

Report Title:	Annual Complaints and Compliments report 2019/20
Contains Confidential or Exempt Information?	No - Part I
Lead Member:	Cllr Rayner Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor; Armed Forces Champion
Meeting and Date:	Adult, Children and Health Overview and Scrutiny Panel – 30 September 2020
Responsible Officer(s):	Adele Taylor, Director of Resources & Nikki Craig, Head of HR, Corporate Projects and IT
Wards affected:	None

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REPORT SUMMARY

1. The purpose of the report is to share with Overview and Scrutiny the annual compliments and complaints report for 2019/20 before it is published on the council's website. Local authorities are only required to report on complaints submitted about adults and children's services, however the report for the Royal Borough covers all complaints, including those related to corporate activities.
2. The compliments and complaints report is produced annually and details all compliments and complaints made by or on behalf of customers, that are investigated under the:
 - Formal corporate complaints policy.
 - Statutory adults and children's complaints policies.

NB: children's complaints taken under the corporate complaints policy are reported in Section 5 of the annual report (Appendix 1) with other information about children's complaints.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Adult, Children and Health Overview and Scrutiny Forum notes the report and:

- i) That the report is published on the Council's website.
- ii) That the annual report continues to be produced and presented at Overview and Scrutiny panels,

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
That the report is published on the Council's website and that the annual report continues to be produced and presented at Overview and Scrutiny panels. This is the recommended option	This is a requirement for children's and adults annual complaints information and good practice for other complaints areas.

2.1 The council's complaints and compliments report is compiled annually. There is a statutory requirement to publish information on adult and children's complaints and compliments and the report for April 2019 – March 2020 will be published in October 2020. While there is no requirement to publish information on complaints about other services provided by the council the decision has been taken to include this information in the annual report. This captures all the information about complaints and compliments to the council and ensures transparency and to provide an opportunity to ensure we maximise the learning opportunities from any outcomes from the complaints.

- 2.2 The report contains details of the:
- numbers of compliments received
 - complaints received,
 - themes of complaints
 - timeliness of complaint responses
 - outcomes of complaints,
 - learning from complaints
 - number of complaints made to and decided by the Local Government and Social Care Ombudsman (LGSCO).

Overview of all complaints to the council

- 2.3 There a number of complaints processes and which one is invoked will depend on the service and the reason for a complaint to be made. See appendix 2 of appendix 1.
- 2.4 Table 1 compares the number of complaints received across the council for 2019/20 with the figures for 2018/19. See Appendix 1, pages 6-7, 2.4-2.6, figure2.

Table 1

	2019/20	2018/19
Adult complaints	27	19
Children complaints	52	38
Complaints about other services	319	380
Total complaints	400	437

Complaints to services considered by Adult, Children and Health Overview and Scrutiny Panel

- 2.5 The number of complaints received for services considered at Adult, Children and Health Overview and Scrutiny Panel is shown below in table 2. For context, 1400 people are supported by the People with Disabilities and Older People's team with domiciliary care providers delivering over 3500 hours of care

per week. Within children's services 1020 children and young people have Education Health and Care plans, 266 Children In Need were open to Children's Social Care in March 2020, 149 children were subject to Child Protection Plans in March 2020 and there were 121 Children In Care in March 2020.

- 2.6 The number of complaints received for adult services rose in 2019/20, compared with 2018/19. However, it should be noted that the number received in 2018/19 was particularly low and the number for 2019/20 was lower than in the years prior to 2018/19. The number of statutory complaints related to children's social care have decreased while there has been an increase in corporate complaints which typically relate to processes such as securing home to school transport, assessment for an Education, Health and Care plan, and communication and data handling. More detailed information is included in the annual report. See Appendix 1, pages 27-28, 4.2-4.8, figures 20-21 and pages 34-36, 5.2-5.10, figures 26-29.

