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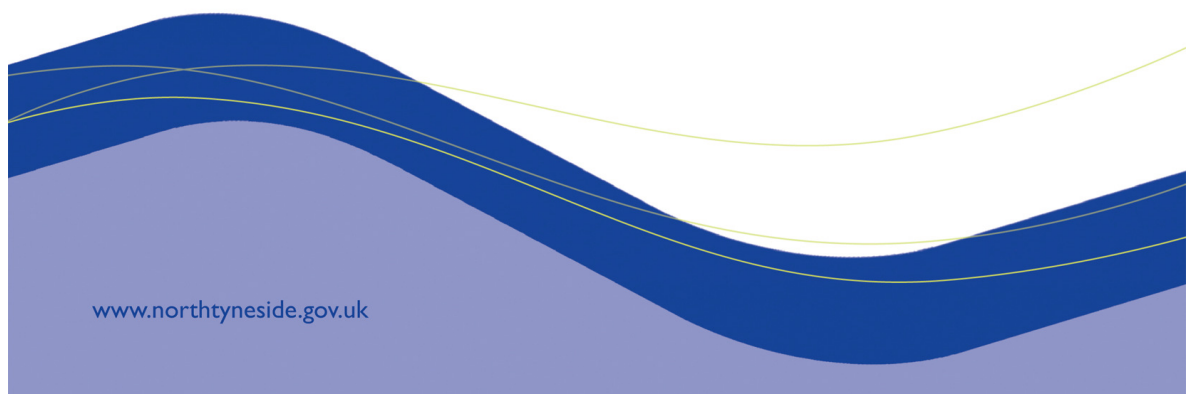


**North Tyneside Council**

# **COMPLAINTS SERVICE**

## **ANNUAL REPORT**

### **2011/12**



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the Customer & Member Liaison Office on 0191 643 2280

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North Tyneside Council

## **COMPLAINTS SERVICE REPORT**

**APRIL 2011 – MARCH 2012**

### **Introduction**

This report provides an overview of the Council's complaints services between April 2011 and March 2012. It covers complaints under the Children Act 1989 and the National Health Service and Community Care Act 1990, which are often referred to together as the 'social services' procedures. It also includes other 'corporate complaints' about other services provided by the Council, and Complaints made to the Local Government Ombudsman (LGO).

The Council aims to provide high quality services and customer care at all times. However, it recognises there are occasions when people may wish to register dissatisfaction with those services. When this happens, the Council wants to hear about people's experiences and, where something has gone wrong, to put it right so far as is possible and this process in turn drives improvements generated from complaints. Therefore we have a comprehensive complaints service that covers not only the statutory Social Services arena, but also all other Council services under a Corporate Complaints Procedure. The procedures for dealing with Corporate and Children Services complaints are attached to this report as Appendix 1 and 2.

We also welcome comments, compliments and suggestions to provide a broad, balanced and reflective picture of people's experiences of our services.

### **Executive Summary**

The number of complaints continues to be very low compared to the millions of transactions the Council has with its 198,500 residents and a substantial number of visitors every year. The overall number of formal complaints to the Council rose by 22% from 537 in 2010-11 to 654 in 2011-12. The number of complaints continues to increase and coincides with efforts to raise awareness of the complaints service within the Council and a rolling training programme over the last few years and is not necessarily reflective of a poorer quality of service to the public.

It should be noted that complaints are sensitive to policy change and operational conditions, for example a 4 day refuse collection regime was introduced which resulted in a peak of complaints at that time and also heavy snows during the previous winter resulted in a rise in complaints in relation to guttering and roof repairs as well as creating pot holes in the boroughs roads.

Complaints leaflets tailored to Corporate, Social Care Services and young people are widely available in Council buildings and to download from the Council website. It is also now very easy for our customers to contact us online. Satisfaction surveys are now issued to all

complainants following the closure of their complaint, regardless of the complaint outcome. During 2011-12 a survey of complainants showed 58% of complainants were happy with the complaints process and 52% were happy with the outcome of their complaint; these results show no material change from the previous year. Appendix 3 shows a full breakdown of the survey results.

As a result of complaints received during the year a number of changes to practice and procedure were introduced; examples are summarised under 'Number and Analysis of Complaints'.

In keeping with the principle of resolving problems as quickly as possible, the proportion of all complaints resolved at Stage 1 remains high at 87%. Adult Social Care complaints have a one stage process and if the complainant remains dissatisfied they can then complain to the LGO, resulting in all such complaints being resolved at Stage 1 of the Statutory complaints procedure.

The Local Government Ombudsman found no cases of maladministration with injustice against the Council had an excellent average response time which was well within the required 28 days.

## **Procedures**

### **Overview**

The Council aims to respond positively to all complaints and other representations so that it can help resolve individual issues and learn from experience how to improve services. We aim to provide comprehensive complaint services, which are widely understood and easily accessible to all. The whole Council, staff and Members, are committed to effective complaint handling and problem solving as an integral part of customer focussed services and responsive performance management.

There are three separate procedures for Corporate, Adult and Children Social Care complaints. Where ever possible, before the 'formal' complaint procedures are used, efforts are made at an operational level to resolve any difficulties.

### **Corporate Complaints (see Appendix 1)**

Once the formal procedures are entered into for Corporate Complaints, there are, in essence, three stages:

1. Complaint referred to team leader or operational manager to try to resolve within 10 working days;
2. If not resolved to the customer's satisfaction, they can ask for it to be reviewed by a more senior manager within 10 working days; and
3. Ultimately, the Appeals and Complaints Committee makes the final decision.

### **Children Social Care Complaints (see Appendix 2)**

In Children Social Care cases, the statutory complaints process is governed by The Local Authority Social Services Complaints (England) Regulations 2006. Stage 1 should be

responded to within 10 working days and can be extended to 20 working days; at Stage 2 the response is due within 25 working days and may be extended to 65 working days for complex complaints with the complainant's approval; and Stage 3 the complaint is referred to an Independent Review Panel.

The Council engage Independent Investigators and Independent Persons for Children Act Complaints at Stage 2 as set out in the Regulations. Other independent roles, e.g. members of Independent Complaint Review Panels, are also engaged by the Council's Complaints Service as and when required.

Children Social Care staff ensure that all children, of an understanding age, who are new to the care system are in receipt of a complaints leaflet which is specific to young people.

### **Adult Social Care Complaints**

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 were introduced in April 2009. Under these provisions, the characteristics of individual complaints are assessed and specific plans of how to address the complaint are agreed with the complainant. The approach focuses on the complainant and enables organisations to tailor a flexible response that seeks to resolve the complainant's specific concerns. It is based on the principles of good complaints handling:

1. Getting it right
2. Being customer focussed
3. Being open and accountable
4. Acting fairly and proportionately
5. Putting things right
6. Seeking continuous improvement.

This statutory procedure has no fixed timescales, other than a maximum period of 6 months for handling the complaint and is a one stage process.

### **How to make a complaint**

Complaints can be made in a number of ways, e.g.

