



GOVERNANCE COMMITTEE

TUESDAY, 20 SEPTEMBER 2016

11.30 AM (OR AT THE CONCLUSION OF THE CABINET, WHICHEVER IS THE LATER)
COMMITTEE ROOM, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Godfrey Daniel, David Elkin, Philip Howson and David Tutt

A G E N D A

- 1 Minutes of the meeting held on 19 July 2016 (*Pages 3 - 4*)
- 2 Apologies for absence
- 3 Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
- 5 Annual Complaints Report including the Local Government Ombudsman's annual letter and summary of formal information requests received in 2015/16 (to follow) (*Pages 5 - 24*)
Report by Director of Communities, Economy and Transport
- 6 Membership of the Pension Board (*Pages 25 - 26*)
Report by Chief Operating Officer
- 7 Any other items previously notified under agenda item 4

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12 September 2016

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at Committee Room, County Hall, Lewes on 19 July 2016.

PRESENT: Councillors Keith Glazier (Chair), Godfrey Daniel, David Elkin, Philip Howson and David Tutt

ALSO PRESENT Councillor Michael Ensor

17 MINUTES OF THE MEETING HELD ON 12 JULY 2016

17.1 RESOLVED – that the minutes of the lasting meeting held on 12 July 2016 be confirmed as a correct record.

18 URGENT ITEMS

18.1 The Chair was notified of an urgent item regarding the appointment to committees, sub-committees, panels and other bodies due to the formal notification of change of Group by a Member. The Committee considered this report under agenda item 8 (minute 23 below).

19 REPORTS

19.1 Reports referred to in the minutes below are contained in the minute book.

20 INDEPENDENT AUDITOR'S REPORT TO THOSE CHARGED WITH GOVERNANCE AND STATEMENT OF ACCOUNTS 2015-16

20.1 The Committee considered a report by the Chief Operating Officer regarding the Independent Auditor's report and Statement of Accounts 2015-16.

20.2 The Committee RESOLVED –

1) to note the Independent Auditor's (KPMG) report to those charged with governance on ESCC Accounts, and the Value for Money conclusion report;

2) to authorise the Chief Finance Officer to sign the formal Letter of Representation to KPMG LLP; and

3) to approve the Statement of Accounts for publication.

21 ASSESSMENT OF THE CORPORATE GOVERNANCE FRAMEWORK FOR 2015-16

21.1 The Committee considered a report by the Monitoring Officer regarding the assessment of the Corporate Governance framework for 2015-16.

21.2 The Monitoring Officer informed the Committee that the Audit, Best Value and Community Services (ABVCS) Scrutiny Committee had made one comment in relation to the schools part of Children's Services. The ABVCS Scrutiny Committee suggested that the section

on the integration of financial, performance and risk management processes should be amended to where appropriate include the auditing of schools.

21.3 The Committee RESOLVED –

- 1) to approve the action plan for the next year;
- 2) to note that items identified to enhance governance arrangements are reflected in Business Plans and that implementation will be monitored through the year;
- 3) to confirm that Members are satisfied with the level of assurance provided to them through this report and the Council's governance framework and processes;
- 4) to note the comments from the Audit, Best Value and Community Services Scrutiny Committee; and
- 5) to approve the Annual Governance Statement for signature by the Leader and the Chief Executive and publication within the Statement of Accounts.

22 APPOINTMENTS TO OUTSIDE BODIES - SAFER COMMUNITY PARTNERSHIPS

22.1 The Committee considered a report by the Director for Adult Social Care and Health regarding the appointment of Member representatives to the Community Safety Partnerships.

22.2 The Committee RESOLVED –

- 1) to appoint Councillor Nick Bennett as the Council's representative on the Eastbourne, Lewes and Wealden Community Safety Partnership and Councillor John Barnes as the Council's representative on the Hastings and Rother Community Safety Partnership; and
- 2) to appoint Councillor Peter Pragnell as substitute representative to the Hastings and Rother Community Safety Partnership.

23 URGENT ITEM - APPOINTMENT TO COMMITTEES, SUB-COMMITTEES, PANELS AND OTHER BODIES

23.1 The Committee considered a report by the Assistant Chief Executive regarding the allocation of places on committees, sub-committees, panels and other bodies to the six political and independent groups.

23.2 The Committee RESOLVED -

- 1) to recommend the County Council agree to allocate to political and independent groups the places on, and membership of, the main committees as set out in Appendix 1 of the report; and
- 2) to recommend the County Council agree to continue to waive the requirement for political balance in relation to those committees where the Council agreed it be waived at its meeting on 10th May 2016.

Report to:	Governance Committee
Date of meeting:	20 September 2016
By:	Director of Communities, Economy and Transport
Title:	Annual complaints report including the Local Government Ombudsman's annual letter and summary of formal information requests received in 2015/16.
Purpose:	To provide information about the Council's performance when handling complaints and requests for information and to provide an update on measures being taken to further improve customer experience.

RECOMMENDATIONS: Governance Committee is recommended to:

- (1) note the number and nature of complaints made to the County Council in 2015/16; and**
 - (2) note the contents of the Local Government Ombudsman's annual letter to the Chief Executive; and**
 - (3) note the progress of the Customer Board in the development of a series of measures to improve customer experience.**
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1 Complaints and compliments

1.1. The County Council received 995 complaints in 2015/16, which represents a 1.4% increase from 2014/15. Figures and a detailed review by department are attached as Appendix 1. Please note that departmental comparisons of complaints and compliments are not valid, due to the nature of services provided by different departments.

