

<b>DECISION-MAKER:</b>		<b>GOVERNANCE COMMITTEE</b>		
<b>SUBJECT:</b>		SOUTHAMPTON CITY COUNCIL COMPLAINTS REVIEW 2017/2018		
<b>DATE OF DECISION:</b>		12 November 2018		
<b>REPORT OF:</b>		DIRECTOR LEGAL AND GOVERNANCE		
<b><u>CONTACT DETAILS</u></b>				
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<b>STATEMENT OF CONFIDENTIALITY</b>				
N/A				
<b>BRIEF SUMMARY</b>				
<p><b>This report summarises the type and number of complaints received from the 1 April 2017 and 31 March 2018 together with the Local Government and Social Care Ombudsman annual review for the same period. Overall complaints registered with the council have decreased by 16%.</b></p> <p><b>Corporate complaints 16% decrease</b></p> <p><b>Adult Services complaints 8% increase</b></p> <p><b>Children and Families complaints 30% decrease</b></p>				
<p>The Complaints Resolution Team (CRT), based in Legal and Governance, administers complaints from all areas within the Council (stage 2) that the service area has been unable to resolve at initial 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 Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) 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 2017/2018. 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 LGSCO 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 LGSCO or the HO. This provides the customer with an entirely independent source of redress if they remain aggrieved. The Council works closely with the LGSCO or HO to resolve outstanding complaints where appropriate.

**Corporate Complaints (1 April 2017 and 31 March 2018)**

5. From 1 April 2017 to 31 March 2018 the council recorded 260 corporate complaints. This represents a 16% decrease on the 312 complaints recorded in 2016/17. 45 Complaints (17%) required investigation at stage two of the process, compared to 51 (16%) in 2016/17.

6. Continuing with an “immediate service recovery” ethos adopted three 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.

<b>TABLE 1</b>					
<b>Rank of 5 Areas with the highest proportion of complaints</b>					
<b>2017/2018</b>		<b>2016/2017</b>		<b>2015/2016</b>	
Housing Services	111 (42.7%)	Housing Services	35%	Housing Services	39%
Capita Delivered	54 (20.8%)	Libraries	21%	City Services (waste management)	24%
City Services (Parks and open Spaces)	34 (13%)	Capita delivered	18.5%	Local Taxation	16%
Highways	5 (2%)	City Services (waste management)	12.5%	Capita Delivered	12%
Libraries	2 (0.8%)	Planning	5.9%	Planning	1%

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. Neither Waste Services nor Planning recorded any stage one complaints on the system in 2017/18.

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>2017/2018</b>	<b>2016/2017</b>	<b>2015/2016</b>
Discrimination	0.3%	0.9%	0.5%
Misinformation	3.5%	4.8%	4.2%
Charges	1.9%	2.9%	6.2%
Speed	4.2%	0%	3.3%
Behaviour	11.9%	12.2%	16.3%
Performance	56.9%	53.2%	53.2%
Avoidable Contact	1.9%	2.2%	0.2%
Disagree with Decision	10.3%	7.3%	7.6%

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 LGSCO/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 2017/2018</b>	<b>Corporate Complaints received 2016/2017</b>	<b>Corporate Complaints received 2015/2016</b>	<b>Population</b>	<b>Complaints per head of adult population 2017/2018</b>
Southampton	260	312	355	249,500	0.001
Portsmouth	494	489	465	207,100	0.002
Brighton	1431	1500	Not Held	277,500	0.005
Plymouth	5340	2169	1865	258,808	0.020

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.