- By talking to the staff involved, to let them try to sort the problem out;
- by writing to or telephoning the relevant service department, or the  
**Customer & Member Liaison Office**  
**Quadrant,**  
**The Silverlink North**  
**Cobalt Business Park**  
**North Tyneside**  
**NE27 0BY**  
tel. 0191 643 2280  
email: [customerliaisonoffice@northtyneside.gov.uk](mailto:customerliaisonoffice@northtyneside.gov.uk)
- A complaint form is available on line at:  
[www.northtyneside.gov.uk/custserv/complaints](http://www.northtyneside.gov.uk/custserv/complaints)
- by personal visit to any of the Council's Customer First Centres,
- by telephoning the Council's Contact Centre on 0345 2000 101.

## **Help and support**

The Customer & Member Liaison Office (CMLO) is independent of service departments and offers information, advice and help to complainants and staff responding to complaints. Its primary role is to ensure all complaints are looked into properly and any lessons learnt are adopted. The section also provides a comprehensive support service to the Elected Members of the Council and this includes processing in the region of 9,000 enquiries per annum on behalf of the Members and residents.

Independent advocacy is available for people wishing to make Social Services complaints, especially children and vulnerable adults. Other assistance can be arranged to suit individual requirements.

Copies of this report and other material can be made available in other formats or languages on request to the Customer & Member Liaison Office.

## **Who can make a complaint?**

Under the Corporate Complaints Procedures, any user of Council Services can complain. This includes residents and visitors. It also includes relatives and carers acting on someone's behalf, e.g. a person living outside the area representing a relative living in North Tyneside.

In the Social Services arena, people can make a complaint if they are someone for whom the Council has a power or duty to provide, directly or indirectly, a social service and his/her needs for that service have come to the attention of the Council. This is extended to cover someone acting on his or her behalf, e.g. a relative or carer.

Limited exclusions do apply:-

- when other more appropriate processes already exist, e.g. formal appeal procedures, legal proceedings;
- when the matter occurred more than 12 months before the complaint was made (unless there is good reason for the delay in bringing the matter to the Council's attention); and
- when the matter has already been properly examined.

It should be noted that where a complaint is made on someone else's behalf, reasonable checks will be made with that person to ensure they are aware of and are happy for the complaint to be considered.

Outlines of the processes are shown in Appendices 1 and 2 and further information is available from the Customer & Member Liaison Office.

## External review

### Local Government Ombudsman

The LGO looks at complaints about councils in a fair and independent way and their service is provided free. The LGO is independent of all Government departments and has the same powers as the High Court to obtain information and documents. If the LGO finds the Council has done something wrong they will make recommendations to put things right.

The LGO plays a vital role as either an initial point of contact for people wishing to make a complaint, or if a person remains dissatisfied after the Council has examined a matter. It is usual for the LGO to refer a matter to the Council to look into, if it has not done so previously.

The LGO Advice Team can be contacted on:

Tel: 0845 602 1983  
Fax: 024 7682 0001  
Text 'call back' to 0762 480 4323  
at: [www.lgo.org.uk](http://www.lgo.org.uk)  
email: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)  
or write to :  
**Local Government Ombudsman**  
**PO Box 4771, Coventry**  
**CV4 0EH**

Leaflets and information about the LGO are available at all main Council offices and in a variety of formats. Operational liaison with the LGO is provided by the Customer & Member Liaison Office.

In their Annual Letter for 2011-12 the LGO indicates that in total 66 enquiries and complaints about North Tyneside Council were received during the year. The LGO advice team gave advice on 9 occasions and determined that 27 potential complaints were premature as the Council appeared not to have been given the opportunity previously to respond. Thirty complaints were investigated by the LGO; this is a reduction on last year where 33 complaints were investigated. Of the 30 complaints investigated, 10 were complaints re-submitted by people unhappy with their complaint to the Council and 20 were new complaints.

The LGO determined 27 complaints during the year: 4 were outside of their jurisdiction, and on a further 7 occasions the LGO exercised their general discretion not to pursue. Of the remaining number (16), the LGO found no evidence of maladministration in 14 cases and the Council agreed to a local settlement in 2 cases.

The LGO did not issue any reports of maladministration with injustice.

The LGO asks Local Authorities to respond to their enquiries within 28 calendar days. During 2011-12 the Council averaged a response time of 18.7 calendar days, meeting the target comfortably.

Less than half of all complaints submitted to the LGO were investigated, only 30 out of 66.

The LGO's Annual Letter is available on their website, or via the Council's Customer & Member Liaison Office.

| Complaints referred to the LGO in Tyne and Wear,<br>2011/12 | Average no of days<br>taken to respond |
|---|--|
| Gateshead   | 73 (36) 20.9                           |
| Newcastle upon Tyne   | 96 (51) 21.3                           |
| <b>North Tyneside</b>                                       | <b>66 (30) 18.7</b>                    |
| South Tyneside  | 84 (47) 37.9                           |
| Sunderland  | 40 (24) 27.6                           |
| Total   | 359 (188)                              |

Total figures include formal/informal premature complaints and advice given; figures in brackets are the number of complaints that were investigated by the LGO.

### Care Quality Commission

In the Adult Social Care arena, the Care Quality Commission (CQC) also plays a similar role within its wider remit of regulation of social care. The Commission can be contacted at:

**Care Quality Commission**  
**National Customer Service Centre**  
**City Gate**  
**Gallowgate**  
**Newcastle upon Tyne**  
**NE1 4PA**  
Tel. 03000 616161  
On line form on website [www.cqc.org.uk](http://www.cqc.org.uk)

### OFSTED

For Children Social Care, and across Children Young People and Learning, OFSTED plays a similar role to CQC. They can be contacted at:

**OFSTED**  
**Piccadilly Gate**  
**Store Street**  
**Manchester**  
**M1 2WD**  
Tel. 0300 123 1231  
Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

### Management and Operation

Management and operation of both the corporate and social services processes are provided by the Customer & Member Liaison Office (CMLO), which is based in the Legal, Governance



and Commercial Services section of the Chief Executive's Office. The Customer & Member Liaison Office is also the main point of contact for the LGO.

The Office not only manages many individual complaints but also oversees the correct use of the procedures in the various service departments. It does not investigate complaints, as service areas are responsible for examining complaints about their own services.

Individual complaints are referred to relevant service managers to examine and respond to the complainant.

The Complaint service is supported by a bespoke Customer Relationship Management (CRM) system.

## **Performance Indicators**

Regular reports on the overall performance of the complaints services are submitted to the Council's Appeals and Complaints Committee throughout the year.

There are currently no national Best Value Performance Indicators (BVPIs) for complaints against councils. However regionally and nationally work has commenced, led by the National Complaints Managers Group, to carry out a benchmarking exercise of complaints functions within councils. This has proven difficult in the past to achieve as local authorities carry out their functions and provide their services in different ways.

The Complaints Service carry out an in-house survey of people who have used the complaints process. Returns are summarised in Appendix 3. These show that 50% of respondents said they found it easy to find information about the complaints process; 52% were happy with the time taken to respond to complaints; 58% thought the process was good and 52% were satisfied with the outcome.