1.2. Analysing trends and reasons for complaints provides the County Council with valuable feedback on how it can provide services that meet customer's needs and manage their expectations. How the authority handles complaints is a crucial element of customer experience, and is an area where the County Council is seeking continuous improvement to ensure it resolves individual customers' problems as effectively as possible, monitors trends in complaints to intervene quickly where it can be seen that things are going wrong, and learns lessons when things have not gone right. Implementing improvements from those lessons can also reduce the number of complaints that are made

1.3 During 2015/16 the Adult Social Care complaints team has reviewed the handling of its complaints to ensure the process was client and carer-focused. The department reviewed its information leaflet and practice guidance. It also reviewed how explanations were handled to ensure they used plain English, applied a One Council approach and were resolution focussed. They incorporated the use of local resolution meetings and agile technology. This has resulted in fewer complaints about operational services within year, and a 22% decrease in the number of complaints referred to the Local Government Ombudsman during 2015/16 compared with the previous year.

1.4 In the Corporate Complaints Team, which deals with all complaints other than those about Adult Social Care and Children's Services, there has been a drive to improve communication across a network of teams and contractors where complaints often require a combined input and agreement to the response. Clearer ownership of the problem and awareness of response times enables staff to resolve a complaint at an early stage, wherever possible, and keep the customer better informed at all stages of the complaint process.

1.5 In the past 12 months the Children's Services complaints team has identified common trends where communications could have been better and have improved what information is provided and how it is provided. Feedback from service users showed that they sometimes felt they were 'lost in a process' and 'had no control over it'. Whilst the County Council does, in many cases, have set procedures to follow, this feedback has enabled staff to provide a more empathetic approach, providing service users with much

clearer explanations about why the department is involved with certain cases, what will be involved, and what customers can expect along the way .

1.6 The Council continues to receive more compliments than complaints. In 2015/16 the Council received 3,614 compliments; further details are provided by department in Appendix 1.

1.7 Ensuring that the County Council provides channels for both positive and negative feedback which are easy for customers to access and which can be analysed and acted upon by teams is a priority for the Customer Board. Further information about the work undertaken by, and the recommendations of, the Customer Board is set out in section 4 below.

2 Local Government Ombudsman Letter

2.1. Annually the Local Government Ombudsman (LGO) sends a letter to each local authority summarising the number of complaints and enquiries received and the decisions made about the authority during the period. The LGO informs the County Council of the complaints it has investigated and says how many were either upheld or not upheld. The LGO letter for 2015/16 is attached as Appendix 2.

2.2. Between 1 April 2015 and 31 March 2016 the LGO received 97 complaints about the County Council. However, it made decisions on 121 complaints about the County Council, an increase from 109 in 2014/15. The difference in the number of complaints received compared with the number of decisions made is due to the time lag between when a complaint is made and when a decision about that complaint is reached by the LGO. Some of the complaints about which decisions were made in the last financial year therefore relate to complaints originally made in 2014/15. This report focuses on those complaints where decisions were made in 2015/16.

2.3. Of the 121 complaints received, 50 were investigated and 28 were upheld. This represents 23% of all complaints received and 56% of those investigated. 22 complaints were investigated and not upheld. The split between upheld and not upheld complaints is comparable to previous years. Of the 71 complaints not investigated, 32 were referred back for local resolution, 30 were closed after initial enquiries and 9 were considered invalid or incomplete.

2.4. The outcomes of the upheld complaints cover three main areas of resolution, further details of which are provided in Appendix 1:

- 6 recommended an apology was given
- 13 involved financial redress or writing off debt
- 6 recommended a procedural change, which could also include a new appeal and review, reassessment, or training

2.5. The LGO carried out a survey of all councils in order to measure their “progress against the objective to improve local services”. It found that 98% of respondents believed that the LGO’s investigations have had an impact on improving local public services. Appendix 1 provides further detail on how the Council has responded to the upheld complaints and the lessons learned from them.

3 Formal requests for information (Environmental Information Regulations, Freedom of Information Act, and Data Protection Act)

3.1. There were 1,570 information requests in total, compared to 1,637 in 2014/15. Further details are attached as Appendix 3.

3.2 During 2015/16 the County Council maintained a high standard in meeting information requests on time, with 93% of requests responded to within the 20 working day deadline. However, the complexity of Freedom of Information Act (FOI) and Environmental Information Regulations (EIR) requests continues, meaning that the amount of staff resource taken to deal with these requests has not decreased with the reduction in overall numbers, although the Council may legally refuse to answer these requests if they will cost the Council more than £450 each to respond to (equivalent to 18 hours of staff time). The County Council is also investigating the publication of FOI responses on its website. It is hoped this would both improve transparency and access to public information and potentially reduce the number of requests.

3.3 Complexity is a particular challenge for Data Protection (Subject Access) Requests, which also increased in number by 28% from 225 in 2014/15 to 289 in 2015/16. These requests may involve hundreds of pages of information being located, scanned and redacted for each request. The Council has 40 calendar

days to complete a request. There is no limit applied to staff time for Subject Access Requests, it is the County Council's obligation to provide the information. Teams will look into streamlining the delivery of these requests this year, including exploring the provision of more information in electronic formats instead of paper copies, and whether information can be scanned directly at the Council's records centre and archives, which will have the added benefit of helping to reduce the risks around data 'in transit'.