<b>TABLE 4</b>						
	Working days to close 2017/18		Working days to close 2016/2017		Working days to close 2015/2016	
<b>Stage</b>	<b>&lt; 20 days</b>	<b>&gt; 20 days</b>	<b>&lt; 20 days</b>	<b>&gt; 20 days</b>	<b>&lt; 20 days</b>	<b>&gt; 20 days</b>
1	79%	21%	78%	22%	75%	25%
	<b>&lt; 20 days</b>	<b>&gt; 20 days</b>	<b>&lt; 20 days</b>	<b>&gt; 20 days</b>	<b>&lt; 20 days</b>	<b>&gt; 20 days</b>
2	93%	7%	98%	2%	92%	8%
10.	<b>Children and Families (Social Care) Complaints 1 April 2017 to 31 March 2018</b>					
	<p>Children and Families complaints are classified according to the following definitions:</p> <ul style="list-style-type: none"> <li>▪ Social care complaints are those investigated under the Children and Families Social Care Complaints Policy (which reflects statutory regulations);</li> <li>▪ All other Children and Families complaints are investigated using the Council's Corporate Complaints Policy (mainly Education and some Early Years areas);</li> </ul>					
11.	The Council recorded 69 (52 Statutory and 17 Corporate) complaints regarding Children and Families. This represents a 30% decrease on the 99 (84 Statutory and 15 Corporate) received in 2016/2017 and reflects a continued body of work undertaken by Children and Families working with and through the CRT to improve front line and service managers ability to resolve matters earlier, at point of initial 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 CRT as required. Where resolution is not possible at stage 1 (statutory), the Council's Complaints Resolution 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 CRT under the guidance of the Complaints Resolution 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.	11 (16%) complaints required investigation at stage two of the process, compared to 8 (9.5%) in 2016/2017.					
14.	<b>TABLE 5</b>					
	<b>Investigation of Complaints</b>					
	<b>Year</b>	<b>No of Stage 1 Complaints</b>		<b>Percentage (number progressing to Stage 2)</b>		
	2017/2018	69		16% (11)		
	2016/2017	84		9.5 % (8)		
	2015/2016	157		2.9% (5)		
15.	<p>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 LGSCO.</p> <p>There have been no Stage Three panels held in the last three years.</p>					

16. Table 6 shows a comparison in the total number of contacts (complaints, representations, comments and compliments) received over the last three years. 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 CRT in order that they can be recorded and reported to the relevant Service Director so that good service can be recognised.

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

TABLE 6			
	2017/2018	2016/2017	2015/2016
<b>Record Type</b>			
Complaints	69	99	168
Comments	0	0	0
Referrals	0	0	2
Compliments	3	3	15
<b>Total</b>	<b>72</b>	<b>102</b>	<b>185</b>

17. 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.

TABLE 7	
Complaint Reason / Issue	Number
Communication/Information	14
Unhappy with social worker	16
Unhappy with service provided/received	14
Disagree with LAC review/court report/Decision made	12
Not full filing duty	6
School Admissions/exclusions	2
Special Educational Needs (SEND)	4
School Related Services	1

18. Table 8 shows an overall decrease in compliant response rates (within policy timescales) to complaints in Children and Families in 2017/2018.

**TABLE 8**

**Overall Performance Report - 1/04/2015 to 31/03/2018**

Record Type	Acknowledgement (< 3 days)			Full Response (< 10 days)		
	2017/18	2016/17	2015/16	2017/18	2016/17	2015/16
<b>Childrens Services Statutory</b>						
Stage 1 complaint	100%	100%	100%	37.5%	55.2%	48.4%
<b>Childrens Services (Learning Services) Corporate</b>						
Acknowledgement (< 3 days)			Full Response (<20 days)			
Stage 1 complaint	100%	93.3%	100%	76.5%	86.7%	76.9%
<b>Complaint Outcomes 2017/2018</b>						
Stage 1	Upheld	Partially Upheld	Not Upheld	Stopped / Withdrawn		
Stage 1 (Statutory)	10 (20.4%)	11 (22.4%)	25 (51%)	3 (6.1%)		
Stage 1 (Corporate)	3 (18.8%)	3 (18.8%)	9 (56.3%)	1 (6.3%)		
Stage 2 (Statutory)	0	2 (40%)	3 (60%)	0		
Stage 2 (Corporate)	1 (20%)	0	4 (80%)	0		
<b>Remedies used at Stage 1</b>						
Type	Number					
Apology / Advice given	6					
Explanation	28					
Apology + Explanation	16					
Meeting offered / taken place	3					
Review of Case Handling	1					
Change of social worker	5					

19.