There are currently 198,500 residents in North Tyneside. Voluntary diversity monitoring of complainants was introduced 6 years ago. The following table compares the results of the survey against the Office of National Statistics (ONS) Mid Year Census estimate for 2009. There is no up to date information relating to religion, the figures shown being from 2005.

| %                        | O.N.S. | NTC | %                    | O.N.S. | NTC |
|--------------------------|--------|-----|----------------------|--------|-----|
| <b>Gender</b>            |        |     | <b>Ethnic Origin</b> |        |     |
| Female                   | 51.6   | 59  | Asian                | 1.83   | -   |
| Male                     | 48.4   | 39  | Black                | 0.71   | -   |
| Declined                 |        | 2   | Chinese              | 1.17   | -   |
| <b>Age</b>               |        |     | Mixed                | 1.02   | -   |
| Under 18                 | 22.31  | 01  | White British        | 92.79  | 37  |
| 18-25                    | 5.89   | 11  | Other White          | 2.48   | 1   |
| 26-35                    | 12.89  | 9   | Declined             | -      | 62  |
| 36-45                    | 14.00  | 13  | <b>Religion</b>      |        |     |
| 46-55                    | 14.55  | 11  | Christian            | 78.19  | 56  |
| 56-65                    | 12.84  | 17  | Hindu                | 0.15   | -   |
| 66-75                    | 8.81   | 9   | Jewish               | 0.05   | -   |
| Over 75                  | 8.71   | 8   | Muslim               | 0.53   | -   |
| Declined                 | -      | 22  | Sikh                 | 0.16   | -   |
| <b>With a disability</b> |        |     | Other                | 0.28   | 22  |
| Yes                      | -      | 33  | None                 | 13.73  | -   |
| No                       | -      | 61  | Declined             | 6.91   | 22  |
| Not given                | -      | 6   |                      |        |     |

## Numbers and analysis of complaints

The number of complaints for 2011-12, together with previous years for comparison, is shown in the Tables at the end of this report.

This information is made available for consideration by individual service areas, as part of performance management throughout the year. This helps identify any themes or trends and so informs service improvement initiatives. The Customer & Member Liaison Manager meets with various departmental management teams to discuss any implications arising from themes or trends of complaints.

Complaints related activity including low level complaints was up by 31% during 2011-12 on the previous year. Formal Corporate complaints increased by a significant 22% from 485 to 590, Social Care complaints increased by 23%, however this was an increase of only 12 actual complaints.

Overall complaints resolved at Stage 1 remained high at 87%. This reflects the value of the training provided over the last few years by Customer & Member Liaison Staff and the LGO in Effective Complaint Handling.

All complaints concluded and closed off on the Complaints Database now create a prompt to enter any lessons learnt as a result of the complaint. A number of improvements generated by complaints were made to procedures and services during the year. A number of examples of such improvements are set out below:-

1. Complaint about injury to a child at a Park - cut hand on broken glass. A public meeting was convened to address residents' concerns with regard to the park and surrounding area. This action has had a positive effect with no broken glass having been found since the incident and litter and evidence of alcohol consumption has also been reduced.

The Council and Northumbria Police have designated the park as an intervention area for action to deal with any anti social behaviour by young people. The police have launched two Neighbourhood Watch Initiatives in the area and several young people have been served Anti Social Behaviour Orders.

2. Complaints about delays in completing repairs resulted in Kier NT reviewing their processes to ensure they keep customers informed. This is especially important where parts require ordering or additional works/trades are required to follow on from the initial visit. Where additional parts have been requested this will be noted on the operative's PDA (their hand held computer) and their supervisor will be informed.

3. A significant volume of complaints were received regarding the delay in repairs to gutters after the heavy snows in the Winter of 2010/11. Delays were caused due to the backlog of works relating to working at height activity. Kier initiated a programme of works to support gutter repairs, which was undertaken with an additional resource provision.

4. Following a complaint about the role of Civil Enforcement Officers, business cards have been created for Civil Enforcement Officers to distribute to members of the public explaining their role and the appeals process to supplement the guidance provided on the rear of penalty charge notices.

5. A complaint highlighted a number of recent changes with Ease Card procedures that staff had not been made aware of. As a result new instructions were issued to staff regarding how Ease Extra cards are handled in Customer Service Centres. Staff have now been instructed to enquire with relevant Ease Card issuing departments to establish the status of the card before advising the bill payer the amount to actually pay.

6. A complaint was received from a family who were unhappy with the time taken to consider the service user's request for independent living. This highlighted issues about communication about personal budgets and how this takes place with service users and carers. A project has been developed within Community Learning and Disability Team (CLDT) to take this forward along with a number of the other changes required as a result of personalisation and cultural change across the service. This assessment will be a "case study" within the pilot project.

7. NT Homes upheld a complaint from a resident regarding poor communication following the withdrawal of a offer of housing. The teams involved have recently reviewed their communications and rectified this problem.

8. Procedures were amended as a result of a complaint about the vehicle access crossing application procedure. A copy of the vehicle access crossing policy is now issued at the outset following an application from a member of the public. The Highways team are also developing a process map to assist with streamlining the processes and

communication between the different Council service areas who are involved in vehicle access crossing applications.

9. Following a complaint the North Tyneside Warm Zone management team will review the procedure for gaining property owner consent before carrying out a bore scope inspection of the cavity wall. Sales techniques will also be reviewed.

10. A planning complaint resulted in more transparent procedures being introduced for the screening of schedule 2 planning applications for formal Equality Impact Assessments. Senior managers have met managers from the site in question and the Environment Agency to improve liaison in relation to expeditious handling of complaints and regulation of site activity, and agreed to set up a community liaison forum with residents and businesses. Case officers advised of findings of investigation in relation to accuracy of reports and requirement to refer to all relevant policies.

11. An adopter was unhappy with the outcome to the Financial Review of the Adoption Allowance provided. To ensure adopters are better prepared for the annual review of their allowances and the possibility of fluctuations in the amount paid :

- Processes and documentation to adopters about the adoption allowances have been amended to reflect new practice.
- The means testing of all adoption allowances is highlighted to prospective adopters on their attendance at the initial preparation course.
- The Service Manager, Fostering and Adoption will have oversight and final approval of all financial matters relating to post adoption support.

The above actions will ensure all adopters are clear as to the process and procedures used to review the allowance paid.

12. As a result of a number of complaints around complaint handling, NT Homes have introduced a specialist Tenant Feedback Officer to deal with all complaints and customer feedback.

## **Future Developments**

The Council is a rapidly changing organisation. This process is likely to continue and remain a challenge for effective complaints handling as service users experience changes in their services and the organisation evolves internally as a result of changing priorities from central Government.

There are significant examples of change within the Council. From September 2009 Kier North Tyneside took over the running and management of Housing Repairs, Voids, Decent Home Standards, Gas Servicing, Aids & Adaptations and Construction Group work as a partner organisation of the Council. The Council has concluded contractual arrangements for service contracts with Capita Symonds and Balfour Beatty which will go live from 1<sup>st</sup> November 2012. The Council's Customer & Member Liaison Office will continue to manage complaints for all of the Council's partners on behalf of its customers.

