

**Report to:** Governance Committee

**Date of meeting:** 14 November 2017

**By:** Director of Communities, Economy and Transport

**Title:** Customer Experience Annual Report

**Purpose:** To provide an update on measures being taken to further improve customer experience and information about the Council's performance in 2016/17 in handling complaints, compliments and formal requests for information, including the Local Government & Social Care Ombudsman's annual letter.

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**RECOMMENDATIONS:** Governance Committee is recommended to:

- (1) note the progress of the Customer Project Board in the development of a series of measures to improve customer experience; and
  - (2) note the number and nature of complaints made to the Council in 2016/17; and
  - (3) note the contents of the Local Government & Social Care Ombudsman's annual letter to the Chief Executive.
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## **1 Introduction**

1.1 This year's report to Governance Committee will broaden the previous Annual Complaints Report into a Customer Experience Annual Report, in order to provide Governance Committee with a more comprehensive picture of the work the Council is undertaking to understand and enhance customer experience. This is in addition to an analysis of our complaints, feedback and compliments data, and how we seek to learn and improve from these.

## **2 Improvements in Customer Experience**

2.1 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.

2.2 The analysis concluded that, although there were areas of strengths for the Council, customer experience across the organisation could be more consistent and we could be more responsive and clearer with individual customers. It also concluded that there was room for improvement in staff training on customer experience, in order that all staff understand what a good customer experience should look and feel like and how they can deliver it in their role. It also concluded that we could improve by seeking more customer feedback and systematically learning from it.

2.3 With this strategic aim, the Board set out quick win practical improvements and medium-term objectives to further understand how to improve customer experience across the Council. The key developments in 2016/17 were:

- **New corporate email signatures and auto-acknowledgements** were implemented, in order to provide clear information to the public when contacting the Council about response times, and create a consistent, professional corporate image across the authority.
- **Creation of a Customer Promise.** Previous analysis carried out by the Board concluded that implementing a clear set of customer values would help define what we mean by a good customer experience for both staff and customers. The new Customer Promise, attached as

Appendix 1, sets out those customer values along with revised customer service standards, which reflect the different ways customers now contact us. The revised customer service standards provide a realistic and achievable set of targets for dealing with customer contacts in line with our new values, setting out clearly what customers can expect from us. The Customer Promise was tested with both staff and customers through a number of engagement sessions and will improve customer experience when applied consistently across all Council services. It was rolled out to staff in August 2017 and will be launched to the public in November 2017.

- A **gap analysis** has identified where the Council is lacking feedback from customers about the services it delivers. The Customer Project Board identified that implementing a feedback measurement system would enable customers quickly and simply to provide us with feedback about their experience in contacting the Council, and about the way in which we have delivered services or provided information about what we do. A suitable feedback system was identified called Thermometer has been identified and will run as a pilot gathering feedback from August 2017 to February 2018. The final analysis of the pilot will be considered in April 2018, with recommendations for the next phase of the customer experience project.

2.4 Appendix 2 provides a summary of the activities in 2017/18 that are being progressed by the Customer Project Board, including the implementation of the Customer Promise.

### **3 Complaints and compliments**

3.1 The County Council received 739 complaints in 2016/17, which represents a 26% decrease from 2015/16. A detailed review by department is attached as Appendix 3. Please note that departmental comparisons of complaints and compliments are not valid, due to the varying nature of services provided by departments.

3.2 Analysing trends and reasons for complaints provides us with valuable feedback on how we can provide services that meet customers' needs and manage their expectations. How we handle complaints is a crucial element of customer experience, and is an area where the Council is seeking continuous improvement to ensure we resolve individual customer's problems as effectively as possible, monitor trends in complaints to intervene quickly where it can be seen that things are going wrong, and learn lessons when things have not gone right. Implementing improvements from those lessons can also reduce the number of complaints that are made. Further details are attached as Appendix 3.

3.3 The Council continues to receive more compliments than complaints. In 2016/17 we received 2,507 compliments; further details are provided by department in Appendix 3. Ensuring that we provide 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.

### **4 Local Government & Social Care Ombudsman letter**

4.1 This year the Local Government Ombudsman changed its name to "Local Government & Social Care Ombudsman", in order to reflect its jurisdiction over all registered adult social care providers and its ability to investigate the provision of care which is arranged and funded privately. Annually the Local Government & Social Care 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 Council of the complaints it has investigated and says how many were either upheld or not upheld.

4.2 For 2016/17 the LGO received 87 complaints about East Sussex County Council, a decrease from 97 in 2015/16. The number of complaints where decisions were made during 2016/17 has decreased by 35% from 121 to 79. 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 decisions made in 2016/17 therefore relate to complaints originally made in 2015/16. This report focuses on the complaints where decisions were made in 2016/17.

4.3 Of the 79 complaints with decisions made, 32 were investigated and 21 were upheld and 11 were not upheld. The 21 upheld complaints represent 27% of all complaints with decisions made and 66% of those investigated. It has been a successful year in reducing the number of LGO complaints, both in

numbers received and decisions made. The reduction in LGO complaints has occurred in Adult Social Care (ASC) and this is mainly attributable to a review of complaint handling by ASC in 2015/16. The key result from this review was an increased emphasis on ensuring the complaints process was client and resolution focussed, which staff feel may have had an impact in achieving a more satisfactory resolution when things have gone wrong.