**Adults Services (Social Care) Complaints 1 April 2017 to 31 March 2018**

Adult Care complaints are dealt with under the standard complaint procedure. The Council recorded 64 complaints regarding Adult Social Care. This represents an 8% increase on the 59 complaints received in 2016/2017. 9 complaints (14 %) required investigation at stage two of the process, compared to 8 (13.5%) in 2016/2017.

<b>TABLE 9</b>			
<b>Investigation of Complaints (Stage 2)</b>			
<b>Year</b>	<b>No Complaints</b>	<b>No progressing to stage two</b>	<b>Percentage progressing to Stage 2</b>
2017/2018	64	9	14%
2016/2017	59	8	13.5%
2015/2016	77	4	5.2%
20.	<p>Table 10 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.</p>		
<b>TABLE 10</b>			
<b>Reason / Issue for complaint</b>	<b>No of Issues</b>		
Disabled Parking Badge	1		
Eligibility Criteria	3		
Finance	20		
Information/ Communication	8		
Miscellaneous: Housing/Environment	0		
Policy and Procedure	1		
Unhappy with Care Manager / Social Worker	3		
Provider Services	2		
Unhappy with service	29		
<b>TOTAL</b>	<b>67</b>		
<b>TABLE 11</b>			
<b>ASC COMPLAINTS BY SERVICE AREA (2017/2018)</b>			
Safeguarding	1		
Single Point Access (SPA)	6		
Disabled Parking Badges	2		
Hospital Discharge Team	4		
Learning Disabilities	16		
Re-enablement Team / Support Planning Team	8		
External Provider – Domiciliary/Residential Care	4		
Joint commissioning	3		
Finance (All)	3		
West Care + Support	10		
East Care + Support	7		

