



**CABINET – 13 SEPTEMBER 2024**

**CORPORATE COMPLAINTS AND COMPLIMENTS**  
**ANNUAL REPORT 2023/24**

**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 2023 to 31 March 2024, appended to this report.
2. The Annual Report highlights a further increase in complaints and sets out the key reasons driving this. It highlights specific pressure points during the year in Special Educational Needs and associated transport. It also sets out a number of positive improvements made during the year.

**Recommendations**

3. That the Cabinet notes the Corporate Complaints and Compliments Annual Report, covering the period 1 April 2023 to 31 March 2024.

**Reasons for Recommendation**

4. To note the increase in volume of corporate complaints received and the key themes emerging.

**Timetable for Decisions (including Scrutiny)**

5. The Corporate Complaints and Compliments Annual Report was presented to the Scrutiny Commission at its meeting on 10 June 2024 and its comments are set out in Part B of this report.

**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.

**Resource Implications**

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

**Circulation under the Local Issues Alert Procedure**

9. None.

**Officers to Contact**

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## **PART B**

### **Background**

10. 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.
  
11. 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 (2022-23 comparative data is in brackets)**

12. During 2023-24 the following complaints were received
  - 1,112 Corporate complaints (781) – a 42% increase
  - 83 Local Government and Social Care Ombudsman (LGO) enquiries (80) – a 2% increase
  
13. 529 Corporate complaints were upheld - which is 47% of the total received (51%).
  
14. During 2023/24, 82 Ombudsman Decisions were made as follows -
  - 27 Maladministration with Injustice.
  - 23 Premature.
  - 22 Closed with no Further Action.
  - 6 Outside of the LGO's remit.
  - 4 No Fault found after detailed investigation.

### **Response Times**

15. During 2023-24, complaint response times at Stage 1 showed some improvement from 2022-23. There remained some pressures however, particularly around Special Educational Needs (SEN) complaints.
  - 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.

### **Issues most frequently complained about**

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

a) Special Educational Needs - 285

Recurring themes include timeliness of carrying out Annual Reviews, issuing of Education and Health Care Plans, and difficulties with contacting SEN Officers.

b) Travel and Transport Services - 149

The principal source of complaints has been delays in arranging transport ahead of the Autumn school term. Other repeat themes have been quality and consistency of transport arrangements and delays in processing and issuing Personal Transport Budget payments.

c) School Admissions - 109

Primarily complaints were received during the first half of the year. This period covered the time period of National Offer Day, with little negative feedback. It should therefore be considered that the remedial actions from last year have been successful in this area.

d) Waste Management - 60

Primarily complaints were received during the first half of the year and about the booking system for visits to Recycling and Household Waste Sites. Volumes dropped sharply once this measure was removed.

e) Environmental Services - 49

An even distribution between Grass Cutting and Drainage complaints. This is not flagged as an area of concern as the volume of complaints is stable.

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

17. 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.
18. 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 positive, it should be cautioned that this figure does not include redress offered by the Council at the local stages of the procedure.
19. 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.

20. The Ombudsman issued no public reports against the Council during the year.

### **Compliments**

21. 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**

22. There were 382 adult social care complaints recorded in 2023-24, a significant increase of 87% on 2022-23 (204)
23. 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).
24. Fault was found in 50% of complaints, which is an increase of 12% from the previous year (38%). Delay was a significant factor in the higher uphold rates.
25. 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's Social Care Statutory Complaints**

26. A total of 81 Stage 1 complaints were accepted, a small decrease from 2022-23 (86).
27. 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.
28. A total of 129 Children's Social Care complaints were handled under the Corporate Complaints procedure.
29. 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.
30. 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).

31. 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).

### **Comments of the Scrutiny Commission**

32. The Corporate Complaints and Compliments Annual Report was presented to the Scrutiny Commission at its meeting on 10 June 2024. A summary of points raised at the meeting is given below.
33. Officers advised that the LGO had reported a rise in the number of complaints received by councils generally and tended to focus on the severity of injustice caused. All complaints to the LGO were included in the data but the Ombudsman was usually satisfied with the Authority's response and most were closed.
34. It was commented that the 40% national increase in complaints around SEN was a great concern, noting that most related to delays in the education and health care plan assessment process. It was noted that the Council was seeking to appoint an external provider to help address its backlog.
35. Members noted that complaints were distinguished between those that related to service failure and those that related to policy. Provided the Council followed its agreed policy, a complaint made purely on this basis would not be upheld but it would still be recorded as a complaint.
36. The Director explained that the Council was benchmarked against statistically comparable authorities and this data was presented in an annual report to the Corporate Governance Committee. As each authority had a different approach it was not currently possible to compare data at local level.
37. The volume of in-year complaints was analysed and compared against previous years to that officers could identify any reoccurring issues and action to address these.
38. Compliments were often received informally, directly by staff, and not recorded but officers were encouraged to report/share these wherever possible.
39. The Scrutiny Commission asked that the Director provide members with more information regarding those complaints relating to grass cutting and performance of external contractors.

### **Conclusion**

40. 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.

41. 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.

### **Equality Implications**

42. There are no equality implications arising from the recommendations in this report.

### **Human Rights Implications**

43. There are no human rights implications arising from the recommendations in this report.

### **Background Papers**

Report to the Scrutiny Commission on 10 June 2024 – Corporate Complaints and Compliments Annual Report 2023/24 and minutes of that meeting - <https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=137&MId=7444&Ver=4>

### **Appendix**

Corporate Complaints and Compliments Annual Report 2023-24

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