

<b>DECISION-MAKER:</b>	<b>GOVERNANCE COMMITTEE</b>		
<b>SUBJECT:</b>	SOUTHAMPTON CITY COUNCIL COMPLAINTS REVIEW 2016/2017		
<b>DATE OF DECISION:</b>	13 November 2017		
<b>REPORT OF:</b>	SERVICE DIRECTOR; LEGAL AND GOVERNANCE		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	Mark Naylor, Customer Relations Manager	<b>Tel:</b> 023 80 833154
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<b>Director</b>	<b>Name:</b>	Richard Ivory Service Director; Legal and Governance	<b>Tel:</b> 023 80 832794
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<b>STATEMENT OF CONFIDENTIALITY</b>			
N/A			
<b>BRIEF SUMMARY</b>			
<p>This report summarises the type and number of complaints received from the 1 April 2016 and 31 March 2017 together with the Local Government Ombudsman annual review for the same period</p> <p><b>Overall complaints registered with the council have decreased by 21%</b></p> <p><b>Corporate complaints have decreased by 12%</b></p> <p><b>Adult Services complaints have decreased by 23%</b></p> <p><b>Children and Families complaints have decreased by 40%</b></p>			
<p>The Customer Relations Team, based in Legal and Governance, administers complaints from all areas within the Council that the service area has been unable to resolve at point of contact (Stage 1) alongside and responsible to the Service Lead: Legal Services Partnership who acts as the Council's single point of contact for Local Government and Housing Ombudsman complaints.</p>			
<b>RECOMMENDATIONS:</b>			
	(i)	That the report be noted and to offer any feedback on governance or performance relating to the complaints function to inform future service delivery.	
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	<p>To update members of this Committee on performance trends and any learning points arising out of complaints made by the public via the Council's complaints procedures during 2016/2017. Identifying these issues assists the Council in understanding where things have "gone wrong" in the past year in order to improve service delivery.</p> <p>This report is presented to Governance Committee for information and feedback purposes.</p>		

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. **N/A.** The Local Government Ombudsman requires the Council to report and consider complaints trends and outcomes annually with members and senior management.

**DETAIL (Including consultation carried out)**

3. The effective and responsive management of complaints is a vital part of the Council’s overall approach to customer care. In addition, the customer feedback, that valid complaints provide, can be used to improve service delivery, facilitate council wide learning and demonstrate continuous improvement.

4. At the conclusion of a complaints investigation, the complainant is advised that if they are not satisfied with the outcome, they may pursue their complaint to the Local Government Ombudsman (LGO) or the Housing Ombudsman (HO). This provides the customer with an entirely independent source of redress if they remain aggrieved. The Council works closely with the LGO or HO to resolve outstanding complaints where appropriate.

**Corporate Complaints (01 April 2016 and 31 March 2017)**

5. From 1 April 2016 to 31 March 2017 the council recorded 312 corporate complaints. This represents a 12% decrease on the 355 complaints recorded in 2015/2016. 51 Complaints (16%) required investigation at stage two of the process, compared to 48 (13.5%) in 2015/2016.

6. Continuing with an “immediate service recovery” ethos adopted two years ago, customer facing areas have been able to decrease the number of complaints recorded by taking immediate effective action on receipt of an issue from a member of the public. Where immediate action is not possible or the issue is identified as a continuing failure within the service area, matters are recorded as complaints and enter the complaints procedure and therefore recorded as such.  
By adopting this approach, members of the public are receiving an immediate resolution to the issue, which is generally what is required.

7. Table 1 below lists the five areas with the highest proportion of complaints for 2016/2017

<b>TABLE 1</b>					
<b>Rank of 5 Areas with the highest proportion of complaints</b>					
<b>2016/2017</b>		<b>2015/2016</b>		<b>2014/2015</b>	
Housing Services	35%	Housing Services	39%	Housing Services	21%
Libraries	21%	City Services (waste management)	24%	City Services (waste management)	12%
Capita Delivered	18.5%	Local Taxation	16%	Local Taxation	8%
City Services (waste management)	12.5%	Capita Delivered	12%	Capita Delivered	6%
Planning	5.9%	Planning	1%	Planning	3%

It is not unusual for the largest service area involved in direct delivery (usually housing) to

feature high in the percentage of complaints received due to the sheer number of customers they interact with. This is broadly comparable to the picture nationally. An increase in complaints around libraries relates directly to the restructure of library provision. Complaints about Capita delivered services have also increased consistently over the last three years. Conclusions and commentary on service areas is set out below.

Complaints are recorded into one of a number of categories. The table below indicates the percentage of complaints within each category and compares this with figures for the previous two years.

**TABLE 2**

<b>Category</b>	<b>2016/2017</b>	<b>2015/2016</b>	<b>2014/2015</b>
Discrimination	0.9%	0.5%	0%
Misinformation	4.8%	4.2%	2%
Charges	2.9%	6.2%	2%
Speed	0%	3.3%	1%
Behaviour	12.2%	16.3%	8%
Performance	53.2%	53.2%	29%
Avoidable Contact	2.2%	0.2%	1%
Disagree with Decision	7.3%	7.6%	12%

Complaints which cover more than one category are not included (therefore, total not 100%)

8.

