

REPORT OF THE LEADER OF THE COUNCIL**OUTCOMES FROM THE COMPLAINTS PROCESS - APRIL 2011 TO MARCH 2012****Purpose of the Report**

1. The purpose of this report is to present a summary of complaints made to the County Council and resulting outcomes between 1 April 2011 and 31 March 2012. The report also gives information about the complaints made to the Local Government Ombudsman (LGO) in the same period.

Background

2. Complaints are an excellent way for customer concerns to be brought to the attention of the council. They are a way of examining the processes and procedures employed by the council and a mechanism by which the council can learn from any mistakes that have been made and make changes to improve the services it provides.
3. The Council has three complaints processes – two are statutory processes – namely children's and adults social care and one is a voluntary process which covers those services not covered by the statutory processes referred to as corporate complaints.
4. All 3 complaints processes categorise and record complaints under four broad areas; assessment, communication, service provision and staffing. It is intended to review the categorisation of complaints over the next few months to ensure the categorisation definition is appropriate. Current categorisations are defined as:
 - **Assessment/Decision:** this category covers issues regarding application of eligibility and assessment criteria; assessment/case management review; failure to respond to requests; an unwelcome or disputed decision
 - **Communication:** this category relates to issues to do with confidentiality; failure to communicate; inaccurate advice; misleading communication or poor/unsatisfactory response
 - **Service Provision:** this relates to non delivery or delay; quality or appropriateness; quantity/frequency/change/cost and withdrawal of service

- **Staffing:** this relates to issues specifically regarding staff attitude, behaviour or conduct

Children's Social Care

5. It is important to get complaints in context around the whole service provision. Children's Social Care deal with over 7000 children social care referrals per annum, 800 children are looked after by the Authority and a further 720 children have a child protection plan.
6. Two hundred and fifty-two complaints were received in 2011/12 this is an increase from 2010/11 when 191 complaints were received. The increase is mainly in the Fieldwork Social Work Team South who previously recorded complaints in a different way from the Fieldwork Social Work Team North. There is now a consistent approach to recording which has led to greater parity in the number of complaints received from the north and south of the county. It should also be noted that one complainant in the south made 12 separate complaints.

Complaints Received by Service Area	2010/11	2011/12
Fieldwork Social Work Team North	100	105
Fieldwork Social Work Team South	64	115
Regulated Corporate Parenting Services	8	10
Disabled Children's Services	18	18
Safeguarding & Independent Review	1	4
Total	191	252

7. A break down of the last two years categories of complaints in Children's Social Care are detailed in the table below.

Category of Complaint	2010/11	2011/12
Assessment / Decision	33	69
Communication	46	77
Service Provision	62	42
Staffing	50	64
Total	191	252

8. The children's social care complaints process contains three stages and it is encouraging to note that 215 complaints were concluded at Stage 1 for 2011/12 as against 145 in the previous year. Clearly the earlier a complaint can be resolved the better the outcome and the more cost effective the process.

9. The nature of the work in children's social care means that complaints are often specific to an individual family's circumstances however issues arising from complaints have been regularly discussed at both management and team meetings. Common themes identified have included communication and the quality and timeliness of case record information provided under the Data Protection Act.
10. In addition to actions taken to resolve specific issues highlighted in individual cases staff have been reminded of the importance of recording decisions on the electronic case record and the way in which requests for access to children's social care records are dealt with has been reviewed and changed. In response to a number of complaints where communication featured as an issue the importance of social workers working actively with parents and speaking with them face to face was included in their assessment skills training.

Adult Social Care

11. Adult Social Care dealt with over 35,000 referrals in 2011/12 and provided services to 14,000 older adults (65+) and to 4,900 younger adults. The support services to older adults include: help with mental health problems (2,600); help to people with physical disabilities (11,000); and support to other vulnerable adults (400). The support for younger adults includes: learning disability (2,100); physical disability (2,000) and remainder support to younger adults with mental health and other vulnerabilities (800).
12. Overall, the number of complaints relating to Adult social care decreased in 2011/12 particularly in relation to 'personal care and support for older adults'. The increase in numbers relating to promoting independence is linked to the process of re-assessing service users for personal budgets and reflects an increase in the number of re-assessments undertaken.

Complaints by Service Area	2010/11	2011/12
Joint Commissioning quality & Business Change	50	62
Personal Care & Support Older Adults	145	105
Personal Care & Support Younger Adults	58	51
Promoting Independence	2	31
Total	255	249

13. Complaints are categorised as outlined in paragraph 3 of this report – the breakdown of those received for Adult Social Care are detailed below:

Category of Complaint	2010/11	2011/12
Assessment / Decision	64	88
Communication	59	45

Service Provision	97	84
Staffing / Personnel Issues	35	32
Total	255	249

14. As a result of complaints Adult Care Financial Services have made changes to the way invoices are sent out, and have reviewed and amended the wording of some their standard letters to make them clearer and easier for service users to understand. Changes have also been made to the literature relating to the reablement service to improve the clarity of information.

