



**Community Wellbeing Scrutiny  
Committee**  
31 January 2018

**Report from the Director of  
Performance, Policy &  
Partnerships**

**Complaints Annual Report 2016 – 2017**

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Not applicable
<b>Open or Part/Fully Exempt:</b> (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
<b>No. of Appendices:</b>	Four: <ul style="list-style-type: none"> <li>• Council Departments Complaints Analysis 2016-17</li> <li>• Adults Complaints Annual Report 2016-17</li> <li>• Children and Young People Complaints Annual Report 2016-17</li> <li>• Action Plan to Improve Complaints Performance</li> </ul>
<b>Background Papers:</b>	N/A
<b>Contact Officer(s):</b> (Name, Title, Contact Details)	<p>Irene Bremang Head of Performance and Improvement Email: <a href="mailto:irene.bremag@brent.gov.uk">irene.bremag@brent.gov.uk</a> Tel: 020 8397 1822</p> <p>Peter Gadsdon Director of Performance, Policy and Partnerships Email: <a href="mailto:peter.gadsdon@brent.gov.uk">peter.gadsdon@brent.gov.uk</a> Tel: 020 8937 1400</p>

## **1.0 Purpose of the Report**

- 1.1 The 2016/17 Complaints Annual Report was presented to Cabinet on 23 October 2017 and then to the Housing Scrutiny Committee on 1 November 2017 and the Resources and Public Realm Scrutiny Committee on 27 November 2017.
- 1.2 This version of the 2016/17 Annual Complaints report focuses on complaints performance in the Community Wellbeing (CWB) Department, Adult Social Care (ASC) directorate, Culture service and the Children and Young People (CYP) Department. The report covers the period from April 2016 to March 2017

and comparative data going back to 2013/14 has been provided where available.

- 1.3 A brief summary of overall Council performance in 2016/17 is included in this main report and the more detailed analysis and improvement recommendations are provided in **Appendix A**. High level Council-wide complaints performance data for the previous two years has been included where available for the purpose of comparison over a three-year period.
- 1.4 Complaints concerning the Adult Social Care and Children and Young People departments come under separate statutory complaint procedures and separate analysis reports for 2016/17 have been provided in **Appendices B and C** respectively.
- 1.5 Complaints performance has been analysed and reported across four broad aspects - complaints received, complaint types, outcomes and timeliness. This report and appendices also includes improvements and lessons learned from complaints.
- 1.6 This report sets out a number of recommendations to help reduce complaints and improve the management of complaints. These recommendations are also summarised in Section 2 below and were approved by Cabinet on 23 October 2017. The recommendations have also been developed into a Complaints Action Plan and are listed in **Appendix D**.

## **2.0 Recommendations**

- 2.1 Community Wellbeing Scrutiny Committee is asked to note the eight specific recommendations agreed by Cabinet on 23 October 2017 and set out as an Action Plan in Appendix D:

### *Root cause of complaints*

- a. Work with service area and departmental management teams to review key service delay/failure hotspots and develop improvement plans.
- b. Develop a tailored training plan on communication and staff behaviours to be implemented in priority service areas across the Council.
- c. Support the new Housing Management Service during the redesign of the repairs process by feeding in the lessons learned from complaints.

### *Decision making and outcomes*

- d. Review Local Government Ombudsman (LGO) referrals and identify any future opportunities for early resolution and minimisation of premature LGO referrals.
- e. Review our internal approach to complaint decisions, corrective actions and compensation in light of LGO outcomes in 2016/17.

### *Complaint handling and monitoring*

- f. Continue to improve internal processes and working arrangements with service managers to increase the timeliness of Stage 2 responses.
- g. Work closely with the Housing Management Service management team to establish a new and effective complaints process and implement improved working arrangements to manage Stage 2 complaints.
- h. Implement a weekly Corrective Actions Tracker for all departments to monitor the timely completion of agreed remedial actions.

- 2.2 The Community Wellbeing Scrutiny Committee is asked to note that Brent Housing Partnership (BHP) data was reported as a separate organisation to Cabinet in the annual report for 2016/17. Future annual reports will reflect the change in BHP being brought back into Brent Council in October 2017 as the Housing Management Service within the CWB Department.
- 2.3 Community Wellbeing Scrutiny Committee is asked to note and consider the CWB Department, ASC directorate, Culture services, and CYP Department performance in managing and resolving complaints and to advise Cabinet of any further remedial action required.

### 3.0 Detail

#### ***Council's Complaint Framework***

- 3.1 The Council operates a two-stage corporate complaints process, two-part Adult statutory complaints process and a three-stage Children's statutory complaints process. The stages and timescales for handling both corporate and statutory complaints are shown in the table below:

Complaint Type	Stages	Timescales (Written Response)
<b>Corporate</b>	2 stages + Ombudsman	Stage 1 - 20 working days Stage 2 - 30 working days
<b>Adults (Statutory)</b>	1 stage (provision/final stage) + Ombudsman	Stage 1 - 20 working days (extension up to 6 months in complex cases)
<b>Children (Statutory)</b>	3 stages + Ombudsman	Stage 1 - 10 working days (extension to 20 working days in complex cases)  Stage 2 - 25 days (extension to 65 working days in complex cases)  Stage 3 - 45 working days
<b>Service Requests</b>	N/A	10 working days

- 3.2 Initial acknowledgements should be sent within 5 working days for all of the complaint types shown above, with the exception of Stage 3 Children Statutory complaints where acknowledgements should be sent within 2 working days.
- 3.3 Service areas are responsible for the management and resolution of all corporate and statutory Stage 1 complaints. The corporate Complaints Service team manages final review/Stage 2 corporate complaints on behalf of the Chief Executive. Children's statutory complaints are reviewed by an independent investigator and independent person at Stage 2 and by an independent panel at Stage 3.
- 3.4 The outcome of a complaint is decided in one of these ways:
- **"Upheld"** – this is where the Council has accepted responsibility for the matter arising. The complaint response will offer an apology, clarify what

happened and the remedy to the problem. We will also identify actions to prevent this from happening again.

- *“Partially Upheld”* – this is where the Council accepts some responsibility for part of the complaint. We will send a complaint response as above also highlighting our reason for not accepting the whole complaint.
- *“Not Upheld”* – this means the investigation into the complaint has not found the Council at fault. The complaint response will explain our reasons for this decision.