21.	<p><b>Complaint Outcomes 2017/2018</b></p> <p style="text-align: center;"><b>TABLE 12</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Stage</th> <th style="width: 15%;">Upheld</th> <th style="width: 15%;">Partially Upheld</th> <th style="width: 15%;">Not Upheld</th> <th style="width: 15%;">Stopped / Withdrawn</th> </tr> </thead> <tbody> <tr> <td>Stage 1</td> <td style="text-align: center;">21</td> <td style="text-align: center;">10</td> <td style="text-align: center;">27</td> <td style="text-align: center;">6</td> </tr> <tr> <td>Stage 2</td> <td style="text-align: center;">0</td> <td style="text-align: center;">3</td> <td style="text-align: center;">6</td> <td style="text-align: center;">0</td> </tr> </tbody> </table>	Stage	Upheld	Partially Upheld	Not Upheld	Stopped / Withdrawn	Stage 1	21	10	27	6	Stage 2	0	3	6	0																																																																				
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22.	<p>Under the combined adult social care / corporate complaints procedure, the council aims to send complainants a full reply within 20 working days, or if the matter is more complicated, this can be extended and the complainant kept informed of the reasons for delay.</p> <p style="text-align: center;"><b>TABLE 13</b></p> <p style="text-align: center;"><b>Overall Performance Report – 1 April 2016 to 31 March 2017</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Acknowledgement Within 3 days</th> <th colspan="3">Full Response Within 20 days</th> <th colspan="3">Full Response Over 20 days</th> </tr> <tr> <th>2017/18</th> <th>2016/17</th> <th>2015/16</th> <th>2017/18</th> <th>2016/17</th> <th>2015/16</th> <th>2017/18</th> <th>2016/17</th> <th>2015/16</th> </tr> </thead> <tbody> <tr> <td colspan="10"><b>Adult Statutory</b></td> </tr> <tr> <td>Stage 1</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">65.3%</td> <td style="text-align: center;">50.9%</td> <td style="text-align: center;">42.9%</td> <td style="text-align: center;">34.7%</td> <td style="text-align: center;">49.1%</td> <td style="text-align: center;">57.2%</td> </tr> <tr> <td colspan="4"><b>Adult Corporate</b></td> <td colspan="3"><b>Full Response Within 20 days</b></td> <td colspan="3"><b>Full Response Over 20 days</b></td> </tr> <tr> <td>Stage 1</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">80%</td> <td style="text-align: center;">83.3%</td> <td style="text-align: center;">63.6%</td> <td style="text-align: center;">20%</td> <td style="text-align: center;">16.7%</td> <td style="text-align: center;">36.4%</td> </tr> </tbody> </table> <p style="text-align: center;"><b>TABLE 14</b></p> <p><b>Remedies used at Stage One</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;">Type</th> <th style="width: 30%;">Number</th> </tr> </thead> <tbody> <tr> <td>Apology</td> <td style="text-align: center;">4</td> </tr> <tr> <td>Apology + Explanation</td> <td style="text-align: center;">21</td> </tr> <tr> <td>Change of Service Provider</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Explanation</td> <td style="text-align: center;">26</td> </tr> <tr> <td>Reimburse / Credit Charges</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Review Decision made</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Review of Care Package</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Review Process / Policy</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Review Systems used prior to invoicing run</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Complaint Stopped / Withdrawn</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Waive Charges</td> <td style="text-align: center;">3</td> </tr> </tbody> </table>		Acknowledgement Within 3 days			Full Response Within 20 days			Full Response Over 20 days			2017/18	2016/17	2015/16	2017/18	2016/17	2015/16	2017/18	2016/17	2015/16	<b>Adult Statutory</b>										Stage 1	100%	100%	100%	65.3%	50.9%	42.9%	34.7%	49.1%	57.2%	<b>Adult Corporate</b>				<b>Full Response Within 20 days</b>			<b>Full Response Over 20 days</b>			Stage 1	100%	100%	100%	80%	83.3%	63.6%	20%	16.7%	36.4%	Type	Number	Apology	4	Apology + Explanation	21	Change of Service Provider	1	Explanation	26	Reimburse / Credit Charges	2	Review Decision made	1	Review of Care Package	2	Review Process / Policy	3	Review Systems used prior to invoicing run	0	Complaint Stopped / Withdrawn	0	Waive Charges	3
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24.	<p><b>CONCLUSIONS</b></p> <p>Overall the total number of complaints recorded by the council in 2017/18 decreased by 16%. 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 16 %</p> <p>Stage 1 response within target time (20 days) has increased to 79% compliance rate.</p> <p>Stage 2 response within target time (20 days) has decreased to 93% compliance.</p> <p><b>Children and Families</b></p> <p>Complaints decreased by 30%</p> <p>Stage 1 response within target time saw a decrease to 37.5% (statutory time scales) and 76.5%(corporate time scales)</p> <p>Stage 2 response (CRT investigation) within target had 100% compliance rate.</p> <p>(The one investigation sent outside the council took 90 days to complete due to nature and complexity. The complainant was updated every week with progress.)</p> <p><b>Adults</b></p> <p>Complaints increased by 8%</p> <p>Stage 1 response within target time saw an increase in performance to 65.3%.</p> <p>Stage 2 response within target time decreased to 80%.</p>
25.	<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 existing Lagan system and the stand alone Respond systems have been replaced on 1<sup>st</sup> April 2018 with a new updated version of the Lagan system. The lagan system, now in use, reflects the new council structure and incorporates all council areas.</p>

During 2017/18, all Council policies in relation to complaints have been reviewed and updated where necessary as part of the annual review of the CRT 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 LGSCO 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 2017 to update existing Manager / Team leaders and provide guidance for new staff in the area of complaints. E learning packages are now available since Autumn 2017 and new style scenario based workshops replaced the old style “front loading” training for all workshops run in 2017/18.

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. 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 during 2017/18 remained 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 during 2017/18, where direct submission from the website existed was Education Services.

