



# **Corporate Complaints & Compliments Annual Report 2023 - 2024**

## CONTENTS

Corporate Complaints & Compliments Annual Report 2023 - 2024.....	1
CONTENTS.....	1
1. Purpose of Report.....	2
2. Complaints and Compliments received in 2023-24.....	2
3. Service Performance 2023-24 .....	9
4. Learning from corporate complaints .....	12
5. Local Government and Social Care Ombudsman enquiries .....	14
6. Oversight and support provided by Complaint's service. ....	16
7. Introduction of new Joint Code of Practice for Complaints Handling .....	17
8. Concluding Comments.....	17

## **1. Purpose of Report**

- 1.1 To report statistical information on Leicestershire County Council's (LCC) corporate complaints and compliment activity from 1 April 2023 to 31 March 2024.
- 1.2 To provide an open resource to anyone who wishes to scrutinize local services.
- 1.3 To outline the key developments and planned improvements to the complaints processes operated by the Council.
- 1.4 To demonstrate how some of the learning from complaints and compliments has been used to shape future service delivery and improve the overall customer experience.

## **2. Complaints and Compliments received in 2023-24**

### **2.1 Introduction**

The Complaints 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 all other services provided by the Council where there is no access to a statutory complaints' procedure.

In addition, the team deals with a wide range of interactions with customers that do not go on to become formal complaints. These include capturing compliments and comments about all Council services. The Complaints and Information team also look for opportunities to "fix and solve" issues through informal resolution as well as signposting to other organisations or alternative routes of redress as required.

Whilst many of the above queries are quickly resolved, those where exemptions from the complaints procedure apply can often generate significant correspondence and phone calls.

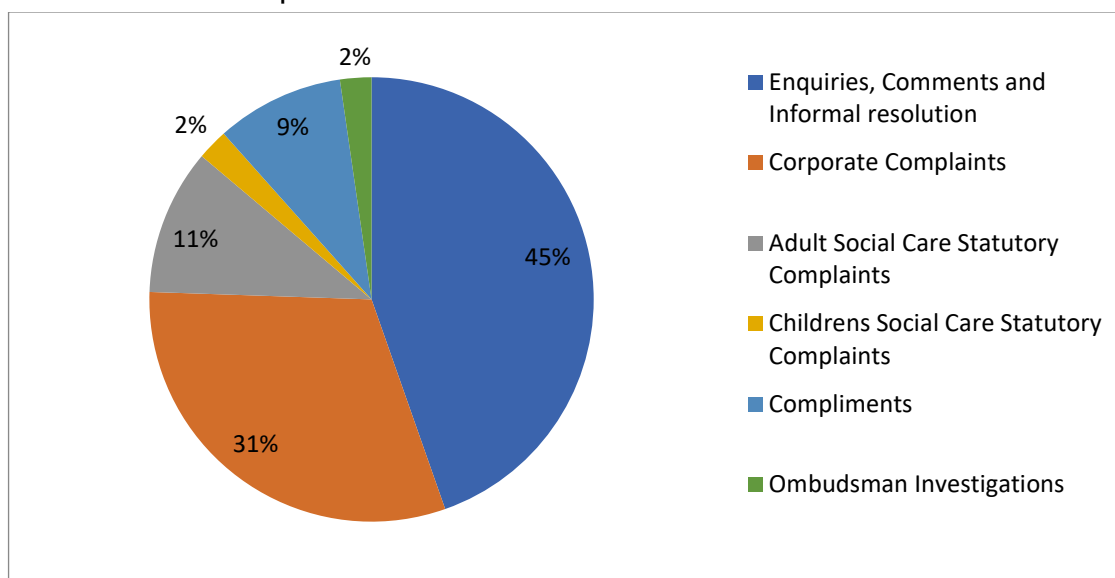
The team also, in liaison with the Director of Law and Governance, manage all complaints that are referred to the Local Government and Social Care Ombudsman (LGSCO). The Complaints and Information Manager acts as the nominated Link Officer and handles all correspondence between the Council and the Ombudsman.

## 2.2 Summary of all complaints, compliments and enquiries received in 2023-24

In total, the Complaints Team received and processed 3597 separate enquiries during 2023/2024, as depicted below:

**Table 1: Breakdown of all complaints and enquiries received by the Complaints team.**

Total number of enquiries: 3597



A significant number of enquiries do not need to be formally investigated as complaints but instead the public are assisted by the Complaints and Information team to access the appropriate service or to resolve any difficulties they are having.

