

Wiltshire Council

Standards Committee

21 January 2015

Complaints under the Council's Complaints Procedures and the Local Government Ombudsman's Annual Review Letter 2014

Purpose of the Report

1. This report provides an overview of the Council's complaints service and comments on the annual reports provided by the Council's Customer Complaints Manager and the Local Government Ombudsman's (LGO) Annual Review Letter 2014.

Background

2. The Standards Committee is responsible for oversight of corporate complaints handling and Ombudsman investigations.
3. Both the Council and the LGO are required to provide an annual report on complaints received during the year.
4. The LGO issues a general annual report on complaints in local government and a specific report for each authority in the form of an annual letter, providing a breakdown of the number of complaints received against the authority.
5. The Customer Complaints Manager also provides an annual report on complaints in accordance with the statutory requirement set down within The Children Act 1989 Representations Procedure (England) Regulations 2006 and the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
6. The last reporting year 2013/2014 has seen a new annual report from the Customer Complaints Manager which considers the complaints function as a whole rather than one specific service. This ensures consistency across the council and provides an overview of how stakeholders access and engage with the complaints service.
7. Since August 2014 the council's complaints team has sat within the legal team reporting directly to Frank Cain, Head of Legal and Deputy Monitoring Officer.

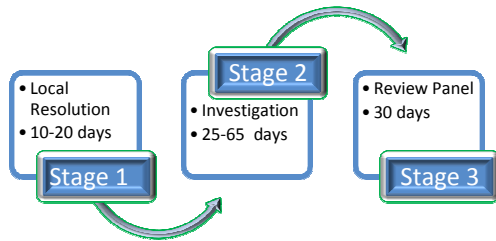
Main Considerations

Complaint Manager's Annual Report

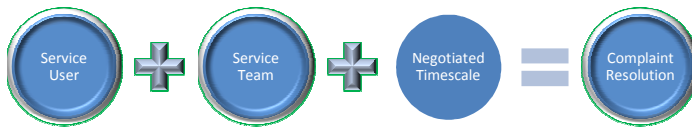
8. A copy of the Complaint Manager's annual report is attached at Appendix 1.
9. The report focuses on the 5 services which have received the most complaints. It should be noted that this is not a reflection on the service's

ability to deal with complaints but on the contentious and often emotional nature of the complaints received within these functions.

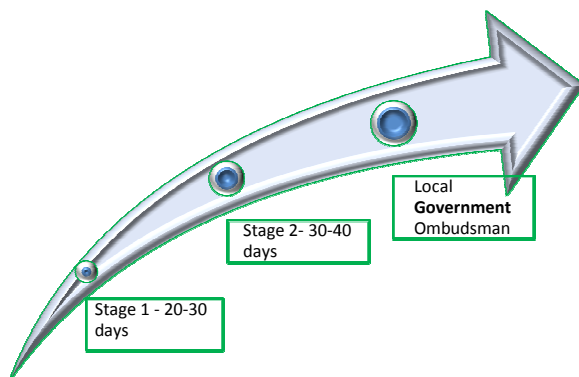
10. There are 3 complaints procedures currently used:



The children’s social care statutory procedure. Aimed at dealing with complaints where the subject concerns the service provided to a child or young person.



The adult’s social care statutory procedure. Aimed at dealing with complaints where the subject concerns the service provided to an individual and/or their family regarding their personal care.

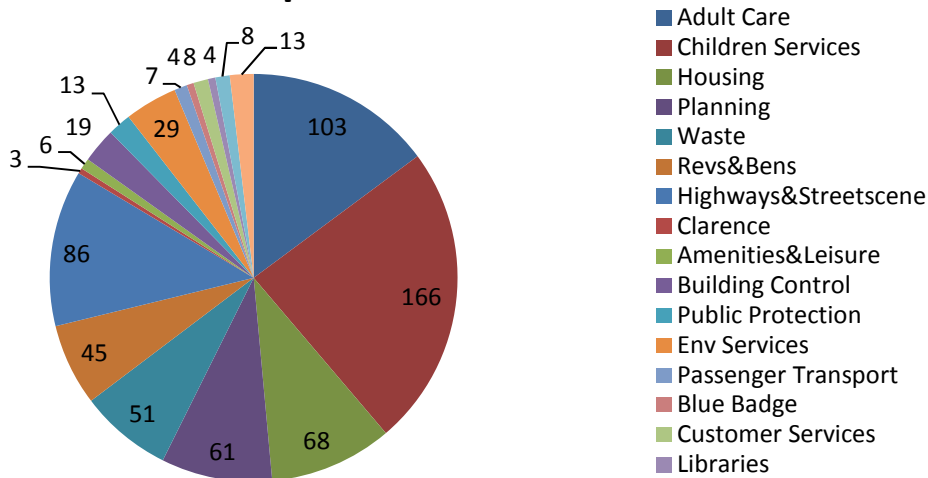


The Council’s corporate procedure aimed at dealing with general service complaints including, lack of communications, delay in service and how a decision was reached.