### **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, 2016 and 2017. The number of complaints generated by the new Act seen in 2015 have gradually decreased through 2016 and 2017.

### **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 member of the public’s unique complaint circumstances.

A number of complaints this year have highlighted a delay issue in the ordering of items required to carry out repairs in council owned housing. A review of the ordering system has been carried out and the system has been refined.

### **Waste Management**

Waste management continue to be proactive in response to issue raised in regards to missed bin collections and fly tipping (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.

	<p><b>Children and Families</b></p> <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>Unique to Children and Families (as the Complaints process is governed by the Childrens Act 1989) is that the Stage two investigation process is undertaken by an independent Investigator OR and internal independent manager.</p> <p>Until 2016/17 all stage two Children’s 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. 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 undertaking of these seven investigations saved £19,821.90 in external fees</p> <p>In 2017/18 only 1 of the 11 requests for stage two investigation was allocated externally. The undertaking of the remaining 10 investigations saved £28,317 in external fees. 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. The time spent on these investigations by CRT 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). Mediation roles are explored by CRT staff, to prevent escalation of complaints to stage two and beyond to the LGSCO/HO.</p>
26.	<p><b>Complaint Process Changes</b></p> <p>In recent years a significant amount of change has been necessary within the Local Authority and a number of transformation projects have been undertaken and implemented. These projects have provided a platform for issues raised within the complaints process to be incorporated in the changes put in place. As a result, common themes within areas of the council have been identified at a much higher authority level and implementation of major change have encapsulated the majority of common faults and issues that have been historically subject of complaint. The advent of single points of contact within the Social Care areas, more efficient and available contact and reporting points and availability of pay on line for a significant number of services through the web pages have significantly reduced complaint issues in regards to contact with the council. The development of the “My Southampton “account process continues to reduce customer frustrations.</p> <p>Where contact issues are identified they are resolved quickly by nominated officers identified in the affected areas. These officers are identified before system changes go live and therefore new processes and projects, where issues are identified, can be rectified quickly without the need for a long process. The service recovery ethos is now well embedded and has contributed significantly to the reduction in the number of issues that have to be recorded as complaints.</p> <p>On the 1<sup>st</sup> April 2018 changes of IT systems and completion of a number of transformation projects in both Adult and Children’s Social Care have allowed the completion of all council service areas “self-servicing” with the triage, recording, and</p>

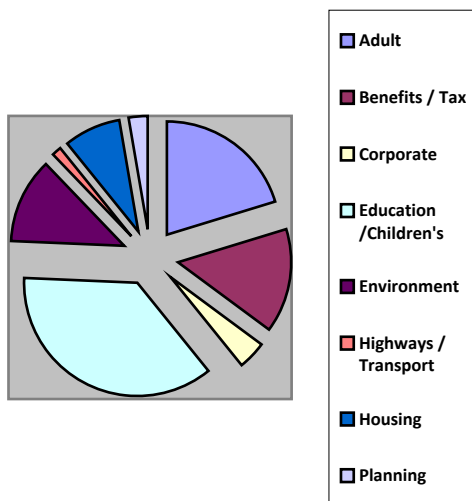
	<p>investigation/responding to their own service areas issues. Corporate areas of the Council have been doing this for a number of years and have now been joined by all social care functions. This has allowed a change of focus for the Customer Relations Team.</p> <p>Therefore as of 1 April 2018 all email, web submission, telephone calls and letters regarding issues with a service area are directed to a point of contact within the affected service area. This allows the Service area to triage issues effectively and where necessary can deal with issues swiftly in line with the service recovery ethos. here the matter cannot be dealt with swiftly, the service area will record the matter as a complaint and allocate to the most appropriate manager to investigate and respond. The Customer Relations Team will now concentrate solely on the review and investigation of complaints at stage two of the complaints process (and beyond). These complaints are those that have not been resolved to the satisfaction of the complainant at stage one (service area investigation) of the complaints process. The CRT will however continue to provide advice, support and training for Local Authority staff in relation to complaints.</p> <p>The annual Governance report for 2018/19 will remain the responsibility of Legal and Governance. Details will be produced from the Lagan complaints data base. However several service areas have chosen not to use the Lagan database to record complaints namely Waste Management, Highways and Council Tax, therefore they will be asked to supply relevant information from the data bases they have chosen to use. Other smaller service areas who were not recording onto Lagan have agreed to record complaints onto Lagan during 2018/19. The report will be redesigned to ensure that all service areas will be reported on in the same way (in respect of compliance with timescales and remedies used) and will therefore be more informative as a performance management document.</p>
<p><b>27.</b></p>	<p><b>Local Government &amp; Social Care Ombudsman (LGSCO) Complaints</b></p> <p>LGSCO (formerly 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 LGSCO (the Commission for Local Administration in England) provides an independent review of all complaints falling within their jurisdiction. In an effort to simplify outcomes for complainants the LGSCO 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 LGSCO is satisfied with the remedy offered by the Council. All findings are now reported on the LGSCO website within 3 months of the decision being published.</p> <p>Statutory reports still remain the highest ‘fault’ finding the LGSCO can make. These require the Council’s Monitoring Officer to prepare a report for consideration at full Council following a period of statutory publication of the findings. Council’s that fail to co-operate with the LGSCO or any of their findings may be subject to Judicial Review.</p>

