



**CABINET – 20 JULY 2021**

**CORPORATE COMPLAINTS AND COMPLIMENTS**  
**ANNUAL REPORT 2020/21**

**REPORT OF THE DIRECTOR OF CORPORATE RESOURCES**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to present to the Cabinet the Corporate Complaints and Compliments Annual Report, covering the period 1 April 2020 to 31 March 2021, appended to this report.
2. The Annual Report highlights a growing volume of complaints and sets out the key reasons driving this. It also charts a number of improvements in how the organisation both handles and learns from complaints and provides assurance that where mistakes have been made the Council has taken the appropriate steps to put things right.

**Recommendations**

3. That the Cabinet notes the Corporate Complaints and Compliments Annual Report, covering the period 1 April 2020 to 31 March 2021.

**Reasons for Recommendation**

4. To note the increase in volume of corporate complaints received but also the continued strong performance in timely resolution of complaints.

**Timetable for Decisions (including Scrutiny)**

5. The Corporate Complaints and Compliments Annual Report will be presented to the Scrutiny Commission at its meeting on 12 July 2021 and its comments will be reported to the Cabinet.

**Policy Framework and Previous Decisions**

6. The Council adopted a new Corporate Complaints Policy in 2010 which requires an Annual Report to be produced, analysing and reviewing complaints received during the preceding 12 months.

7. During the 2020-21 reporting year, the Cabinet received briefings on the outcomes of two public reports issued against the Council by the Local Government and Social Care Ombudsman.

### **Resource Implications**

8. There are no additional resource requirements arising from this report.
9. The Director of Corporate Resources and Director of Law and Governance have been consulted on this report.

### **Circulation under the Local Issues Alert Procedure**

10. None.

### **Officers to Contact**

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## **PART B**

### **Background**

11. 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 any other Council service and where there is no other form of redress.
  
12. Corporate complaints are the primary subject of this report. The other two statutory processes are subject to separate reporting arrangements and annual reports on both areas will be presented to the relevant 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)**

13. 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.
  
14. 210 Corporate complaints were upheld, which is 40% of the total received (43%).
  
15. 38 Ombudsman Decisions were made during 2020/21 as follows:
  - 17 Closed after Initial Enquiries
  - 12 Maladministration with Injustice
  - 5 Outside of Local Government Ombudsman (LGO) remit
  - 4 No Fault found after detailed investigation.

### **Response Times**

16. During 2020-21, complaint response times were affected 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%).

### **Most Frequent Complaints**

17. The top five issues complained about were as follows.

a) Travel and Transport Services - 69

Most of these were received in September 2020, being mainly about delays in commissioning and arranging transport for students. The pandemic was in part responsible, but there was also insufficient capacity to handle enquiries and manage expectations.

b) Waste Management - 69

Of these, 35 complaints concerned the booking system - those aside, the number would have been in line with previous years. A large number of bookings were made, a very small number of which were the subject of a formal complaint.

c) Highway and Footway Maintenance - 58

Only a small number related to high-priority issues where response timeframes remain consistently good. Complaints were more prevalent for lower priority work, some of which has taken longer to schedule over the last year. Again, managing expectations is an issue.

d) Special Educational Needs (SEN) - 38

The most common theme concerned the rigour of sending out Education and Health Care Plans in a timely fashion and responding to parent enquiries.

e) Environmental Services - 21

This includes Drainage and Grass Cutting, previously listed separately. Historically, Drainage alone has been one of the highest-ranked areas for complaint but over the last 3 years there have been significant improvements and just 6 complaints recorded for 2020/21. Grass Cutting was the subject of 15 complaints, similar to the previous year (this excludes policy, such as the number of cuts, collection of grass cuttings).

### **Local Government and Social Care Ombudsman Complaints**

18. There has been a decrease both in the number of Ombudsman decisions and findings of maladministration. Financial payments made through the complaints process are however expected to increase, from £28,800 to £55,000 (this reflects a worse-case scenario; one settlement is still under negotiation).

19. The area with most decisions of maladministration continues to be SEN. This continues to mirror the national trend.

20. The Ombudsman issued 2 public reports against the Council during the year. These centred on School Admissions / Inclusion Services and Early Years

childcare. Both contributed significantly to the costs incurred through settlements.

### **Compliments**

21. There was a reduction in the number of compliments recorded during the year with a total of 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 to be recorded.

### **Adult Social Care Statutory Complaints**

22. There were 184 adult social care complaints recorded in 2020-21, a decrease of 11% on 2019-20 (208).
23. 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.
24. Fault was found in 42% of complaints. This represents a slight reduction on the previous year (5%).
25. The Ombudsman investigated 8 social care complaints in 2020-21 and reached adverse findings in 4 instances. This represents a good reduction from the previous year (10). Financial payments of £700 were made down from £3,700 in 2019-20.

### **Children's Social Care Statutory Complaints**

26. There was a further decrease in the numbers of complaints recorded under the statutory children's social care procedure. 63 Stage 1 complaints were accepted, down from 118 in 2019-20.
27. The above reductions must be seen within the context of fresh guidance released from the Ombudsman in 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 or carer is complaining about injustice to themselves rather than their child this will be managed as a Corporate Complaint.
28. 88 Children's Social Care complaints were handled under the Corporate Complaints procedure.
29. 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.
30. 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 officers were trying to arrange meetings with parents.

31. The Ombudsman investigated 5 children social care complaints in 2020-21 and reached adverse findings in 2 instances. Financial payments of £11,900 were made, up from £2200 in 2019-20.

### **Conclusion**

32. Complaints can be valuable in helping to identify recurring or underlying problems and potential improvements. Lessons can usually be learned from complaints that were upheld, but also sometimes in cases where no fault was found but the opportunity to improve services is identified.
33. Occasionally issues will emerge that need to be addressed over and above the original complaint. The Complaints Team will always seek to look at the “bigger picture” to ensure that residents receive the best possible service from the Council. In every case where fault has been found the actions taken have been reviewed, both to remedy the fault and help prevent the issue arising again.
34. The effect of the Covid-19 pandemic has, unsurprisingly, resulted in considerable extra pressure on services, including in responding to complaints. Also, the past year has highlighted the effect of the “digital first” approach, with an increase in enquiries overspilling into the Complaints arena, for example with the Waste disposal sites booking where people struggling with the online system then turned to the complaints process to resolve this.
35. Notwithstanding the challenges in 2020/21, 97% of complaints were resolved within the Council’s policy timescale. The number of adverse decisions from the Ombudsman has also fallen, indicating that the Council’s review process is helping mitigate these.

### **Equality and Human Rights Implications**

36. There are no equality or human rights implications arising from the recommendations in this report.

### **Background Papers**

Report to the Cabinet on 5 February 2021 - Local Government and Social Care Ombudsman Report Regarding Nursery Charges  
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6440&Ver=4>

Report to the Cabinet on 23 March 2021 - Local Government and Social Care Ombudsman Report Regarding Provision of Suitable Full Time Education  
<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6441&Ver=4>

### **Appendix**

Corporate Complaints and Compliments Annual Report 2020-21