Table 3 below provides a breakdown of this Council's performance in relation to complaints compared to statistical neighbours (as used for formal audit purposes). This helps the Council compare like for like in terms of type of authority, geographical area within the country and broadly similar population sizes and make-up. The Corporate Complaints policy is not a statutory requirement. The systems and processes that individual councils have in place are based on LGO/HO guidance and are tailored to individual council structures. Comparison is therefore difficult, as other Council's may operate variations in their complaints regimes. The following table sets out the overall figures for the number of complaints received and demonstrates that, per head of population, dissatisfaction with Council services remains low.

**TABLE 3**

<b>Authority</b>	<b>Corporate Complaints received 2016/2017</b>	<b>Corporate Complaints received 2015/2016</b>	<b>Corporate Complaints received 2014/2015</b>	<b>Population</b>	<b>Complaints per head of adult population 2016/2017</b>
Southampton	312	355	1104	249,500	0.00012
Portsmouth	489	465	474	207,100	0.00018
Brighton	1500	Not Held	1701	277,500	0.00054
Plymouth	2169	1865	Not Held	258,808	0.00084
Bristol	8009	5504	2201	442,740	0.01800

9.

Table 4 below shows the number of complaints responded to at each stage of the procedure. Those complaints that cannot be responded to within the target period are

frequently those that are more complex, and can involve investigating actions across more than one service area. Where this situation occurs the complainant will be contacted and a revised completion date agreed.

**TABLE 4**

	Working days to close 2016/17		Working days to close 2015/2016		Working days to close 2014/2015	
Stage	< 20 days	> 20 days	< 20 days	> 20 days	< 20 days	> 20 days
1	78%	22%	75%	25%	86%	14%
	< 20 days	> 20 days	< 20 days	> 20 days	< 20 days	> 20 days
2	98%	2%	92%	8%	92%	8%

**10. Children and Families (Social Care) Complaints 01 April 2016 to 31 March 2017**

Children and Families complaints are classified according to the following definitions:

- Social care complaints are those investigated under the Children and Families Social Care Complaints Policy (which reflects statutory regulations);
- All other Children and Families complaints are investigated using the Council's Corporate Complaints Policy (mainly Education and some Early Years areas);

11. The Council recorded 99 (84 Statutory and 15 Corporate) complaints regarding Children's Social Care. This represents a 40% decrease on the 168 (157 Statutory and 11 Corporate) received in 2015/2016 and reflects a significant body of work undertaken by Children and Families working with and through the Customer Relations Team to improve front line and service managers ability to resolve matters earlier at point of contact.

12. The majority of those going on to be registered as complaints continue to be resolved at the first stage of the procedure through work by managers and staff in the service supported by advice and guidance from the Customer Relations Team as required. Where resolution is not possible at stage 1 (statutory), the Council's Customer Relations Manager A) commissions an Independent Investigator (external to the Council who is responsible for investigating the complaint) or B) allocates the investigation to a member of the Customer Relations Team under the guidance of the Customer Relations Manager and C) an Independent Person (whose role is to oversee the investigation to ensure fairness and that the children involved in the process are represented), to look into complaints at Stage 2 of the procedure.

13. 8 statutory complaints (9.5 %) plus 2 corporate complaints (13 %) required investigation at stage two of the process, compared to 5 (3%) combined total in 2015/2016.( 10% combined total in 16/17).

14. Table 5 compares the last three years statutory complaints which progressed to Stage 2.

**TABLE 5**

**Independent Investigation of Complaints (Stage 2 Statutory)**

Year	No of Stage 1 Complaints	Percentage (number progressing to Stage 2)
2016/2017	84	9.5 % (8)
2015/2016	157	2.9% (5)
2014/2015	235	1.97% (5)