### **Data Caveats**

3.5 It should be noted that departmental analysis provided for 2016/17 is based on the current departmental/service area structure. However, the composition of service areas within the CWB Department and CYP Department as changed over recent months and years:

- The CWB Department was created in January 2016 bringing together the ASC, Public Health, Housing & Community Care directorates. Comparative data on complaints performance across the CWB has been reconstituted for 2015/16 and compiled for 2016/17 based on information recorded on the iCasework system.
- A breakdown of ASC and Culture services has been included in this report. However the breakdown of Housing services complaints performance is only referred to in this report to provide context across the CWB Department. Housing services receive the majority of complaints in the CWB Department and complaints performance was reported in detail to the Housing Scrutiny Committee in November 2017.
- Prior to the creation of the CWB Department, ASC had been a separate department in its own right; comparative data on ASC services is available for the past 4 years and is included in this report. The Client Affairs team moved from ASC to Brent Customer Services in September 2016 and the Client Affairs team data is included in ASC performance figures up until that point.
- The Culture service, which includes Libraries, Arts & Heritage and the Sports service, has been managed as a single service since April 2015 and was brought into the CWB Department in January 2016. Up until April 2015 these services were managed separately as the Libraries, Arts & Heritage service and the Sports service within the Environment department. Comparative data for the past four years has been provided where available.

3.6 Report data has been produced from the iCasework complaints system and reflects the information captured on the system by council officers. The quality and consistency of the data has improved over the years and therefore 2016/17 provides a more accurate picture of current performance compared with historical information in 2013/14:

- The granularity of information captured on iCasework has been updated. For example the root cause categories have been revised. The ‘Other’ category was removed and the ‘Disagreement with Policy’ category was added to help improve the analysis of the root cause of complaints. This change was made part way through 2016. In addition to this change of categories, service-specific sub-classifications have been updated on the system for some of the service areas across the Council.

- 3.7 It is also important to reflect on the operating environments within CWB and CYP Departments in considering complaints performance in current and previous years:
- there are around 4,000 service users in ASC and approximately 3% of these customers or someone acting on their behalf raised a complaint about a service that they had received in 2016/17;
  - in Brent libraries there were almost 2.5 million physical visits, over 1 million library stock issues and over 3 million online library transactions in 2016/17;
  - there were over 1.6 million wet and dry side visits to Brent sport centres in 2016/17;
  - in 2016/17 there were over 4,000 referrals to the CYP Department and over 2,300 children in need episodes during the year;
  - the Council has also undergone wide-ranging transformation of service delivery and staffing arrangements since 2010 and with the ongoing funding pressures facing local government there has been the continued need to reshape services.

### ***Summary of Overall Council Performance***

- 3.8 The detailed analysis of the Council's performance is provided in Appendix A. The key points to note from the Council's performance are as follows:
- The number of new complaints received is decreasing, however, more cases are being escalated to the second stage of the complaints process.
  - Service delay/failure was the most common cause for complaint in 2016/17, as in previous years.
  - The Council upheld/partly upheld a smaller proportion of cases at the final review stage in 2016/17 than in previous years.
  - As average compensation payments have decreased at the first stage, there has been a corresponding increase in compensation awarded at the Ombudsman stage.
  - Timeliness of corporate and statutory complaint responses has improved over the past 3 years.

## ***CWB Department – Overall Complaints Performance***

- 3.9 This section of the report sets out CWB Department complaints performance for two years and the ASC directorate and Culture service data for four years. Corporate complaints performance has been shown separately to statutory complaints performance where available. A separate report on ASC statutory performance is provided in Appendix B.

### ***Volume of Complaints***

- 3.10 The table below shows the volume of corporate complaints received in the CWB Department, ASC directorate and Culture service.

#### CWB Department / ASC / Culture – Corporate Complaint Volumes

<b>CWB Department / ASC / Culture – Corporate Complaint Volumes</b>						
<b>Year</b>	<b>All CWB</b>		<b>ASC</b>		<b>Culture</b>	
	<b>Stage 1</b>	<b>Stage 2</b>	<b>Stage 1</b>	<b>Stage 2</b>	<b>Stage 1</b>	<b>Stage 2</b>
<b>2013 - 2014</b>			13	4	34	2
<b>2014 - 2015</b>			27	0	38	1
<b>2015 - 2016</b>	289	42	30	4	36	4
<b>2016 - 2017</b>	253	37	14	2	55	7

- 3.11 The CWB Department received 253 Stage 1 complaints in 2016/17 (equivalent to 28% of the 903 Stage 1 complaints received by the Council during the year).
- 3.12 The table above shows that ASC Stage 1 corporate complaint volumes in 2016/17 have returned to 2013/14 levels and in the Culture service volumes have increased by 62% since 2013/14. The number of cases escalated to Stage 2 is relatively low for the ASC directorate and Culture service. On average 1 in 7 cases were escalated to Stage 2 across the Council and CWB services were broadly within this range.
- 3.13 The table below shows the volume of statutory ASC complaints received over the past 4 years.

#### ASC Directorate - Statutory Complaint Volumes

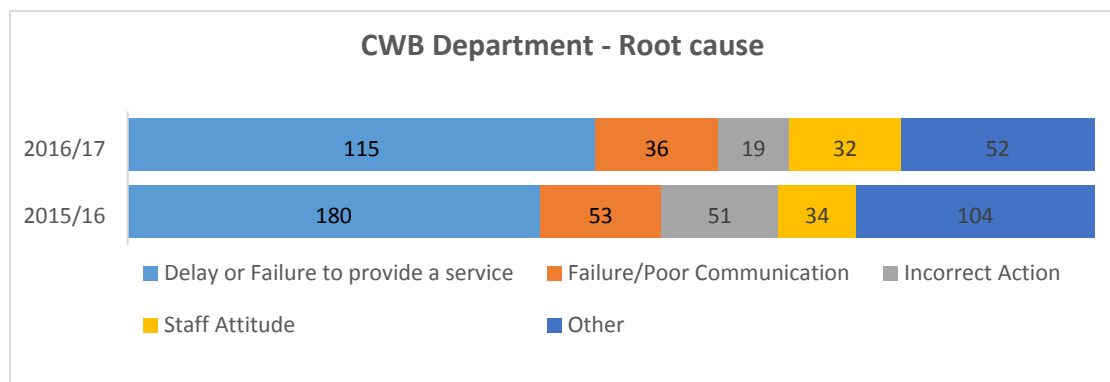
<b>ASC Directorate - Statutory Complaint Volumes</b>		
<b>Year</b>	<b>ASC Stage 1/Provisional</b>	<b>ASC Stage 2/Final</b>
<b>2013 - 2014</b>	107	17
<b>2014 - 2015</b>	93	10
<b>2015 - 2016</b>	76	15
<b>2016 - 2017</b>	83	16

- 3.14 The volume of ASC statutory of Stage 1/Provisional cases has fallen by 22% over the past 4 years, however the volume of Stage 2/Final cases has remained broadly the same.