4 Improvements in Customer Experience

4.1. In 2015 a Customer Project Board was set up with representatives from all departments to undertake a review of customer experience. The aim was to identify a strategy for better and more consistent customer experience across the authority, considering our corporate priorities, particularly making best use of our resources in the current financial climate, and a One Council approach. A substantial amount of development and analysis work has been carried out by the Customer Project Board, and this included analysis of our current key data and interpretation of, and observations on, our current position.

4.2. This work identified that the County Council's current position against eight key customer expectations were broadly positive, with some real strengths including transparency and accountability in the County Council's dealings with customers. The work also identified that staff are knowledgeable, fair and respectful to customers. However, customer experience was not always consistent across the organisation and the Council could be more responsive and clearer with individual customers. The analysis concluded that there was room for improvement in staff training on customer experience, in seeking more customer feedback and systematically learning from it, and in getting everyone performing closer to the best. Staff being more informed through training and a consistent understanding of how to improve customer experience across the Council, can be a major contributing factor to reducing complaints.

4.3. In terms of an assessment of the risks and opportunities, the work concluded that having - and more importantly implementing - a clear set of customer values would lead to a better customer experience. With fewer, more targeted resources, the County Council is delivering increasingly difficult messages to customers and how it delivers these messages directly affects people's experience of the organisation. It is also important that the County Council's own values are embedded into new contracts and commissioned services so that customers get the same customer experience whoever is providing its services. Effective measurement of this across all services would provide Members with an oversight of customer experience and feedback. There are further potential benefits in that customer feedback may help the Council identify ways to redesign services so that they are cheaper to deliver and show where savings can be made without significant impact on customer experience. A commitment to continuous improvement and positive feedback is also good for staff morale and could help with recruitment and retention of staff.

4.4. As a first step towards greater consistency, the Council's Customer Promise will be reviewed together with the existing customer care standards. The Customer Promise will be tested with staff, customers and Members prior to adoption

4.5. Members, as representatives of all of the County Council's customers will play an important role in any customer experience plans that we develop, and a Members' Reference Group is therefore being established to help shape the work.

4.6. Work on a series of other priorities will continue during the coming months. This includes proposals to:

- provide staff training and online guidance on customer experience and the new Customer Promise
- review and update the Council's webpages on customer service
- ensure that all public facing email inboxes automatically provide a response to the customer to acknowledge receipt of their enquiry and set out response and resolution timescales and standards
- implement new standard email templates for each department/service (including partnerships) to improve perceptions of professionalism (ESCC logo, font, colour etc.)
- review the way in which the number and detail of compliments are gathered across the organisation to ensure that all service areas are covered

- work with the East Sussex boroughs and districts and other public sector organisations to identify what practical steps could be taken to 'join up' public services for the customer.

4.7. It is recognised that there are likely to be further opportunities for improvements in the quality and consistency of customer experience across the organisation which would require more analysis and an assessment of the costs and benefits. During the autumn and winter of 2016 a gap analysis will be undertaken to identify where the County Council currently lacks qualitative and quantitative customer feedback data (including data on outsourced and commissioned services). This will be supplemented with further evidence to provide the County Council with a more detailed assessment of our current strengths and weaknesses and will enable a costed options appraisal of potential customer experience measurement systems to be developed, so that the Council understands the resources that would be required to implement a system and the ongoing resource requirements to analyse the data. The Customer Project Board will continue to oversee the development of the Council's work on customer experience with advice and support from staff with customer experience/services roles across the Council and from the Members Reference Group.

4.8. Further actions to improve customer experience will be guided by the Council's digital principles, as further steps are taken to encourage customers to self-serve (where appropriate) as a means of reducing cost and providing easier access, and as the County Council continues to use social media and channels like webchat as a means of communicating with and serving customers.

4.9 With the development of a stronger corporate customer experience agenda it is proposed that Governance Committee would, in future, be provided with a more comprehensive annual report covering not only a summary of annual data on complaints and compliments and the LGO's annual letter, but also a progress report on work to enhance customer experience with our customers and service users.