15.	If the complainant still remains dissatisfied after Stage 2 completion they can request a Stage 3 Independent Review Panel or, if both the Local Authority and the Complainant believe the dissatisfaction that remains is not resolvable at a stage three panel the matter can be referred directly to the LGO.																												
16.	<p>Table 6 shows a comparison in the total number of contacts (complaints, representations, comments and compliments) received over the last three years.</p> <p>This is unlikely to be a true reflection of the number of compliments received by staff but recording is historically an issue. All staff are encouraged to send copies of compliments they receive to the Customer Relations Team in order that they can be recorded and reported to the relevant Service Director so that good service can be recognised.</p> <p>Professional to professional compliments are not recorded, in line with professional to professional complaints non recording under the complaints policy For example where a Head Teacher complains regarding a persistent delay in providing documents for a meeting for example, the matter will be referred directly to the Service Director of the area concerned. It will not be recorded as a complaint</p> <p style="text-align: center;"><b>TABLE 6</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 20%;">2016/2017</th> <th style="width: 20%;">2015/2016</th> <th style="width: 30%;">2014/2015</th> </tr> </thead> <tbody> <tr> <td colspan="4"><b>Record Type</b></td> </tr> <tr> <td>Complaints</td> <td style="text-align: center;">99</td> <td style="text-align: center;">168</td> <td style="text-align: center;">235</td> </tr> <tr> <td>Comments</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">7</td> </tr> <tr> <td>Referrals</td> <td style="text-align: center;">0</td> <td style="text-align: center;">2</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Compliments</td> <td style="text-align: center;">3</td> <td style="text-align: center;">15</td> <td style="text-align: center;">8</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: center;"><b>102</b></td> <td style="text-align: center;"><b>185</b></td> <td style="text-align: center;"><b>250</b></td> </tr> </tbody> </table>		2016/2017	2015/2016	2014/2015	<b>Record Type</b>				Complaints	99	168	235	Comments	0	0	7	Referrals	0	2	0	Compliments	3	15	8	<b>Total</b>	<b>102</b>	<b>185</b>	<b>250</b>
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17.	<p>Table 7 provides a breakdown of complaints by complaint issue and type. As most complaints relate to more than one issue, this approach to breaking them down allows us to maximise our learning from them. The majority of complaints relate to either service provision, individual staff or poor communication. The high staff turnover in this service area may be a contributing factor.</p> <p style="text-align: center;"><b>TABLE 7</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Complaint Reason / Issue</th> <th style="width: 30%;">Number</th> </tr> </thead> <tbody> <tr> <td>Communication/Information</td> <td style="text-align: center;">15</td> </tr> <tr> <td>Unhappy with social worker</td> <td style="text-align: center;">38</td> </tr> <tr> <td>Unhappy with service provided/received</td> <td style="text-align: center;">13</td> </tr> <tr> <td>Disagree with LAC review/court report/Decision made</td> <td style="text-align: center;">22</td> </tr> <tr> <td>Financial Issues</td> <td style="text-align: center;">6</td> </tr> <tr> <td>School Admissions</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Special Educational Needs (SEND)</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Bullying/Exclusions</td> <td style="text-align: center;">0</td> </tr> <tr> <td>School Related Services</td> <td style="text-align: center;">1</td> </tr> <tr> <td><b>TOTAL</b></td> <td style="text-align: center;"><b>99</b></td> </tr> </tbody> </table>	Complaint Reason / Issue	Number	Communication/Information	15	Unhappy with social worker	38	Unhappy with service provided/received	13	Disagree with LAC review/court report/Decision made	22	Financial Issues	6	School Admissions	1	Special Educational Needs (SEND)	3	Bullying/Exclusions	0	School Related Services	1	<b>TOTAL</b>	<b>99</b>						
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18.	Table 8 shows an overall increase in compliant response rates (within policy timescales) to complaints in Children and Families in 2016/2017.																												

TABLE 8

## Overall Performance Report - 01/04/2014 to 31/03/2017

Record Type	Acknowledgement ( < 3 days)			Full Response ( < 10 days)		
	2016/17	2015/16	2014/15	2016/17	2015/16	2014/15
<b>Childrens Services Statutory</b>						
Stage 1 complaint	100%	100%	99.5%	55.2%	48.4%	73.5%
<b>Childrens Services (Learning Services) Corporate</b>						
	Acknowledgement (< 3 days)			Full Response (<20 days)		
Stage 1 complaint	93.3%	100%	92.9%	86.7%	76.9%	75.0%
<b>Complaint Outcomes 2016/2017</b>						
Stage 1	Upheld	Partially Upheld	Not Upheld	Stopped / Withdrawn		
Stage 1 (Statutory)	18	20	42	1		
Stage 1 (Corporate)	9	1	5	0		
Stage 2 (Statutory)	2	2	7	0		
Stage 2 (Corporate)	0	1	1	0		
Stage 3 (Statutory)	0	0	0	0		
<b>Total</b>	<b>29</b>	<b>24</b>	<b>55</b>	<b>1</b>		
<b>Remedies used</b>						
Type	Number					
Apology / Advice given	7					
Explanation	47					
Apology + Explanation	24					
Review process / policy	2					
Training needs	0					
Reimbursement of Expenses / Funding agreed	1					
Meeting offered / taken place	2					
School place offered	0					
In court process / arena	1					
Gone to Appeal	0					
Review of Case Handling	1					
Improve communication	2					
Change of social worker	3					

19.

**Adults Services (Social Care) Complaints**

Adult Care complaints are dealt with under the standard complaint procedure (there is no separate policy as with Children and Families).

The Council recorded 59 complaints regarding Adult Social Care. This represents a 23% decrease on the 77 complaints received in 2015/2016.

8 complaints (13.5%) required investigation at stage two of the process, compared to 4 (5%) in 2015/2016.

**TABLE 5****Investigation of Complaints (Stage 2)**

<b>Year</b>	<b>No of Stage 1 Complaints</b>	<b>No of Stage 2 Complaints</b>	<b>Percentage (number progressing to Stage 2)</b>
2016/2017	59	8	13.5%
2015/2016	77	4	5.2%
2014/2015	113	3	2.65%

20.

Table 6 provides a breakdown of complaints by complaint issue and highlights some of the major themes contained with the complaints received. The issues raised can be classified in ten specific ways.

NB. Some complaints cross over one or more categories which explains why the total number of complaints received differs from the total in the below table.