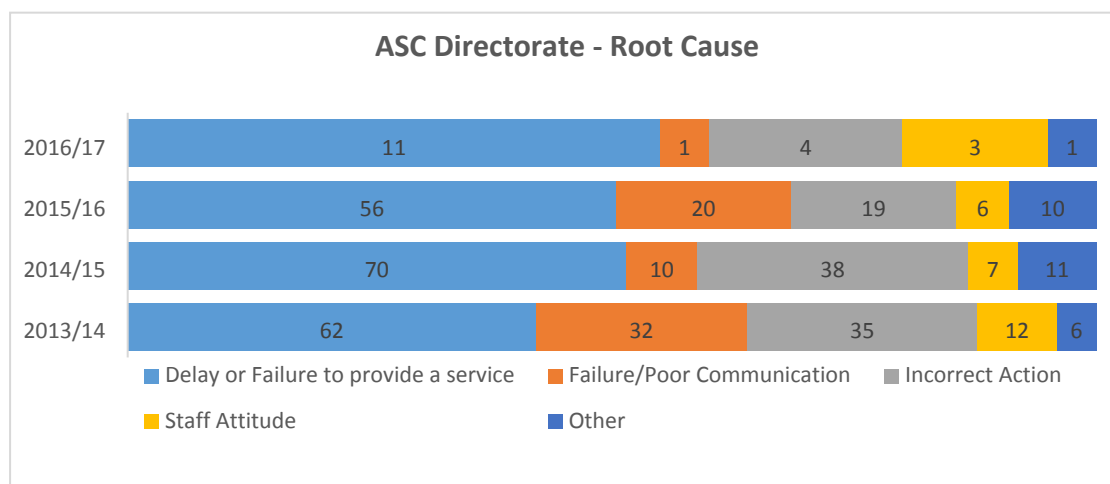
### ***Nature/Type of Complaints***

- 3.15 The bar chart below shows the root cause of complaints in the CWB Department and ASC and Culture services. These charts include both corporate and statutory complaints and is based on the root cause information recorded on the system by officers at the point of closing the case.

#### **CWB Department – Root Cause of Complaints**



#### **ASC Directorate – Root Cause of Complaints**

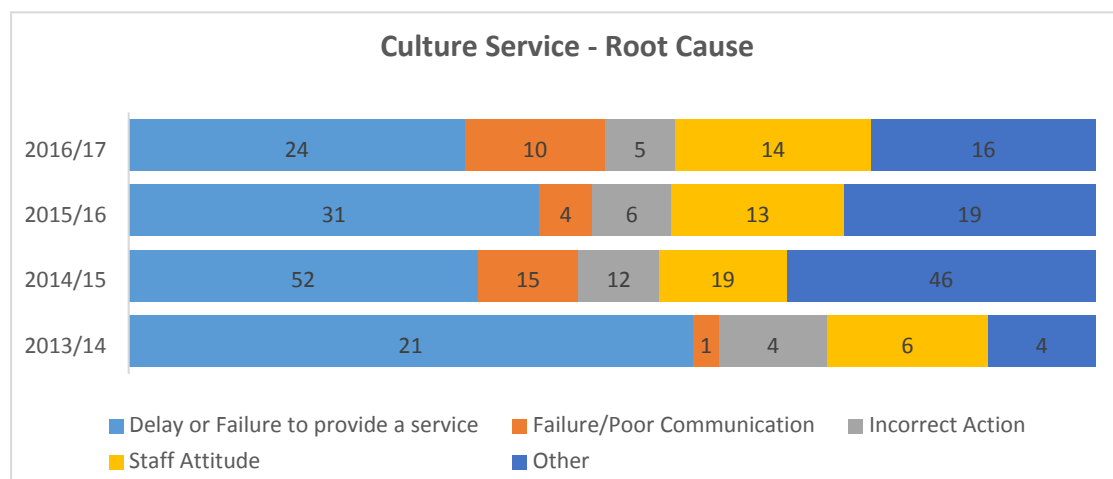


- 3.16 Service failure/delay and communication have been the two main causes of complaints in the CWB Department and ASC directorate. These were also the top two reasons for complaints across the Council.
- 3.17 Housing services received over half of all complaints received by the CWB Department in 2016/17; the table below shows the 3 services that received the most complaints in the CWB Department and service-specific root cause analysis.

## CWB Department – Three Highest Complaint Volume Service Areas & Service-Specific Root Cause Analysis

Community Wellbeing Department – Stage 1 Corporate Complaints Root Causes			
Services	No. of Stage 1 Cases	Stage 1 as % of CWB Total	Root Causes (service-specific)
<b>Housing</b>	128	51%	<ul style="list-style-type: none"> <li>Accommodation Services – Assessment</li> <li>Poor Communication</li> <li>Staff Conduct</li> </ul>
<b>Culture</b>	69	26%	<ul style="list-style-type: none"> <li>Libraries – Computer Provision</li> <li>Libraries – Other</li> <li>Libraries – Events &amp; Exhibitions</li> </ul>
<b>Private Housing Services</b>	38	15%	<ul style="list-style-type: none"> <li>Housing Advice – Other Service</li> <li>Enforcement – Assessment / Housing</li> <li>Enforcement – Multiple Occupation - Safety</li> </ul>

### Culture Service – Root Cause of Complaints



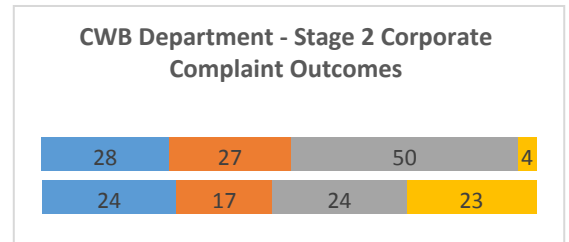
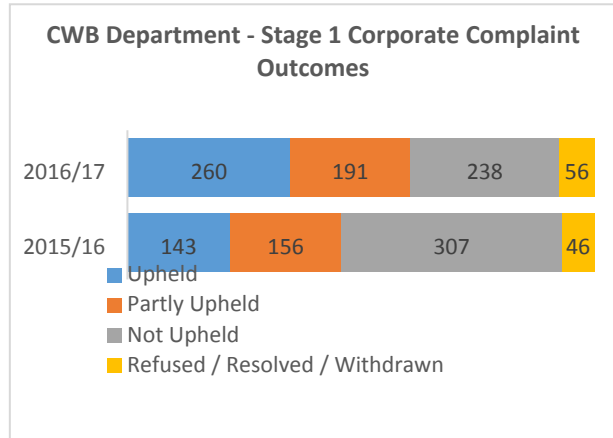
- 3.19 In the Culture service, the two main reasons complaints in 2016/17 were service failure/delay and staff attitude, although the number of these types of complaints was relatively low. The table above shows there were service-specific issues regarding libraries.
- 3.20 Examples of service improvements that have been made as a result of learning from complaints have been included in Appendices A and B.