Corporate Complaints

15. The number of corporate complaints dealt with in the last year has increased and this is largely due to an increase in complaints relating to Highways.

Complaints received by Department	2010/11	2011/12
Environment & Resources	207	280
Children Families & Cultural Services (excluding Children's Social Care)	50	54
Policy Planning & Corporate Services	21	18
Adult Social Care, Health and Public Protection (excluding Adult Social Care)	4	15
Total	282	367

16. The table below details the categories of corporate complaints received.

Category of Complaint	2010/11	2011/12
Assessment / Decisions	86	87
Communication	34	72
Service Provision	96	133
Staffing / Personnel Issues	66	75
Total	282	367

17. Despite the overall increase in the number of corporate complaints from 282 in 2010/11 to 367 in 2011/12 as with children's social care it is encouraging that the numbers of complaints resolved at Stage 1 has increased.
18. In order to address issues complained about in 2012/13 the Highways Service will be reviewing a number of resident's parking schemes; putting in place improved customer information about highways environmental maintenance for

2013, and ensuring improved approaches to managing roads, footway and street lighting conditions are constantly under review.

19. The Customer Service Centre golden number has recently been changed to improve value for money for customers. The cost of calls has been the subject of a small number of complaints from members of the public.

Local Government Ombudsman

20. The Local Government Ombudsman (LGO) provides a free, independent and impartial service to members of the public it looks at complaints about councils and some other authorities and organisations. It only looks at complaints when they have first been considered by the council and the complainant remains dissatisfied.
21. The LGO cannot question a Council's decision or action solely on the basis that someone does not agree with it. However, if the LGO finds that something has gone wrong, such as poor service, service failure, delay or bad advice and that a person has suffered as a result, the LGO aims to get the Council to put it right by recommending a suitable remedy.
22. The LGO's Annual Review, appended to this report, provides a summary of the complaints that the Ombudsman has considered. The LGO has commented that:

"I am pleased to say that I have no concerns about your authority's response times, and there are no issues arising from complaints that I wished to bring to your attention."

23. The LGO's Advice team, which deals with initial contacts from the public, recorded 80 enquiries relating to this Authority, and 45 of those were subsequently passed to the investigative team. They comprised 11 cases relating to Adult Social Care, 24 relating to Education and Children's Services, 5 to Highways and Transport, 1 to Planning and Development and 1 to Corporate and other services. Forty-two have been concluded, 18 were not investigated and only 6 were upheld, all of which were remedied during the LGO's enquiries.

Statutory and Policy Implications

24. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

25. It is recommended that Policy Committee note the numbers of complaints received and that a further report will be brought in 6 months updating the Committee and outlining new criteria for recording and analysing complaints received and lessons learnt.

Councillor Kay Cutts
Leader of the Council

For any enquiries about this report please contact: Jo Kirkby, Team Manager
Complaints and Information Team

Constitutional Comments (SB 31.10.12)

Policy Committee is the appropriate body to consider the content of this report.

Financial Comments (DK 31.10.12)

The contents of this report are duly noted; there are no financial implications.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

22 June 2012

Local Government OMBUDSMAN

Mr M Burrows
Chief Executive
Nottinghamshire County Council
County Hall
West Bridgford
NOTTINGHAM NG2 7QP

Dear Mr Burrows

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number forwarded by the Advice Team to my office, and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries.

I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention.

Changes to our role

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

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Mr M Burrows

Supporting good local public administration

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12 we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on [our website](#).

Publishing decisions

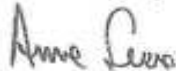
Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely



Anne Seax
Local Government Ombudsman

Local authority report - Notts CC

for the period - 01/04/2011 to 31/03/2012

LGO advice team

Enquiries and complaints received	Adult Care Services	Corporate & Other Services	Education & Children's Services	Highways & Transport	Planning & Development	Total
Advice given	5	0	12	3	1	21
Premature complaints	5	1	5	3	0	14
Forwarded to Investigative team (resubmitted)	1	0	0	2	0	3
Forwarded to Investigative team (new)	11	1	24	5	1	42
Total	22	2	41	13	2	80

Investigative team - Decisions

Not Investigated		Investigated			Report	Total
No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries	
3	2	13	11	7	0	42

Response times to first enquiries	No of first enquiries	Avg no of days to respond
	11	18.5