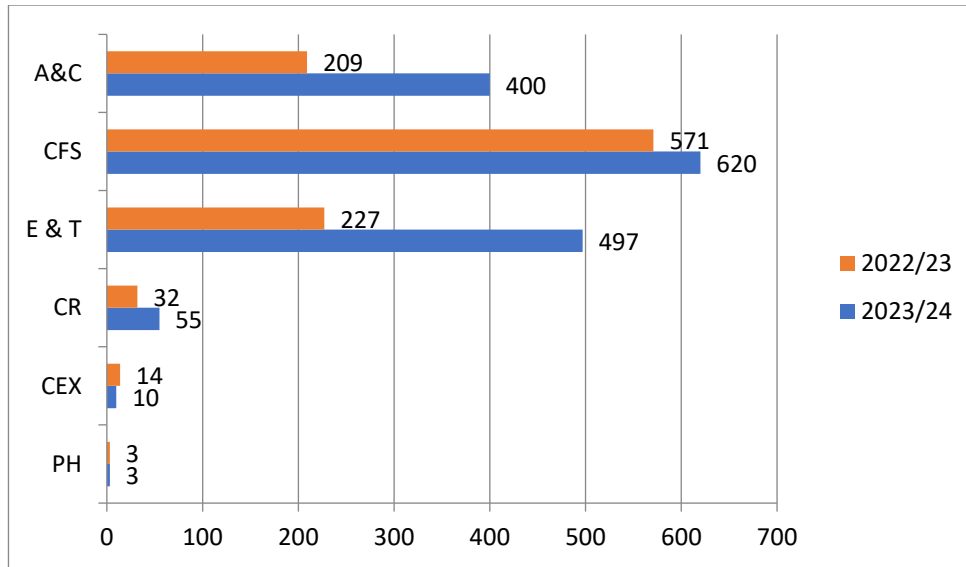
These are collated under Enquiries, Comments, and Informal Resolution. Further detail is provided on this under Section 2.6. At 45% of the overall volume this is a significant role for the team.

Overall, there has been a further 5% increase in contacts to the Complaints and Information Team, as set out in the table below. This followed a 25% increase last year. Although the overall rate of increase has eased, there is still significant demand pressures on the team.

Contact Type	2022/23	2023/24	% Change
Enquiries, Comments, and Informal resolution	2037	1605	-21%
Corporate Complaints	781	1112	+42%
Adult Social Care Statutory Complaints	204	382	+87%
Childrens Social Care Statutory Complaints	86	81	-6%
Ombudsman Investigations	80	82	+2%
Compliments	211	335	+58%
	<b>3399</b>	<b>3597</b>	<b>+5%</b>

Formal complaints were received across all departments in 2023-24 as represented in Table 2, contrasted with the figures for 2022-23.

**Table 2 – All complaints (statutory and non-statutory) by Department**

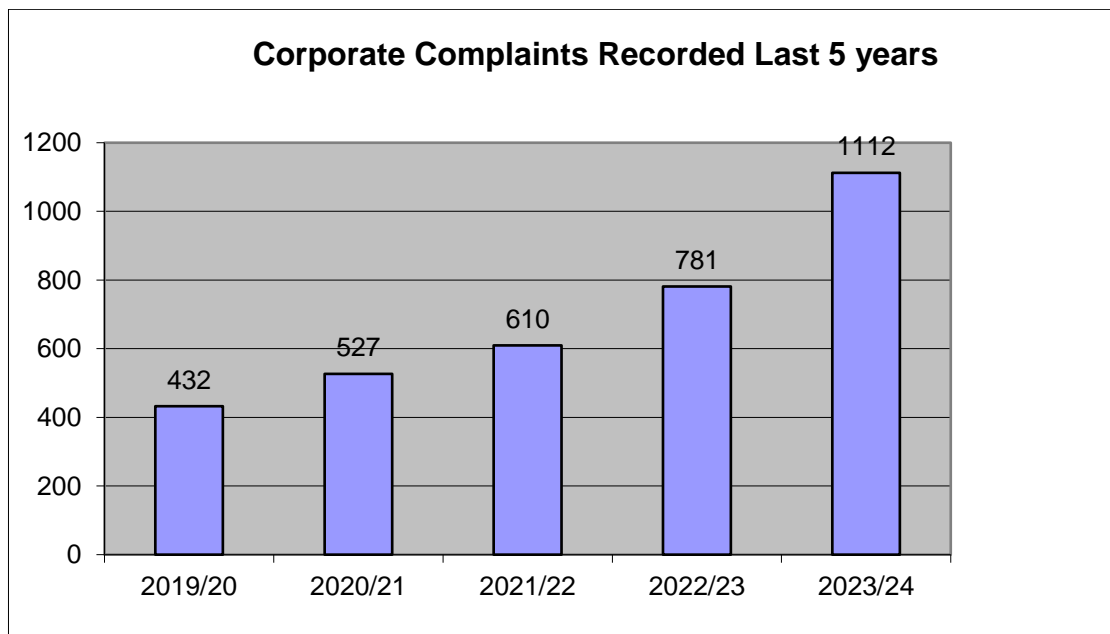


It should be noted that this report and the following analysis relates solely to the Council’s corporate complaints and compliments processes.