## Complaint Outcomes

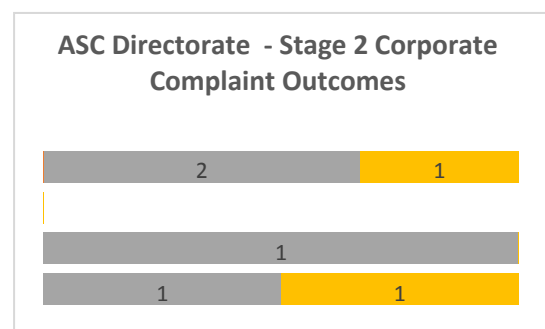
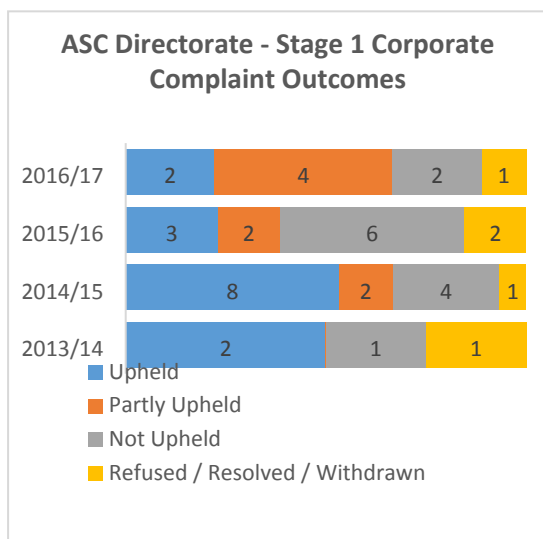
- 3.21 The bar charts below show the outcomes of corporate complaints at Stage 1 and Stage 2 for the past 2 years.

### CWB Department - Stage 1 & Stage 2 Corporate Complaint Outcomes



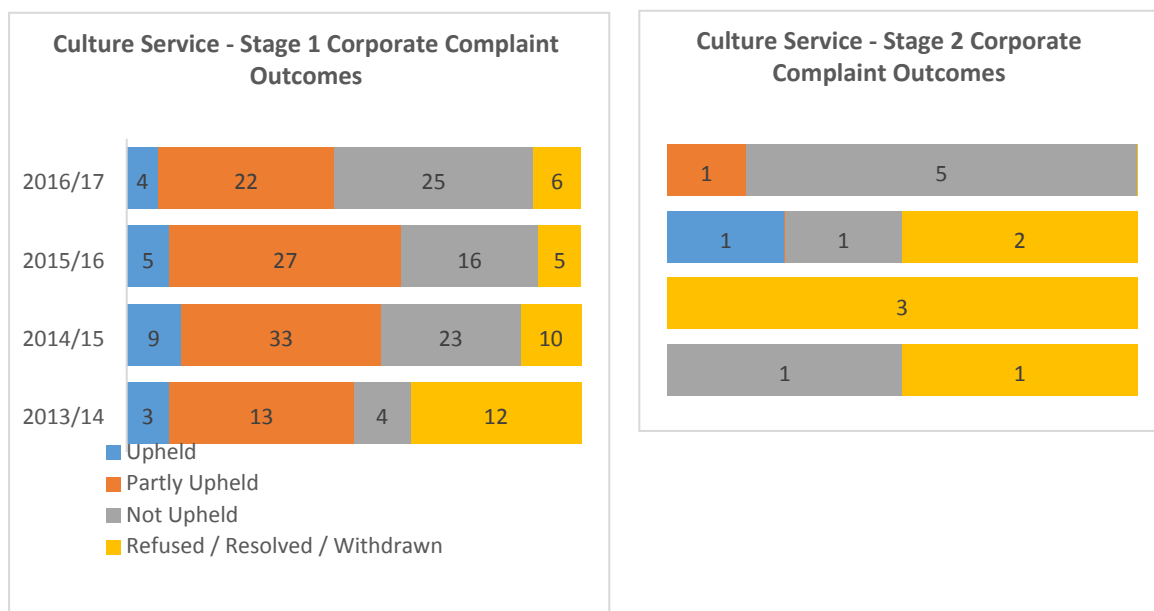
- 3.22 In 2016/17, 61% of Stage 1 corporate complaints in the CWB Department were upheld/partly upheld. By comparison 43% of all Stage 1 corporate complaints were upheld/partly upheld council-wide during the same year.
- 3.23 50% of CWB corporate cases were upheld/partly upheld at Stage 2, compared with 24% across the Council.
- 3.24 The higher rate of upheld/partly upheld cases across CWB is 2016/17 was largely due to the case volumes and outcome rates in Housing services.

### ASC Directorate - Stage 1 & Stage 2 Corporate Complaint Outcomes



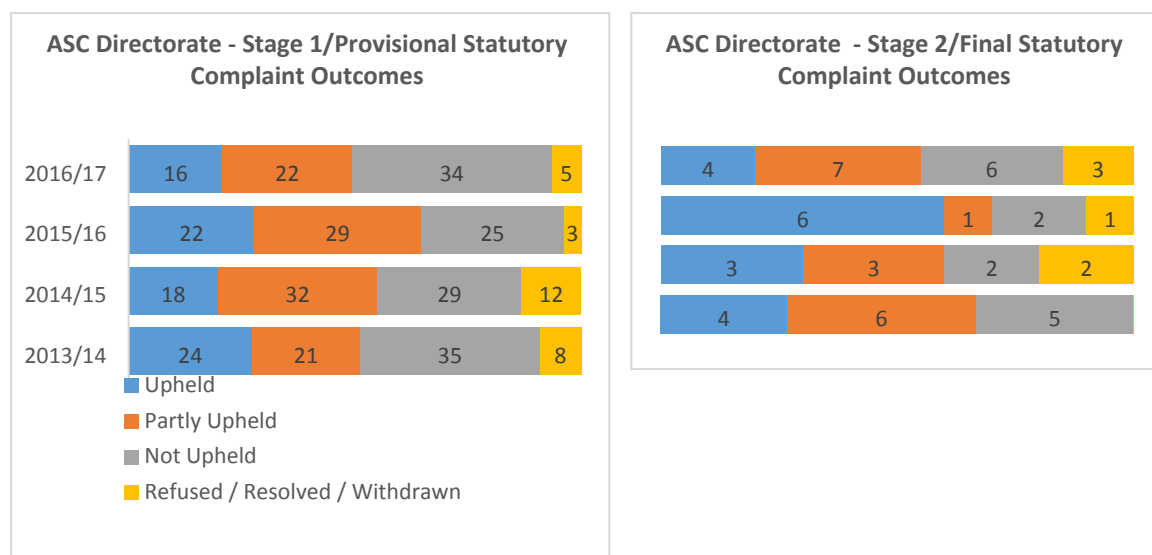
- 3.25 The volume of ASC corporate cases received and decided is relatively low. In 2016/17, six out of nine cases were upheld/partly upheld; compared with two out of four cases upheld in 2013/14. Very few corporate cases have been escalated to Stage 2 over the past 4 years. Only six corporate ASC cases have been escalated to Stage 2 in the past four years and none of these cases were upheld/partly upheld.

#### Culture Service - Stage 1 & Stage 2 Corporate Complaint Outcomes



- 3.26 The volume of Stage 1 corporate complaints regarding the Culture Service has increased. In 2013/14, 32 cases were decided compared with 55 cases in 2016/17 (72% increase in decided cases). However, the proportion of cases upheld/partly upheld at the first stage has decreased. In 2013/14, 50% of Stage 1 cases were upheld/partly upheld, compared with 47% of Stage 1 cases in 2016/17.
- 3.27 The low volume of cases upheld/partly upheld over the past four years at Stage 2 indicates that initial complaints have been managed satisfactorily (only two out of 15 Stage 2 cases were upheld/partly upheld over the past four years).