The overall focus of attention is now very much on 'learning' from complaints and this will be a core driver in all future developments by the Council.

From April 2013 the Council's Complaints Service will develop new relationships with Local Healthwatch. Healthwatch North Tyneside will be the new coordinated local consumer voice for both commissioners and providers of social care services. They will provide a valuable source of information about services to local people and make sure those who need help to access information in order to make appropriate choices are supported to do so. Healthwatch North Tyneside will have a core function to making people's views and experiences of services known. In order to do this effectively, Local Healthwatch will:

- identify and use existing arrangements to avoid duplication
- develop systematic methods of gathering views from local and national sources, where there are currently gaps
- be responsive to what it finds out and report back on developments
- publish findings and make them fully accessible
- identify causes for concern and celebration amongst the local community and feedback on these findings

## **Conclusions**

The Council is going through a period of significant change and is implementing efficiency savings over £47.5m over a period of 4 years through to 2015 as part of the Change Efficiency Implementation programme. The extent of the changes required will inevitably generate concerns from customers as the changes to service delivery and charging arrangements are implemented.

The rapidly changing culture and demands of increased customer satisfaction coupled with organisational changes across public and partner sectors means that complaints services must be continually kept up to date. The Council's successful history and current good practice in effective complaint handling cannot be taken for granted.

By the very nature of this area of work, the complaints services will never satisfy all of the people all of the time. However, the survey of complainants indicates a high level of satisfaction with the service overall.

The Council is committed to providing effective complaints services for the benefits of individual customers, the Council and the community alike. Complaints are now widely recognised as integral to the provision of quality services at both individual and strategic levels.

## **Statistics**

This part of the report is broken down into the following sections:-

- 1) Overall number of complaints across the Council
- 2) Social Services Complaints
- 3) Corporate Complaints
- 4) Local Government Ombudsman
- 5) Informal Complaints and Enquiries.

## 1. Overall number of complaints across the Council

The volume of formal complaint related activity for the period April 2008 to March 2012 is summarised in Table 1.

| <b>Table 1<br/>Summary</b>   | <b>2008-09</b> | <b>2009-10</b> | <b>2010-11</b> | <b>2011-12</b> |
|--|----------------|----------------|----------------|----------------|
| Social Services Complaints   | 93             | 68             | 52             | 64             |
| Corporate Complaints   | 251            | 348            | 485            | 590            |
| Local Government Ombudsman investigations                                      | 33             | 49             | 33             | 30             |
| <b>Formal total</b>  | <b>377</b>     | <b>465</b>     | <b>570</b>     | <b>684</b>     |
| Pre-Complaint and general enquiries dealt with by the Customer Liaison Office. | 653            | 1,037          | 844            | 1,165          |
| <b>Total complaint related activity</b>  | <b>1030</b>    | <b>1,502</b>   | <b>1,414</b>   | <b>1,849</b>   |

Table 1a

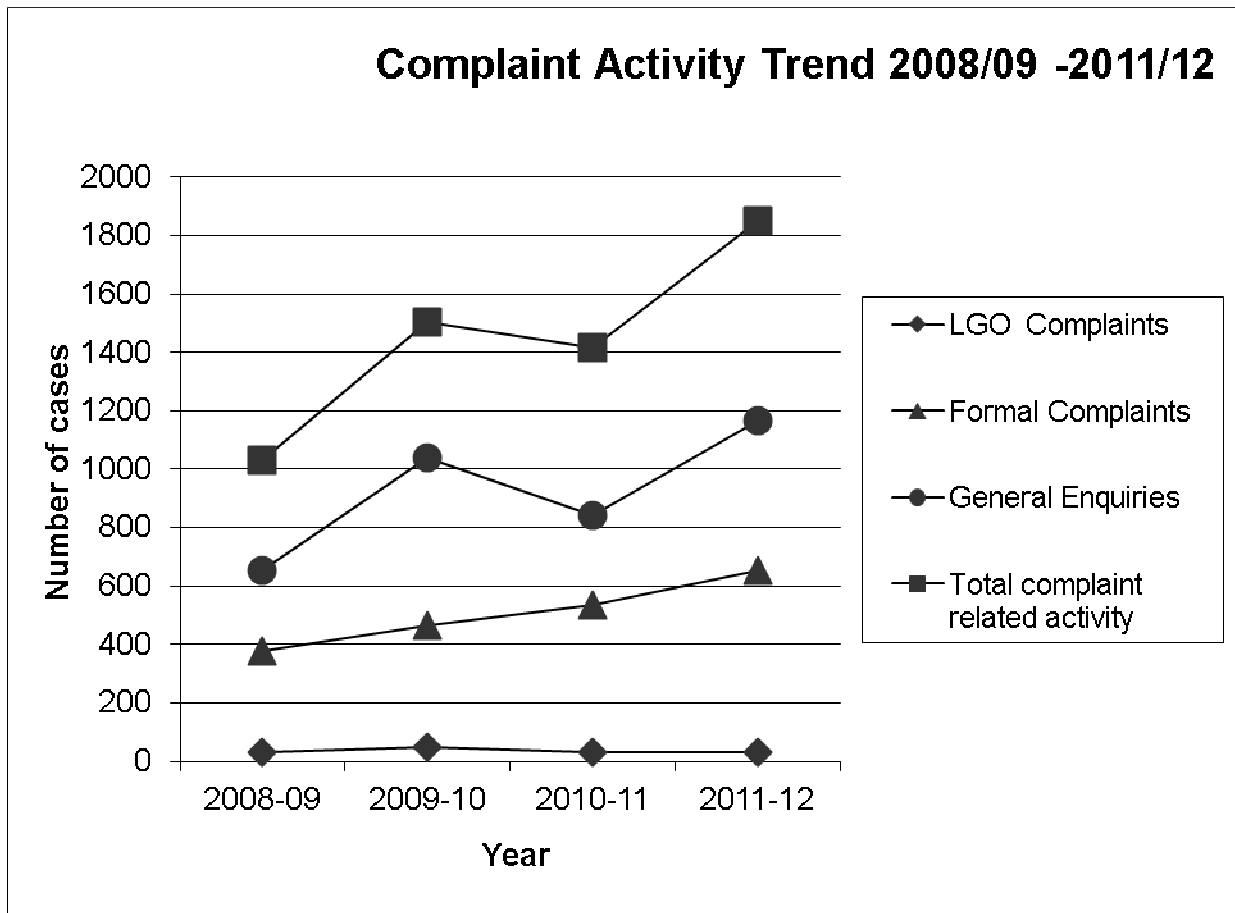
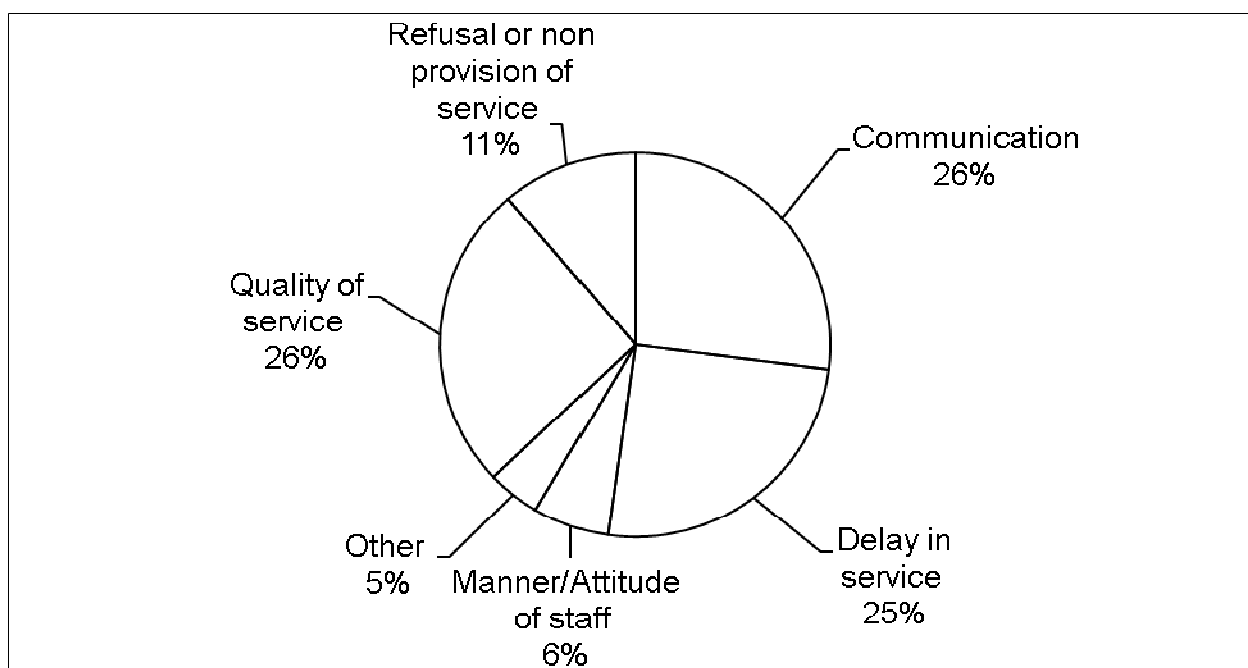