**2.3 Corporate Complaints trend analysis**

The total number of corporate complaints received increased by 42% during 2023-24. This follows a 28% rise from the previous year and continues the long-term trend of significant increase.

**Table 3: Corporate Complaints recorded during the last 5 years.**



## 2.4 Analysis of corporate complaint themes and significant changes from 2022-23

A key part of an effective complaints system is to highlight areas for improvement and to seek improvement of those services year on year.

In the 2022-23 corporate complaints annual report, the 5 services detailed below received the most complaints. Comparative data for 2023-24 has been added to the table below.

Service	2022/23	2023/24
School Admissions	237	109
SENA Services	193	285
SEN and School Transport	79	149
Highway Repair and Maintenance	26	41
Public Transport	24	11

The above shows a mixed picture in terms of success in service improvement.

It is welcome that, following significant transformation work, School Admissions complaints reduced by more than 50%. The main improvements here have been improved communication and timeliness of responding to applications.

Resource levels within this team have been stabilised and it is expected that there will be a further reduction this year.

SEN Assessment has returned to being the highest single area and remains an area which is generating significant volumes of complaints.

SEN and School Transport complaint numbers increased significantly whilst there was a smaller increase in Highway Maintenance complaints.

Complaints regarding Public Transport returned very much to usual levels. It is worth also saying that many operational issues are not recorded as complaints and instead referred to commercial operators to respond to.

## 2.5 Analysis of most common corporate complaints in 2023-24

The list below details the 5 most frequent complained about services during 2023-24.<sup>1</sup>

Service	2023/24
SENA	285
SEN and School Transport	149
School Admissions	109
Waste Management	60
Grass Cutting	49

### **SENA**

It has again been a very challenging year for this service with a further sustained increase in complaints.

By far the biggest factor in these complaints is delay in meeting statutory timescales. There remain acute national and local pressures around capacity of Educational Psychologists and availability of specialist places.

The fact that these complaints are largely delay related means they are also some of the hardest to effectively resolve. This has a knock-on impact to the level of escalations to the LGSCO.

The Council continues to work to a DfE approved Accelerated Improvement Plan, but the pace of increased demand means this remains a hugely challenging area of work.

For context, SEN now makes up 40% of the LGSCO's case work nationally. This has overtaken Adult Social Care which has always been the highest area of work since the Ombudsman was created in 1974.

### **SEN and School Transport**

Representing 13% of the overall volume, it has been a difficult year for the Transport service particularly around the start of the Autumn term 2023.

There are significant ties to the SEN Assessment service and delays in naming placements impacted heavily on the Transport team's ability to commission and procure timely transport.

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<sup>1</sup> This list excludes the 101 complaints about Childrens Social Care and where the complainant lacked access to the statutory complaints procedure. These themes will be explored in the Childrens Social Care Annual Report 2023-24

Specifically, this year there were also great challenges with the taxi market. This led to difficulties with procurement and an unusually high number of contracts handed back to the Council.

The area has stabilised during the final quarter of the year and significant work is taking place to plan for the Autumn term 2024 but it must present as an area of concern until such time as the improvements are translated into a reduced level of complaints.

### **School Admissions**

Although still representing 10% of the overall volume, it is important to stress that the vast majority of these were recorded in the first 6 months of the reporting year (April 2023 – September 2023).

Since October 2023, there have been just 21 complaints recorded and this includes covering the time period of National Offer Day which passed with very little negative feedback.

It should therefore be considered the remedial actions from last year have been successful in this area. Whilst it is important not to be complacent, this service no longer shows as an area of significant concern.

### **Waste Management**

Of the 60 complaints recorded, the majority were about customer care and perceived helpfulness of site workers.

Often no finding could be made as there were different versions of events but there were 22 instances which upon investigation it was found that operators could have handled things better.

There is a rolling programme of customer care training for workers.