## ASC Directorate - Stage 1 & Stage 2 Statutory Complaint Outcomes



- 3.28 The volume of ASC statutory Stage 1 complaints has decreased over the past four years and there has also been a small decrease in the proportion of cases upheld/partly upheld. In 2013/14, 51% of the 88 decided cases were upheld/partly upheld and this went down to 47% of 77 decided cases in 2016/17.
- 3.29 Although the volume of statutory Stage 1/Provisional complaints has fallen, the number of cases being escalated to Stage 2/Final complaint is gradually increasing. However, the proportion of cases being upheld/partly upheld at Stage 2/Final level has decreased. In 2013, 67% of 15 decided cases were upheld/partly upheld compared with 55% of 20 decided cases in 2016/17.

### ***Ombudsman Outcomes***

- 3.30 The table below shows the number of referrals to the Ombudsman and upheld decisions against the CWB Department, ASC directorate and Culture service.
- 3.31 This information is taken from data provided by the Ombudsman and from the iCasework system and covers both corporate and statutory complaints. The Ombudsman categorises cases in broad service areas, however, this does not include Culture services specifically.

CWB Department / ASC / Culture – Ombudsman Referrals & Upheld Cases

CWB Department / ASC / Culture – Ombudsman Referrals & Upheld Cases						
Year	All CWB		ASC		Culture	
	Referrals	Upheld	Referrals	Upheld	Referrals	Upheld
2013 - 2014			6	2	-	0
2014 - 2015			11	5	-	0
2015 - 2016	14	15	3	4	-	0
2016 - 2017	84	11	35	3	-	0

- 3.32 The majority of upheld cases in CWB Department were Housing Needs cases (eight upheld cases). Only three out of the 11 upheld cases in 2016/17 were ASC cases. CWB Department accounted for 11 of the 17 cases upheld against the Council in 2016/17.
- 3.33 The three upheld Ombudsman cases in ASC were statutory cases and have been highlighted in Appendix B, additional information has also been provided below.

Case	Summary of Ombudsman Decisions
<b>Case 1</b> (Mental Health)	<ul style="list-style-type: none"> <li>• <b>LGO summary</b> - the Council had failed to act correctly in the way they discharged someone with mental health needs from aftercare services.</li> <li>• <b>LGO decision</b> - upheld the case and the Council agreed to review their procedures</li> </ul>
<b>Case 2</b> (Client Affairs)	<ul style="list-style-type: none"> <li>• <b>LGO summary</b> - the Council had unreasonably delayed in handling a claim for disability related expenditure and when completing a financial assessment failed to assess a client's needs properly or address the carer's needs.</li> <li>• <b>LGO decision</b> - upheld the case and recommended procedural changes. (The Council had partly upheld the case and awarded £50 compensation at Stage 2)</li> </ul>
<b>Case 3:</b> (Care agency services)	<ul style="list-style-type: none"> <li>• <b>LGO summary</b> - the Council had accepted fault in the actions of Care agencies in some aspects of care. There was no evidence of fault with the Council in responding to the complainants concerns.</li> <li>• <b>LGO decision</b> - care and support plan to be updated and a copy sent to the complainant</li> </ul>

## **Compensation**

- 3.34 The table below shows the compensation breakdown for the CWB Department, ASC directorate and Culture service for both corporate and statutory complaints.

### CWB Department / ASC / Culture – Compensation Case Volumes & Payments

<b>CWB Department – Compensation Case Volumes and Payments</b>							
<b>Year</b>	<b>Stage</b>	<b>All CWB</b>		<b>ASC</b>		<b>Culture</b>	
		<b>No.</b>	<b>£</b>	<b>No.</b>	<b>£</b>	<b>No.</b>	<b>£</b>
<b>2013 - 2014</b>	Stage 1			4	£6,015	-	-
	Stage 2			4	£2,600	-	-
	Ombud'			-	-	-	-
<b>2014 - 2015</b>	Stage 1			2	£4,950	-	-
	Stage 2			5	£750	-	-
	Ombud'			3	£600	-	-
<b>2015 - 2016</b>	Stage 1			1	£50	1	£90
	Stage 2			4	£6,609	-	-
	Ombud'			3	£2,100	-	-
<b>2016 - 2017</b>	Stage 1	2	£630	0	£0	-	-
	Stage 2	13	£6,571	7	£3,561	-	-
	Ombud'	5	£4,449	1	£734	-	-

- 3.35 The majority of cases awarded compensation in the CWB Department were Housing services related complaints.

## **Timeliness of Complaints**

- 3.36 The table below shows the timeliness Stage 1 corporate case across the CWB Department, ASC directorate and Culture service. The data is based on cases due for completion during each year.

### CWB Department / ASC / Culture – Timeliness of Stage 1 Corporate Complaints

<b>CWB Department / ASC / Culture – Stage 1 Corporate Cases</b>						
<b>Year</b>	<b>All CWB</b>		<b>ASC</b>		<b>Culture</b>	
	<b>Due</b>	<b>% on time</b>	<b>Due</b>	<b>% on time</b>	<b>Due</b>	<b>% on time</b>
<b>2013 - 2014</b>			10	30%	35	91%
<b>2014 - 2015</b>			21	52%	71	80%
<b>2015 - 2016</b>	81	88%	27	67%	35	91%
<b>2016 - 2017</b>	209	89%	10	80%	56	96%

- 3.37 In 2016/17, 89% of CWB Department complaints were completed on time, on par with the council-wide average of 89%.

- 3.38 The timeliness of ASC Stage 1 corporate complaints has improved significantly from 30% on time in 2013/14 to 80% on time in 2016/17. However, this is still below the CWB Department and Council average of 89%.
- 3.39 The Culture service has improved on timeliness of response to Stage 1 complaints, peaking at 96% on time in 2016/17.

CWB Department / ASC / Culture – Timeliness of Stage 2 Corporate Complaints

- 3.40 Stage 2 complaints are managed by the corporate Complaints Team and the table below shows the timeliness of these corporate complaints for the CWB Department, ASC directorate and Culture service.

<b>CWB Department / ASC / Culture – Stage 2 Corporate Cases</b>						
<b>Year</b>	<b>All CWB</b>		<b>ASC</b>		<b>Culture</b>	
	<b>No.</b>	<b>% on time</b>	<b>No.</b>	<b>% on time</b>	<b>No.</b>	<b>% on time</b>
<b>2013 - 2014</b>			3	67%	2	100%
<b>2014 - 2015</b>			1	100%	3	67%
<b>2015 - 2016</b>	5	40%	4	50%	2	100%
<b>2016 - 2017</b>	34	85%	3	100%	6	83%

- 3.41 ASC directorate and the Culture service has had a low number Stage 2 corporate complaints over the past four years and the majority of these cases were completed on time. Overall, 85% of CWB Department Stage 2 corporate complaints were completed on time and the corporate Complaints Team is working with all Council departments to improve timeliness. Improving the timeliness of Stage 2 complaints is part of the Complaints Action Plan.