RUPERT CLUBB

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

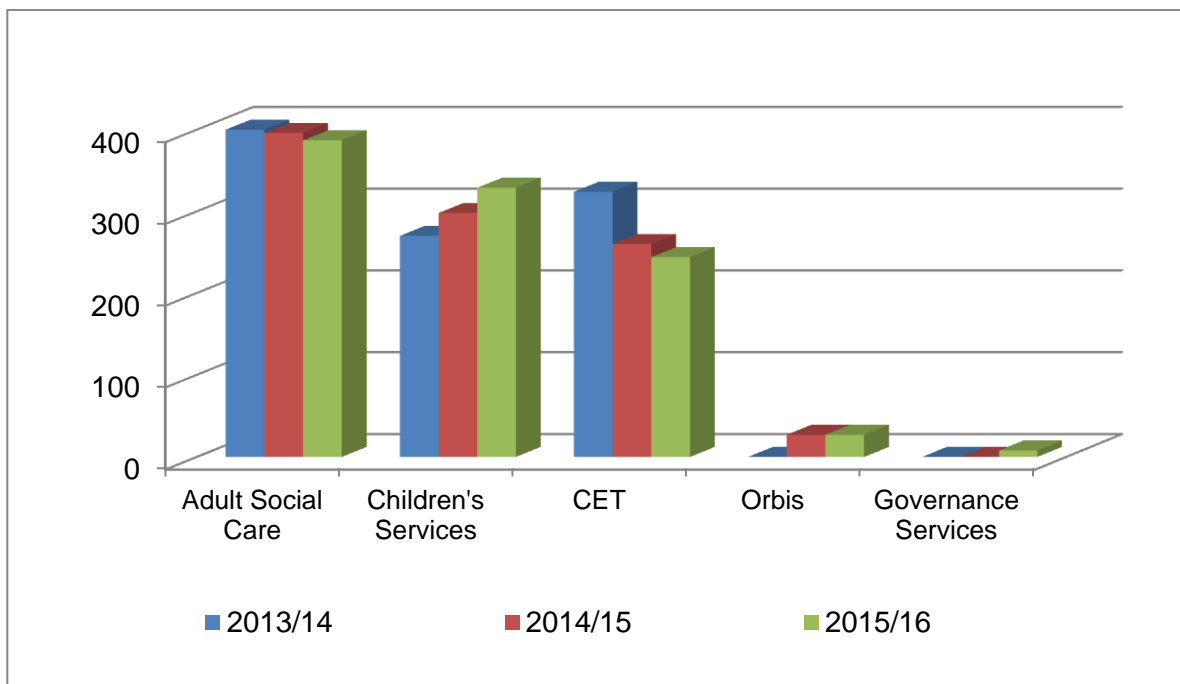
None

Appendix 1 Complaints and Compliments 2015/16

Summary of complaints by department

1. Summary

1.1 The chart below shows the number of complaints received this year by department compared with 2013/14 and 2014/15. The County Council received 995 complaints in 2015/16 compared with 981 complaints in 2014/15, which represents a 1.4% increase. Complaint levels remain quite constant overall, with an increase of around 10% in complaints about Children's Services. Comparisons of complaints and compliments between departments are not valid due to the nature of the different services provided by each department.



2. Adult Social Care

	2015/16	2014/15	Change
Number of complaints received	387	396	↓2.3%
Number of complaints upheld/partially upheld	157	148	↑6.1%
Number of compliments	2498	1740	↑43.6%

2.1 Summary

2.1.1 There was a slight drop (9 fewer) in the complaints received about Adult Social Care services compared to last year, which represents a 2.3% decrease. However there was a small increase in the number of complaints being upheld or partially upheld, and an increase in the complexity of issues, where there are a number of elements and services involved. In 2015/16 41% of complaints were upheld/partially upheld compared to 37% in 2014/15.

2.1.2 The top three themes of complaints related to:

- The outcome and some delay in assessments

85 complaints related to assessment functions and 27 (32%) were upheld or partially upheld. Complaints about the outcome of financial and social care assessments, however, have fallen significantly since last year (75% and 34% respectively). This might be a result of last year's review of the financial assessment process and the introduction of a more person-centred approach to safeguarding and assessment and care, and support planning by social care practitioners.

- Staff attitude and behaviour

Of the 49 complaints recorded 18 (37%) complaints were upheld or partially upheld. Most of these complaints related to the manner, attitude or the appropriateness of staff. Often people felt that either their circumstances or views had not been considered appropriately or sufficiently within the care management process.

- Provision of service, mainly regarding delay and quality

46 complaints were recorded and 20 (43%) of the complaints about the provision of service were upheld.

2.2 Action taken to improve the service

2.2.1 As expected, themes arising from complaints have mirrored some of the challenges faced by the department. For example, a 43% increase in complaints was recorded for Strategy, Commissioning and Supply Management. This reflects the national and local challenges facing home care providers. Work is being done at all levels of the market to increase capacity, including increasing the capacity of the Joint Community Reablement Team.

2.2.2. Some delays in processes appear to be as a direct consequence of implementing the new case recording for clients and carers. Work is ongoing to ensure the pathways are amended as the issues arise.

2.2.3 Early in the year the department also reviewed its handling of complaints to ensure the process was client and carer focused, including a review of its:

- Information leaflet
- Practice Guidance
- Enquiries, explanations and written communication to ensure plain English, a one council approach and resolution focus
- Use of local resolution meetings and agile technology

2.2.4 The complaints team supported managers to achieve excellent practice standards. Managers have appreciated this more proactive support and general feedback has been positive, with a 22% decrease in the number of complaints referred to the Local Government Ombudsman during 2015/16.

2.3 Compliments

2.3.1 The Adult Social Care department continues to receive far more compliments about its services than complaints and the number of compliments received has increased by 44% compared to last year.

2.3.2 The comments clearly show that people really valued the support they received and in many cases they describe it as life changing. People appear to have particularly valued Carers Services (564 compliments), Learning Disability Directly Provided Services (323) and the support provided by the Neighbourhood Support Team (275).

2.4 Local Government Ombudsman (LGO)

2.4.1 The table below sets out the LGO findings for complaints about Adult Social Care.

Year	Investigations		Closed after initial enquiries	Invalid/incomplete	Referred back	Total
	Upheld	Not upheld				
2015/16	19	14	13	5	15	66
2014/15	15	22	7	1	13	58

2.4.2 Please note 15 (45%) of the complaints investigated related to complaints received in the previous year.

2.4.3 Of the 66 complaints reported, 33 (50%) were investigated and of these 19 (58%) were upheld. The issues covered were wide-ranging and no themes have emerged. This is the first time however that the number of upheld complaints is higher than those not upheld. A detailed analysis of these findings will be provided in Adult Social Care's Annual Complaints Report. The report is available from mid-September and published on the Council's website: [Comments, compliments and complaints annual report](#). This report is provided under the Local Authority Social Services and National Health Service Complaints (England) Regulations, 2009.