Of the complaints not upheld, the most common theme was about lack of assistance for members of the public in handling bulky items. Our site terms and conditions do make clear that workers will not generally be available to assist but it is clear the public expectations are different.

### **Grass Cutting**

The 49 complaints received were almost exclusively concerns with missed cuts. There were a small number that were about the quality of the cut.

There were issues this year with the contractors performance and a full end of season review took place to identify improvements ahead of the 2024-25 season.



## 2.6 Enquiries and Out of Jurisdiction complaints

As well as managing formal complaints, the Complaints Team is also well placed to proactively assist customers where they simply looking for assistance or struggling to contact the service they need.

Many such matters can be quickly and informally put right and where this is the case, the intervention is not formally recorded as a complaint. Our complaints policy specifies a window of opportunity of up to 24 hours to achieve such informal resolution. In all instances the complaints team will track the case to ensure resolution is made.

Similarly, under our policy a request for service is not a complaint (for example, a request for service could be a request to repair a pothole). A complaint would generally only arise should the request for service not be properly dealt with or there is evidence this has been reported previously.

The Complaints Team regularly handles calls of this nature and takes ownership of the case, liaising with the department to ensure they are responded to promptly.

During 2023-24, the Complaints Team handled 1,605 miscellaneous enquiries including:

- First time requests for service which were passed to the relevant Customer Service Centre or other access point (653)
- Informal resolution within 24 hours. This includes provision of advice and information about Council services and policies (505)
- Providing advice and signposting to the correct organisation e.g., District Councils, Academies, Health (346).
- Providing advice and signposting to alternative procedures for redress, for example internal appeals procedures, subject access requests, HR procedures (101)

Sometimes, these are simple matters for the team to resolve. Others can be extremely difficult cases; especially when managing expectations and where nothing more can be achieved through the complaints process.

Wherever possible, the Complaints Team aims to resolve customer complaints and concerns without the need to escalate into the formal complaints process. This is good complaints handling practice with complaints being resolved as close to the point of origin as possible.

This year there has again been significant acceleration of the use of digital channels for services. Whilst the majority of this has worked well, inevitably there has been some instances where the process has not worked, and customers have turned to the complaints team for assistance. It is important to note that this will continue to drive additional demand to the Complaints team as we roll this out further.

## 2.7 Compliments received.

335 compliments were recorded across all corporate services during 2023-24. This is significantly up from 211 in 2022/23. Libraries continue to receive high levels of compliments (253) reflecting the high value placed on this service by residents.

It is always encouraging to see visibility of the good work that is being delivered by the Council and it will remain a topic for discussion with departments to encourage and promote sending compliments in for central collation.

A small selection of the compliments received about corporate services can be found in Appendix A of this document.

## 3. Service Performance 2023-24

The key performance indicators for speed of response, outcomes and identified learning are linked to complaints that have been *resolved* within any given reporting period rather than received.

This is important as it ensures that full data sets can be presented, both to departments on a quarterly basis, and at year end. It also avoids the scenario whereby Ombudsman findings of maladministration might not appear in annual reports (where outcomes are not known at the time of production).

It follows from all the above that the figures presented below will not match the data presented in section two of this report which focused on complaints *received*.