Timeliness of ASC Directorate Stage 1 & Stage 2 Statutory Complaints

<b>ASC Directorate - Stage 1 &amp; 2 Statutory Cases</b>				
<b>Year</b>	<b>Stage 1 Due</b>	<b>% on time</b>	<b>Stage 2 Due</b>	<b>% on time</b>
<b>2013 - 2014</b>	88	47%	15	20%
<b>2014 - 2015</b>	85	58%	11	45%
<b>2015 - 2016</b>	81	80%	11	18%
<b>2016 - 2017</b>	81	90%	19	74%

- 3.42 There has been a significant improvement in the timeliness of responses to Stage 1/Provisional and Stage 2/Final statutory ASC complaints. The timeliness rate for first stage statutory complaints has almost doubled over the past four years. And the timeliness rate has increased nearly four-fold for Stage 2 statutory complaints over the same period.

### ***CYP Department – Overall Complaints Performance***

- 3.43 This section of the report sets out the performance of the Children & Young People Department over the past four years. The service area teams and directorate structure have been changed over the four-year period. The Department had been previously known as the Children & Families Department up until early 2014.

#### ***Volume***

- 3.44 The table below shows the volume of corporate complaints received in the CYP Department over the past four years.

#### CYP Department– Corporate Complaint Volumes

<b>CYP Department– Corporate Complaints</b>		
<b>Year</b>	<b>Stage 1</b>	<b>Stage 2</b>
<b>2013 - 2014</b>	66	6
<b>2014 - 2015</b>	31	5
<b>2015 - 2016</b>	62	7
<b>2016 - 2017</b>	36	3

- 3.45 Stage 1 and Stage 2 corporate complaint volumes have been more or less halved over the past four years. The 36 Stage 1 corporate complaints received by CYP equated to less than 4% of the 903 corporate complaints received Council-wide in 2016/17.

#### CYP Department– Statutory Complaint Volumes

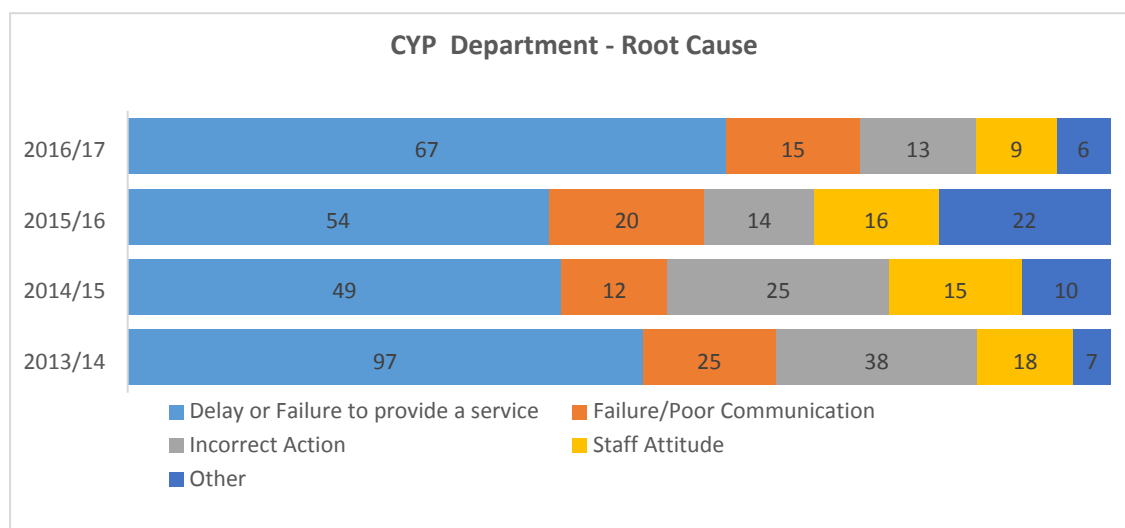
<b>CYP Department– Statutory Complaints</b>			
<b>Year</b>	<b>Stage 1</b>	<b>Stage 2</b>	<b>Stage 3</b>
<b>2013 - 2014</b>	92	8	1
<b>2014 - 2015</b>	92	8	3
<b>2015 - 2016</b>	50	3	3
<b>2016 - 2017</b>	79	9	0

- 3.46 Statutory Stage 1 complaints have decreased by 14% over the past four years. However, the volume of statutory cases escalated to Stage 2 has remained at more or less the same level. Stage 3 panel investigations have reduced to zero in 2016/17.

## Nature/Type of Complaints

- 3.47 The bar chart below shows the root cause of complaints in the CYP Department for the past four years for both corporate and statutory cases. The chart is based on information recorded on the iCasework system by officers at the point of closing the case.

### CYP Department– Root Cause Analysis



- 3.48 Service failure/delay and communication were the two main causes of complaints in the CYP Department in 2016/17. Council-wide there is a similar pattern of complaints and the Complaints Action Plan highlights further work with departments to address service failure/delay type complaints.
- 3.49 Complaint volumes have fallen in CYP, but the proportion of complaints resulting from service failure/delay has increased. In 2013/14, it accounted for 52% of 185 cases. This has increased to 61% of 110 cases in 2016/17.
- 3.50 Service-specific analysis of root cause analysis is shown in the table below for 2016/17 and Appendix C highlights examples and actions to support improvements as a result of complaints.