Table 2

	2019/20	2018/19
Adult	27	19
Children	52	38
Total	79	57

Themes of complaints

- 2.7 Across the council, the theme with the highest number of complaints received in both 2018/19 and 2019/20 was 'lack of action'. More detailed information is included in the annual report. See Appendix 1, page 7, 2.7-2.8, figure 3.
- 2.8 For adult services, this was 'require help or intervention'. Many adult services complaints were requesting an explanation of some issue that was not understood, for example invoicing and the complaints process was then invoked in order to understand what information people had been given and resolve any queries. See Appendix 1, page 29, 4.9-4.10, figure 22.
- 2.9 For children's services, this was 'did not follow policy' for children's statutory complaints and 'failed to follow timescales' such as the completion of EHCPs within timescales. for children's corporate complaints. See Appendix 1, pages 36-37, 5.11-5.13, figures 30-31.

Timeliness of complaints

- 2.10 Across the council, timeliness of complaint responses being provided has decreased from 63% in 2018/19 to 59% in 2019/20. More detailed information is included in the annual report. See Appendix 1, page 8, 2.9-2.11, figure 4.
- 2.11 Timeliness for adult services was 56% in 2019/20, which is similar to the council average for this year, but lower than 2018/19, which was 74%. See Appendix 1, pages 29-30, 4.11-4.12, figure 23.
- 2.12 Timeliness for children's services was 47% in 2018/19 and 56% in 2019/20, which is similar to the council average. See Appendix 1, page 38, 5.14-5.19, figure 32.

Outcomes of complaints

- 2.13 Across the council, the number of complaints fully or partially upheld has fallen from 67% in 2018/19 to 61% in 2019/20, which means we are finding fault by a service less often. More detailed information is included in the annual report. See Appendix 1, pages 8-9, 2.12, figure 5.
- 2.14 The number of adult complaints fully or partially upheld was 52% in 2019/20, which is lower than the council average for this year and lower than 2018/19, which was 68%. See Appendix 1, page 29, 4.9-4.10, figure 22.
- 2.15 The number of children's complaints fully or partially upheld was 63% in 2019/20, which is higher than the council average and lower than 2018/19, which was 81%. See Appendix 1, page 38, 5.19-5.20, figures 33-34.

Complaints made to and decisions made by the LGSCO

- 2.16 Table 3 compares the number of complaints made to the LGSCO in 2019/20 against those made in 2018/19.

Table 3: complaints made to the LGSCO

	Adult Care services	Benefits and Council Tax	Communities and other services	Education and Children's services	Environment services	Highways and transport	Housing	Planning and Development	Other	Total
2019/20	9	1	2	10	7	6	4	9	1	49
2018/19	13	2	5	9	4	1	5	4	1	44

- 2.17 Table 4 compares the number of complaints decided by the LGSCO in 2019/20 against those decided in 2018/19.

Table 4: LGSCO decisions

	Incomplete or invalid	Advice given	Referred back for local resolution	Closed after initial enquiry	Detailed investigations		Uphold rate of detailed investigations	Total
					Not upheld	Upheld		
2019/20	4	0	14	16	8	7	47%	49
2018/19	3	0	15	11	5	12	71%	46

- 2.18 If we were to include those investigations closed after an initial enquiry to the council, then the upheld rate for 2019/20 is 23%. This is higher than in 2018/19 when under this calculation 42% would have been upheld.
- 2.19 The Ombudsman made 49 decisions during 2019/20 compared to 46 in 2018/19. This includes decisions on 6 enquiries submitted to the LGSCO in 2018/19 and 43 enquiries submitted in 2019/20. Enquiries made to the LGSCO in 2019/20 but with no decision made within that year will be included in the decisions reported in 2020/21.
- 2.20 Of the seven cases upheld in 2019/20, four of these were for adult services and included complaints about how Optalis works with care companies. See Appendix 1, pages 30-31, 4.14-4.16.
- 2.21 Of the 7 cases upheld in 2019/20, none were for children's services. See Appendix 1, page 40, 5.25.

Overview of all compliments to the council

- 2.22 Table 5 compares the number of compliments received across the council for 2019/20 with the figures for 2018/19. More detailed information is included in the annual report. See Appendix 1, page 10, 2.22–2.23, figure 6.