### 3.1 Responsiveness to corporate complaints

**Table 4: Corporate Complaints Performance – Stage 1**

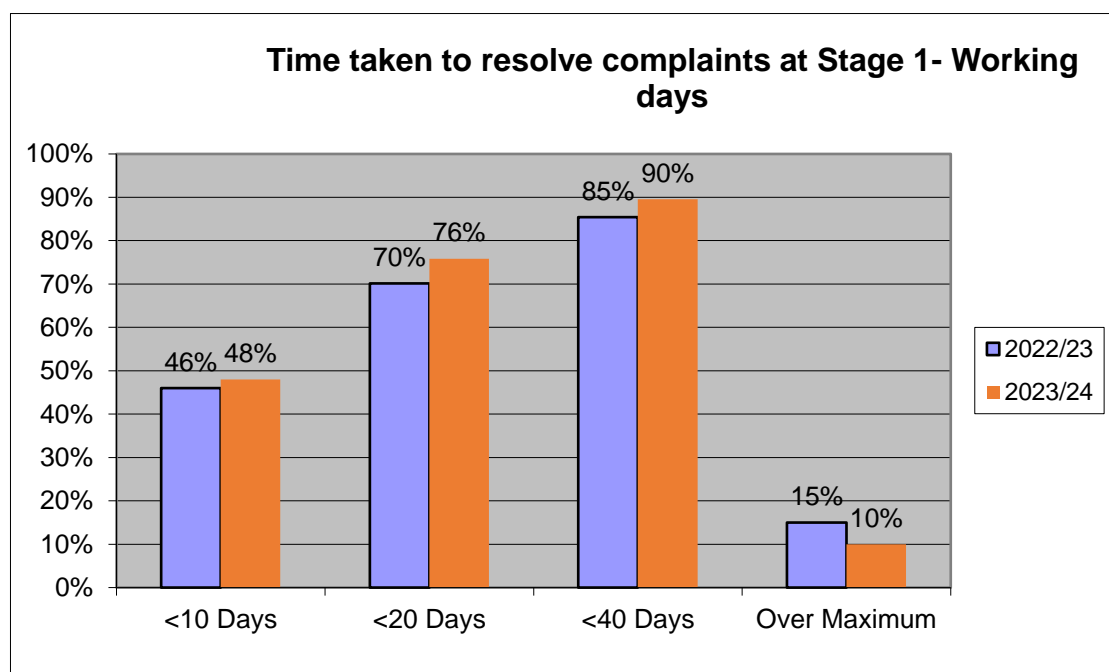


Table 4 shows a summary of time taken to respond to complaints at Stage 1 and compares to 2022/23 performance. Our corporate complaints procedure sets out a maximum of 40 working days at Stage 1.

As already noted there has been pressure on complaints timescales but there has been a light in-year improvement at all of the key performance indicators. There were however some 10% (112) complaints taking in excess of 40 working days to respond to. The vast majority of these were about SEN matters.

As many of the complaints are inextricably linked to the completion of assessments or finalising plans, it follows that the complaints team are very reliant on the wider capacity within the SEN service to meet statutory timescales.

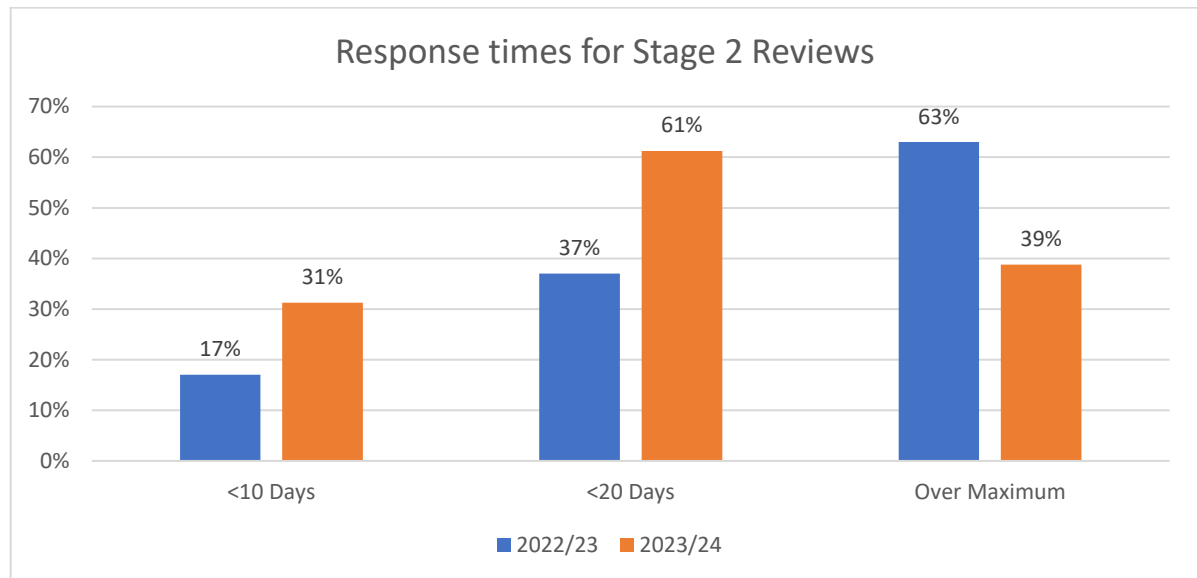
The LGSCO issued guidance during the year that has changed how we now deal with these situations. The Council is now expected to issue a final complaint response without waiting for plans to be finalised and proactively offering any appropriate redress payment.

### 3.2 Responsiveness to Corporate Complaints – Stage 2

Under the corporate complaints procedure, the Council will generally offer a senior manager review. This is defined as Stage 2. The revised procedure sets out up to 20 working days for this stage of the process.

In 2023/24 80 complaints were escalated to Stage 2 and responded to. This was a slight reduction on 2022/23 (83)

The graph below shows the time taken to respond at Stage 2.

