

REPORT OF LEADER OF THE COUNCIL

OUTCOMES FROM THE COMPLAINTS PROCESS - APRIL 2013 TO SEPTEMBER 2013

Purpose of the Report

1. The purpose of this report is to:
 - a. present a summary of complaints made to the County Council and the Local Government Ombudsman (LGO) between 1 April 2013 and 30 September 2013.
 - b. approve a revised staffing structure for the Complaints and Information Team.

Background

2. Members will be aware that the Council has three complaints processes; two, children's and adults social care, are statutory. The corporate one deals with all other areas of Council service.

Children's Social Care

3. It is important to understand complaints in the context of whole service provision. Children's Social Care dealt with 7,337 referrals in the period during the last financial year. At the end of March 2013 there were 788 children on child protection plans, and 892 Looked After Children.
4. The number of complaints received in the first 6 months of the financial year is 148 the figure for the whole of 2012/13 was 249. The children's social care complaints process contains three stages and it is encouraging to note that 127 complaints were concluded at the first stage of the process. Clearly the earlier a complaint can be resolved the better the outcome and the more cost effective the process.
5. It is also encouraging to note that 84% of complaints at stage 1 were responded to within the 20 working day timescale, an improvement on the previous year of 20%.
6. A breakdown of the categories of complaints in Children's Social Care are detailed in the table below.

Category of Complaint	2011/12	2012/13	2013/14 6 months
Assessment / Decision	69	84	43
Communication	77	61	28
Service Provision	42	33	23
Staffing (staff attitude and conduct)	64	71	49
Breach of Confidentiality	0	0	5
Total	252	249	148

Adult Social Care

7. Adult Social Care dealt with 33,140 referrals in 2012/13 and provided services to 11,066 older adults (65+) and to 4,817 younger adults. The support services to older adults include: help with mental health problems (2,452); help to people with physical disabilities (8,352); and support to other vulnerable adults (262). The support for younger adults includes: learning disability (2,261); physical disability (1,790) and remainder support to younger adults with mental health and other vulnerabilities (766).
8. The number of complaints received in the first 6 months of the financial year is 114 and there were 218 received in the last financial year. There are no set timescales in this process as these are negotiated individually with complainants.
9. The subject matter of complaints received about Adult Social Care are detailed in the table below:

Category of Complaint	2011/12	2012/13	2013/14 6 months
Assessment / Decision	88	66	32
Communication	45	49	21
Service Provision	84	70	42
Staffing (staff attitude and conduct)	32	33	19
Total	249	218	114

Corporate Complaints

10. The number of corporate complaints received during the first 6 months of the year is 286 and the figure for the last financial year was 524. The number of complaints responded to at stage 1 of the process within the 20 working days timescale was 87%.

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

Category of Complaint	2011/12	2012/13	2013/14 6 months
Assessment & Decisions	87	84	52
Communication	72	100	56
Service Provision	133	238	116
Staffing (staff attitude and conduct)	75	102	57
Breach of Confidentiality	0	0	5
Total	367	524	286

12. The number of complaints received in each service area is as follows:

Education Standards & Inclusion	7
Planning Support & Improvement	4
Youth Families & Culture	19
Financial Services	6
Highways	154
HR & Customer Services	22
Transport Property & Environment	67
Legal and Democratic Services	3
Planning	1
Public Protection	3

It is important to put the number of complaints about highways in the context of the number of enquiries they deal with which during the last financial year was 63,682.

Learning from complaints

13. Regular feedback about complaints is given to each Department's leadership team and appropriate follow up action is taken. In addition the Service Director for children's social care receives all reports from stage 3 panels and approves an action plan to carry out any recommendations. In social care the circumstances giving rise to complaints are often individual, issues raised in particular complaints has been discussed with members of staff in supervision. There have also been general reminders issues to all staff concerning best practice. The Local Authority Designated Officer (who is responsible for investigating allegation about professionals who work with vulnerable people) has conducted awareness training throughout the Council.

14. In 2014 in response to complaints and to improve the responsiveness of the service Highways staff are going to implement a new method of working in respect of road repairs. This will make greater use of technology to reduce the amount of time workers spend in the office and completing paperwork, and also highways inspectors will be completing more pot hole repairs at the time of inspection rather than the repair being carried out a later date.

Complaints to the Local Government Ombudsman

15. The Local Government Ombudsman (LGO) looks at complaints about councils and some other authorities and organisations, including education admissions appeal panels. During this period 30 complaints to the Ombudsman have been concluded and in most cases there was found to be no fault by the Council or a suitable remedy had been offered. The LGO decided not to investigate 15 complaints. Fifteen investigations were begun, and in 10 cases there was found to be no fault by the Council. In 3 cases the Council had offered a suitable remedy, and in one case there was no injustice to the complainant. One complaint was withdrawn by the complainant.

