- 1.1. The purpose of this paper is to outline an overview of customer complaints for the year 2016/17 across the County Council.
- 1.2. The low numbers of escalation of complaints to the corporate stage or referrals to the Local Government and Social Care Ombudsman would support the view that individual complaints are responded to appropriately.

2. Contextual information

- 2.1. The County Council provides a wide range of services, with varying public expectations of the experience that they will receive as a customer. This results in a wide range of contacts from the public; from comments, compliments and suggestions to expressions of dissatisfaction.
- 2.2. Complaint reports are compiled at departmental level and reported to their respective Management Teams and Executive Members. This report draws from those reports, and the annual review report from the Local Government and Social Care Ombudsman, to provide an aggregate picture across the County Council.
- 2.3. Further work is being undertaken as part of the County Council's performance framework to improve the data available that provides a picture of the County Council as a whole, this will be presented in future reports to the Committee.

3. The County Council's Complaints Process

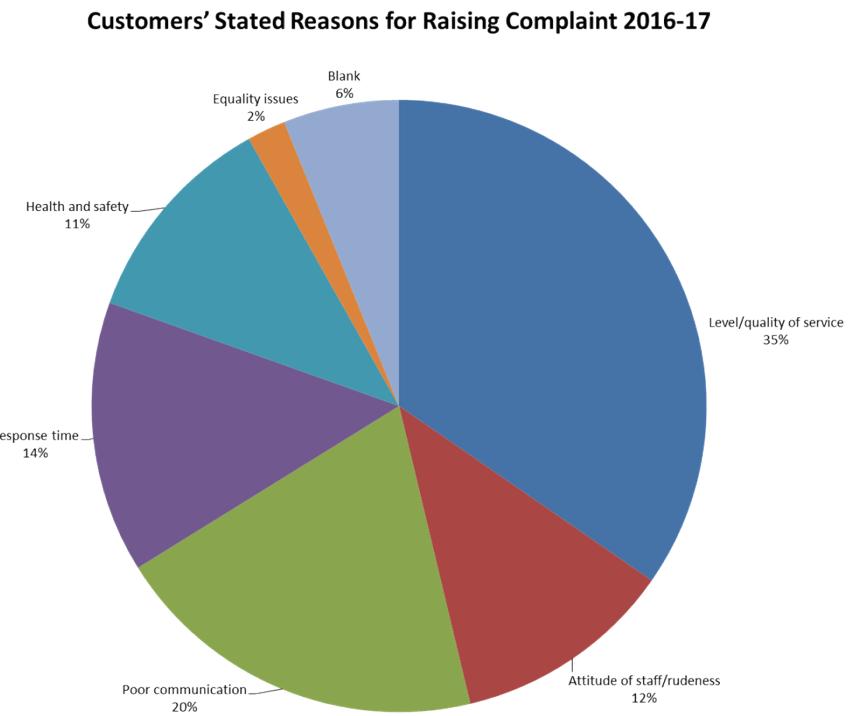
- 3.1. The County Council is contacted by members of the public in various ways, in person, by telephone, including through the Corporate Contact Centre (Hants Direct), or via email and in writing.
- 3.2. A complaint is an expression of dissatisfaction, whether justified or not and however made, about the standard of or the delivery of service, the actions or lack of action by the Council or its staff which affects an individual service user or group of users.

- 3.3. The complaints procedure is not intended for cases where the County Council has taken a decision in a proper manner, but with which an individual may disagree, cases where other rights of appeal exist or routine requests for service.
- 3.4. The emphasis in the complaints procedure is to ensure that staff are equipped and empowered to act decisively to resolve complaints at a local level. The aim is that we work harder to resolve issues at the first point of contact – “do it once and do it well”.
- 3.5. Complaints provide valuable information on the quality of the services that the County Council provides and allows the services concerned to learn lessons and improve services for the future. It is therefore important that the process for making a complaint is as straightforward as possible.
- 3.6. The County Council operates a formal complaints procedure, which currently comprises of three stages:
 - Stage 1: the complainant either contacts or is directed to the relevant member of staff or their manager to try and come to an agreement over the issue that has led to a complaint being made.
 - Stage 2: a senior officer carries out an investigation on behalf of the Chief Officer within the Department, reviewing all the circumstances and previous actions taken and recommending any action or changes to be made, perhaps by creating improved guidance to staff, when dealing with a particular issue.
 - Stage 3: when agreement is not reached at departmental level, an internal independent investigation is undertaken by the Information Governance team within the Transformation and Governance Directorate. A full response is sent after consideration of all policies, procedures and documentary evidence held by the Department and discussions and liaison with departments and the complainant.
- 3.7. Where a complainant has followed all three stages of the complaints process and is still dissatisfied with the outcome, they can take their complaint to the office of the Local Government and Social Care Ombudsman (LGO) for an external independent review.
- 3.8. Children’s and Adult Services are subject to statutory complaints processes, which consist of a local (i.e. departmental) investigation and management stage, followed by an independent investigation.