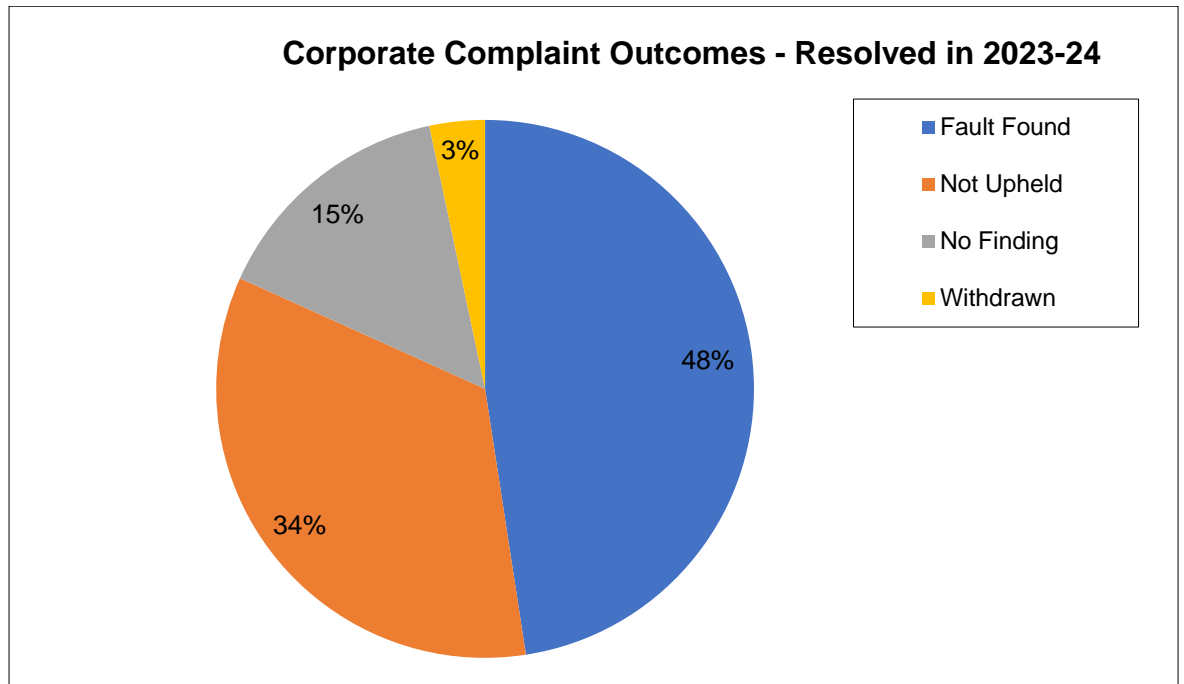


Again, this data shows improved compliance with our policy timescales but there is still some work to do, with 31 reviews taking longer than 20 working days.

The Complaints Manager is working closely with departments to drive improvement in this area.

### 3.3 Corporate Complaint Outcomes & Resolutions

**Table 5: Corporate complaints recorded by outcome.**



To align with LGSCO data classification and simplify our own reporting, the Council does not differentiate between whether a complaint was partly or fully upheld. Instead, the Complaints team will assess all complaints responded to and classify as either “Fault Found” or “Not Upheld”.

Table 5 above shows that 529 (47%) complaints were upheld to some extent following investigation, this is slightly reduced from 2022/23 (51%). The relatively high proportion is again down to the volume of complaints where delay was the primary factor.

115 complaints were resolved with no finding. This is where there was insufficient evidence to make a finding (e.g., two irreconcilable versions of events).

## 4. Learning from corporate complaints

Complaints are a valuable source of information which help to identify recurring or underlying problems and potential improvements. We know that numbers alone do not tell everything about the attitude towards complaints and how they are responded to locally. Arguably of more importance is to understand the impact those complaints have on people and to learn the lessons from complaints to improve the experience for others.

Lessons can usually be learned from complaints that were upheld but also in some instances where no fault was found but the Authority recognises that improvements to services can be made.

Occasionally issues will be identified that need to be addressed over and above the original complaint. The Complaints Team will always try to look at the “bigger picture” to ensure that residents receive the best possible service from the Council.

### 4.1 Remedial actions taken from resolved complaints 2023-24

All the 529 complaints where fault has been found have been reviewed to ascertain what action the relevant department has taken, both in remedying the fault, and any wider learning to avoid such issues occurring in the future.

A sample of positive improvements the Council has made is set out below.