**TABLE 6**

<b>Reason / Issue for complaint</b>	<b>No of Issues</b>
Disabled Parking Badge	1
Eligibility Criteria	5
Finance	13
Information/ Communication	6
Miscellaneous:	
Housing	0
Environment	0
Policy and Procedure	1
Unhappy with Care Manager / Social Worker	5
Provider Services	2
Unhappy with service	22
<b>TOTAL</b>	<b>55</b>

The majority of complaints were regarding service provision and finance.

21.

TABLE 7

## ASC AND CORPORATE COMPLAINTS BY SERVICE AREA (2016/2017)

## Specific Service Area

Safeguarding	1
Single Point Access (SPA)	5
Disabled Parking Badges	7
Hospital Discharge Team	7
Long Term Team Two	3
Learning Disabilities	9
Reablement Team / Support Planning Team	1
External Provider – Domiciliary Care	3
External Provider – Residential Care	1
Internal Provider – Domiciliary	0
Finance (All)	17
West Care + Support	5
East Care + Support	6

22.

## Complaint Outcomes 2016/2017

TABLE 8

Stage	Upheld	Partially Upheld	Not Upheld	Stopped / Withdrawn	Safeguarding Investigation
Stage 1	29	9	22	1	0
Stage 2	1	2	4	1	0
<b>Total</b>	<b>30</b>	<b>11</b>	<b>26</b>	<b>2</b>	<b>0</b>

23.

Adult Social care complaints are assessed by risk level. Complaints are classified as medium or high risk as follows:

- *Medium risk* - Service or experience below reasonable expectations in several ways, but not causing lasting problems. Has potential to impact on service provision. Some potential for litigation.
- *High risk* - Significant issues regarding standards, quality of care and safeguarding or denial of rights. Complaints with clear quality assurance or risk management issues that may cause lasting problems for the organisation and so require investigation. Possibility of litigation and adverse local publicity. Alternatively, serious issues that may cause long-term damage, such as grossly substandard care, professional misconduct or death. Will require immediate and in-depth investigation. May involve serious safety issues. A high probability of litigation and strong possibility of adverse national publicity.
- These risk levels will affect the pathway and timescale of how we deal with these complaints. (See Table 9).



24.

Under the combined adult social care / corporate complaints procedure, the council aims to send complainants a full reply within 20 working days if possible, or if the matter is more complicated, this can be extended and the complainant informed. For extremely complex cases, which may require independent investigation, a target of up to 60 working days may be necessary depending on risk category or number of people to be interviewed.

TABLE 9

## Overall Performance Report – 1 April 2016 to 31 March 2017

	Acknowledgement Within 3 days			Full Response Within 20 days			Full Response Over 20 days		
	2016/17	2015/16	2014/15	2016/17	2015/16	2014/15	2016/17	2015/16	2014/15
<b>Adult Statutory</b>									
Stage 1	100%	100%	100%	50.9%	42.9%	58.7%	49.1%	57.2%	41.3%
<b>Adult Corporate</b>				<b>Full Response Within 20 days</b>			<b>Full Response Over 20 days</b>		
Stage 1	100%	100%	100%	83.3%	63.6%	70.0%	16.7%	36.4%	30.0%

TABLE 10

## Remedies used at Stage One

Type	Number
Apology	10
Apology + Explanation	13
Change of Service Provider	0
Explanation	26
Reimburse / Credit Charges	2
Review Decision made	2
Review of Care Package	0
Review Process / Policy	2
Review Systems used prior to invoicing run	0
Complaint Stopped / Withdrawn	1
Waive Charges	3
<b>TOTAL</b>	<b>59</b>

25.	<p><b>CONCLUSIONS</b></p> <p>Overall the total number of complaints recorded by the council in 2016/2017 decreased by 21%. It is believed that a more robust and immediate response to complaint issues by members of the public, when they first contact the council, is responsible for the overall decrease in recorded complaints.</p> <p><b>Corporate</b></p> <p>Recorded complaints decreased by 12 %</p> <p>Stage 1 response within target time (20 days) has increased to 78% compliance rate.</p> <p>Stage 2 response within target time (20 days) has increased to 98% compliance.</p> <p><b>Children and Families</b></p> <p>Complaints decreased by 40%</p> <p>Stage 1 response within target time saw an increase to 55%</p> <p>Stage 2 response (independent investigation) remained static.</p> <p><b>Adults</b></p> <p>Complaints decreased by 23%</p> <p>Stage 1 response within target time saw an increase in performance to 50.9%.</p> <p>Stage 2 response within target time increased to 83.3%.</p>
26.	<p><b>Learning from Complaints</b></p> <p>Whilst many issues are unique to a particular complaint, some highlight deficiencies in policy and process. They also highlight good or poor practice within individual teams or services.</p> <p>In both Children and Families and Adult Social Care, the Respond complaints recording system automatically generates an improvement plan for the investigating officer to complete when the complaint is finalised. This improvement plan is then used to drive change. Implementation is monitored by service managers in the particular service.</p> <p>In all other areas of the Council, the complaints are recorded on the Lagan system. This does not generate an improvement plan and service areas are relied upon to follow through on investigator recommendations.</p> <p>Both the Lagan and Respond systems are due to be replaced with a council wide IT system.</p> <p>Neither Lagan nor Respond have been updated since at least 2012. in the expectation of a replacement system. The date for new system implementation is not known, however initial scoping has taken place with an emphasis on feedback/lessons learned and an audit trail incorporated in the system to allow easy and successful tracking and implementation of findings and recommendations from complaint investigation.</p>

During 2016/17, all Council policies in relation to complaints have been reviewed and updated where necessary as part of the annual review of the Customer Relations Team service provision. The updates have attempted to reflect the change in council structure and process (as the Transformation Project continues) and also reflect findings by the LGO and HO in respect of both Southampton related complaints referred to them and also generic National learning as a result of cases from other areas of the country.