4. Causes of Complaints

- 4.1. The ways in which complaints are recorded and reported across the organisation, vary considerably. This means that it is difficult to analyse and identify the causes of complaints and trends. However, since the re-launch of the electronic complaints form, in 2012, which has become a more accessible way for individuals to make formal complaints to the County Council – partial data is being centrally compiled, from which some conclusions can be drawn.

4.2. The chart below outlines the reasons given by customers for their complaint:



4.3. Some caution needs to be exercised with the above data as there are often multiple causes behind a complaint and these may not be identified until the complaint is fully investigated by staff. However, the data indicates that the highest level of complaints fall into the categories of: level/quality of service; poor communication; and attitude of staff.

4.4. Poor Communication was identified highest in the area of roads and transport, followed by waste and recycling, social care (adults) and corporate services. Attitude of staff was identified highest in the areas of roads and transport, waste and recycling, but with most service areas being represented. Level/quality of service was again identified across most service areas.

5. Numbers of Complaints

- 5.1. The prime function of the complaints process is to efficiently address the concerns raised by the customer.
- 5.2. Differences in numbers of complaints year to year are not large enough to undertake meaningful trend analysis. On average, the County Council as a whole is receiving roughly the same number of complaints as last year, however anecdotally the County Council is seeing a rise in the complexity of complaints.
- 5.3. Importantly, the number of complaints alone does not provide a complete picture. They need to be put into the context of the hundreds of thousands of customer contacts per year.

- 5.4. The table below outlines the numbers of complaints, as reported by departments:

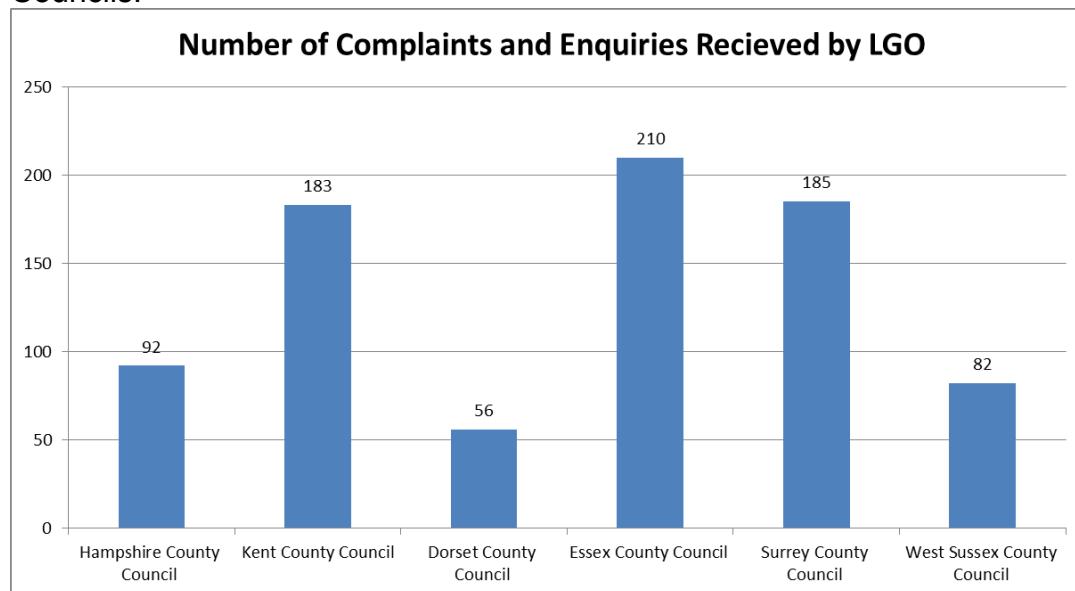
01.04.16-31.03.17	Q1	Q2	Q3	Q4	Total
Corporate Services (including IBC & Hantsdirect)	27	30	29	30	116
Children's Services (Corporate Complaints process)	25	18	21	16	80
Children's Services (Statutory Complaints process)	41	51	54	27	173
Adults' Health and Care (Corporate Complaints process)	7	1	0	5	13
Adults' Health and Care (Statutory Complaints process)	119	136	126	136	517
CCBS			151	159	310
ETE	402	294	309	277	1282
					2491

- 5.5. The nature of complaints differs widely between services and comparison/trend data is limited. However, CCBS reported a 37% rise against last year, and ETE reported a slight decrease in annual numbers, but a spike that corresponded with the HWRC consultation and changes to the waste acceptance policy.
- 5.6. A total of 37 complaints were escalated to the third-stage within the central Complaints Team. Typically, these are the most complex cases, or where the relationship with the customer and the service department has deteriorated. The average number of working days taken to complete the investigation of these cases was 37.
- 5.7. General observations reflect an increasing complexity to the types of complaints received, and higher expectations of complainants in the organisation's ability to respond in a timely way. In addition, there remain a small number of complainants whose behaviour during the course of their complaints causes a disproportionate use of officer time. Where appropriate, contact restrictions have been imposed on individuals whose behaviour exceeds the definitions of reasonable as defined by the Local Government and Social Care Ombudsman.