	2017/18	2016/17	2015/16
<b>Complaints received</b>	<b>74</b>	<b>60</b>	<b>67</b>
<b>Decisions made</b>	<b>68</b>	<b>58</b>	<b>65</b>
<b>Statutory Reports</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Upheld</b>	<b>7 (50%)</b>	<b>5 (50%)</b>	<b>7</b>
<b>Not Upheld</b>	<b>7 (50%)</b>	<b>5(50%)</b>	<b>5</b>
<b>Closed / Invalid etc.</b>	<b>15</b>	<b>18</b>	<b>19</b>
<b>Premature referrals</b>	<b>39</b>	<b>30</b>	<b>34</b>

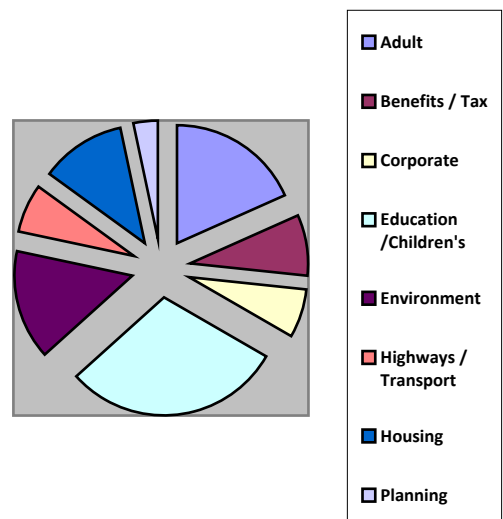
28.