Table 1b – Percentage split by category of all formal complaints to the Council both Corporate and Social Care for 2011-12



There has been an increase (38%) this year in the number of pre-complaint and general enquiries dealt with by the Customer & Member Liaison Office (CMLO). The CMLO continue to make sure that as many enquiries as possible are directed to the most appropriate department at the first point of contact. This will ensure customers are given more responsive replies and reduce the inefficiencies inherent in redirection of enquiries within the Council. All enquiries received by email into the CMLO are acknowledged by email, the majority on the same working day. The customer is also notified of who their enquiry has been sent to and that they should expect a response direct. Enquirers by telephone or letter are posted a receipt setting out the same information.

## 2. Social Services Complaints

Social Service complaints dealt with under the relevant statutory processes are split into Children's and Adult Services, as shown in Table 2. In addition there are complaints regarding Children's and Adult Services which were dealt with under the Corporate Procedure (see Table 8).

|                              | 2008-09   | 2009-10   | 2010-11   | 2011-12   |
|------------------------------|-----------|-----------|-----------|-----------|
| Children & Families Services | 29        | 33        | 28        | 32        |
| Adult Services               | 64        | 35        | 24        | 32        |
| <b>TOTAL</b>                 | <b>93</b> | <b>68</b> | <b>52</b> | <b>64</b> |

There has been an increase of complaints about Social Care Services overall of 23% on the previous year, however numbers remain very low, and are half the number of 2008-09, which saw a sharp rise to the introduction of a new policy in relation to care services.

Within Children Social Care, complaints have been categorised as shown in Table 3.

| <b>Table 3<br/>Children &amp; Families Services<br/>Categories</b> | 2008-9    | 2009-10   | 2010-11   | 2011-12   |
|--|-----------|-----------|-----------|-----------|
| Creche Service / Sure Start  | 4         | 2         | 2         | 1         |
| Adoption / Fostering / LAC   | 20        | 29        | 21        | 8         |
| Safeguarding   |           |           |           | 11        |
| Child Protection   |           |           |           | 2         |
| First Call   |           |           |           | 9         |
| Social Work  | 3         |           |           | 0         |
| Children with Disabilities Service                                 | 1         |           | 2         | 0         |
| Other  | 1         | 2         | 3         | 1         |
| <b>TOTAL</b>   | <b>29</b> | <b>33</b> | <b>28</b> | <b>32</b> |

Users of services in Children, Young People & Learning (CYPL) are provided with details of the complaints system. Children who are looked after receive a 'complaints form' to use if they wish to raise any point about their care or circumstances generally. Acknowledging that making a complaint can be difficult young people are encouraged to have the assistance of a mentor or advocate if they want to make a complaint. The units for children with a disability have specially trained advocates to help those who have communication difficulties. In the child protection system users may feel they have little power to make a complaint and this is acknowledged. To capture issues of user concern the review process and other meetings are forums in which matters which are of worry to the user can be tackled. In this way the user's view can be heard and services influenced. In addition to the numbers reported above there were 10 complaints about CYPL dealt with under the Corporate Complaints procedure.

Within Adult Social Care, categories are shown in Table 4.

| <b>Table 4<br/>Adult Services Categories</b> | 2008-9    | 2009-10   | 2010-11   | 2011-12   |
|--|-----------|-----------|-----------|-----------|
| Finance and Administration                   | 12        | 3         | 3         | 2         |
| Service Provision                            | 0         | 0         | 0         | 4         |
| Home Care / Residential                      | 4         | 4         | 3         | 0         |
| Community Assessment & Support               |           | 10        | 10        | 12        |
| Social Work                                  | 42        | 17        | 7         | 14        |
| Other  | 6         | 1         | 1         | 0         |
| <b>TOTAL</b>                                 | <b>64</b> | <b>35</b> | <b>24</b> | <b>32</b> |

Referring to the above table, it is a recognised factor in complaints management that the transition phase of a change in service is likely to generate increased dissatisfaction before the new arrangements settle in. There was an increase in complaints for this very reason during 2008-09 and complaint levels have returned to much lower levels during the subsequent years. In addition to the numbers reported above there were 7 complaints about Adult Services dealt with under the Corporate Complaints Procedure.

Tables 5 and 6 show the proportions of upheld complaints for Children's and Adults Services over the year. Approximately 61% of complaints overall were not upheld, 30% were upheld in part, 8% were upheld in full and 1% ongoing.



| <b>Table 5 - Children Social Care complaint outcomes</b> | 2008-9<br>% | 2009-10<br>% | 2010-11<br>% | 2011-12<br>% |
|--|-------------|--------------|--------------|--------------|
| Not Upheld   | 35          | 52           | 41           | 69           |
| Upheld in Full   | 3           | 9            | 4            | 6            |
| Upheld in Part   | 55          | 30           | 55           | 25           |
| Ongoing  | 7           | 9            | 0            | 0            |

| <b>Table 6 - Adult Social Care complaint outcomes</b> | 2008-9<br>% | 2009-10<br>% | 2010-11<br>% | 2011-12<br>% |
|---|-------------|--------------|--------------|--------------|
| Not Upheld  | 49          | 43           | 46           | 53           |
| Upheld in Full  | 9           | 20           | 8            | 10           |
| Upheld in Part  | 42          | 37           | 46           | 34           |
| Ongoing   | 0           | 0            | 0            | 3            |

Problem solving at the earliest opportunity is a key aim of effective complaint handling. This is not only of value to the complainant but also to the Council in optimising use of resources and enhancing customer care.