3. Children's Services

	2015/16	2014/15	Change
Number of complaints received	329	298	↑10.4%
Number of complaints upheld/partially upheld	157	162	↓3%
Number of compliments	496	397	↑25%

3.1 Summary

3.1.1 Children's Services received a total of 329 complaints during the reporting period, an increase of 10.4% from last year. Specifically, the number of complaints from adults at Stages 1-3 rose from 287 to 315 but remained static at 14 for children and young people. In 2015/16 48% of complaints were upheld/partially upheld compared to 54% in 2014/15.

3.1.2 The top three themes for complaints made to Children's Services related to:

- Decisions - 35% of complaints were expressing dissatisfaction with a decision taken by the department. When the causes of the complaints were analysed there was a link between the quality of information and advice given, and the degree to which expectations had been set and managed. Specific examples included a complaint about the decision to carry out an assessment that the court had ordered, where the complainant felt that it was Children's Services choosing to carry out the additional work rather than acting upon an order of the court. When the reason for the report was clarified the complainant was happy for the assessment to proceed. Learning generally has been identified here about the importance of being clear from the outset and ensuring expectations are set and managed sympathetically.
- Quantity - 18% of complaints were about the quantity or amount of a service or financial provision. A key area was around parents being unhappy with the amount of contact they were having with children where there had been private law proceedings. Learning themes were identified here around how clear the department is with parents when court orders have been put in place privately to agree contact.
- Delay – 14% of complaints made reference to delay as a theme, with delays to the Education, Health & Care Plans (EHCPs) being a specific area of concern. This has been a target area carried forward from the previous reporting year and teams have worked on a more customer focussed approach designed to catch more complex cases early to ensure they are more effectively managed as well as introducing a system to proactively contact families where cases are nearing their deadline to advise and discuss a way forward.

3.2 Action taken to improve the service

3.2.1 It has been important for Children's Services to not only use the learning that we draw from complaints as a springboard for service improvement, but also to help shape our digital services moving forward. The Complaints Team have reviewed the way they operate to filter all calls to their service through the Family Information Service. This change was effective from 1 April and early data suggests that this had led to a reduced number of complaints as the Family Information Service have been able, through advice and signposting, to help resolve the concern there-and-then. The Complaints Team have now moved over to a cloud-based case handling system to log and respond

to feedback and complaints. This has led to a more streamlined service, which will enable the department to provide better customer service to those service users who wish to provide feedback or make a complaint as well as enabling better Agile working.

3.2.2 Within front line teams the department has used the learning taken from complaints to produce a revised guide to parents who are working with staff through the EHCP process. This has been designed in plain English to help parents navigate the process and ensure there is a clear explanation of timescales involved, what is required from parents, and what can be expected from the ISEND Assessment & Planning Team. In social care teams, as a result of complaints made, training is being revised to take account of themes around the timeliness and quality of information provided as well as revising practice guidance around dealing with complex cases.

3.2.3 Children’s Services is working on a training workshop for managers to further embed the learning culture to ensure that every complaint is an opportunity to develop and improve the service.

3.3 Compliments

3.3.1 The department received 1.5 compliments for each complaint received. Moving forwards the Children’s Services Complaints Team plans to work with the data team to analyse volumes of complaints/compliments against the amount of work that individual teams deal with. The purpose of this is to better contextualise complaints as a measure of overall satisfaction. Whilst the number of complaints/compliments for a specific team can be measured, this needs to be set in the context of the overall levels of contact with customers by each team. Large teams who deal with thousands of families may receive a larger number of complaints than a small team dealing with small numbers, but looking at the rate of complaints will provide a better understanding of satisfaction or otherwise. Contextualising the number of complaints by no means diminishes the significance of complaints which are always important to analyse. However, it would help reveal where the proportion of complaints is high relative to the overall contacts, to raise awareness and focus improvements within teams where this may not have been picked up before so specifically.

3.4 Local Government Ombudsman

3.4.1 The table below sets out the LGO findings for complaints about Children’s Services:

Year	Investigations					
	Upheld	Not upheld	Closed after initial enquiries	Invalid/ incomplete	Referred back	Total
2015/16	5	4	9	2	13	33
2014/15	4	4	8	0	12	28

3.4.2 Of the 33 complaints received by the Ombudsman 13 (39%) were referred back for local resolution and of the 9 complaints investigated 5 (56%) were upheld.

3.4.3 There are no themes among these complaints. However there will be further analysis in the Children’s Services Annual Complaints Report. The report is published on the Council’s website at the end of September: [Children’s Services Annual Complaints Report](#). This report is required under The Children Act 1989 Representations Procedure (England) Regulations 2006.

4. Communities, Economy & Transport (CET)

	2015/16	2014/15	Change
Number of complaints received	244	260	↓6.2%
Number of complaints upheld	54	85	↓36.5%
Number of compliments	619	569	↑8.8%

4.1 Summary

4.1.1 The number of complaints received in CET reduced by 6.2% from 2014/15 to 2015/16. In 2015/16 22% of complaints were upheld/partially upheld compared to 33% in 2014/15.

The following is a breakdown of the number of complaints received by service:

Services	Not Upheld	Other	Partially Upheld	Upheld	Grand Total
Grand Total	174	16	36	18	244
Highways	99	10	23	10	142
Transport & Operational Services	38	1	6	3	48
Communities	18	4	4	1	27
Planning & Environment	11	1	2	3	17
Customer & Library Services	7		1	1	9
Other – mis-categorised (for Music Service)	1				1

4.1.2 The breakdown of complaints by service generally remains the same as 2014/15. In particular, there was a reduction of complaints regarding the Bexhill-Hastings Link Road from 28 complaints in 2014/15 to 11 complaints in 2015/16, as construction work neared completion. The new road, the Combe Valley Way, was opened to traffic on 17 December 2015.

