



SCRUTINY COMMISSION – 12th JULY 2021

CORPORATE COMPLAINTS AND COMPLIMENTS
ANNUAL REPORT 2020 – 2021

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of Report

1. The purpose of this report is to present for the Commission's consideration the Corporate Complaints and Compliments Annual Report, covering the period from 1 April 2020 to 31 March 2021. This is attached as appendix A to this report.

Background

2. The Complaints and Information Team manages and co-ordinates complaints relating to 3 separate complaints systems:
 - (i) Adult Social Care statutory process;
 - (ii) Children's Social Care statutory process;
 - (iii) Corporate Complaints process – these are complaints relating to other services provided by the Council where there is no access to a statutory complaints' procedure.
3. Corporate Complaints are the primary subject of this report. The corporate complaints service produces an annual report to analyse and provide comment on complaints received during the preceding 12 months.
4. As detail is included in the Annual Report itself, the purpose of this report is to highlight the headline issues emerging from the analysis of complaints activity for 2020/2021
5. Both statutory processes are subject to other reporting processes and separate annual reports on both areas will go to their respective Overview and Scrutiny Committees. This report will, however, include high level comments on each of these.

Headline statistics

Complaints received and outcomes (2019-20 comparative data is in brackets)

6. During 2020-21 the following complaints were received
 - 527 Corporate complaints (432) – a 21% increase
 - 38 Local Government and Social Care Ombudsman enquiries (44) – a 14% decrease
7. 210 Corporate complaints were upheld - which is 40% of the total received (43%)
8. 38 Ombudsman Decisions were made during 2020/21 as follows.
 - 17 Closed after Initial Enquiries
 - 12 Maladministration with Injustice
 - 5 Outside of LGO remit
 - 4 No Fault found after detailed investigation

Response times

9. During 2020-21, complaint response times were impacted by the wider pandemic pressures but remained largely positive (2019-20 figures in brackets):
 - 51% of all complaints received a response within 10 working days (60%)
 - 77% received a response within 20 working days (83%)
 - 97% received a response within the maximum 65 days recommended by LGO (99%)

Issues most frequently complained about

10. The top five issues complained about were as follows:

Travel and Transport Services	69
Waste Management	69
Highway and Footway Maintenance	58
Special Educational Needs (SEN)	38
Environmental Services	21

Local Government and Social Care Ombudsman Complaints

11. There has been a decrease both in the number of Ombudsman decisions and findings of maladministration this year. Financial payments made through the complaints process are expected to have increased from £28.8k to £55k¹.
12. The biggest factor in findings of maladministration continues to be SEN complaints.
13. The Ombudsman issued 2 public reports against the Council during the year. These were around School Admissions / Inclusion Services and Early Years childcare. Both contributed significantly to the costs incurred. Details of these reports and the recommendations made were presented to the Cabinet in February and March 2021.

Compliments

14. There was a reduction in numbers of compliments recorded during the year with 255 across all services (down from 412 in 2019-20). This may be an under-representation and fresh reminders have been issued to teams of the importance of passing these on.

Adult Social Care Statutory Complaints

15. There were 184 adult social care complaints recorded in 2020-21 a decrease of 11% on 2019-20 (208).
16. Response times for social care complaints saw some pressures during the year but remained healthy with 70% responded to within 10 working days and just 9 (5%) exceeding the statutory maximum timescale.
17. Fault was found in 42% of complaints. A slight reduction on previous year (-5%).
18. The Ombudsman investigated 8 social care complaints in 2020-21 and reached adverse findings in 4 instances. This represents a good reduction from previous year (10). Financial payments of £700 were made down from £3.7k in 2019-20.

Children Social Care Statutory Complaints

19. This saw a further decrease in the total number of complaints received. 63 Stage 1 complaints were accepted, down from 118 in 2019-20.
20. The above reduction must be seen within the context of fresh guidance released from the Local Government and Social Care Ombudsman in

¹ This figure depicts worst case scenario. One case continues to be negotiated with a Nursery provider.

November 2019 which the Council is now using to determine eligibility to the statutory procedure. It is much more likely now that if a parent is complaining about injustice to them rather than the child this will be managed as a Corporate Complaint.

21. 88 Childrens Social Care complaints were handled under the Corporate Complaints procedure.
22. Of the 63 complaints considered at Stage 1, 7 requested escalation to Stage 2 (Independent Investigation) equating to 11%. Of these, 3 requested further escalation to Stage 3 of the process (Panel Review) and 2 went on to approach the Ombudsman.
23. Response times for Stage 1 complaints showed some challenges with adhering to the stricter statutory timescale of 20 working days with 62% achieving this. Only 3 complaints (7%) exceeded 40 working days and this was where meetings were trying to be arranged with parents.
24. The Ombudsman investigated 5 children social care complaints in 2020-21 and reached adverse findings in 2 instances. Financial payments of £11.9k were made up from £2.2k in 2019-20.

Recommendations

25. The Commission is asked to:
 - (i) note the contents of the Corporate Complaints Annual Report attached as Appendix A, covering the period 1 April 2020 to 31 March 2021;
 - (ii) provide comment and feedback on the content and analysis within the report.

Circulation under the Local Issues Alert Procedure

None.

Background Papers

Corporate Complaints and Compliments Annual Report 2019 – 2020: Scrutiny Commission – 2 September 2020

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=6177&Ver=4>

Local Government and Social Care Ombudsman Report Regarding Nursery Charges: Cabinet – 5th February 2021

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=6440#A166685>

Local Government and Social Care Ombudsman Report Regarding Provision of Suitable Full Time Education: Cabinet – 23 March 2021

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=6441#A167316>

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List of Appendices

Corporate Complaints and Compliments Annual Report 2020 – 21

Equality and Human Rights Implications

None

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