Table 7 shows early resolution at Stage 1 of children and adult complaints up until 2008-09. 2009-10 figures onwards (below) relate to Children Social Care cases only(\*\*) following the introduction of the one stage process for Adult Social Care complaints in April 2009.

| <b>Table 7 - Social services complaints resolved at stage:</b> | 2008-09<br>% | 2009-10<br>%** | 2010-11<br>%** | 2011-12<br>%** |
|--|--------------|----------------|----------------|----------------|
| One  | 94           | 85             | 89             | 94             |
| Two  | 5            | 9              | 11             | 0              |
| Three  | 1            | 0              | 0              | 0              |
| Ongoing  |              | 6              | 0              | 6              |

### 3. Corporate Complaints

Table 8, below, shows a breakdown of corporate complaints received for 2011-12 compared to the previous 2 years, reflecting current services.

| <b>Table 8 – Corporate Complaints</b> |                             |                |                |                |
|---------------------------------------|-----------------------------|----------------|----------------|----------------|
| <b>Department</b>                     | <b>Service Area</b>         | <b>2009-10</b> | <b>2010-11</b> | <b>2011-12</b> |
| Chief Exec & Financial Services       | Claims & Insurance          | 1              | 3              | 1              |
|                                       | Legal Services / CMLO       | -              | 4              | 2              |
|                                       | Electoral Registration      | 2              | 4              | -              |
|                                       | Other (inc Street Lighting) | 1              | 5              | 5              |
|                                       | Strategic Property          | -              | -              | 1              |
|                                       | Benefits                    | 19             | 19             | 31             |
|                                       | Council Tax                 | 22             | 16             | 8              |
|                                       | <b>Total</b>                | <b>45</b>      | <b>51</b>      | <b>48</b>      |

| Department  | Service Area                               | 2009-10         | 2010-11   | 2011-12    |
|---|--|-----------------|-----------|------------|
| Cultural & Customer Services                      | Indoor Sports & Leisure                    | 12              | 10        | 9          |
|   | Cultural Services Other                    | 1               | 3         | 3          |
|   | Customer Services                          | 13              | 11        | 18         |
|   | Other                                      | 4               | 5         | 1          |
|   | <b>Total</b>                               | <b>30</b>       | <b>29</b> | <b>31</b>  |
| Regeneration, Development and Regulatory Services | Parking                                    | 19              | 19        | 15         |
|   | Planning                                   | 10              | 19        | 6          |
|   | Highways                                   | 13              | 10        | 13         |
|   | Environmental Health                       | 2               | 3         | 5          |
|   | Other                                      | 7               | 18        | 7          |
|   | Taxi Licensing                             | -               | 3         | 0          |
|   | Regeneration                               |                 |           | 2          |
|   | <b>Total</b>                               | <b>51</b>       | <b>72</b> | <b>48</b>  |
| Environmental Services                            | Cleansing Management                       | 1               | 2         | 37         |
|   | Biodiversity                               | 2               | 3         | 3          |
|   | Vermin/Pest Control                        | 2               | 2         | 1          |
|   | Litter/Enforcement/Fly-tipping             | 2               | 4         | 1          |
|   | Waste Management                           | 1               | 15        | 15         |
|   | Grounds Maintenance                        | 1               | 6         | 6          |
|   | Sea Front Management                       |                 | 4         |            |
|   | Recycling/Wheeled Bins/Special Collections | 15              | 19        | 12         |
|   | Trees/Shrubs                               | 4               | 4         | 3          |
|   | Winter Maintenance                         | 1               | 2         | 1          |
|   | Cemeteries                                 | 6               |           | 0          |
|   | <b>Total</b>                               | <b>35</b>       | <b>61</b> | <b>80</b>  |
|   | Adult Social Care                          | Transport/Other | 2         | 2          |
| Financial Services                                |  | 2               | 4         | 5          |
| <b>Total</b>                                      |  | <b>4</b>        | <b>6</b>  | <b>7</b>   |
| Children, Young People & Learning                 | Children Services                          | 1               | 3         | 5          |
|   | Education                                  | 4               | 4         | 5          |
|   | <b>Total</b>                               | <b>5</b>        | <b>7</b>  | <b>10</b>  |
| North Tyneside Homes                              | Debt Recovery                              | 5               | 6         | 11         |
|   | Day-to-day Repairs                         | 9               | 13        | 27         |
|   | Allocations/Letting                        | 15              | 11        | 19         |
|   | Housing Estates                            | 23              | 34        | 26         |
|   | Empty Homes /Voids                         | 3               | 5         | 8          |
|   | Gas Services                               | 4               | 2         | 5          |
|   | Homelessness                               | 9               | 10        | 6          |
|   | Housing Investment                         | 12              | 8         | 9          |
|   | Safer Estates                              | 2               | 1         | 4          |
|   | Other                                      | 1               | 4         | 6          |
|   | <b>Total</b>                               | <b>83</b>       | <b>94</b> | <b>121</b> |

| <b>Department</b>                            | <b>Service Area</b> | <b>2009-10</b> | <b>2010-11</b> | <b>2011-12</b> |
|--|---------------------|----------------|----------------|----------------|
| Kier North Tyneside<br>(from Sept 2009 only) | Aids & Adaptations  | -              | 3              | 2              |
|  | Day-to-day Repairs  | 65             | 124            | 188            |
|  | Gas Services        | 8              | 14             | 46             |
|  | Housing Investment  | 19             | 20             | 8              |
|  | Empty Homes / Voids | 3              | 4              | 1              |
|  | <b>Total</b>        | <b>95</b>      | <b>165</b>     | <b>245</b>     |
|  | <b>Grand Total</b>  | <b>348</b>     | <b>485</b>     | <b>590</b>     |

The number of Corporate Complaints rose by 22% from 485 in 2010-11 to 590 in 2011-12. The increase in complaints is attributed to several departments, the majority of these being in relation to North Tyneside Homes, Kier NT, and Environmental Services.

NT Homes (NTH) commented as follows, "We provide services to 15,500 tenants and 700 leaseholders. Last year we carried out 55,000 repairs, let 1,200 properties, undertook 13,000 arrears visits and answered 109,000 phone calls. The number of complaints received represents a very small percentage of our customers.

NTH recognises that it is important to deal with complaints well as this is central to providing a good customer service. We need to try and put things right and learn from our complaints so that we can continually improve our services.

Last year, we recognised that we needed to improve our performance at dealing with complaints in line with tenants' priorities. We appointed a new Tenant Feedback Officer who came into post in December 2011. This enables us to be more responsive to tenant feedback including answering complaints more quickly, providing a more consistent approach to complaints and also increasing our capacity for robust monitoring and providing robust information to support service improvement.

NTH have also completed a full review of our systems and processes. This work culminated in NTH being certified against the ISO 9001 standard. This now means we have an accredited quality management system in place across our service.

As part of our commitment to learning from complaints, the Tenant Feedback Officer has worked closely with our service managers and Kier North Tyneside to identify and address the issues that are affecting our customers so that we can improve our services.

2011/12 saw a large increase in the amount of complaints related to day to day repairs which has impacted not only on complaints to Kier North Tyneside but also to North Tyneside Homes. The largest number of complaints was in the guttering/roofing/scaffolding category as a result of a backlog of work due to extreme weather. Analysis of the complaints data for the first five months of 2012-2013 shows a reduction in repairs complaints to around 2010/11 levels which is due to a large drop in complaints about guttering which can be related to the completion of the guttering programme."

Environmental Services commented, "The small increase in complaints during 2011-12 was largely due to changes in how services are delivered. There was some initial disruption to

services for some residents during the first month of implementation of a change to refuse collection rounds from a 5 day to a 4 day service. There was also a change in policy when a charge was introduced for replacement bins and recycling caddies.”

Table 9 shows the proportion of corporate complaints upheld or not.

| <b>Table 9: Corporate complaints outcomes</b> | 2008-09<br>% | 2009-10<br>% | 2010-11<br>% | 2011-12<br>% |
|---|--------------|--------------|--------------|--------------|
| Not Upheld                                    | 39           | 30           | 29           | 23           |
| Upheld in Full                                | 22           | 32           | 37           | 38           |
| Upheld in Part                                | 39           | 38           | 34           | 39           |

Table 10 shows the stage at which corporate complaints were resolved, again indicating a high level of early problem solving overall and again is consistent with previous years.

| <b>Table 10: Corporate complaints resolved at Stage:</b> | 2008-09<br>% | 2009-10<br>% | 2010-11<br>% | 2011-12<br>% |
|--|--------------|--------------|--------------|--------------|
| One  | 80           | 86           | 87           | 87           |
| Two  | 16           | 13           | 12           | 13           |
| Three  | 4            | 1            | 1            | 0            |

### Policy complaints

There were 20 complaints regarding Council ‘policy’ during the year. Complaints about Council policy are recorded and responded to at Stage 1, but not considered further within the complaints process.

## 4. Local Government Ombudsman (LGO)

The next stage after the Council’s complaints procedures is the Local Government Ombudsman. The number of complaints dealt with by the LGO over the last 4 years and their designation of the outcomes compared to the National Average is shown in Table 11 which excludes premature complaints and advice given.

| <b>Table 11<br/>Complaints determined by the LGO</b> | 2008-09 |                 | 2009-10 |                 | 2010-11 |                 | 2011-12 |                 |
|--|---------|-----------------|---------|-----------------|---------|-----------------|---------|-----------------|
|  | NTC %   | National Ave’ % | NTC %   | National Ave’ % | NTC %   | National Ave’ % | NTC %   | National Ave’ % |
| Maladministration and injustice                      | 0       | 1%              | 0       | 1%              | 2%*     | 0               | 0       | 0               |
| Local Settlements                                    | 19%     | 27%             | 16%     | 27%             | 7%      | 26%             | 7%      | 21%             |
| Reports finding maladministration                    | 0       | 0.0%            | 0       |                 |         |                 | 0       | 1%              |
| No maladministration                                 | 41%     | 46%             | 43%     | 46%             | 57%     | 48%             | 52%     | 46%             |
| LGO’s discretion not to investigate                  | 33%     | 25%             | 18%     | 26%             | 17%     | 26%             | 26%     | 18%             |
| Outside jurisdiction                                 | 7%      |                 | 23%     |                 | 17%     |                 | 15%     | 14%             |

\* Relates to 1 case

Table 12 shows the number of complaints received by the LGO from the public, which were investigated.

| <b>Table 12: Complaints to the LGO</b> | 2008-09   | 2009-10   | 2010-11   | 2011-12   |
|--|-----------|-----------|-----------|-----------|
| Clean Neighbourhoods & Regulatory      |           |           | 3         | 4         |
| Highways, Transport & Planning         | 9         | 17        | 6         | 9         |
| Revenues & Benefits                    | 3         | 2         | 1         | 2         |
| North Tyneside Homes                   | 3         | 7         | 9         | 4         |
| Education & Children Social Care       | 6         | 6         | 7         | 3         |
| Adult Social Care                      | 3         | 7         | 5         | 5         |
| Other                                  | 9         | 10        | 2         | 3         |
| <b>Total</b>                           | <b>33</b> | <b>49</b> | <b>33</b> | <b>30</b> |

Table 13 gives the decisions made by the LGO in the given years (including decisions made in respect of complaints received in previous years; the outcome of ongoing complaints at the start of a new financial year will be reported the following year).

| <b>Table 13<br/>LGO Decisions</b> |   | 2008-09   | 2009-10   | 2010-11   | 2011-12   |
|-----------------------------------|---|-----------|-----------|-----------|-----------|
| <b>Total</b>                      | Complaints Received                       | <b>81</b> | <b>75</b> | <b>68</b> | <b>66</b> |
|                                   | Outside Jurisdiction                      | 2         | 10        | 7         | 1         |
|                                   | Discretion not to investigate             | 9         | 8         | 7         | 10        |
|                                   | Premature referrals                       | 22        | 14        | 22        | 27        |
|                                   | Advice Given                              | 26        | 12        | 13        | 9         |
| <b>Investigated</b>               |   | <b>33</b> | <b>49</b> | <b>33</b> | <b>30</b> |
| Outcome                           | Findings of no maladministration          | 11        | 19        | 24        | 14        |
|                                   | Local Settlement                          | 5         | 7         | 3         | 2         |
|                                   | Findings of maladministration & injustice | 0         | 0         | 1         | 0         |

There were 2 local settlement cases in 2011-12. No compensation was paid as a result of complaints.

## 5. Informal complaints and enquiries

As has been indicated previously, the 'headline' figure of the number of formal complaints does not reflect the number of concerns or problems reported to the Council, and satisfactorily dealt with by staff and via the Members Enquiries system.

Consideration is currently being given in a number of service areas to better ways of 'capturing' the valuable information provided by 'informal' complaints as an aid to performance monitoring. This is being extended to include comments and compliments and provide a more comprehensive picture of feedback from our customers.