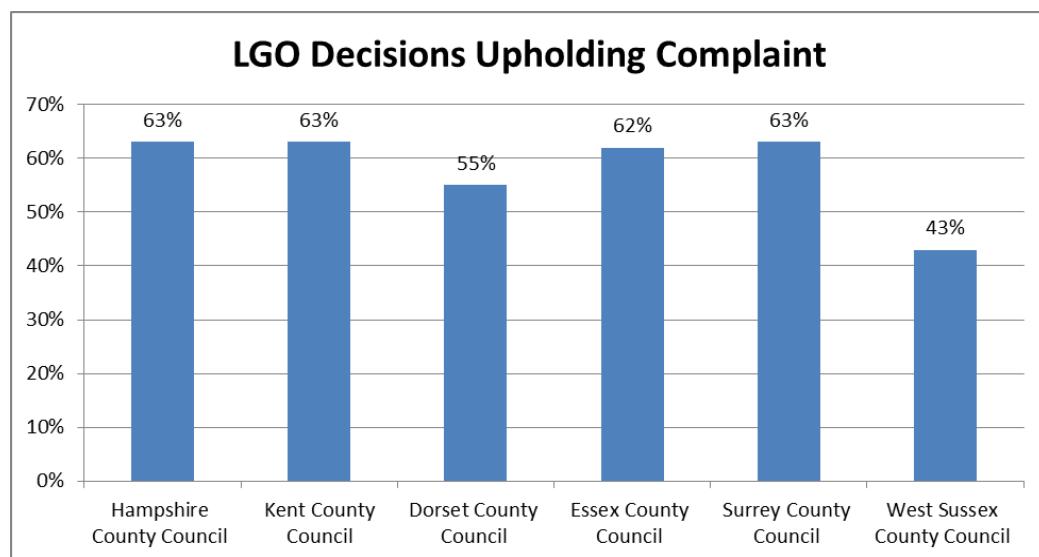
6. Local Government and Social Care Ombudsman Enquiries

- 6.1. Where complainants have exhausted the County Council's complaints process and where they remain dissatisfied, the Local Government and Social Care Ombudsman (LGO) provides a valuable service. The LGO independently investigates those cases that he feels merit further investigation.

- 6.2. The County Council fully co-operates and assists the LGO investigators in their work. Although the County Council works hard to resolve every complaint, there are cases where the intervention of the independent services of the LGO can assist with the resolution of difficult and complex issues.
- 6.3. The LGO received 92 enquiries about Hampshire County Council services during the period April 2016 to 2017. These figures include both complaints and general enquiries. This represents a decrease since 2016/17 of 23%.
- 6.4. The table below provides a comparison with a number of comparable County Councils:



- 6.5. The LGO made 32 detailed investigations about complaints against the County Council. This is a slight increase on 2015/16.
- 6.6. The LGO upheld 20 of these complaints (an increase of 3 against 2015/16). This represented 63% of the detailed investigations it undertook. This was a decrease in the figure for last year of 8%.
- 6.7. This is comparable with other County Councils, as the table below illustrates:



- 6.8. Of these upheld cases the LGO found that in 19 cases the County Council had made mistakes or service failures and was at fault in some way. In 12 of these cases these mistakes had also led to some form of detriment to the complainant.
- 6.9. In each of these cases the County Council provided a remedy for the complainant, in agreement with the LGO. In many cases a heartfelt apology was enough. 7 cases resulted in changes to the procedures operated by the County Council. Financial redress was provided in 7 cases, predominantly to cover the cost of the time and trouble in making the complaint. This amounted to a total paid of £7,300.
- 6.10. Overall, the low numbers of complaints as a proportion of customer contacts, as well as the low numbers of escalation of complaints to the corporate stage or referrals to the Local Government and Social Care Ombudsman, would support the view that individual complaints are responded to appropriately.

7. Recommendation

- 7.1. That the Audit Committee notes the contents of this report.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Direct links to specific legislation or Government Directives	
<u>Title</u> Local Government and Housing Act 1989, Section 5(2)	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equality Duty

- 1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

See guidance at <http://intranet.hants.gov.uk/equality/equality-assessments.htm>

*Inset in full your **Equality Statement** which will either state*

- (a) *why you consider that the project/proposal will have a low or no impact on groups with protected characteristics or*
- (b) *will give details of the identified impacts and potential mitigating actions.*
There is no impact as the report does not feature any change to the existing complaints processes

2. Impact on Crime and Disorder:

- 2.1. There is no impact on Crime and Disorder

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

None

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

None