

**SCRUTINY COMMISSION – 10 JUNE 2024****CORPORATE COMPLAINTS AND COMPLIMENTS
ANNUAL REPORT 2023 – 2024****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 2023 to 31 March 2024. 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 and ahead of presentation to the Scrutiny Commission.
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 2023/2024
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 (2022-23 comparative data is in brackets)

7. During 2023-24 the following complaints were received
 - 1,112 Corporate complaints (781) – a 42% increase
 - 83 Local Government and Social Care Ombudsman enquiries (80) – a 2% increase
8. 529 Corporate complaints were upheld - which is 47% of the total received (51%)
9. 82 Ombudsman Decisions were made during 2023/24 as follows.
 - 27 Maladministration with Injustice
 - 23 Premature
 - 22 Closed with no Further Action
 - 6 Outside of LGO remit
 - 4 No Fault found after detailed investigation.
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Response times

10. During 2023-24, complaint response times at Stage 1 showed some improvement from 2022-23. There remained some pressures however particularly around SEN complaints.

Stage 1

- 48% of all complaints received a response within 10 working days
- 76% received a response within 20 working days
- 90% received a response within 40 days.

Stage 2

- 61% of all complaints received a response within 20 working days. This was a significant improvement on last year (37%)

Issues most frequently complained about

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

Special Educational Needs (SEN) assessment	285
SEN and School Transport	149
School Admissions	109
Waste Management	60
Grass Cutting	49

Local Government and Social Care Ombudsman Complaints

12. Following a significant increase last year, the number of Ombudsman decisions issued during the year has remained stable. These continue to be dominated by SEN decisions.
13. This reflects the national picture with the Ombudsman declaring that 40% of its overall case-work related to SEN during the year.
14. There has also been an increase in the findings of maladministration this year. Financial payments made across Corporate Complaints decreased from £40,750 in 2022-23 to £27,222. Whilst this is a positive, it should be cautioned that this figure does not include redress offered by the Council at the local stages of the procedure.
15. 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.
16. The Ombudsman did not issue any public reports against the Council during the year.

Compliments

17. There was an increase in numbers of compliments recorded during the year with 335 across all services (up from 211 in 2022-23).

Adult Social Care Statutory Complaints

18. There were 382 adult social care complaints recorded in 2023-24 a significant increase of 87% on 2022-23 (204)
19. Response times for social care complaints remained strong this year with 77% responded to within 20 working days. This is almost identical to last year (76%). There were just 5 complaints exceeding the statutory maximum 65 working days which is a good improvement on last year (19).
20. Fault was found in 50% of complaints. An increase of 12% from previous year (38%). Delay was a significant factor in the higher uphold rates.
21. The Ombudsman investigated 17 social care complaints in 2023-24 and reached adverse findings in 5 instances. This was a decrease on the previous year (9). Financial payments of £550 were also significantly decreased from £15,870 in 2022-23. This shows strong efforts at local resolution of complaints.

Children Social Care Statutory Complaints

22. A total of 81 Stage 1 complaints were accepted, a small decrease from 2022-23 (86).
23. 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.
24. 129 Childrens Social Care complaints were handled under the Corporate Complaints procedure.
25. Of the 81 complaints considered at Stage 1, 8 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 2 of those went on to approach the Ombudsman.
26. Response times for Stage 1 complaints showed good sustained improvement from last year with adherence to the stricter statutory timescale of 20 working days met in 63% of instances (37% in 2022-23)
27. The Ombudsman investigated 13 children social care complaints in 2023-24 and reached adverse findings in 6 instances. Financial payments of £2300 were made, very similar to that of 2022-23 (£2500).

Recommendations

28. The Commission is asked to:
 - (i) note the contents of the Corporate Complaints Annual Report, covering the period 1 April 2023 to 31 March 2024.
 - (ii) provide comment and feedback on the content and analysis within the report.

Circulation under the Local Issues Alert Procedure

None.

Equality and Human Rights Implications

None

Background Papers

Corporate Complaints and Compliments Annual Report 2022 – 2023: Scrutiny Commission – 12 June

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=7101&Ver=4>

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List of Appendices

Corporate Complaints and Compliments Annual Report 2023 – 24

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