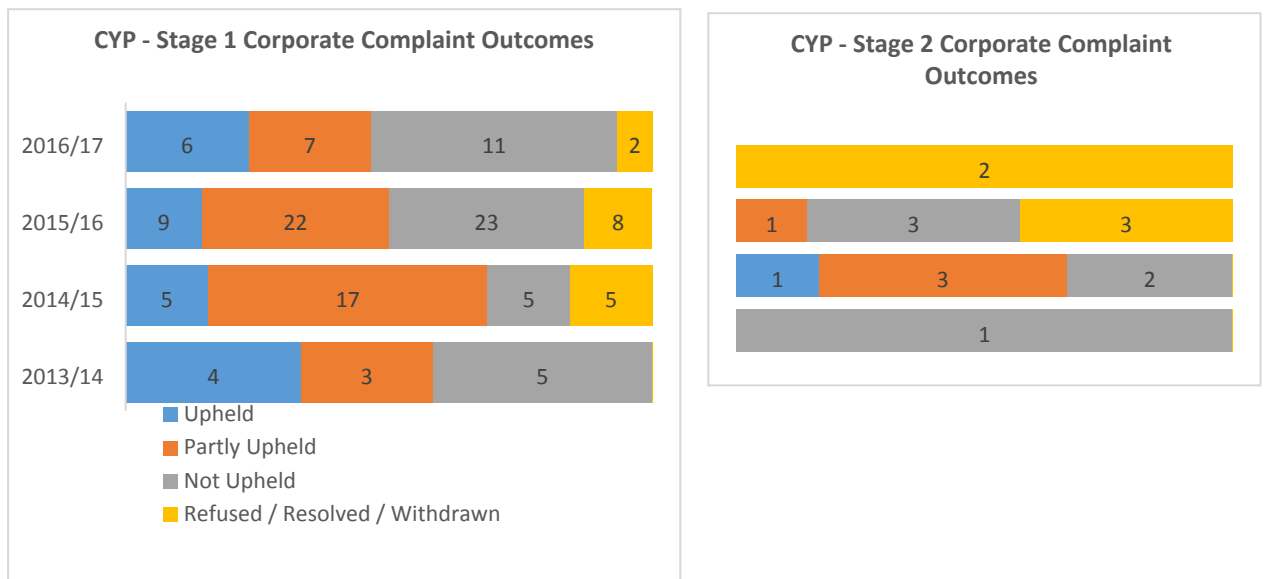
Children & Young People Department			
Services	No. of Stage 1 Cases	Stage 1 as % of Dept Total	Root Causes
Inclusion	10	28%	<ul style="list-style-type: none"> <li>Social Workers</li> <li>Contract Issues</li> <li>Service not provided</li> </ul>
Localities	7	19%	<ul style="list-style-type: none"> <li>Support / Contact</li> <li>Assessment</li> <li>Child Protection</li> </ul>
LAC & Permanency	5	14%	-



## Complaint Outcomes

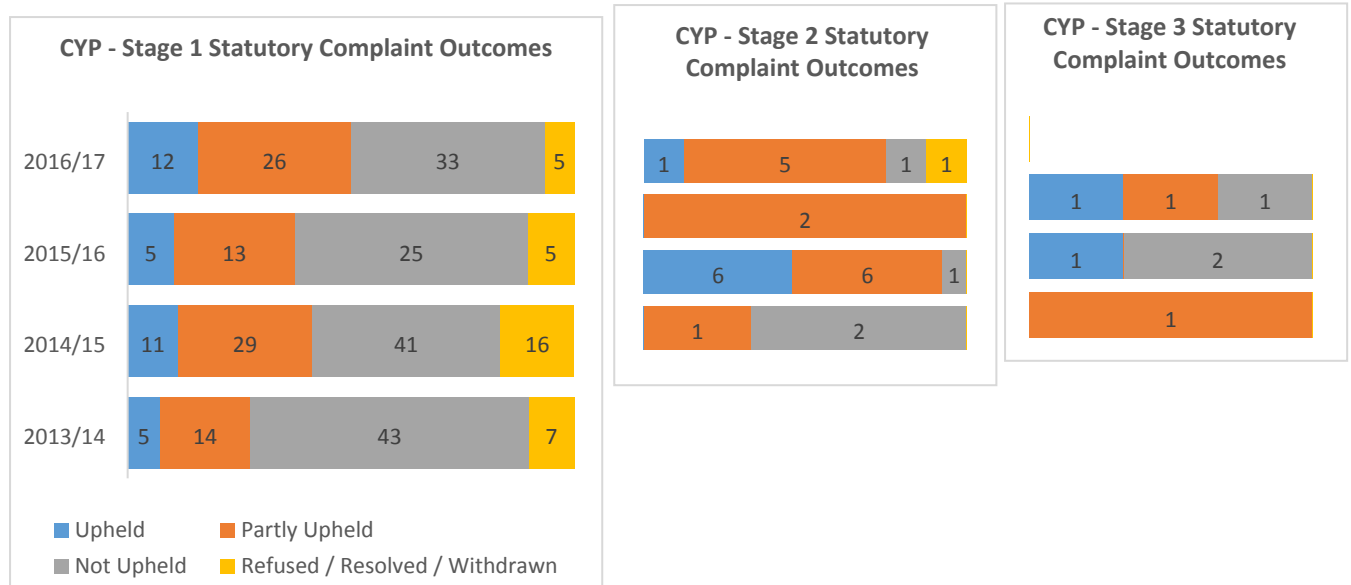
- 3.51 The bar charts below show the outcomes of corporate complaints at Stage 1 and Stage 2 in the CYP Department for the past four years.

### CYP Department- Stage 1 & Stage 2 Corporate Complaint Outcomes



- 3.52 The proportion of Stage 1 corporate complaints upheld/partly upheld has decreased over the past four years. 58% of Stage 1 corporate complaints were upheld/partly upheld in 2013/14 compared with 52% in 2016/17.
- 3.53 43% of Council-wide complaints were upheld/partly upheld in 2016/17. CYP outcome percentage rates were higher than the Council's outcome rates, however the absolute number of CYP cases was relatively very low.

### CYP Department– Stages 1 - 3 Statutory Complaint Outcomes



- 3.54 The proportion of statutory cases upheld/partly upheld at Stage 1 has significantly increased. Just over a quarter of 69 statutory cases were upheld in 2013/14 and in 2016/17 half of the 76 statutory cases were upheld/partly upheld. Eight statutory cases have been upheld/partly upheld at the second stage in the last 2 years, compared with 13 Stage 2 cases upheld/partly upheld for the two years prior to that. Stage 3 case volumes have been very low over the past four years and four out of seven panel investigations were upheld/partly upheld.

### ***Ombudsman Outcomes***

- 3.55 The table below shows the number of referrals to the Ombudsman and upheld decisions against the CYP Department. This information is taken from data provided by the Ombudsman and the iCasework system and covers both corporate and statutory complaints.

#### CYP Department– Ombudsman Referrals & Upheld Cases

<b>CYP Department– Ombudsman Referrals &amp; Upheld Cases</b>		
<b>Year</b>	<b>No. of Referrals</b>	<b>No. of Cases Upheld</b>
<b>2013 - 2014</b>	1	1
<b>2014 - 2015</b>	9	1
<b>2015 - 2016</b>	9	1
<b>2016 - 2017</b>	15	3

- 3.56 The number of cases referred to and upheld by the Ombudsman in CYP is relatively low compared to the rest of the Council. (Council-wide there were 161 referrals to the Ombudsman in 2016/17 and 17 cases were upheld in total in 2016/17).
- 3.57 The 3 upheld Ombudsman cases in CYP are summarised below:

<b>References</b>	<b>Case Summary</b>
<b>Case 1</b> Child Protection	<ul style="list-style-type: none"> <li>• <b>LGO complaint summary</b> - there were faults in the Council's records of its decisions to begin child protection investigations in previous years which could have impacted on the decision.</li> <li>• <b>LGO decision</b> – upheld and satisfied that the Council's apology and £1,500 compensation was satisfactory.</li> </ul>
<b>Case 2</b> Child Protection	<ul style="list-style-type: none"> <li>• <b>LGO complaint summary</b> - Council failed to keep complainant properly informed and updated when their children were under child protection plans.</li> <li>• <b>LGO decision</b> – upheld the case and agreed that the apology and £750 compensation already agreed by the Council was sufficient and that the Council should consider amending its procedures.</li> </ul>
<b>Case 3</b> Historical LAC housing	<ul style="list-style-type: none"> <li>• <b>LGO complaint summary</b> - Council was at fault when it did not treat complainant as a looked after child (several years ago) when they became homeless at 16. As a result, they missed out on the package of care they would have been entitled to, both as a looked after child and a care leaver.</li> <li>• <b>LGO decision</b> – upheld the case, awarded £500 compensation and recommended that the complainants care and support needs to be reassessed.</li> </ul>