11. Between 1 April 2013 and 31 March 2014 the Council received a total of 694 complaints.

475 complaints dealt with at Stage 1 of the corporate procedure	93 complaints dealt with at Stage 2 of the corporate procedure
14 complaints dealt with Stage 1 of Children Services statutory procedure	4 complaints dealt with at Stage 2 of the Children Services statutory procedure
20 complaints at the single stage Adult Care statutory procedure	Rest of the numbers are made up of Ombudsman queries and ad-hoc enquiries

Total Number of Complaints received by Customer Complaints Team



12. These figures reflect the scope of the services provided within those functions. Children and adult care by their very nature receive more complaints because there is a direct impact on people's lives and more emotion involved. A further breakdown can be found in the Annual Report attached.

How do we link into the Council's vision

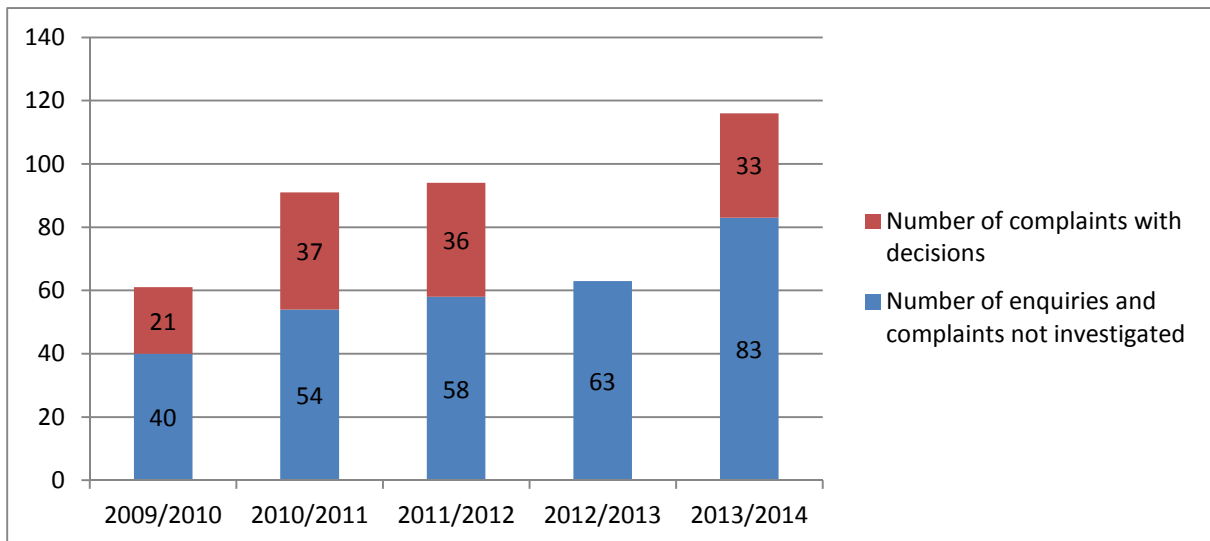
Having a consistent and transparent approach to complaints management contributes to improving the delivery of services across the organization. In its Business Plan, Wiltshire Council sets out a number of priorities and aims of which the complaints service can directly affect. Two of those significantly stand out:-

- We will develop the knowledge, skills, behaviours and leadership of our workforce, managers and councillors and promote an innovative and can-do approach
- Our services work well, are joined up and easy to access

13. It is important to ensure that the complaints service links into the council's vision and priorities. Customer focus and working across the council's services are particularly relevant. The complaints team aims to adopt a mediative rather than adversarial approach to complaints. The team recognises the importance of supporting services across the council in dealing with complaints and encouraging staff and managers to engage with the process at an early stage. This is key to successful complaints resolution.

Local Government Ombudsman Annual Letter

14. Each year the LGO produces an annual review letter which provides a summary of the number of complaints received against the council. In previous years much more detail was provided, including comparative response times to complaints, but since 2012/2013, the annual letters now only provide a basic level of information.
15. A copy of the Annual Review Letter 2014 for this council is attached at Appendix 2.
16. A copy of the LGO's Annual Report on Complaints in Local Government 2014 is also attached (Appendix 3) to provide the national picture on complaints in local government.
17. To provide a more useful understanding of the council's performance the graph below compares complaints received from the LGO over the last 5 years. Each year the LGO records all complaints, enquiries and advice given in relation to each authority. Over time the way they have logged complaints, how they make decisions and their own business structure has changed so it is difficult to provide a true reflection of the council's performance. However, you will see that this year the actual number of investigations with decisions has fallen.