Manager / Team Leader training in complaints handling has been completed again in 2016 to update existing Manager / Team leaders and provide guidance for new staff in the area of complaints. As a result of feedback from participants a new e learning package has now been completed for publication in Autumn 2017 and new scenario based workshops replace the training (jointly delivered by Learning and Development and Customer Relations Team staff in 2017).

The most significant issue recorded as cause for complaint continues to be communication, especially with individuals but also to a lesser extent, with individual departments. The introduction of the IVR telephone system in 2016 caused numerous comments to be received by the Council. As a result of the feedback the IVR is being modified and updated during 2017.

The Web refresh during 2016 again caused a number of comments to be made by the public. The Web team are very proactive in responding to comments and as with the IVR, tweaks and updates continue to be made.

Other than communication and contact issues, there were no identified themes running through any Service within the council as a result of complaints.

Corporate and Adult Services remain the first point of contact for those with complaints through the website. This has proved successful in the service areas being able to deal with a large proportion of matters immediately (or within three days) to the satisfaction of the member of the public, negating the need for formal recording and investigation of a complaint.

The only Children and Families area where direct submission from the website exists is Education Services. A project is ongoing in respect of direct submission complaints to the remainder of Children and Families which is targeted to go live before or in conjunction with the new council wide complaints software mentioned earlier.

In any event the direct submission will be implemented in March 2018.

#### Adult Social Care;

The initial impact of the Care Act 2014 introduction continues to be felt, but the initial issues of care reviews, changes in funding arrangements and the like have been dealt with by the service during 2015 and 2016 and the number of complaints generated by the new Act seen in 2015 have not been in the same quantity in 2016.

#### Finance

The number of finance issues raised in respect of the Council administering payments, invoices etc. has reduced, as the awareness of the issues with the automatic (Agresso) system are dealt with during a larger council project in regard financial systems. The reorganised finance teams working under one Service Lead continue to improve their response to initial enquiries, resulting in less feedback with regard to communicating with these areas.

#### Parking/Abandoned vehicles

Two specific, albeit single unrelated complaints, regarding abandoned vehicles in 2016/17 led to a review of the Abandoned Vehicle Policy. The lessons learned concerned activities of the Council Civil Enforcement Officers issuing repeat notices to a vehicle before referring the matter as an Abandoned vehicle. This was dealt with by briefing staff, both office bound and on patrol.

#### Housing

Despite the number of complaints recorded in the Housing area of business, the findings of complaints remain in the area of communications and interpretation of policy in a number of the public's unique complaint circumstances.

A number of policies have been reviewed in this area of business for example mutual exchange policy and the erection of private satellite dishes on council blocks already having community (council provided) satellite television services.

#### Libraries

Libraries have never featured highly in Complaint Report figures at the Council. However, as can be seen in Table 1 of the report, the service features highly in the corporate complaint figures. This reporting year saw the reorganisation of the Library service and closure or rationalisation of services on some sites. This included reduced opening hours, less telephone contact and renewal services for books etc. moving to a more online process. Despite initially high numbers the service complaints have settled considerably in the latter half of the reporting year.

#### Planning

Planning have seen an increase in the number of formal complaints recorded. Planning have gone through a significant restructure and issues have been identified in respect of the service that can now be offered by the limited resources remaining. Management review is taking place to address the themes of the planning complaints.

#### Waste Management

Waste management continue to be proactive in response to issue raised in regards to missed bin collections and flytipping (where this falls under their remit). Processes are in place to deal with missed bin collections and where matters are correctly notified to the Council missed bins and the like are collected within two working days. Missed bins are not recorded as complaints unless there is a systematic or persistent failure.

Hence complaints in the area of Waste management are low.

In respect of the recently introduced "Alternative Weekly Collection" for household refuse, a proactive management process was in place before, during and after the AWC implementation. Whilst numerous comments about the AWC policy were received actual missed collections and the like did not receive complaints and the change process was implemented well.

The actual number of issues raised in respect of Waste Management has actually dropped.