4.1.3 There was a reduction in Customer & Library Services complaints from 28 in 2014/15 to 9 in 2015/16 due to the Library and Information Service bringing their procedures in line with the corporate complaints procedure. It was identified that issues were being resolved locally within the service, but were being reported that they had been through the formal complaints procedure.

4.1.4 In general, the number of complaints continues to decrease across the services. This is due to staff engaging more with their customers and residents to resolve issues directly before they feel it's necessary to move into the formal complaint process. For 2015/16 the breakdown of the themes of complaints is as follows:

- 126 (52%) complaints relate to the quality of the services that have been delivered.
- 67 (27%) complaints were about the department's decisions based on its policies.
- 29 (12%) complaints were about communication or lack of communication with customers and services users.
- 22 (9%) were about the attitude of staff or contracted staff.

4.2 Action taken to improve the service

4.2.1 By the nature of the range of services, the subject matter of the complaints is varied. Actions taken are quite specific, some particular examples where improvements were made are:

- Improving and managing the level of work expected from our contractors (9) such as:
 - Clarifying procedures with road closures and renewal of bus passes
 - Being clear about the quality of work we expect when work has been left in poor condition and requiring contractors to correct work at their own expense, where necessary.
 - Explaining how to better communicate with residents about work being carried out, for example, before and during road works
- Correcting technical errors on the website immediately when notified of the issues (3). When this meant that the customers could not carry out their transactions, we honoured their transactions regardless.
- Changing our processes where they are not working (2): for example, improvements were made between the Rights of Way team and Highways contract centre team to work more closely in order to get reports updated faster for the public to view on the website.

4.3 Compliments

4.3.1 Compliments recorded have increased from 569 in 2014/15 to 619 in 2015/16. The breakdown of the number of compliments received by service is as follows:

Services		
Communities	11	2%
Planning & Environment	34	5%
Transport & Operational	57	9%
Customer & Library Services	75	12%
Waste	125	20%
Registration Service	138	22%
Highways	179	29%

4.3.2 Staff within CET have been reminded how to log compliments in order to start reporting quarterly to the Departmental Management Team. This will ensure managers and staff find out what we're doing right and what we can learn from the feedback.

4.4 Local Government Ombudsman

4.4.1 The table below sets out the LGO findings for complaints about CET:

Year	Investigations					
	Upheld	Not upheld	Closed after initial enquiries	Invalid/ incomplete	Referred back	Total
2015/16	3	4	3	2	3	15
2014/15	1	0	11	1	5	18

4.4.2 7 (47%) of the 15 complaints received have been investigated and 3 have been upheld (20%). There is no common theme between the three upheld complaints, these were:

- A customer was refused a residence parking permit, but fault was found in the way the Council considered and refused the application. In the time it took to correct this, the customer was caused inconvenience, avoidable time and trouble. The Council agreed to pay the customer £250 to recognise the inconvenience, time and trouble caused through the delay. The Council also agreed to inform other residents in that particular development that they are eligible to apply for a permit.
- The Council was found to be at fault by a lack of investigation into nuisance caused by traffic calming feature outside a citizen's home. This caused an injustice to the citizen and the Council agreed to remedy the injustice by arranging an independent expert to investigate whether a significant disturbance existed and the cause. The survey was carried out, but no noise was found to be at excessive levels.

The Council has also agreed to take action to ensure officers always make a written record when carrying out surveys and inspections.

- A partially upheld complaint was due to a delay in responding and completing works when we said we would, an apology was given.

5. Orbis

	2015/16	2014/15	Change
Number of complaints received	27	27	-
Number of complaints upheld	13	11	↑18%
Number of compliments	0	0	-

5.1 Summary

5.1.1 The number of complaints received for Orbis remained static from 2014/15 to 2015/16. In 2015/16 48% of complaints were upheld/partially upheld compared to 41% in 2014/15. The partially upheld and upheld complaints received regarding services in Orbis were:

- Issues with payments (10) for care costs such as unclear or incorrect charges, delays or incorrect payments, and wording of billing letters.
- A partially upheld complaint regarding an employee's overpayment.
- An upheld complaint regarding the behaviour of a staff member in Personnel.
- A partially upheld complaint regarding a customer's private telephone number displayed to the public.

5.1.2 For 2015/16 the breakdown of the themes of the 27 complaints is as follows:

- 9 (33%) complaints relate to the quality of the services that have been delivered.
- 8 (30%) complaints were about the service's decisions based on its policies.
- 9 (33%) complaints were about communication or lack of communication with customers and services users.
- 1 (4%) were about the attitude of staff or contracted staff.

5.2 Action taken to improve the service

5.2.1 There were no common themes or actions to be drawn from the partially upheld and upheld complaints.

5.2.2 As specified in the Orbis partnership Inter Authority Agreement (IAA), *Orbis must have a process in place to log any complaints or any complimentary feedback received from any Customer or member of the public with regard to the Services provided under this Agreement. The Orbis log shall be in line with the Councils' policies and procedures in place and as updated.* The coordinated Orbis process is currently in development and options are being considered, through engagement across the partnership including with the Corporate Complaints Team at ESCC.

5.3 Compliments

5.3.1 No compliments were logged in 2015/16. As part of the work to develop an Orbis process in place to log any complaints or any complimentary feedback, ideas are being explored to give an accessible facility to give compliments.

