

North Tyneside Council Report to Cabinet Date: 17th October 2016

ITEM 7(b)

Title: Complaints Service
Report 2015-16

Portfolio(s): Elected Mayor
Adult Social Care
Children, Young People and Learning

Cabinet Member(s): Norma Redfearn
Councillor Alison Waggott-Fairley
Councillor Ian Grayson

Report from: Chief Executive's Office

Report Author: Vivienne Geary (Tel: 643 5339)
Head of Law and Governance

Wards affected: All

PART 1

1.1 Executive Summary:

To provide Cabinet with a Report on complaint related activity during 2015-16 and to comply with the requirement to publish a Report on Complaints under the relevant statutory complaint legislation.

1.2 Recommendation(s):

It is recommended that Cabinet:

1. notes the complaint related activity during 2015-16 as set out in the Complaints Service Report (Appendix 1);
2. approves the above Report for publication by the Head of Law and Governance; and
3. receive the Local Government Ombudsman's Annual Review of complaints concerning North Tyneside Council for 2015-16 (Appendix 2).

1.3 Forward plan:

28 days notice of this report has been given and it first appeared on the Forward Plan that was published on 22.08.16.

1.4 Council plan and policy framework

This report relates to the following priorities in the 2015-19 Our North Tyneside Plan

“Our People” and “Our Places”, as lessons learned from complaints are a key driver in service improvement and ensuring best value for money.

1.5 Information:

1.5.1 Background

The Authority undertakes millions of transactions with its 202,200 residents, and substantial numbers of visitors to the Borough, throughout the year. Against that background, the number of complaints received by the Authority remains consistently low, reflecting the excellent services our customers receive and the Authority’s ability to resolve swiftly any issues that do arise at the first point of contact.

The number of formal complaints increased during 2015-16 compared to the previous year as the Authority continues to take a proactive approach to encouraging our residents and service users to provide feedback. The Council’s complaint leaflet entitled “How to complain about Council services” is widely available in the Authority’s buildings and to download from the Authority’s website. It is also now very easy for our customers to contact us on-line, and Social Care Service users are provided with a complaint leaflet at the first point of contact.

Customer satisfaction with the complaints process remains relatively high and the Authority continues to resolve the vast majority of complaints at Stage 1. The Authority welcomes complaints as valuable feedback from its customers, and complaint outcomes provide valuable lessons learned to further improve and enhance the Authority’s services and procedures.

The Authority operates statutory complaint procedures for Adult Social Care and Children and Young People’s Services and Public Health. It also provides a Corporate Complaints Procedure for all other services. The Customer & Member Liaison Office (CMLO) Manager is the main contact with the offices of the Local Government Ombudsman and Housing Ombudsman (LGO & HO). This involves responding to initial enquiries, gathering information, and arranging access to files and interviews of staff under the instruction of the LGO and HO investigators, and providing advice and assistance to Council Officers who may be the subject of a complaint.

All work in supporting the operation of these services is undertaken by the CMLO within Law and Governance.

1.5.2 Local Government and Housing Ombudsman

In 2015 the Authority responded to LGO enquiries in a timely fashion and was well within the required timescale for response of 28 days. The LGO’s Annual review of complaints for 2015-16 is at Appendix 2. The HO only came into being on 1st April 2013 and complaints referred to the HO are referred to in the Authority’s Report at Appendix 1, as they do not intend to produce an annual report for Local Authorities at the present time.

1.5.3 Complaints Report

The Authority’s Complaints Service Report for 2015-16 is attached at Appendix 1. Cabinet is invited to note that the overall number of formal complaints increased by

8% from 864 in 2014-15 to 933 to 2015-16. The number of complaints received remains consistently very low given the huge volume of transactions the Authority undertakes every year with its customers.

1.5.4 Corporate Complaints

There were 772 Corporate Complaints received during 2014-15, this increased by 8% to 836 in 2015-16. The increase in complaints relates to several service areas, with the biggest increases being as follows:

- Benefits, Council Tax and Customer Services complaints increased from 127 in 2014-15 and totalled 164 in 2015-16. The reasons and resulting actions are in Section 3 of Appendix 1.
- Environment – complaint numbers were 182 in 2014-15 and increased to 255 in 2015-16. This was largely due to complaints about recycling, wheeled bins and special collections.

The Authority recognises that it is important to deal with complaints well as this is central to providing a good customer service. Services seek to address complaints and learn from these complaints so that the Authority can continually improve services.