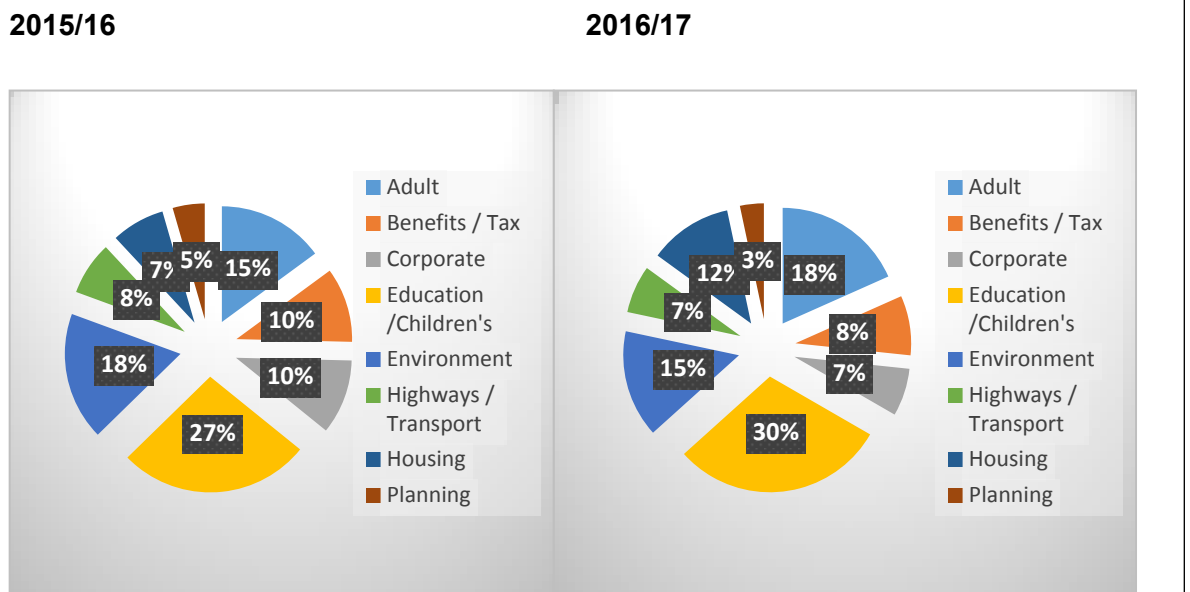
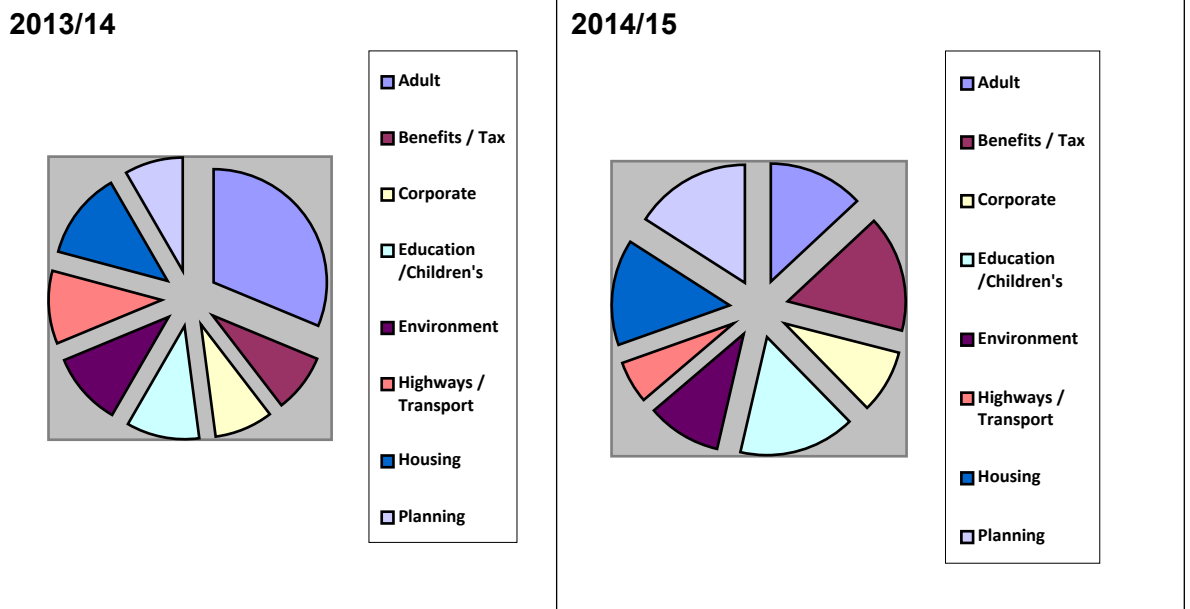
#### Children and Families