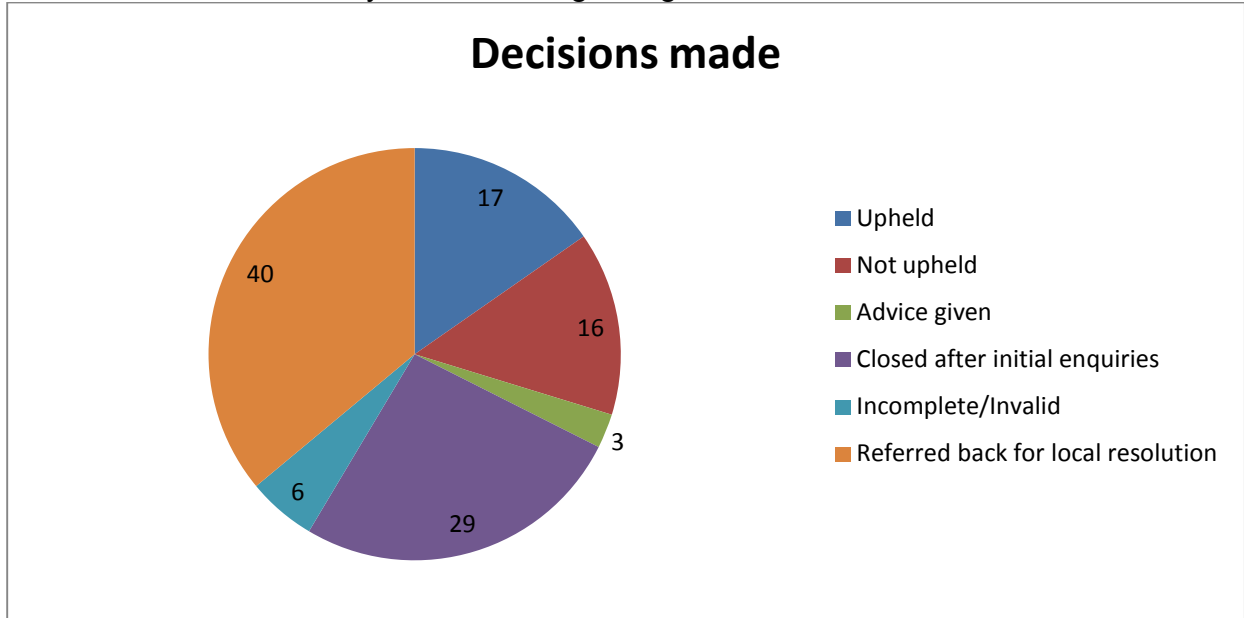


*2012/2013 – No breakdown was provided this year due to the LGO reorganising their business structure.

18. There is no particular trend or reason for this which the Complaints Manager can identify. Working together across the service teams by providing support and advice so they can resolve the issue early has certainly brought benefits. Teams have responded positively to being supported through the process whilst still taking responsibility for resolving their complaints.

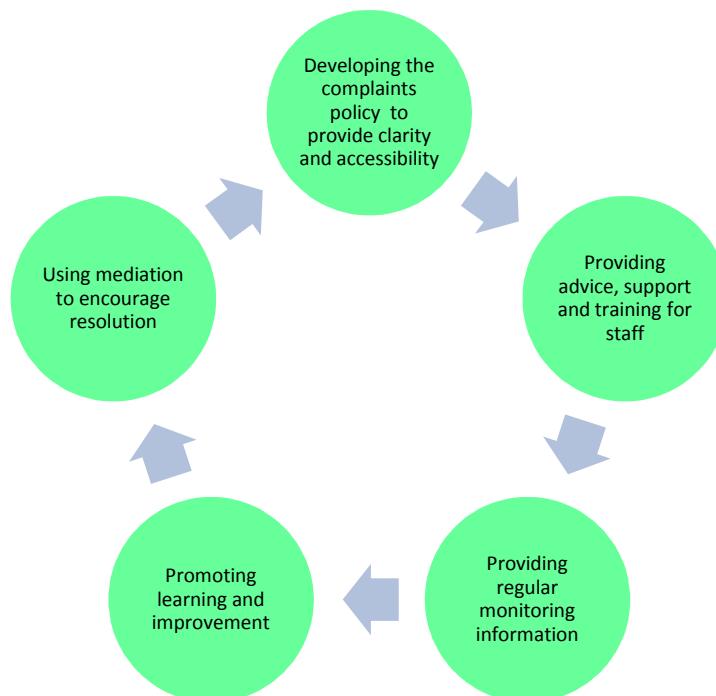
2013/2014 LGO Decisions

19. You will see from the chart below that the LGO only took 33 investigations forward 17 of which were upheld and 16 were not upheld. Of those investigations that were upheld there was one public report (see below) and all were resolved by the council agreeing to take further action.



Looking ahead

20. The complaints team is keen to develop a positive approach to the resolution of complaints, including where appropriate the use of mediation, and to provide regular monitoring information to drive learning and improvement in the council's services.



Recommendations

21. The Committee is asked to note the report.

Ian Gibbons

Associate Director, Legal and Governance and Monitoring Officer

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Appendices:

1. Annual Report on Complaints – Complaints Manager
2. LGO's Annual Review Letter 2014
3. LGO's Annual Report on Complaints in Local Government

Background Papers: None