



SCRUTINY COMMISSION – 8th JUNE 2022

CORPORATE COMPLAINTS AND COMPLIMENTS ANNUAL REPORT 2021 – 2022

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 2021 to 31 March 2022. This is attached as an appendix 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.
4. The corporate complaints service produces an annual report to analyse and provide comment on complaints received during the preceding 12 months.
5. 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 2021/2022
6. Both statutory processes are subject to other reporting processes and annual reports on both areas will go to their respective Scrutiny and Overview Committees. This report will however include high level comments on each of these.

Headline statistics

Complaints received and outcomes (2020-21 comparative data is in brackets)

7. During 2021-22 the following complaints were received
 - 610 Corporate complaints (527) – a 16% increase
 - 49 Local Government and Social Care Ombudsman enquiries (38) – a 29% increase
8. 224 Corporate complaints were upheld - which is 39% of the total received (40%).
9. 50 Ombudsman Decisions were made during 2021/22 as follows:
 - 21 Closed after Initial Enquiries
 - 19 Maladministration with Injustice
 - 5 Outside of LGO remit
 - 4 No Fault found after detailed investigation
 - 1 Maladministration but with no injustice caused

Response times

10. During 2021-22, complaint response times were again impacted by the wider pandemic pressures and show some pressures on services (2020-21 figures in brackets):
 - 41% of all complaints received a response within 10 working days (51%)
 - 68% received a response within 20 working days (77%)
 - 92% received a response within the maximum 65 days recommended by LGSCO (97%)

Issues most frequently complained about

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

Special Educational Needs (SEN) assessment	129
SEN and School Transport	93
Waste Management	60
Environmental Services	25
Parking Provision	22

Local Government and Social Care Ombudsman Complaints

12. There has been an expected increase in the number of Ombudsman decisions this year. This follows a 3 month pause in casework during 2020-21. Findings of maladministration increased but not disproportionately.
13. Despite the increased numbers of findings of maladministration this year financial payments made across Corporate Complaints reduced from £40,000 in 2020-21 to £10,750.
14. The biggest factor in findings of maladministration continues to be SEN complaints. The Council continues to have regard to the Ombudsman's guidance on remedies and this has prevented several complaints escalating through appropriate local settlement offers.
15. The Ombudsman issued no public reports against the Council during the year.

Compliments

16. There was a slight increase in numbers of compliments recorded during the year with 226 across all services (up from 215 in 2020-21).

Adult Social Care Statutory Complaints

17. A full report on adult social care complaints will be presented to the Adults and Communities Overview and Scrutiny Committee at its meeting on 6th June 2022. The key points to note from this are outlined below to provide the Commission with an overall view of the complaints received.
18. There were 210 adult social care complaints recorded in 2021-22 an increase of 14% on 2020-21 (184).
19. Response times for social care complaints also saw some pressures during the year with 64% responded to within 20 working days. Importantly, however, just 5 (2%) exceeded the statutory maximum timescale of 65 working days (9).
20. Fault was found in 43% of complaints. Almost identical to the previous year (42%).
21. The Ombudsman investigated 10 social care complaints in 2021-22 and reached adverse findings in 5 instances. This was comparable to the previous year (4). Financial payments of £500 were also down from £700 in 2020-21.

Children Social Care Statutory Complaints

22. A detailed report on children social care complaints will be presented to the Children and Families Overview and Scrutiny Committee at its meeting on 7th June 2022. The key points from this to note are set out below.

23. A total of 65 Stage 1 complaints were accepted, almost identical to 61 in 2020-21.
24. The Council continues to assess complaints against the statutory guidance and practitioner guidance issued by the Local Government and Social Care Ombudsman in determining eligibility to the statutory procedure. This is important to control costs incurred through independent investigation.
25. 76 Childrens Social Care complaints were handled under the Corporate Complaints procedure.
26. Of the 65 complaints considered at Stage 1, 6 requested escalations to Stage 2 (Independent Investigation) equating to 10%. Of these, 4 requested further escalation to Stage 3 of the process (Panel Review) and all of those went on to approach the Ombudsman.
27. Response times for Stage 1 complaints showed some challenges with adhering to the stricter statutory timescale of 20 working days with 61% achieving this. There were also 10 complaints (17%) which exceeded 40 working days. This requires improvement to adhere to the statutory procedures.
28. The Ombudsman investigated 10 children social care complaints in 2021-22 and reached adverse findings in 3 instances. Financial payments of £300 were made, significantly down from £11,900 in 2020-21.

Recommendations

29. The Commission is asked to:
 - (i) note the contents of the Corporate Complaints Annual Report, covering the period 1 April 2021 to 31 March 2022;
 - (ii) provide comment and feedback on the content and analysis within the report.

Equality and Human Rights Implications

None

Circulation under the Local Issues Alert Procedure

None.

Background Papers

Corporate Complaints and Compliments Annual Report 2020 – 2021: Scrutiny Commission – 12 July 2021

<https://politics.leics.gov.uk/ieListDocuments.aspx?CIId=137&MIId=6608&Ver=4>

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List of Appendices

Appendix - Corporate Complaints and Compliments Annual Report 2021 – 22

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