	<p>The number and type of complaints with regard to C and F vary. The theme with complaints is very strongly associated with timeliness and communications.</p> <p>Attempts to register complaints by members of the public regarding court process continues to increase as the withdrawal of Legal Aid funding continues to have an impact. Members of the public seek to complain to the Council when matters are about to be or have been adjudicated by a court. Court matters are exempt from the Complaints Process.</p> <p>Unique to Children and Families (as the Complaints process is governed by the Childrens Act 1989) is the fact that the Stage two investigation process is undertaken by an independent Investigator. Until 2016/17 all stage two Childrens complaints were allocated to an Investigator not employed by or associated with the Council. The average invoice for a stage two Independent Investigator is £2831.70.</p> <p>The term Independent Investigator is defined (in simple terms) under the Act, as a manager from a department other than Childrens Services or a person external to the Authority.</p> <p>In 2016/17 the CRT manager assessed each request for a stage two Independent Investigation. Of the 11 requests (complaints initially registered between 1.4.16 and 31.3.17), seven were felt suitable for internal independent investigation.</p> <p>The investigations were undertaken by the Customer Relations Team staff (who undertake all other stage two investigation on behalf of the Council) reporting directly to the Customer Relations Manager.</p> <p>The undertaking of these seven investigations saved £19,821.90 in external fees.</p> <p>The time spent on these investigations by Customer Relations Team staff was made available as a result of the majority of initial complaint enquiries being directed to the service areas (via the WEB or the IVR).</p> <p>When the new complaints IT system is implemented (date to be announced) and the direct routing of initial complaints and concerns in Childrens Services is implemented (March 2018), it is foreseen that the CRT will take on more stage two Childrens complaint investigations, thus increasing the savings further.</p> <p>Mediation roles are also being explored for CRT staff, to prevent escalation of complaints to stage two and beyond to the LGO/HO. These options will be looked at post implementation of the new systems mentioned.</p> <p>There will be investigations/escalations that the CRT manager feels should be externally investigated for a variety of reasons and therefore this option will always be considered and exercised where necessary.</p>
<p><b>27.</b></p>	<p><b>Local Government Ombudsman (LGO) Complaints</b></p> <p>LGO complaints, the final ‘independent’ stage for all complaints processes, are dealt with by the Service Lead: Legal Services Partnership on behalf of the Council. The LGO (the Commission for Local Administration in England) provides an independent review of all complaints falling within their jurisdiction.</p> <p>In an effort to simplify outcomes for complainants the LGO has in recent years moved from findings of ‘Maladministration’ and ‘Injustice’ to a more commonly understood term ‘fault’. If ‘Fault’ is found a complaint is recorded as upheld, even if the Council has already taken steps to remedy that fault and the LGO is satisfied with the remedy offered by the Council.</p> <p>All findings are now reported on the LGO website within 3 months of the decision being published.</p> <p>Statutory reports still remain the highest ‘fault’ finding the LGO can make. These require the Council’s Monitoring Officer to prepare a report for consideration at full Council</p>

following a period of statutory publication of the findings. Council's that fail to co-operate with the LGO or any of their findings may be subject to Judicial Review.

	2016/17	2015/16	2014/15
<b>Complaints received</b>	<b>60</b>	<b>67</b>	<b>69</b>
<b>Decisions made</b>	<b>58</b>	<b>65</b>	<b>70</b>
<b>Statutory Reports</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Upheld</b>	<b>5 (50%)</b>	<b>7</b>	<b>7</b>
<b>Not Upheld</b>	<b>5(50%)</b>	<b>5</b>	<b>8</b>
<b>Closed / Invalid etc.</b>	<b>18</b>	<b>19</b>	<b>25</b>
<b>Premature referrals</b>	<b>30</b>	<b>34</b>	<b>30</b>

**28. LGO Complaints received by Area**



29.

**Details of Complaints Upheld**

Of the complaints upheld by the LGO last year, 1 related to education, 1 children's social care, 1 planning, 1 housing and 1 HMO licensing.

The education matter related to a failure by a school to recruit and retain teachers for deaf children allocated to their hearing impaired unit. The Council was culpable as a result of failing to meet the statutorily assessed needs of the child for such provision by failing to either ensure the school provided the appropriate qualified staff or moving the child to other provision that could meet his needs / finding an alternative way to meet his needs within a reasonable time. The Ombudsman recognised there was a national shortage of qualified teachers for this type of provision but nonetheless took the view that the Council should have acted sooner to meet the statutory assessed need by alternative means. The Council apologised for the failing, reassessed need and arranged a change of placement from September 2017 and paid £1200 compensation for the time during which his needs were not met to secure additional support to enable him to make good on the provision he did not receive while a recruitment process for a teacher was underway.

The Children's social care complaints related to care proceedings and turnover of social workers working with a family, the number of changes to those support arrangements which led to service failings, failure to adequately address complaints at an early stage of the complaints procedure, keep an audit trail of actions taken to resolve the complaint or meet with the complainant or to offer an appropriate remedy together with failure to implement a remedy in a timely fashion after independent investigation leading to further delays and complaints. There were also failings around the quality of the apologies issue to the complainant post complaint which were resolved by reissuing a more detailed apology and explanation. Compensation of £1000 was recommended together with a contribution to the complainants legal costs if she could demonstrate unreasonable delays by the Council which led to increased legal representation costs in the court proceedings. A separate complaint about incorrect disclosure of a document to an incorrect email address was deemed outside the LGO's jurisdiction and referred to the Information Commissioner for action (which has been addressed and resolved separately through that route).

The Planning complaint related to a the construction of the new West Quay cinema and food outlets and the Council's delays in taking enforcement action to deal with complaints from a nearby household around breach of conditions by the contractor relating to hours of work and noise and disturbance arising as a result. An explanation of the Council's processes and apology for the delay was deemed to be an appropriate remedy.