The results are set out in detail in Section 3, Table 8 of the Report at Appendix 1.

1.5.5 Social Care Complaints

The number of Social Care complaints (relating to both Adult Social Care and Children and Young People's Services) increased slightly from 72 in 2014-15 to 97 in 2015-16. This equates to 50 cases in Children's Social Services and 47 cases in Adult Social Care.

The results are set out in Section 2, Tables 2 to 6 of the Report at Appendix 1.

1.5.6 Customer Survey

A survey of complainants' experiences of, and satisfaction with, the complaints service undertaken in respect of complaints handled during 2015-16 resulted in 11% of forms being returned. The majority of those responding found it easy to find information about the service and said that staff were helpful, that they were happy with the length of time taken to respond to their complaint, and that the content of the response letter was easy to understand. Overall 62% of customers thought the complaints process was good.

1.5.7 Future Developments

One key aim of the complaint process is 'learning' from complaints and this is a core driver in all future developments. A number of changes were made to procedures and practice in services as a result of complaints resolved during 2015-16. Examples have been listed on page 10 of the Report.

A continuing area of development is partnership working, where services are provided on behalf of the Authority in conjunction with other public, voluntary and

private sector organisations. Such change has potential for complaint processes to become complex, so arrangements are in place to ensure the customer's experience is as straightforward as possible. Securing the efficient handling of complaints is a vital component of ongoing arrangements with our current and any potential future partners.

1.5.8 Conclusion

Complaints are now widely recognised as integral to the provision of quality services at both individual and strategic levels. The Authority's successful history and current good practice in effective complaint handling will be an integral service improvement driver in the current rapidly changing culture. The demands of maintaining, and increasing levels of customer satisfaction, coupled with organisational changes across public and partner sectors, will be well supported by the current robust complaint handling procedures and electronic system in place.

The Report will be published on the Authority's website and will be available on request from the Customer and Member Liaison Office.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Note the content of the Report and approve publication of the report.

Option 2

Cabinet may refer the report back to officers and request that further analysis and information is provided.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reason:

All local authorities providing 'social service functions' including North Tyneside Council are required to publish an annual report on complaints received. Publication of a Report also supports community engagement, and promotes transparency and opportunities for organisational improvement.

1.8 Appendices:

Appendix 1: North Tyneside Council Complaints Service Report 2015-16

Appendix 2: The Local Government Ombudsman's Annual Review of complaints about North Tyneside Council 2015-16.

1.9 Contact officers:

Vivienne Geary, Head of Law and Governance, tel 643 5339

Yvette Monaghan, Customer, Member & Governor Services Manager, tel 643 5361

Alison Campbell, Senior Business Partner, tel 643 7038

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- The Local Authority Social Services Complaints (England) Regulations 2006 and Guidance (Children)
<http://www.legislation.gov.uk/uksi/2006/1738/contents/made>
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and Guidance (Adults)
http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/DH_120361
- North Tyneside Council Corporate Complaints Procedure
<http://my.northtyneside.gov.uk/category/479/complaints-procedure>
- The NHS Bodies and Local Authorities Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/3094/introduction/made>

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial or other resource implications arising directly from this report. The delivery of the service is provided for from existing budget provision. Compensation payments are funded from existing budgets in the relevant Service areas.

2.2 Legal

Local Authorities with Social Service functions are required to publish regular reports on Complaints and Ombudsman investigations in accordance with The Local Authority Social Services Complaints (England) Regulations 2006.

2.3 Consultation/community engagement

Internal Consultation

The Report has been circulated to Heads of Service, Chief Executive, Deputy Chief Executive, Elected Mayor, Deputy Mayor and Cabinet Members for Adult Social Care and Children, Young People and Learning. Comments received have been incorporated where relevant in the Report.

2.4 Human rights

The service promotes equal access to complaint services and opportunities to contribute to service improvement.

2.5 Equalities and diversity

The service promotes equal access to complaint services and opportunities to contribute to service improvement. Material is available in different formats and the CMLO actively provides assistance for people with individual needs as required. Equality monitoring is undertaken and published within NTC's Annual Equality and Diversity Report.

2.6 Risk management

A risk assessment has taken place. All risks identified can be managed through North Tyneside Risk Process and will be added to the Authority's Risk Register.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Deputy Chief Executive
- Head(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy