

ECISION-MAKER:	Governance Committee
SUBJECT:	Annual Review of Complaints 2021/22
DATE OF DECISION:	14 th November 2022
REPORT OF:	Director of Legal and Business Services

<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

N/A

BRIEF SUMMARY

This report summarises the type and number of complaints received from the 1 April 2021 to the 31 March 2022. Overall complaints registered with the Council have increased this year (537 this year/ 432 last year).

		2021/22	2020/21
Non-Social Care Complaints	21% increase –	418	334
Adult Services Complaints	18% increase –	23	19
Children and Learning Complaints	18% increase -	96	79

The Complaints Resolution Team (CRT), based in the Legal Partnership administers and investigates complaints from all areas within the Council (stage 2) that the service area has been unable to resolve to the satisfaction of the complainant, at initial point of contact (Stage 1), alongside and responsible to the Head of Legal Partnerships who acts as the Council's single point of contact for Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO).

RECOMMENDATIONS:

	(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.
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REASONS FOR REPORT RECOMMENDATIONS

1.	To update the Committee on performance trends and any learning points arising out of complaints made by the public via the Council's complaints procedures during 2021/22. Identifying these issues assists the Council in understanding
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	where things have “gone wrong” in the past year in order to improve service delivery.
2.	This report is presented to Governance Committee for information, learning points and feedback purposes as required by the LGSCO as part of its guidance on the governance and oversight of a high performing (good) complaints process.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	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)	
4.	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.
5.	At the conclusion of a complaint’s investigation, the complainant is advised that if they are not satisfied with the outcome achieved for them by the Council, they may pursue their complaint to the LGSCO or the HO. This provides the customer with an entirely independent source of advice and redress if they remain aggrieved. The Council has a good working relationship and works closely with the LGSCO or HO to resolve outstanding complaints where appropriate.
6.	<p>Overall complaints</p> <p>The council’s customer facing teams have continued with an “immediate service recovery” ethos adopted 6 years ago.</p> <p>Under the service recovery process, where immediate action is not possible or the issue is identified as a continuing failure within the service area, matters are moved out of a ‘business as usual’ response and recorded as complaints.</p> <p>By adopting this approach, a member of the public is receiving an immediate resolution to an issue for the significant majority of matters referred to the Council, which is generally what is required.</p> <p>The number of recorded complaints in all areas of the Council initially saw a sharp decrease since the introduction of the immediate service recovery ethos and has delivered significant improvements to the customer journey and satisfaction rates as demonstrated by the decreasing number of recorded complaints.</p> <p>The immediate recovery ethos is now embedded, and the complaints decreases seen in the early years of introduction have now levelled out..</p>
7.	<p>In this reporting year all areas have seen increases in complaints coming more into keeping with pre pandemic levels. The increases are small in each service area, but create a 20% increase in total across the whole council. Due to small changes across a number of service areas it is not possible to find an evidence reason for the increases.</p> <p>A larger increase was seen in the Revenue and Benefits areas of business as they saw 72 complaints in the reporting year, a large proportion of which were challenges to grants (both business and personal), in regard to the Covid 19 recovery period, given by the Government but administered by Local Authorities.</p> <p>The legislation brought in, did not offer a right of review of the Council’s decisions in respect of grants and support, and therefore any challenges to</p>

decisions were processed through the complaints policy to provide an effective 'appeal' process and evidence good governance and oversight of grant decisions.

Both Adults Social Care and Children and Learning Services experienced increases this reporting year bringing them both back to the level of the pre-pandemic era.

8. Non-social care areas

From 01/04/2021 to 31/03/22, the council recorded 418 corporate complaints at Stage 1, registered and dealt with by the service area affected:

Stage 1	2021/22	2020/21	2019/20	2018/19
Total	418	334	202	201
Responded in time (20 days)	76%	82%	65%	56%

In regard to outcomes of the stage one investigations:
145 were upheld, 70 were partially upheld and 203 were not upheld.

It should be noted that the 145 upheld complaints include a number of complaints where apologies were given for communication and complaint handling issues, rather than the substantive issue of the complaint.

Of those stage 1 complaints, the following were examined at Stage 2 by the Complaints Resolution Team, following a request from the complainant:

Stage 2	2021/22	2020/21	2019/20	2018/19
Total	79	73	77	49
Responded in time (20 days)	100%	100%	100%	100%

9. Adult Social Care

From 01/04/2021 to 31/03/22, the council recorded 23 adult social care complaints. Stage 1 registered and dealt with by the service area affected:

Stage 1	2021/22	2020/21	2019/20	2018/19
Total	23	19	37	75
Responded in time (20 days)	70%	90%	63%	47%

In regard to outcomes of the stage one investigations:
8 were upheld, 8 were partially upheld and 7 were not upheld.

20 matters that were referred to the service as complaints were not registered as such but dealt with by other means i.e., safeguarding process, dealt with by another lead agency (predominantly the NHS) or court process.

Of those stage 1 complaints, the following were examined at stage 2 by the Complaints Resolution Team, following a request from the complainant:

Stage 2	2021/22	2020/21	2019/20	2018/19
Total	9	2	7	9
Responded in time (20 days)	100%	100%	100%	100%

10. **Children and Learning Service**

From 01/04/2021 to 31/03/22, the council recorded 96 children and learning services complaints. Stage 1 registered and dealt with by the service area affected:

Stage 1	2021/22	2020/21	2019/20	2018/19
Total	96	79	105	66
Responded in time (20 days)	52%	57%	53%	65%

In regard to outcomes of the stage one investigations:

15 were upheld, 40 were partially upheld and 28 were not upheld.

13 were registered as complaints but then after initial review were processed by other means i.e. safeguarding process, court process and referred to other agencies such as the police and the NHS.

Of those stage 1 complaint, the following were examined at stage 2 by the Complaints Resolution Team, following a request from the complainant:

Stage 2	2021/22	2020/21	2019/20	2018/19
Total	26	12	35	20
Responded in time (20 days)	100%	100%	100%	80%

11. **Learning from complaints**

Communications.

Timely and relevant communications, in all its forms remains a common thread throughout the majority of complaints registered and investigated.

Many of the issues raised regarding communications is the time taken to respond to issues and enquires. The majority of these concerns are found to be unsubstantiated after investigation. This seemed to be as a result of the public not being aware of the timeframes in which the Council has set itself for responding to enquiries and contacts, thus members of the public expecting an unrealistic response time.

The Council relied on the Customer Care Standards which were last reviewed in 2014. However, these have now been replaced (September 2022) with a wide-reaching strategy document relating, in part to communications and

responses. The communication strategy can now be found on the prominent pages of the web site, an example of which can be found here [Contact us \(southampton.gov.uk\)](https://www.southampton.gov.uk/contact-us). Target times are prominently displayed on these pages.

The changes have been driven from feedback to complaints and comments made by the public and service users.

Housing Ombudsman Code

The HO brought in a new Code of Practice on 1st January 2022. The majority of changes were already part of SCC's complaint handling policies and needed no updating. However, the HO implemented a 10-day initial response target for complaints, the standard within SCC is 20 days. Housing Services adopted the code on the 1 January 2022 including the 10-day initial response target.

Tenants Panel

A number of complaints, related to Housing, suggested that tenants felt that their views were not considered during complaints processes and investigations. As a result of this, the offer of an informal review by a panel of tenants, instead of a stage two review by the CRT, which has always been available, has been made more prominent on stage one responses when they are sent out.

The Tenants Engagement panel has also reviewed the process, and information available to tenants regarding complaints review by Tenants Panel. Several suggestions have been implemented by Housing and the number of requests for Tenants Panel showed a small increase during this report year but has shown a sharper increase since April 2022 and will be reported on next year.

Covid Grant issues

As noted earlier in this report Revenue and Benefits administering the Government Covid Grant scheme, in the recovery phase, post pandemic had a substantial increase in complaints about their service. It should be noted that despite the challenges and some referrals to stage two and onward to the LGSCO, none of the complaints regarding Covid Grant handling were upheld at stage one, two or at the LGSCO stage. This is a positive result for a service under substantial pressure with the responsibilities placed on it in addition to its standard statutory responsibilities.

Training.

Routine complaints training held yearly, received mixed reaction from participants.

Following a review, a pilot was run with Children and Learning Services. The CRT delivered two complaints sessions, conducted during a week of CLS

	<p>dedicated training of new employees and new managers within the service. The content was targeted from suggestions from the CSL leadership Team, Quality Assurance Team, feedback from complainants and the CRT investigators (stage two reviews).</p> <p>The feedback to these two pilot days was extremely positive.</p> <p>Specific training for Adult Services and Corporate areas is now being developed, for roll out in Spring 2023.</p>
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RESOURCE IMPLICATIONS

Capital/Revenue

12. None

Property/Other

13. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

14. Section 111 Local Government Act 1972 and Section 1 Localism Act 2011.

Other Legal Implications:

15. 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.

RISK MANAGEMENT IMPLICATIONS

16. 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.

POLICY FRAMEWORK IMPLICATIONS

17. The complaints' function is exercised wholly in accordance with the Council's Policy Framework.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	None
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	None.
2.	

Documents In Members' Rooms

1.	
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2.		
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.		
2.		