You complained that	We Have
Kept repeating the same information when I contacted the Customer Service Centre	Reminded staff of the need to escalate into complaints process where matters are reaching an impasse and to ensure objective senior manager oversight
Highways officers refused to help answer questions about a diversion route	All operatives reminded to be polite to the general public whilst working on sites and should give guidance to anyone not sure of alternative routes
Refused to allow me to speak as part of a Transport appeal hearing	Reminded all appeals officers of the importance of offering verbal representations
The waiting time is too long for Educational Psychologist advice to be provided.	This is very much a national challenge, but we have acted to increase capacity within this area through use of Locums
You took too long in answering my call when contacting the Admissions team to find out about my son's place	Reviewed our IVR systems to ensure that calls are routed to the right place and better access to information online. This has freed up resources and reduced call wait times

You complained that	We Have
There was a lack of urgency to assist with education for my daughter when she could not attend School	We identified a gap in ownership where children are applying for an EHCP. Lines of responsibility clarified moving forwards
Lack of assistance provided from transport team whilst arranging transport for my disabled son	We reminded the need to consider reimbursement for mileage costs if there are delays in commissioning arrangements
The grass cutting schedule was not being updated	We recognised issues with the performance during the year and will thoroughly review how we can ensure more timely updates provided online
You took too long to resolve a payment I was due	Undertaken training with the team to ensure better awareness of what information was needed up front.

## 5. Local Government and Social Care Ombudsman enquiries

Should a complainant remain dissatisfied following internal consideration of their complaint, they can take their complaint to the Local Government and Social Care Ombudsman to seek independent investigation.

The Ombudsman will usually check with the Authority whether the complaint has exhausted the Local Authority's complaints procedure. Where this has not been done, the Ombudsman will usually refer the complaint back to the Authority, to give us an opportunity to attempt to resolve the complainant's concerns through our internal complaints processes first.

The Ombudsman publishes some headline information on each Council's performance every year. This data is expected late July 2024 and will be reported through the Corporate Governance Committee in November 2023.

It is important therefore to note that the figures below are the details the Council holds for LGO enquiries.

### 5.1 New enquiries made by the Local Government and Social Care Ombudsman 2023-24

During the year 2023-24, the LGSCO made enquiries into 83 complaints. This can be further segmented by department and alongside the last 2 year's figures:

Department	23/24	22/23	21/22
Environment and Transport	11	16	22
Children and Family Services	50	37	14
Adults and Communities	22	24	10
Corporate Resources	0	1	1
Chief Executives	0	2	3
Public Health	0	0	0
<b>TOTAL</b>	<b>83</b>	<b>80</b>	<b>50</b>

The number of new complaints escalated to the Ombudsman remains at very similar levels to 2022/23 but as can be seen the themes have changed with the vast majority now about SEN matters.

### 5.2 Decisions made by the Local Government and Social Care Ombudsman 2023-24

The LGSCO issued Final Decisions on 82 cases during the year. Ombudsman complaints can take several months to conclude so some will relate to complaints received in 2022/23. The outcomes reached were as follows:

- Six identified as outside of the Ombudsman's remit and discontinued on this basis. This is typically where a Tribunal or Court is better placed to consider the complaint.
- Twenty-two were closed after initial enquiries (the Assessment stage) with no further action. Typically, this is where the LGSCO feel they are unlikely to find any fault or are satisfied with the Council's response.

- Four were closed after detailed investigation and with no maladministration found.
- Twenty-seven cases of maladministration and injustice were found.
- Twenty-three were considered to be premature and referred back to the Council to complete their complaints procedure.

The numbers of cases where the Ombudsman highlighted maladministration increased this year from 23 in 2022/23

No Public reports were issued against the Council during the year. The Ombudsman uses Public Reports for several reasons including to highlight topical issues and highlight significant fault and learning.

Benchmarking with statistical comparative neighbours will be undertaken and reported to Corporate Governance Committee following receipt of the Council's Annual Review Letter expected in late July 2024.

Eighteen of the twenty-seven maladministration findings related to corporate services with brief details set out below:

### **Education & SEND – 17 Decisions**

Given the large number of decisions, the details of each case are not included but the key themes identified were:

- Non-compliance with statutory timescales
- Failure to have sufficient oversight to ensure support agreed within an EHCP was delivered.
- Failure to carry out annual reviews.
- Non compliance with duties to ensure alternative education provision was in place following a child being unable to attend school for.

### **Environment and Transport – 1 Decision**

#### **SEN Transport**

This complaint concerned the poor communication following a decision to suspend Council delivered transport.

The Ombudsman found fault with the Council's failure to engage with the parents before taking the decision to suspend and poor record keeping of the decision.

