
Report of the Chief Officer, Customer Access

Report to the Corporate Governance & Audit Committee

Date: 28 January 2016

Subject: Report on the recent customer relations issues and trends 2015-16

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- 1 This report provides an update to the committee on recent customer relations issues and trends.
- 2 Using an overview of the complaints to the council during 2015, this report sets out the council's arrangements for responding to complaints made by the public, the key objectives of which are:
 - 1 to make it easy for people to complain or provide feedback;
 - 2 to try to resolve complaints at an early stage; and
 - 3 to learn lessons from the issues raised through complaints.
- 3 The report provides an update on recent trends for each directorate, focusing on specific issues about complaints to the council.
- 4 Taken together, these developments provide assurance that the council's processes for handling complaints are, on the whole, working effectively. However, areas for development/improvement have been identified for 2016.

Recommendations

- 1 Members are asked to consider the issues raised in the report and the supporting contextual information provided in the appendices.
- 2 Members are asked to confirm that the report and supporting information provides external assurance as to the effectiveness of the council's approach to complaints.

1 Purpose of this report

- 1.1 To provide an update to the committee about the council's complaints and ombudsman cases for the period 1 January 2015 to 31 December 2015, following the annual review of 2014-15 discussed at the September 2015 meeting.
- 1.2 To assess the overall effectiveness of the council's approach to compliments, complaints and feedback.

2 Background information

- 2.1 The council has a compliments and complaints policy and procedure which has been in place for a number of years, co-ordinated by twelve customer relations teams, and accountable to the council's Customer Strategy Board. The policy and framework has three aims:

- i) to make it easy for people to complain to the council;
- ii) for the council to resolve complaints at the earliest stage possible; and
- iii) for the council to learn lessons from compliments, and feedback, and from complaints to prevent them from recurring.

In order to make it easy for people to complain to the council, the council uses a range of posters, leaflets, online forms and online supporting information. The teams currently use two different ICT systems to administer complaints, although the council is planning to converge on one core customer relations system in the next several months

- 2.2 The table below outlines a framework for how different types of feedback (particularly complaints, appeals against decisions and critical feedback) are handled in the council. The four columns on the right hand side show the routes for formal complaints to the council and the relevant policies and standards. The other columns illustrate the framework when people don't use the 'complaints' approach, such as appealing against a decision, contacting their local councillor, and using social media.
- 2.3 In many cases, the officer or manager may speak to the customer and see if they can resolve the problem without initiating a complaint. If the problem needs to be dealt with as a complaint, the council operates a two stage complaint process. In order to try and resolve the complaint as early as possible, at this first stage, the complaint is handled by an officer or manager from the service complained about, who investigates the issues raised, looks to resolve them and responds to the customer within the relevant timescale.

Table 1: Types of complaint to the council

	Appeal against decision	Ward member contact	Social media	Telephone complaint	In person complaint	Web complaint	Complaint form/letter
	includes school place, parking fine, parking permit, application for council tax support	http://democracy.leeds.gov.uk/mgFindMember.aspx	https://www.facebook.com/Leedscouncil/ https://mobile.twitter.com/leedscouncil_help	0113 22 4405	At every public building	http://www.leeds.gov.uk/council/Pages/Let-Us-Know-Compliments-Complaints-and-Feedback.aspx	By post (freepost address) Email to complaints@leeds.gov.uk
Timescale for reply:	Set by the specific service	10 working days (based on current email and letter standards)	Same day	Acknowledgment within 3 days Reply 10-20 days (depending on type of complaint)			
Policy:	Covered by the relevant policy, guidelines	Members' correspondence policy	Social media guidelines	Compliments, Complaints and Feedback policy Special procedure for complaints with alleged equality or discrimination aspect Special procedure for complaints about Data Protection (DPA), Freedom of Information (FOI)			
Appeal/escalation:	Set by the specific service	Executive/Lead Member	Will depend on the subject	Option for stage 2 (review)			
External appeal:	Ombudsman or court	None		Local Government Ombudsman Housing Ombudsman			

- 2.4 Should the customer remain dissatisfied after this stage, they can take their complaint to a second, review, stage of the complaints process. At this stage, a more senior officer will investigate and respond to the customer's concerns. The officer will look at how the original complaint was dealt with and also respond to any further issues that the customer may have raised with the council. Adult Social Care and Children's Social Care have procedures in line with statutory regulations, and the council also has specific procedures for complaints with an alleged discrimination aspect, or which are about data protection or freedom of information.
- 2.5 A customer who progresses to the review stage of our complaints policy is advised of their right to take their complaint to the relevant ombudsman, should they remain dissatisfied with the outcome, and depending on the Ombudsman's jurisdiction. The Local Government and Housing Ombudsmen advise customers to go through all stages of an authority's complaints procedure before investigating a complaint.
- 2.6 In recent years, the committee has received an annual report, which provides information on compliments and complaint volumes and trends, and the annual letter from the Local Government Ombudsman. The most recent annual report is attached at **Appendix 2**.