16. The LGO issued a report in one case relating to an education admissions appeal, which found fault with the independent appeal Panel's decision. The Council has accepted the LGO's findings, and has implemented the recommendations, which included an apology to the complainant and further training for all education admissions panel members. In addition a guidance note has been produced for Panels dealing with Infant Class Size Appeals.

17. The LGO is publishing its decisions about complaints received after 1 April 2013 (previously it just published when it issued a report). The information published will not name the complainant or any individual involved with the complaint. Decision statements will be published no earlier than three months after the date of the final decision. There are currently 15 decisions relating to this Council on the LGO's website: 2 relate to a report published in 2007, and 13 relate to complaints made this year. Of those the LGO did not investigate in 8 cases, their investigation found no fault in 4, and fault but no injustice to the complainant was found in one case. The report mentioned in paragraph 15 will not be published as the LGO is concerned that individuals may be able to be identified from the information given in the report.

Staffing Structure

18. Members are aware of the outline business case presented to Policy Committee on 13th November 2013 to reduce, by three, the number of posts within the Complaints and Information Team. The posts to be deleted from the structure are Senior Practitioner, Complaints Officer and one Business Support Officer (grade 2). These proposals will result in a saving of £100K.

19. In addition the team structure has been reviewed and it is proposed to move to broader roles, encompassing both complaints and information work, to increase flexibility and responsiveness within the team. The changes proposed can be seen by comparing the existing structure (Appendix A) with the proposed structure (Appendix B). The main proposed changes to the structure can be summarised as the establishment of two Senior

Practitioner and seven Complaints and Information Officer posts that will work across all aspects of the team's work. Staff and the Trade Unions have been consulted on the proposed structure in accordance with the employment procedures rules.

Other Options Considered

20. In order to make the savings required there were no other practical options that could be considered.

Summary

21. At this stage in the year the number of complaints received by the Council does not seem to be rising.

Statutory and Policy Implications

22. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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

Policy Committee is asked to:

- a. note the contents of this report,
- b. approve the revised staffing structure for the Complaints and Information Team.

Cllr Alan Rhodes Leader of the Council

For any enquiries about this report please contact: Jo Kirkby, Team Manager Complaints and Information Team 9772821

Constitutional Comments

23. Policy Committee has authority to consider the content of this report. This includes the approval of staffing structures, provided HR comments are included and that the recognised trade unions are consulted in accordance with the Employment Procedure Rules. (SLB 21/01/2014).

Financial Comments

24. The financial implications are set out in the report (SEM 23/01/14).

HR Comments

25. HR implications are set out in the body of the report (RH 12/02/14).

Background Papers and Published Documents

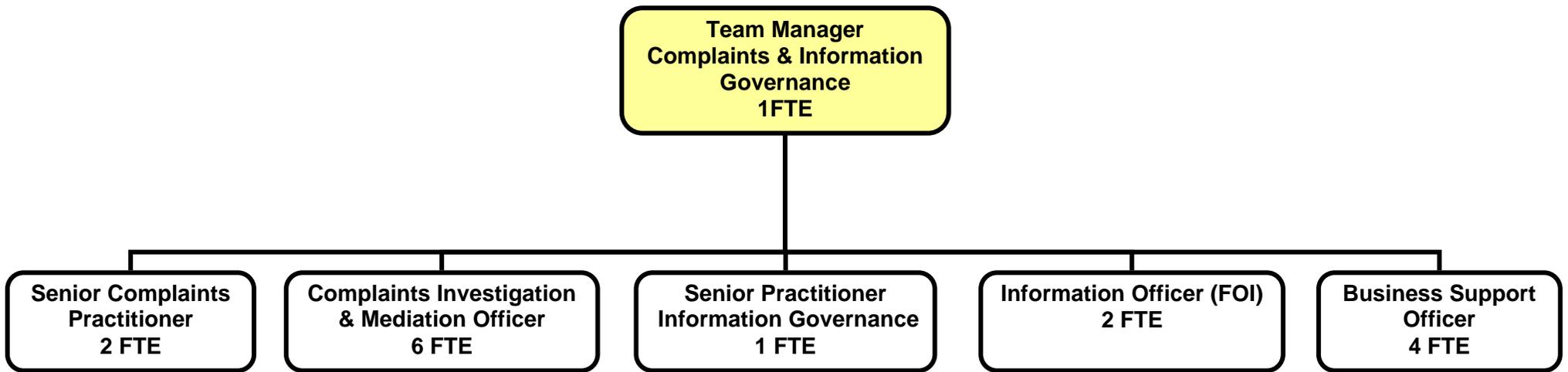
None.

Electoral Division(s) and Member(s) Affected

- All

APPENDIX 1

Existing Structure Chart for Complaints and Information Team



APPENDIX 2

Proposed Structure Chart for Complaints and Information Team