The Council agreed to make a payment of £350 in recognition of the fault and to make several improvements to its procedures.

Total compensation payments recommended by the Ombudsman this year amounted to **£27,222.15** a decrease from £40,750 in 2022/23.



## **6. Oversight and support provided by Complaint's service.**

The Complaints Team continues to support departments to both manage and learn from complaints. The key services offered by the team are:

1. Complaint's advice and support
2. Production of Performance Reports
3. Liaison with the Local Government and Social Care Ombudsman
4. Quality Assurance of complaint responses
5. Complaint handling training for managers
6. Acting as a critical friend to challenge service practice.
7. Support with persistent and unreasonable complainants

The Complaints Manager offers regular assistance in complex cases and on occasion will act as a single point of contact within the Authority. This helps manage protracted disputes and ensures consistent responses are issued.

In-house training focused on the core techniques of investigation and responding to complaints has again been promoted this year with 3 courses offered to Managers.

Assistance continues to be routinely provided to managers in drafting comprehensive responses to complaint investigations. This helps ensure consistency of response and that due process is followed.

Quarterly complaints reports are produced and presented to Departmental Management Teams or Senior Leadership Teams as appropriate.

There have been no additional resources to the Complaints team during the year 2023-24. Despite the increase in volumes, the additional posts created in 2022-23 are sufficient to manage the current demands.

## **7. Introduction of new Joint Code of Practice for Complaints Handling**

The LGSCO, in conjunction with the Housing Ombudsman introduced a new joint complaint handling code of practice (“The code”) in February 2024.

The code is intended to provide a gold standard for complaint handling across the local government and social housing sector. It will apply to all Councils in England. The intention is for the Code to be used by Councils from 01 April 2024 with the LGSCO incorporating it within their casework from 01 April 2026.

Over the next 12 months a number of pilot authorities will be trialling the Code and from this helping to develop more specific guidance.

There will be both policy and procedural changes that the Council will need to make over the next 12 months to ensure compliance with the Code. These include:

- Common sector definition of a “Complaint” and “Service Request”
- Tighter timescales for responses at Stage 1 of the procedure
- Requirement to self-assess compliance with the Code annually.

Work has already commenced on identifying the changes that will be required to be made. The Council is however starting from a solid foundation.

## **8. Concluding Comments**

This has been another challenging year for several areas of the organisation, including the Complaints team. This report shows continued demand pressures in SEN assessment and transport which in turn are generating the most complaints.

Encouragingly, there was a significant reduction in School Admissions complaints which is testament to the design changes that have been put in place over the last 12 months.

The next year will bring additional challenges as we start to implement the new Code of Practice into our casework. Whilst the County Council is starting from a good place in terms of our policy already matching many areas, there will be challenges in meeting the stricter timescales that the Code expects.

**APPENDIX A – Sample of compliments received.**

- Thank you to the friendly and helpful staff at Shepshed Library, I love coming here **Libraries.**
- Awesome beatfeet event at Blaby library, my children loved it. – **Libraries**
- Thank you to the 3 registrars who attended our wedding at Rothley Court hotel for being so professional and welcoming– **Registrars.**
- Thank you, S, YOU are a force of nature! Deeply impressed, immensely grateful and feel so relieved – **SEN Assessment**
- Thank you to the SENA team for all your help and support, she has relaxed progressively, and I've seen her smile come back. – **SEN Assessment**
- Thank you, C, for being so lovely and understanding, it very rare to find a professional with such a caring attitude for your own child – **SEN Assessment**
- Thank you, S, for the time and support that you have provided South Leicestershire Inclusion Partnership this year – **Inclusion Services**
- Compliment re help providing in securing school place – **School Admissions**
- Compliment for School Admissions re advice and helpfulness when contacted re a move– **Customer Services**
- I really would like to thank C for our conversation as it has helped me reach many conclusions. – **Complaints Team**
- On Boxing Day, the staff of Beacon Hill car park kiosk remained unruffled, efficient & courteous. Thank you and WELL DONE – **Country Parks**
- Thank you to C the advisor who was very helpful and pleasant, she answered all my queries, gave very clear directions for my next actions and kindly offered to send an appropriate link – **Customer Service Centre**
- Compliment re speed of response to reporting a fallen tree – **Highways.**
- My sincere thanks to A for organising all the elements regarding the two drains and please pass on my thanks to all your team. – **Environmental Services**
- Thank you so much to your highways team who have acted so quickly to my request regarding the dislodged kerb outside my house. – **Highways**

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