5.3.2 During 2016, some Orbis teams have introduced a customer feedback survey linked to emails that staff send to their customers. This approach will be reviewed as part of exploring options.

5.4 Local Government Ombudsman

5.4.1 There were no LGO complaints made for this department in 2015/16.

6. Governance Services

	2015/16	2014/15	Change
Number of complaints received	8	0	-
Number of complaints upheld	4	0	-
Number of compliments	1	1	-

6.1 Summary

6.1.1 The partially upheld and upheld complaints received regarding services in Governance Services were:

- An upheld complaint involved Councillors requesting that ESCC stop pursuing debt from a client until the client received payment from a negligence pay out.
- A partially upheld complaint where a client was unhappy with the behaviour of a staff member in the legal team.
- A partially upheld complaint due to a client who was unhappy that the recording of an appeal hearing did not work.
- A partially upheld complaint where a customer made a complaint via their MP who was unable to lodge an appeal as the online form was not working, after several attempts.

6.2 Action taken to improve the service

6.2.1 There were no common themes or actions to be drawn from the four partially upheld and upheld complaints.

6.3 Compliments

6.3.1 One compliment was received in 2015/16 thanking a staff member for their extra effort when helping a member of the public.

6.4 Local Government Ombudsman

6.4.1 The table below sets out the LGO findings for complaints about “Corporate & Other”¹ services:

Year	Investigations					
	Upheld	Not upheld	Closed after initial enquiries	Invalid/incomplete	Referred back	Total
2015/16	1	0	5	0	1	7
2014/15	0	1	1	2	0	4

6.4.2 There was one LGO upheld complaint:

- A customer requested a review of a complaint. When Legal Services requested (by telephone) that the review be carried out by Brighton and Hove City Council, no record of this request was made, which was considered bad practice. It was agreed Legal Services keep a record of such requests to other authorities in the future.

7. Chief Executive’s Office

7.1 There were no complaints or compliments logged in 2015/16 about services provided by the Chief Executive’s Office (CE Office).

7.2 Complaints are often addressed to the Chief Executive or Leader, and so are received through the CE Office. However, the complaints are about issues with services provided by departments rather than the CE Office itself, so these are recorded by the relevant department and are part of their figures.

¹ This is titled “Corporate & Other” in the LGO’s report. There is a degree of uncertainty if these fall under Governance Services or Orbis as the Council is not notified about details and themes of the complaints not investigated.

21 July 2016

By email

Becky Shaw
Chief Executive
East Sussex County Council

Dear Becky Shaw,

Annual Review Letter 2016

I write to you with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2016.

The enclosed tables present the number of complaints and enquiries received and the decisions we made about your authority during the period. I hope that this information will prove helpful in assessing your authority's performance in handling complaints.

Last year we provided information on the number of complaints upheld and not upheld for the first time. In response to council feedback, this year we are providing additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

We provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us. In addition, we provide a compliance rate for implementing our recommendations to remedy a fault.

I want to emphasise that these statistics comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Effective accountability for devolved authorities

Local government is going through perhaps some of the biggest changes since the LGO was set up more than 40 years ago. The creation of combined authorities and an increase in the number of elected mayors will hugely affect the way local services are held to account. We have already started working with the early combined authorities to help develop principles for effective and accessible complaints systems.

We have also reviewed how we structure our casework teams to provide insight across the emerging combined authority structures. Responding to council feedback, this included reconfirming the Assistant Ombudsman responsible for relationship management with each authority, which we recently communicated to Link Officers through distribution of our manual for working with the LGO.

Supporting local scrutiny

Our corporate strategy is based upon the twin pillars of remedying injustice and improving local public services. The numbers in our annual report demonstrate that we continue to improve the quality of our service in achieving swift redress.

To measure our progress against the objective to improve local services, in March we issued a survey to all councils. I was encouraged to find that 98% of respondents believed that our investigations have had an impact on improving local public services. I am confident that the continued publication of our decisions (alongside an improved facility to browse for them on our website), focus reports on key themes and the data in these annual review letters is helping the sector to learn from its mistakes and support better services for citizens.

The survey also demonstrated a significant proportion of councils are sharing the information we provide with elected members and scrutiny committees. I welcome this approach, and want to take this opportunity to encourage others to do so.

Complaint handling training

We recently refreshed our Effective Complaint Handling courses for local authorities and introduced a new course for independent care providers. We trained over 700 people last year and feedback shows a 96% increase in the number of participants who felt confident in dealing with complaints following the course. To find out more, visit www.lgo.org.uk/training.

Ombudsman reform

You will no doubt be aware that the government has announced the intention to produce draft legislation for the creation of a single ombudsman for public services in England. This is something we support, as it will provide the public with a clearer route to redress in an increasingly complex environment of public service delivery.

We will continue to support government in the realisation of the public service ombudsman, and are advising on the importance of maintaining our 40 years plus experience of working with local government and our understanding its unique accountability structures.

This will also be the last time I write with your annual review. My seven-year term of office as Local Government Ombudsman comes to an end in January 2017. The LGO has gone through extensive change since I took up post in 2010, becoming a much leaner and more focused organisation, and I am confident that it is well prepared for the challenges ahead.

Yours sincerely



Dr Jane Martin
Local Government Ombudsman
Chair, Commission for Local Administration in England

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
51	0	4	32	1	7	0	2	0	97

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
9	0	32	30	22	28	56%	121

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.