3 Main issues

- 3.1 This report covers the following issues, arising from discussion of the annual report at the September committee meeting, and input from a working group drawn from committee members.
- Patterns of complaints during 2015 and commentary on the top service-specific issues which cause complaints, and showing what lessons have been learned to reduce and prevent them from recurring;
 - Assessment of the customer experience of complaints, such as which overlap between members support teams and customer relations teams, which complaints are upheld, which cases are most likely to progress to stage 2 and ombudsman, or which ombudsman settlements reveal fault on the part of the council.

Overview of complaints to the council

- 3.2 The majority of complaints to the council do not progress beyond the initial stage described in section 2.4. Reviews and ombudsman complaints continue to be a very small proportion of complaints which are made to the council each year, summarised in the table below. To date in 2015 (January – November) the council received 3163 stage one complaints, of which 270 (8.5% of all complaints) progressed to the second stage of our complaints process. Of those, 116 people complained to the LGO/HOS, of which 17 found fault.
- 3.3 There is no simple comparison between unitary metropolitan councils to assess how Leeds compares with other major cities. We have made communication with Bradford and Birmingham council and the wider Yorkshire and Humber regional working group to see if meaningful benchmarking information can be shared on customer relations outcomes.

3.4 Table 2 below shows the breakdown of the 14 settlements against the council during 2014 and 2015, where the ombudsmen found fault and recommended that the council make payment as part of putting the matter right. Four were about Children's Services, three were about Housing, two each about Adult Social Care, City Development and Strategy & Resources. The council made three payments of more than £1000 during this period – one of over £21,000 about Children's Social Care and two about Adult Social Care.

Table 2: List of recent ombudsman settlements

Date	Directorate	Subject	Status	Decision	Value
Jan 2014	Env & Housing	Anti social behaviour	Upheld: Mal and injustice	Fault	£350
Feb	Adults	Errors and delays in disability adaptations	Upheld: Mal and injustice	Fault	£1,761
Feb	Strategy & Resources	Errors and delays in housing benefit	Upheld: Mal and injustice	Fault	£300
Mar	Childrens	Child protection	Upheld: Mal and injustice	Fault	£500
Mar	Childrens	Errors and delays in transport for contact meetings	Upheld: Mal and injustice	Fault	£500
Mar Wildman	Strategy & Resources	Errors in council tax billing	Closed after initial enquiry	Fault	£100
Apr	Adults	Impact of specialist learning disability housing on neighbours	Upheld: Mal and injustice	Fault	£4,225
Jul	Env & Housing	Rehousing delays	Upheld: Mal and injustice	Fault	£900
Oct	Childrens	Errors and delays in backdating carer payments	Upheld: Mal and injustice	Fault	£21,559.78
Feb 2015	Env & Housing	Errors and delays in bathroom repairs	Upheld: Mal and injustice	Fault	£500
Mar	City Dev	Errors and delays in planning and environmental health	Upheld: Mal and injustice	Fault	£250
Apr	Env & Housing	Errors and delays in bathroom repairs	Upheld: Mal and injustice	Fault	£150
Jun	City Dev	Errors and lack of clarity in resolving a dispute between market traders	Outside jurisdiction	Outside Jurisdiction	£250 (not LCC)
Oct	Adults	Leeds and York Partnership NHS Foundation Trust	Closed after initial enquiry	Outside Jurisdiction	£200

Directorate updates

3.4 **Appendix 1** contains directorate by directorate updates. These have been written by each directorate's Customer Relations Officer and signed off by a chief officer or director.