4.4 Of the 47 complaints not investigated, 23 were referred back for local resolution, 21 were closed after initial enquiries, 1 was given advice and 2 were considered invalid or incomplete. Appendix 3 provides a breakdown by department of the complaints where decisions were made in 2016/17. Of the 21 complaints upheld, the LGO found fault where service users experienced delays in responses, and also where it found that the Council was unclear to service users what assessments were being carried out and decisions were being made about their needs. The Council was at fault as it may have made incorrect assessments and decisions, which caused injustice to service users who may not have received services they were entitled to receive. The LGO recommended five main areas of actions to find resolution:

- Apologies given where incorrect assessments caused delays, errors, distress or frustration.
- Re-assessments to re-evaluate evidence provided and to review the decisions.
- If re-assessments concluded that services should have been provided, then the delay in receiving the services must be rectified either by arranging extra provision or reimbursement.
- Processes and decisions of assessments (and re-assessments) should be communicated clearly to the service users, providing records of the decisions and evidence used.
- Training and guidance on how to record how decisions were made and the evidence used should be provided to council officers and panel members who carry out the assessments.

4.5 In our LGO letter this year, it states, *“During the year, we have noted a number of instances where there have been delays in your Council responding to our enquiries, even where they are relatively uncomplicated”*. For one in particular, our full response was provided only after a witness summons was threatened. In January 2017, staff across the Council who handle complaints attended a one day LGO complaint handling training course. The LGO noted this in its annual letter and commented that it hoped this will be of assistance to us to improve our response times in 2017/18. The LGO letter for 2016/17 is attached as Appendix 4.

4.6 From April 2017, our link officers (who communicate and organise our responses to the LGO) have been based in the Chief Executive’s Office support team. Our new link officers have recognised the need for improving our collective response times and have already taken steps to improve the communications between key contacts and the link officers, who need to organise timely responses to the LGO. A clearer protocol for the steps involved in our LGO investigations and complaints has been implemented and both of these actions should improve response times this year.

4.7 The LGO has stated that, in future, their recommendations will be more specific and are likely to include a time-frame for completion. They will then “follow up with a council and seek evidence that recommendations have been implemented”. In the future, annual analyses will provide more in-depth information about our compliance and where we have made improvements to our services.

## **5 Formal requests for information**

5.1 There were 1,711 information requests for 2016/17 compared to 1,570 in 2015/16. These requests relate to the Environmental Information Regulations, Freedom of Information Act, and Data Protection Act. This total of 1,711 includes requests where information was provided in full or part, where no information was provided or held, and requests that were not valid or withdrawn.

5.2 During 2016/17 the Council achieved a 91% compliance rate in meeting Freedom of Information (FOI) and Environmental Information Regulations (EIR) requests within the 20 working day deadline. For 2016/17 the threshold set by the Information Commissioner’s Office (ICO) was for 85% to be answered within this timescale. In April 2017 this threshold was raised by the ICO to 90%.

5.3 We continue to have a high number of FOI and EIR requests. Over the past five years there has been a 55% increase in the number of formal information requests received. The Council is investigating

a possible automated publication of FOI and EIR responses on its website, as part of the functionality of a new case management system. This would help improve transparency and access to public information and potentially reduce the number of requests, although it should be recognised that few FOI requests are identical. This would also be carried out in conjunction with a review of the publication scheme to ensure it is up-to-date, listing all the information that is already readily available to the public.

5.4 Complexity is a particular challenge for Data Protection (Subject Access) requests, which continue to increase. In 2015/16 the numbers increased by 28% and in 2016/17 increased by a further 7%. These requests may involve hundreds of pages of information being located, scanned and redacted for each request. There is no limit applied to staff time for Subject Access Requests, it is the Council's obligation to provide the information. These requests involve a significant amount of staff time to complete.

5.5 New data protection legislation comes into force on 25 May 2018, called the General Data Protection Regulation (GDPR). Under this new legal framework individuals will have more control over how their data is used and more rights when it comes to non-compliance with the legislation. Fine limits will increase and individuals can take legal action against the Council. A cross-departmental GDPR steering group has been formed to lead on preparing the Council for the new regulation. The Statutory Officers Group oversees the steering group, along with collaboration of information governance groups and with support of the Information Strategy Board. Communication to Department Management Teams and Cabinet Members regarding the new legislation and its impact will be confirmed and carried out in the coming months.

5.6 An internal audit was carried out in 2016/17 to review the procedures for formal information requests, which resulted in the score of "Substantial Assurance". The review concluded that there are robust controls in place in relation to FOI, EIR, and DP requests. One moderate risk was identified which recommended mechanisms were put in place for recording and reporting complaints raised against the Council in respect to information requests. These complaints have their own procedure, first as an internal review carried out by Legal Services, and then the option to complain to the ICO if there is still dissatisfaction. In 2016/17, we received 22 requests for internal reviews and 6 ICO complaints. Of the 6 ICO complaints, 4 are still under investigation and 2 were completed, resulting in no action needed and no fault found.

## **6 Conclusion and Reasons for Recommendations**

6.1 This report provides an overview and progress on measures being taken to further improve customer experience and summarises the annual results for complaints, compliments, the LGO letter, and formal information requests received in 2016/17.

6.2 Governance Committee is recommended to:

- (1) Note the progress of the Customer Project Board in the development of a series of measures to improve customer experience; and
- (2) Note the number and nature of complaints made to the Council in 2016/17; and
- (3) Note the contents of the Local Government & Social Care Ombudsman's annual letter to the Chief Executive.

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### LOCAL MEMBERS

All

### BACKGROUND DOCUMENTS

None