The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

The compliance rate is the proportion of remedied complaints where our recommendations are believed to have been implemented.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement	Compliance Rate
26	1	100%

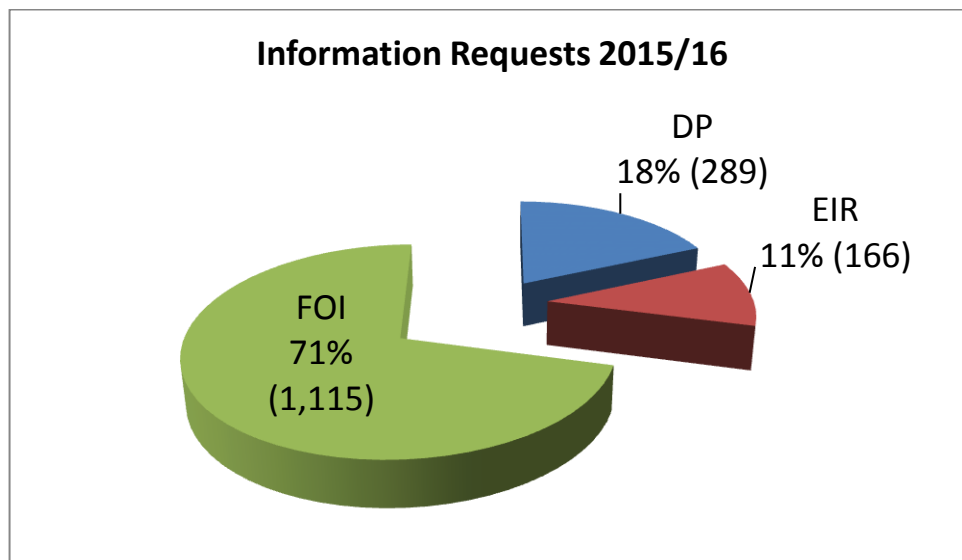
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Appendix 3

Formal Requests for Information 2015/16

1. Summary

1.1 There were 1,570 official requests for information in 2015/16 made under the Freedom of Information Act (FOI), Environmental Information Regulations (EIR) and Data Protection Act (DP). This is the first year that the information requests have plateaued, with a slight decrease of 4% from last year. The breakdown by type of request is as follows:



1.2 Although the total number of information requests is largely static, DP requests have increased 28% from 225 in 2014/15 to 289 in 2015/16. These requests may involve hundreds of pages of information being located, scanned and redacted for each request. Teams will look into streamlining the delivery of these requests this year, including exploring the provision of more information in electronic formats instead of paper copies, and whether information can be scanned directly at the council's records centre and archives, which will have the added benefit of helping to reduce the risks around data 'in transit'.

1.3 One of the greatest challenges is to ensure the Council's compliance to the legislative deadlines and this is monitored using the corporate CRM system. The Information Commissioner may consider action against the Council, such as placing the authority under a formal monitoring regime, if it receives more than 4 complaints within a six month period and/or if the Council meets less than 85% of its deadlines. Monitoring may be a precursor to further action if an authority is unable to demonstrate an improvement within a specified timescale. For example, the Commissioner may issue an enforcement notice to order the authority to clear a backlog in dealing with overdue requests by a given date. The Council responded to 93% of information requests on time in 2015/16.

1.4 Not every request for information will result in a full disclosure of information and the Council must be clear about what information has been provided and/or withheld. This year the Council released no data or partial data on 395 requests.

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Agenda Item 6

Report to: **Governance Committee**

Date: **20 September 2016**

By: **Chief Operating Officer**

Title of report: **East Sussex Pension Board – Appointment of a Member**

Purpose of report: **To agree the appointment of Pension Board member replacement in compliance with the new arrangements for the administration of the Local Government Pension Scheme (LGPS) in East Sussex.**

RECOMMENDATIONS – The Governance Committee is requested to agree the appointment of the Pension Board member replacement as set out in paragraph 2.1 of the report.

1. Introduction

1.1 This report deals with the need to appoint a replacement for a scheme member representative on the Pensions Board. The Council had established Pension Board in compliance with the regulations.

2. Pension Board appointment – member replacement

2.1 Following the GMB Trade Union representative resignation from the East Sussex Pension Board as a result of leaving the employment of East Sussex County Council, a replacement is now required to ensure the full participation of scheme members' representatives. The GMB Union Organiser has nominated a new representative for the Pension Board. Therefore the current and revised Pension Board members are as follows:

	Representing	Organisation	Board Members	Revised Board Members
1	Employer	University of Brighton	Sue McHugh	Sue McHugh
2	Employer	Wealden District Council	Cllr. Brian Redman	Cllr. Brian Redman
3	Employer	Brighton & Hove City Council	Cllr Kevin Allen	Cllr Kevin Allen
4	Scheme Members	UNISON	Angie Embury	Angie Embury
5	Scheme Members	GMB	David Zwirek	Bernadette Carlyle <i>~(replacing David Zwirek)</i>
6	Scheme Members	Pensioners representative	Tony Watson	Tony Watson
7	Independent Chair	-	Richard Harbord	Richard Harbord

3. Conclusion and reasons for recommendations

3.1 The Committee is requested to agree the appointment of the Pension Board member replacement as set out in the report.

KEVIN FOSTER

Chief Operating Officer

Contact Officers: Ola Owolabi, Head of Accounts and Pensions, 01273 482017
ola.owolabi@eastsussex.gov.uk

Local Member(s): All

Background Documents - None

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