Assessment of the effectiveness of the council's overall approach to compliments, complaints and feedback

- 3.8 An assessment of the effectiveness of the council's overall approach to compliments, complaints and feedback balances positive trends with some areas for improvement.
- 3.9 On the positive side, the council continues to encourage people using a range of channels to let us know how well we have done, and ask that we take action, either to remedy a problem, or to pass on a compliment or thanks to the member(s) of staff. The number of complaints at stages 1 and 2 has fallen, and the council is responding to complaints more quickly than in previous years.
- 3.10 Below the high level trends of a reduction in complaints, the council needs to ensure that it welcomes and responds to feedback, comments and complaints. Given that the increases in complaints in 2015 have been about adult social care and children's services, a key area identified for development is that of the need to identify and address whether vulnerable people are aware of their right to complain about council services.
- 3.11 A further area for development is to make sure that the council remains as customer focused as possible, and is not confused or distracted by internal processes. The council is looking at ways to make sure that customer experiences are positive, and part of this work has included a senior manager masterclass on customer experiences, development of more personal, restorative approaches and a refresh of customer services training courses.

4 Corporate Considerations

Consultation and Engagement

- 4.1 As this report is providing the committee with information on past performance with regards to compliments, complaints and feedback, and LGO/HOS cases, no specific consultation or engagement has been sought.
- 4.2 The LGO, Healthwatch and Parliamentary and Health Ombudsman November 2014 report 'My expectations for raising complaints and concerns' was a response to concerns about NHS and social care scandals. It proposes a user-led approach based on engagement. This approach might be most easily applicable to Adult and Children's Social Care, but may also be relevant to other areas of the council who have customers who are perceived as vulnerable and unlikely to complain.

Equality and Diversity / Cohesion and Integration

- 4.3 Previous reports have raised the risk that the council may be under-reporting and potentially not paying appropriate attention to complaints where there are equalities or alleged discrimination aspects, or where vulnerable people do not complain. The cross-council customer relations meetings discuss ways to make sure that we are learning from the very best practice, such as LGO, Healthwatch and Parliamentary and Health Ombudsman report:

http://www.ombudsman.org.uk/_data/assets/pdf_file/0010/28774/Vision_report.pdf

Council policies and City Priorities

- 4.4 The review of compliments, complaints and feedback has not raised any issues that would impact on council priorities or city priorities.

Resources and value for money

- 4.5 Our compliments and complaints are relatively free feedback from our customers on what has gone wrong for them, and what we could or should have done differently or better. In doing this, we can also identify areas of improvement, to make our services more effective, in particular, more joined up and responsive to people's individual needs and circumstances. Each Ombudsman investigation and equality/discrimination complaint uses a case conference approach, the aims of which are to ensure that the investigation is i) thorough and timely, and ii) actions are put in place to prevent similar problems from occurring.
- 4.6 The cost of financial settlement and compensation detailed in section 3 is significantly outweighed by the amount of staff time spent administering and investigating complaints. The earlier faults or mistakes are identified and addressed, the more cost effective the process is. Ombudsman cases can have resource implications as the council should have resolved the issue earlier, but also have financial implications as the Ombudsman has the authority to impose financial settlements. All cases of financial settlement are reported to the council's Customer Strategy Board to ensure that lessons are learnt across the council.

Legal Implications, Access to Information and Call In

- 4.7 As this report is providing an update on past performance relating to compliments, complaints and feedback, and LGO/HOS cases dealt with during 2015, it does not have any legal implications. None of the information enclosed is deemed to be sensitive or requesting decision, and therefore raises no issues for access to information or call in.

Risk Management

- 4.8 As this report is providing an update on past performance relating to compliments, complaints and feedback, and LGO/HOS cases dealt with during 2015, there are no significant risks identified by this report.

5 Conclusions

- 5.1 This updated report has focused in more detail about the specific issues and patterns emerging in services, and what the council is doing to anticipate and respond to the .
- 5.2 This report has described the general arrangements in place for responding to complaints made by the public. It has also described how in practice the council has a balancing act, to make it easy for people to complain to the council, to resolve

customer complaints at an early stage and to learn lessons from the issues raised through complaints.

- 5.3 The report has drawn on the overview of 2015 to show that the council is continuing to inform people of their right to complain to us. The report has also shown that the trend in complaints is downward, and that the majority of complaints continue to be resolved at the first stage. It has also shown some more specific examples from each directorate, to ensure that lessons are learnt from current issues and trends complaints. The information detailed in this report enables us to give assurance that the current system is fit for purpose in this respect, and this provides assurance that complaints are operating as intended.

6 Recommendations

- Members are asked to consider the issues raised in the complaints update.
- Members are asked to confirm that the information provides assurance as to the effectiveness of the council's approach to complaints.

Appendices

Appendix 1 Directorate by directorate customer relations updates patterns and learning points for 2015

Appendix 2 Annual review of customer relations

Appendix 3 Adult Social Care Complaints report 2015