

Report to:	Governance Committee
Date of meeting:	22 September 2015
By:	Director of Communities, Economy and Transport
Title:	Annual complaints report including the Local Government Ombudsman's annual letter and formal information requests received in 2014/15.
Purpose:	To provide information about the Council's performance when handling complaints and requests for information.

RECOMMENDATIONS: The Governance Committee is recommended to:

- (1) agree the report; and**
 - (2) note that a Customer Board has been set up with representatives from all departments to work on the developments outlined in this report and to support the One Council approach to learning from and enhancing the customer experience.**
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1 Background Information

1.1 Analysing trends and reasons for complaints allows East Sussex County Council to make informed decisions on how we can provide services that meet customer's needs and manage their expectations. Listening to our customers helps us to achieve the Council priorities in particular:

- *Making best use of our resources* by recognising inefficiencies and driving improvements as a result of complaints.
- *Keeping vulnerable people safe* by ensuring people are aware of their right to complain and do not fear a loss of service as a result.

1.2 Complaints can be made via email, telephone, letter or web form. Corporately we deal with complaints through a one stage process. This does not imply that the initial reply is final; we invite complainants to comment on our response if they are not satisfied with the outcome. The Adult Social Care (ASC) and Children's Services departments (CSD) have statutory requirements for certain types of complaints to follow up to three stages.

1.3 If customers are not satisfied with our response and want to take the matter further, they can discuss their concerns with the Local Government Ombudsman, who may take up the case on their behalf. We advise all customers of this option in our correspondence within the complaints process.

2 Complaints and compliments

2.1 Figures and a detailed review by department, including actions within each department to improve customer satisfaction, are attached as Appendix 2.

2.2 In 2014/15 we received a total of 981 complaints, which represents a 2% decrease from the previous year. It should be noted that departmental comparisons of complaints and compliments are not valid, due to the nature of services provided by different departments. Changes in the number of complaints do not necessarily mean that standards of service have changed. Changes in the definition, accessibility of the complaints process and how pro-actively we invite feedback can also have an impact on complaint numbers. In addition, changes to services that have an effect on a high number of people, or which cause a strong reaction in a particular community, and/or have wide media coverage, can lead to a higher number of complaints.

2.3 The focus of our work needs to be on the reasons for, rather than the total numbers of, complaints. Across the organisation, a third of upheld complaints relate to delays in making

decisions or general un-responsiveness. This is followed by upheld complaints that were made about conduct/appropriateness of staff and disputes about decisions and policies. Whilst we investigate all complaints fully and seek to ensure that lessons are learned, there is more that should be done to use the valuable feedback from customers to improve services. Developments for the coming year will include further work across all departments to gain a better understanding of the reasons for the complaints we receive and how we can learn better from them. For example, in terms of next steps it is key to understand whether the complaint was avoidable (e.g. low standards of customer care such as poor communication), whether it was as a result of a change in policy or practice (local or national) or resulting from a disagreement about a decision. The collected data will be complemented by information gathered about customer journey and experience, i.e. how quick and easy do we make it for the customer to get the service they request, how well do we respond and explain if they are not happy with the response and do we always make the interaction a positive experience even if the answer is not what it wanted? This will allow us to identify meaningful actions that could enhance this process for our customers and embed them into our culture and thereby reduce the need for people to complain.

2.4 The County Council also monitors the number of compliments received and endeavours to learn from what is done well, building upon positive feedback. In 2015/15 we received 2,706 compliments; this is a 66% increase in comparison to the preceding year. This figure is broken down by department in Appendix 2.

3 Local Government Ombudsman Letter

3.1 Annually, the Local Government Ombudsman (LGO) sends a letter to each local authority summarising the number of complaints they have received about that local authority over the past year, the outcomes of their investigations and information about their work to improve complaints handling. The letter is intended to help ensure that learning from complaints informs scrutiny at the local level. The LGO letter for 2014/15 is attached as Appendix 1.

3.2 Between 1 April 2014 and 31 March 2015 the LGO came to a decision on 109 complaints about East Sussex County Council¹. 61 of these complaints were not investigated by the LGO, for the reasons set out in the Appendix. This includes 30 complaints which were referred back for local resolution. These are usually cases where the Council's complaints process has not been fully exhausted or where customers contacted the LGO straight away. Table 2 in Appendix 1 gives a breakdown of the decisions made.

3.3 Of the 109 complaints received by the LGO 48 were investigated. Twenty complaints (or 42% of those investigated) were upheld and 28 were not upheld. This is a very similar picture to 2013/14, when 40 out of 111 complaints to the LGO were investigated, of which 19 were upheld and 21 were not upheld. Appendix 2 provides further detail on how we have responded to the upheld complaints and the lessons learned from them.

3.4 Nationally, the LGO experienced a 10% increase in social care complaints. It upheld 46% of all investigated complaints and as a proportion of the total work, education and children's services remained the most complained about area. The overall number of local authority complaints and enquiries received remained largely static.

3.5 The LGO emphasises that a higher volume of complaints does not necessarily mean poorer standards of service; it may indicate a council's open approach to listening to feedback and using complaints as early indicator of potential issues.

¹ In the tables in Appendix 2 the total 'decisions made' [109] during the year is different from the total 'complaints and enquiries received' [127] due to the inevitable time lag in the LGO receiving a complaint and making a decision on whether to investigate it.

4 Formal requests for information (Environmental Information Requests, Freedom of Information enquiries, Requests under the Data Protection Act)

4.1 Comparative figures are attached as Appendix 3.

4.2 The upward trend continues with a total of 1,637 official requests received in 2014/15. This is a 10% increase from the 1,482 enquiries received last year. With a steady rise in enquiries, our ability to monitor effectively and adhere to legal timeframes for information requests is becoming more challenging. An enhancement to the software the Council uses is being investigated, to ensure that we remain able to meet our statutory obligations. This software solution will also enable us to publish all Freedom of Information (FOI) responses to our website and deliver against one of our Communities portfolio plan targets. This will help manage demand, as more requesters can be signposted to the website.

5 Conclusions and Reasons for Recommendations

5.1 The County Council has seen a slight decrease in the overall number of complaints received (from 1031 last year to 981 this year) and a further increase in the number of formal requests for information (from 1482 to 1637). There has been an overall increase of complaints received by the LGO for East Sussex County Council in comparison to last year (from 109 to 127).

5.2 Complaints offer valuable insight into customer needs and their perception of the service received. A comprehensive complaints process relies on collaborative working and supports the One Council approach. Departments are doing more to understand the reasons behind complaints so that they know where to focus preventative efforts. However, further analysis is needed to understand trends and support future strategy. It is likely that we will see a further rise in the complaints and information requests we receive given the challenging resource context we will be working in. We will need to provide very clear information about available services in order to manage expectations effectively and have an effective process to manage the inevitable increase in complaints about financially-driven policy decisions.

5.3 There are opportunities for the County Council to gain more insight into the customers by working cross-departmentally to learn from complaints and compliments, and to provide more options for customers to provide feedback instead of having to make a complaint. Further valuable insight could also be gained by doing more work to investigate the unfounded complaints received.

5.4 There is also more that could be done to embed the existing customer service standards within the culture of the organisation, and to strengthen a culture which strives to minimise complaints, but one which also views those complaints the Council does receive as an opportunity to learn and improve. A Customer Board has been set up with representatives from all departments to take forward these issues, and to support the One Council approach to learning from and enhancing the Council's customer experience.

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None