### ***Compensation***

- 3.58 The table below shows the compensation breakdown for the CYP Department for the past four years:

#### CYP Department– Compensation Case Volumes & Payments

<b>CYP Department– Compensation Case Volumes &amp; Payments</b>			
<b>Year</b>		<b>No. of Cases</b>	<b>£</b>
<b>2013 - 2014</b>	Stage 1	3	£404
	Stage 2	1	£200
	Stage 3	1	£200
	Ombud	-	-
<b>2014 - 2015</b>	Stage 1	-	-
	Stage 2	7	£16,229
	Stage 3	3	£850
	Ombud	-	-
<b>2015 - 2016</b>	Stage 1	-	-
	Stage 2	-	-
	Stage 3	1	£1,000
	Ombud	2	£750
<b>2016 - 2017</b>	Stage 1	1	£25
	Stage 2	3	£6,702
	Stage 3	0	£0
	Ombud	1	£500

- 3.59 Compensation cases at Stage 1, Stage 3 and Ombudsman cases were very low in volume and total amounts paid. Compensation awarded at Stage 2 was higher in 2014/15 and 2016/17, averaging approximately £2,000 per case and would have been determined on a case by case basis.

### ***Timeliness of Complaints***

- 3.60 The table below shows the timeliness of Stage 1 and Stage 2 CYP corporate cases for the past four years.

#### CYP Department– Timeliness of Stage 1 & 2 Corporate Cases

<b>CYP Department– Timeliness of Corporate Stage 1 &amp; Stage 2 Cases</b>				
<b>Year</b>	<b>No. of Stage 1s</b>	<b>% on time</b>	<b>No. of Stage 2s</b>	<b>% on time</b>
<b>2013 - 2014</b>	12	58%	1	100%
<b>2014 - 2015</b>	31	74%	6	50%
<b>2015 - 2016</b>	62	85%	6	50%
<b>2016 - 2017</b>	26	88%	3	100%

- 3.61 Despite an increase in the volume of Stage 1 corporate complaints, there has been a significant improvement in the timeliness of response from 58% on time in 2013/14 to 88% on time in 2016/17. Stage 2 corporate complaint volumes were relatively low each year and there has been an improvement in timeliness overall.
- 3.62 The table below shows the timeliness of Stage 1 and Stage 2 CYP corporate cases for the past four years (data was not available of the timeliness of Stage 3 panel investigations).

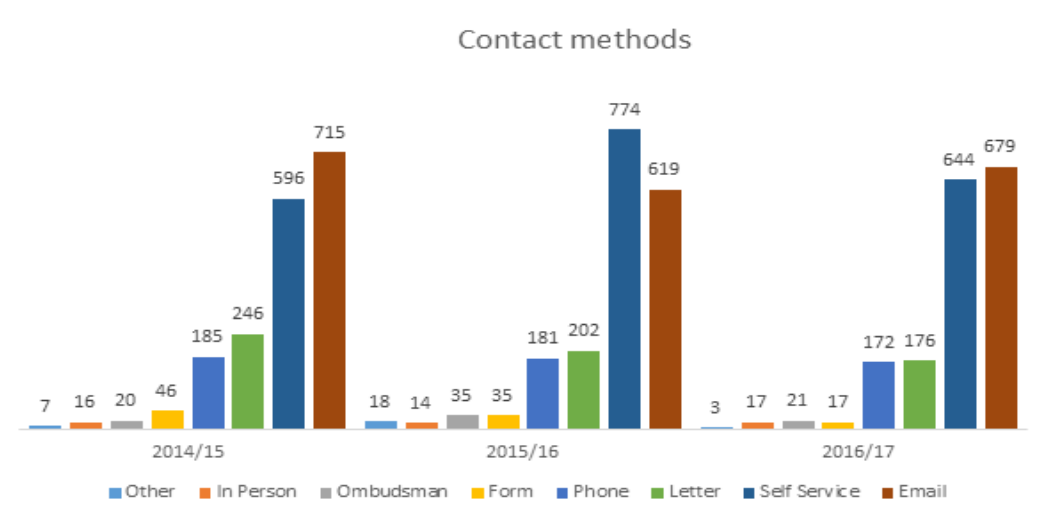
#### CYP Department– Timeliness of Stage 1 & 2 Statutory Cases

<b>CYP Department– Timeliness of Statutory Stage 1 &amp; Stage 2 Cases</b>				
<b>Year</b>	<b>No. of Stage 1s</b>	<b>% on time</b>	<b>No. of Stage 2s</b>	<b>% on time</b>
<b>2013 - 2014</b>	82	43%	6	0%
<b>2014 - 2015</b>	85	55%	10	0%
<b>2015 - 2016</b>	47	85%	3	67%
<b>2016 - 2017</b>	76	87%	8	13%

- 3.63 The timeliness rate of statutory Stage 1 cases has doubled over four years and 87% of cases were closed on time in 2016/17. However, the timeliness of statutory Stage 2 cases has remained low. Statutory Stage 2 cases are investigated independently and delays in engaging independent investigators and the complexity of cases have contributed to under-performance on the timeliness rate. This is an area for improvement listed in the Complaints Action Plan.

#### ***Council-wide Complaint Channels***

- 3.64 The chart below shows the different channels used to submit complaints to the Council and BHP over the past three years. The pattern of complaint channels used by the public has remained fairly stable with online and self-service methods being the most popular ways of submitting a complaint. Planned changes to the website should make it easier in future to contact us online about a complaint, service request or compliment. Other forms of contact such as telephone and letter will still be available, but we would expect to see a greater take up of online channels in future years.



#### **4.0 Financial Implications**

- 4.1 There are no direct financial implications arising from this report. Instead, the details provided on compensation payments reflect the monetary impact of not getting things right first time as an organisation and the need to improve the customer experience and therefore minimise the financial penalties incurred by the Council.

#### **5.0 Legal Implications**

- 5.1 Complaints concerning the Adult Social Care and Children and Young People departments come under separate statutory complaint procedures. It is a legal requirement to produce annual reports for these areas and these are included in appendices A and B with reference to the statutory frameworks for the management of these statutory complaints

#### **6.0 Equality Implications**

- 6.1 None.

#### **7.0 Consultation with Ward Members and Stakeholders**

- 7.1 Not applicable.

#### **Report sign off:**

**Peter Gadsdon**

Director of Performance, Policy & Partnerships