Table 5

	2019/20	2018/19
Adult compliments	21	19
Children compliments	63	93
Compliments about other services	356	452
Total compliments	440	555

Compliments to services considered by Adult, Children and Health Overview and Scrutiny Panel

- 2.23 The number of compliments received for services considered at Adult, Children and Health Overview and Scrutiny Panel is shown below in table 6. See Appendix 1, pages 32-33, 4.19-4.22, figure 29, table 6 and pages 42-44, 5.34-5.35, figure 36, table 9.

Table 6

	2019/20	2018/19
Adult compliments	21	19
Children's compliments	63	93
Total	328	165

Options

Table 7: Options arising from this report

Option	Comments
Undertake to complete an annual report for 2019/20 that covers minimum of complaints in relation to adults and children's services.	To fulfil statutory obligations and to continue to learn from resident complaints
Do not undertake to complete an annual report for 2019/20	Statutory obligations will not be fulfilled.

3. KEY IMPLICATIONS

- 3.1 There are a number of indicators of success across the council. For last year these were all exceeded or significantly exceeded. For our current financial year. Improvements in all of these could indicate improvements in delivery

Table 8: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Reduced percentage of upheld complaints	62-100%	61%	50-60%	<50%	31 March 2021

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Increased percentage of complaints completed within timescales	0-58%	59%	60-75% 59%	>75%	31 March 2021
Reduced percentage of complaints to the LGSCO are upheld	48-100%	47%	40-46%	<40%	31 March 2021

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no direct financial implications in the publishing of the annual report. There are implications for the council in getting things wrong including resources within service being redirected to complaints handling, remedy payments and reputational damage.

5. LEGAL IMPLICATIONS

- 5.1 The publishing of children's and adult complaints reports is statutory.

6. RISK MANAGEMENT

- 6.1 None

7. POTENTIAL IMPACTS

- 7.1 Equalities.. There are no implications under the equality act arising from this report.
- 7.2 Climate change/sustainability. There are no climate change or sustainability implications arising from this report.
- 7.3 Data Protection/GDPR. If personal data is being processed the decision maker must have due regard to the requirements of the Data Protection Act 2018 and the General Data Protection Regulation before making a decision. You should therefore indicate whether a Data Protection Impact Assessment (DPIA) has been completed and summarise the issues raised DPIA's are a lawful requirement under certain conditions. If you are unsure if a DPIA is required, please consult the Data Protection Officer for guidance. If a DPIA has been carried out it should be available as a background paper (and listed in Section 11 below). There are no data protections/GDPR implications arising from this report; as no personal data has been processed so a Data Protection Impact Assessment has not been carried out.

8. CONSULTATION

8.1 Consultation has happened with CLT in August 2020 and will happen with Overview and scrutiny panels in September 2020.

9. TIMETABLE FOR IMPLEMENTATION

9.1 N/A The annual report will be published on the Council website in October 2020.

10. APPENDICES

10.1 This report is supported by 1 appendix:

- Appendix 1 – Annual complaints report

11. BACKGROUND DOCUMENTS

- LGSCO Annual Letter (see Appendix 1 of Appendix 1)

11.1 These are the annual summary of statistics on the complaint on complaints made to the Local Government and Social Care Ombudsman about the authority for the year ending 31 March 2020. The annual letters and corresponding data tables were published on LGSCO website on 31 July 2020.

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Rayner		17/08/20	21/08/20
Duncan Sharkey	Managing Director	17/08/20	17/08/20
Russell O'Keefe	Director of Place	17/08/20	21/08/20
Adele Taylor	Director of Resources/S151 Officer	17/08/20	14/08/20
Kevin McDaniel	Director of Children's Services	17/08/20	21/08/20
Hilary Hall	Director Adults, Health and Commissioning	17/08/20	21/08/20
Andrew Vallance	Head of Finance	17/08/20	21/09/20
Elaine Browne	Head of Law	17/08/20	20/08/20
Mary Severin	Monitoring Officer	17/08/20	24/08/20
Nikki Craig	Head of HR, Corporate Projects and IT	17/08/20	14/08/20
Louisa Dean	Communications	17/08/20	21/08/20
Karen Shepherd	Head of Governance	17/08/20	18/08/20

REPORT HISTORY

Decision type:	Urgency item?	To Follow item?

For information	No	No
Report Author: Claire Burns		

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