**LGSCO Complaints received by Area**

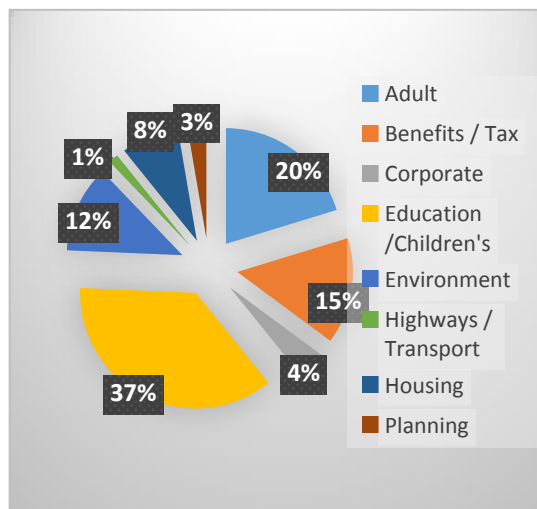
*2017/18*



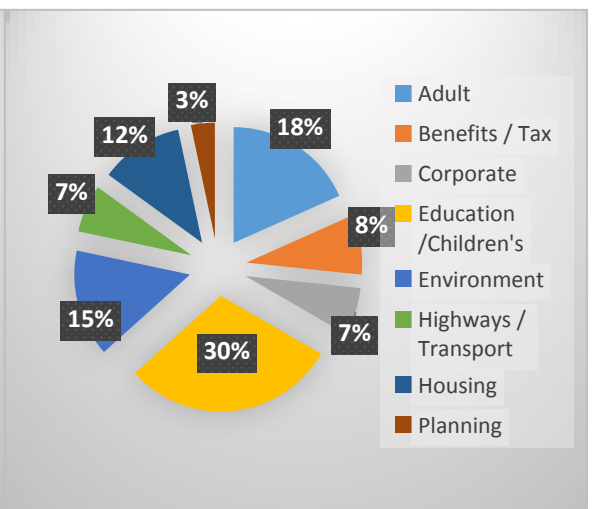
*2016/17*



*2017/18*



*2016/17*



29.

**Details of Complaints Upheld**

Of the 7 complaints upheld by the LGSCO last year, 1 related to housing, 2 related to planning and 4 related to Education & Children's Services.

The statistics show a demonstrable jump in both the number of complaints being received about education & children's services matters and, significantly, the number not being resolved by the service area prior to referral to the LGSCO.

The Education & Children's Services matters related to:

- Fault by the Council in dealing with a request for a change of school for her son under the complaints process rather than referring her to the SEND Tribunal. There was fault in not carrying out proper long-term planning for the child's future and not properly considering his status as a 'looked after' child under S20 of the Children Act 1989. The Council agreed to carry out proper long-term planning. It also agreed to pay the complainant and the child £500 each as recognition of the faults and the injustice to them and to ensure IROs are equipped to carry out the reviewing role in the future.
- Fault by the Council in not maintaining adequate records of available school gates on sites and to calculate distances to schools in accordance with those updated records. In the case complained of, the Council was able to demonstrate the child would not have gotten a place as a result of its error in omitting a gate as other children still lived closer to the school but had to give an undertaking to complete a housekeeping exercise reviewing all of the designated gates at all schools in order to ensure that all open gates that are safe to use as included on the system and that it is kept regularly reviewed going forward. All distance calculations for admissions to be calculated in accordance with maintained data going forward.
- Fault by the Council in how it approached its decision about whether a child should be admitted to Year R or Year 1 following a parental application to seek admission out of their normal year of entry. Failure to provide a properly reasoned decision compliant with the statutory admissions Code. The Council agreed to carry out a fresh decision about which year group it would be in the best interests of the child to join in September 2018 and to communicate this to the complainants giving its decision about what is in their son's best interest, with reasons. The Council also agreed to offer the complainants a place at their chosen School, in whichever year the Council decided it was in his best interests to start school. The Council also agreed to pay £600 compensation in recognition of time & trouble and the distress caused as the Service area had not followed the recommendations of its own stage 2 complaints decision in a timely manner
- The Council failed to make the SEN provision for the complainants child because there has not been a full-time teacher of the deaf since July 2016 and the Council also failed to transfer her son to a new EHC plan in time for him to start school in September 2015 and still had not done so by the time of the complaint. The Council also failed to implement the LGSCO's recommendations by the deadline imposed by the LGSCO and had to issue a further letter of apology and compensation payment following that failure. The complaint was eventually resolved by completing the EHC Plan , an apology and payment of £1200 towards additional resources to support his development arising from the time he had no teacher for the deaf to support him.

The housing matter related to the position of a tenant on the Council's housing allocations list and his eligibility to bid for certain properties based on the age of his partner / inadequate wording on the Council's bidding portal clarifying that position. The Council agreed to treat the complainants housing application as continuous from when he was accepted for an accessible property in March 2015 and record his position on the list accordingly.