The housing matter concerned an individual seeking to move property on mutual exchange and the size of the property they were eligible for under such an exchange / whether or not the service knew or ought to have known she was pregnant and taken that into account in assessing eligibility to a particular size of property. The Council agreed to review its policy criteria in light of this matter.

The HMO licensing complaint related to the compulsory licensing of properties within a certain area and how an application after the deadline for receipt of application was dealt with. The Ombudsman dismissed the majority of the complaint and upheld the Council's policy and process, including its differential charging policy for late applications, but found the Council had unreasonably delayed in issuing the license after the property had been inspected for some months as a result of a backlog of instructions within business support services. An apology for the delay was considered an adequate remedy.

Nationally in 2016/17 the LGO registered 16,863 complaints (down from 19,702 complaints last year), and upheld 54% of them (rising from 51% last year). Within this the largest area for complaints was Children's & Education, followed by Adult Social Care and

Planning. The Housing Ombudsman service operates separate from the LGO (who now only deals with limited policy matters relating to Housing) with the Housing Ombudsman dealing with ‘landlord’ related tenant complaints and there remains a significant backlog of complaints with that service with many months delay before complaints reach the Council for either mediation through the Ombudsman or investigation by their service. The figures in relation to Housing Ombudsman complaints and the true picture in relation to those that remain outstanding is in significant doubt as it was last year.

**30. So how does Southampton compare?**

The table below shows how Southampton performs against key local and unitary comparators. This is an edited snapshot of total number of complaints and % upheld and is not intended to give more than a brief overview of comparative pressures / performance. More detail, and statistics for all other Councils, is included in the LGO Annual Report referred to above.

	2016/17 Complaints	% Upheld	2015/16 Complaints	% Upheld
<b>Bournemouth</b>	<b>49</b>	<b>44%</b>	<b>66</b>	<b>50%</b>
<b>Bristol</b>	<b>156</b>	<b>56%</b>	<b>183</b>	<b>64%</b>
<b>Brighton &amp; Hove</b>	<b>134</b>	<b>67%</b>	<b>123</b>	<b>39%</b>
<b>Hampshire</b>	<b>92</b>	<b>63%</b>	<b>119</b>	<b>71%</b>
<b>Plymouth</b>	<b>98</b>	<b>56%</b>	<b>102</b>	<b>61%</b>
<b>Portsmouth</b>	<b>42</b>	<b>58%</b>	<b>52</b>	<b>40%</b>
<b>Southampton</b>	<b>60</b>	<b>50%</b>	<b>67</b>	<b>58%</b>

Full details of both the Council’s annual performance letter and the LGO Annual Review can be viewed on [www.LGO.org.uk](http://www.LGO.org.uk)

**31. Learning from Complaints**

Communications

- Feedback used to form consultation and implementation of the Web Refresh project
- Changes made to voice recognition IT system

Highways & Parking

Enforcement Policy and letters sent to residents regarding dropped kerb requirements reviewed after customer complaints highlighted issues which appeared out of step with other similar council policy

- As a result of large number of major road projects outside the city boundary (which effected residents within the city due to the diversion etc., information distributed to alert residents to the complaint contact details for the respective companies and agencies for direct complaint management, rather than be referred after being received by the Council

Local Taxation

- Wording of standard letters reviewed due to complaints about apparent abruptness of the letters.



<p><u>Children's Services</u></p> <p>Learning from complaints can be put into three categories, Individual learning, Team/Service Learning and Organisational learning. During the past year complaints have resulted in the following actions to improve future services. These include:</p> <ul style="list-style-type: none"> <li>• Review of the SEND application and process systems</li> <li>• Review of Police Disclosure information requests to speed up system and get offenders to court quickly thereby safeguarding child victims in a timely manner. Internal telephone system refined so that duty officers can intercept office calls and all social workers instructed to give out direct office and mobile telephone numbers to aid direct contact with service users.</li> </ul> <p><u>Health &amp; Adult Social Care</u></p> <ul style="list-style-type: none"> <li>• Charges waived or refunded</li> <li>• Time and trouble payment reimbursement of legal fees</li> <li>• Review of and changes to Care Package / Care Manager</li> <li>• Mental Health assessment and process forms reviewed. Communications forms an on-going part of service area accessibility.</li> <li>•</li> </ul>	
<b>RESOURCE IMPLICATIONS</b>	
<u>Capital/Revenue</u>	
32.	None
<u>Property/Other</u>	
33.	None
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
34.	S.111 Local Government Act 1972 and s.1 Localism Act 2011.
<b><u>Other Legal Implications:</u></b>	
35.	Individual complaints touch on a wide variety of Council duties and powers which are taken into account (alongside pervasive legislation such as the Equalities Act 2010) when reviewing and responding to customer complaints and areas of service recovery or improvement.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
36.	None in relation to this report. No major issues or areas of concern for the Council as a whole highlighted in this year's review however individual complaints are risk assessed on a case by case basis.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
37.	The complaints function is exercised wholly in accordance with the Council's Policy Framework.
<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	<b>N/A</b>

<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
	None
<b>Documents In Members' Rooms</b>	
	None
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>
<b>Privacy Impact Assessment</b>	
<b>Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.</b>	<b>No</b>
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at:</b>	
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
	None