In the meantime, the Customer & Member Liaison Office has been monitoring the number of enquiries and informal complaints, or 'pre-complaint enquiries' dealt with by its staff, and

these figures are shown in Table 14. This information has already proved valuable on a number of occasions as early indicators of developing issues in some service areas.

| <b>Table 14 - Pre complaint &amp; general enquiries processed by CMLO</b> | 2008-09    | 2009-10      | 2010-11    | 2011-12      |
|---|------------|--------------|------------|--------------|
| Mayor's Office  | 0          | 9            | 2          | 0            |
| Education,  | 29         | 13           | 5          | 0            |
| Children & Young People   | 26         | 16           | 14         | 19           |
| Regeneration, Development & Regulatory                                    | 154        | 226          | 152        | 202          |
| Adult Social Care   | 31         | 35           | 21         | 16           |
| Cultural Services   | 16         | 47           | 39         | 59           |
| North Tyneside Homes  | 141        | 101          | 136        | 127          |
| Kier North Tyneside   | 0          | 112          | 39         | 133          |
| Environmental Services  | 147        | 340          | 343        | 517*         |
| Customer Services (Revs & Bens)   | 44         | 80           | 43         | 30           |
| Legal Governance & Commercial Services                                    | 18         | 14           | 11         | 37           |
| Information Technology  | 0          | 1            | 0          | 0            |
| Human Resources   | 6          | 3            | 4          | 0            |
| Finance & Resources   | 1          | 2            | 2          | 19           |
| Payroll & Risk  | 6          | 11           | 9          | 0            |
| Policy & Performance  | 3          | 9            | 4          | 0            |
| Other   | 31         | 18           | 20         | 6            |
| <b>TOTAL</b>  | <b>653</b> | <b>1,037</b> | <b>844</b> | <b>1,165</b> |

\*A high number of contacts were received from residents during April and May 2011 following a change in refuse collection rounds from a 5 day to 4 day service, this dropped to normal levels once initial issues were resolved.

# NORTH TYNESIDE COUNCIL

## CORPORATE COMPLAINTS PROCEDURE

(Amended 1 September 2006)

|   |   |
|---|---|
| <b>STAGE 1</b>                              | <ul style="list-style-type: none"> <li>• Complaints can be received by any employee/office but usually in a Customer Services Centre, the Telephone Call Centre or Customer Liaison Office.</li> </ul>  |
|   | <ul style="list-style-type: none"> <li>• Complaints are registered on computer and referred to Service Area</li> </ul>  |
| 10 working days to respond in writing.      | <ul style="list-style-type: none"> <li>• Service Manager informed, makes enquiries and responds to the complainant in writing.</li> </ul>   |
| <b>STAGE 2</b>                              | <ul style="list-style-type: none"> <li>• If not satisfied with the Stage 1 reply, the complainant has 10 working days to ask, giving reasons, for a more senior manager to review matters.</li> </ul>   |
| 10 working days to respond in writing.      | <ul style="list-style-type: none"> <li>• Case referred to Head of Service or other Senior Manager to review whole complaint and first response.</li> </ul>  |
| <b>STAGE 3<br/>COMPLAINTS<br/>COMMITTEE</b> | <ul style="list-style-type: none"> <li>• If not satisfied with Stage 2 reply the complainant has 10 working days to ask, giving reasons, for the complaint to be considered by a Committee of up to 5 Councillors.</li> </ul>                             |
| Held within 28 calendar days of request.    | <ul style="list-style-type: none"> <li>• The complainant and officers are invited to attend and present their cases, supported by all previous correspondence etc.</li> </ul>   |
|   | <ul style="list-style-type: none"> <li>• The decision of the Committee is the final stage of the Council's internal procedure, the decision is communicated to the complainant within 24 hours and confirmed in writing within 5 working days.</li> </ul> |
| <b>FURTHER<br/>OPTIONS</b>                  | <p>Complainants advised to consider consulting Citizen's Advice, a solicitor or Ombudsman if they remain dissatisfied. The Ombudsman will only look into a complaint if the Council has not first examined it in exceptional circumstances.</p>           |

# NORTH TYNESIDE COUNCIL

## CHILDREN ACT 1989 (\*Amended 1 September 2006)

|                                |  |   |
|--------------------------------|--|---|
| STAGE 1                        | Sometimes known as the 'informal' stage.<br>10 working days to respond, can extend to 20 if need be.   | Receipt and referral of complaint to Complaints staff<br><hr/> Service Manager informed of the problem, makes enquiries and responds to the complainant.  |
| STAGE 2                        | Sometimes known as the 'formal' stage.<br>25 working days to respond can extend to maximum of 65.  | Progress to this stage if:-<br>Complainant feels problem not resolved at stage 1, it is a particularly serious complaint, the complainant requests to by-pass stage 1.<br><hr/> All stage 2 investigations are co-ordinated by Complaints Manager in Customer Liaison Office.<br><hr/> For Children Act complaints an 'Independent Investigator' and 'Independent Person' are appointed.<br><hr/> The Head of Service responds to the complainant after consideration of the investigator's report. |
| STAGE 3<br><br>REVIEW<br>PANEL | Held within 28 days of request for Review Panel.   | Progress to this stage if complainant is not satisfied at stage 2.<br>A Review Panel considers the complaint, the investigator's report and the response of the Head of Service.<br>*It comprises 3 independent people recruited from outside of the Council.<br>Relevant Director communicates Review Panel outcome to complainant within 15 working days with any actions to be taken.  |
| FURTHER<br>OPTIONS             | Complainants will be advised to consider consulting Citizen's Advice, a solicitor or Ombudsman if they remain dissatisfied. The Ombudsman will not usually look into a complaint if it has not first been examined by the Council. |   |



## Summary of Customer Liaison Complaints Survey (1 April 2011 – 31 March 2012)

24 % of survey forms issued were returned

|   |      |         |           |       |
|---|------|---------|-----------|-------|
| How easy was it to find information about the complaints service? | Easy | Neither | Difficult | Other |
|   | 50%  | 26%     | 19%       | 5%    |

|  |         |         |           |       |
|--|---------|---------|-----------|-------|
| If help was sought from staff, how helpful was it? | Helpful | Neither | Unhelpful | Other |
|  | 64%     | 15%     | 7%        | 14%   |

|   |         |         |           |       |
|---|---------|---------|-----------|-------|
| If a leaflet was received, how helpful was the information? | Helpful | Neither | Unhelpful | Other |
|   | 47%     | 24%     | 7%        | 22%   |

|  |           |         |              |       |
|--|-----------|---------|--------------|-------|
| How satisfied were you with the response time? | Satisfied | Neither | Dissatisfied | Other |
|  | 52%       | 16%     | 32%          | 0%    |

|                                  |      |         |           |       |
|----------------------------------|------|---------|-----------|-------|
| Was response easy to understand? | Easy | Neither | Difficult | Other |
|                                  | 74%  | 18%     | 4%        | 4%    |

|   |     |     |       |
|---|-----|-----|-------|
| Did response letter tell you what to do if unhappy? | Yes | No  | Other |
|   | 74% | 13% | 15%   |

|                           |           |             |         |             |           |       |
|---------------------------|-----------|-------------|---------|-------------|-----------|-------|
| How good was the process? | Very good | Fairly good | Neither | Fairly poor | Very poor | Other |
|                           | 25%       | 33%         | 13%     | 12%         | 17%       | 0%    |

|                                      |                |                  |         |                     |                   |
|--------------------------------------|----------------|------------------|---------|---------------------|-------------------|
| Were you satisfied with the outcome? | Very satisfied | Fairly satisfied | Neither | Fairly dissatisfied | Very dissatisfied |
|                                      | 23%            | 29%              | 10%     | 9%                  | 29%               |