The Planning complaints related to the adequacy of enforcement action relating to work in a conservation area and where there was a suggestion that building works and change of use had taken place without adequate intervention by planning to ensure compliance with planning conditions relating to the works. The Council agreed to pay £600 compensation and apologise along with resurrecting enforcement action using BCN process if required following consultation with the Conservation officer to assess impact, to keep the complainant informed (and anonymous) throughout, to liaise with Building Control to address concerns around surface water drainage and to take enforcement action or investigation into use of the garage as a commercial kitchen. The Council also agreed to improve its procedures in relation to reviewing its planning policy re enforcement, keep proper records of all site visits and meetings and properly communicate with complainants going forward.

Nationally in 2016/17 the LGSCO registered 16,963 complaints (broadly comparable with the previous year at 16,863 complaints. Only 2275 complaints were upheld (13.4%) – significantly lower than the uphold rate for Southampton. 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 LGSCO (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 and the year before.

The LGSCO nationally has raised their concern with the operation and effectiveness of the Housing Ombudsman Service and is seeking further regulatory change to reintegrate the services. It is not known at this time whether that is likely to be accepted by Parliament.

**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 LGSCO Annual Report referred to above.

	<b>2017/18 Complaints</b>	<b>% Upheld</b>	<b>2016/17 Complaints</b>	<b>% Upheld</b>
<b>Bournemouth</b>	<b>58</b>	<b>44%</b>	<b>49</b>	<b>44%</b>
<b>Bristol</b>	<b>133</b>	<b>46%</b>	<b>156</b>	<b>56%</b>
<b>Brighton &amp; Hove</b>	<b>124</b>	<b>57%</b>	<b>134</b>	<b>67%</b>
<b>Hampshire</b>	<b>118</b>	<b>52%</b>	<b>92</b>	<b>63%</b>
<b>Plymouth</b>	<b>121</b>	<b>58%</b>	<b>98</b>	<b>56%</b>
<b>Portsmouth</b>	<b>46</b>	<b>75%</b>	<b>42</b>	<b>58%</b>
<b>Southampton</b>	<b>68</b>	<b>50%</b>	<b>60</b>	<b>50%</b>

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

31.	<p><b>Learning from Complaints</b></p> <p>Steady and sustainable reduction in complaints for the last four years has been centred on trends within individual service areas. The SCC has been able to identify common themes in respect of service area delivery. However, as numbers or recorded complaints have reduced it is much more difficult to identify any common themes due to such low numbers. However, underpinning virtually all complaints, is the missed opportunity to resolve issues at an early stage, usually initial contact. Matters appear to get to formal complaint stage where communication (or lack of it) tests the patience and adds to the frustration of members of the public wishing to deal with an issue with Southampton City Council. The adoption of the “Immediate Service Recovery” ethos saw a decrease in matters that need to go through formal complaints process. The subsequent introduction and then improvement in the web based service has contributed to another drop in recorded complaints. A more robust approach, when matters are not resolved at stage one and matters are requested to proceed to stage two of the complaints process, to return the issue to the service area through mediation are proving effective.</p> <p>The SCC’s vision and implementation of a Restorative Practice approach across all council services, together with partner agencies, is now being rolled out. The ethos is of early communication and intervention thus preventing issues growing into more unmanageable forms. herefore it is envisaged that complaints recorded in the 2018/19 period will hold at present level or see another small decrease.</p> <p>It must be noted however that the percentage of complaints not responded to within the policy/legislation time frames is giving cause for further frustration to members of the public. New and updated guidance with regard to process and investigation of complaints, together with advice and guidance from the LGSCO is now published on the SCC “staff stuff” site to aid managers and others tasked with resolving complaints to do so at the earliest opportunity. Even when formal complaints process has started.</p>
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
32.	None
<b><u>Property/Other</u></b>	
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>	No
<b>WARDS/COMMUNITIES AFFECTED:</b>	N/A
<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>	No
<b>Privacy Impact Assessment</b>	
<b>Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.</b>	No
<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