



Complaints Team
Corporate Annual Report
2019-20

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Purpose of this Report

This report provides information on complaints received by Staffordshire County Council for the period April 2019 to March 2020 that have specifically been dealt with under the Council's Corporate Complaints Procedure under Stage 1 – Local Resolution, Stage 2 Review and complaints that have been investigated by the Local Government and Social Care Ombudsman. Complaints regarding adult's social care and children's social care are not considered within this report and are managed by two different statutory processes and are subject to separate scrutiny.

What is the Corporate Complaints Procedure?

The Council aims to provide a high standard of service, however there are occasions where those who access our services may feel that this standard has not been met. The aim of the Corporate Complaints Procedure is to make sure that

- residents feel that they are being listened to
- complaints are dealt with to a fair and consistent standard
- the Council responds to complaints in a reasonable timescale
- outcomes from complaints are documented and shared throughout the Council
- a 'do it once do it right' approach is taken to complaints

The Council has based its complaints procedure on guidance set out in the Local Government and Social Care Ombudsman's 'Guidance on Running a Complaints System 2009'. Within this guidance the Ombudsman explains the principles underpinning a successful complaints procedure.

Complaints systems are not mechanisms for apportioning blame but an important part of a council's learning and development. Complaints can be a rich source of information and learning about how a council's performance is perceived and how it can be improved. What we recommend is a clear, accessible and flexible process that forms part of service provision and does not overwhelm individuals, departments or other council processes.

The purpose of a complaints system is to put right what has gone wrong and learn from it.'

What is a Complaint?

An expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response.

Guidance on Running a Complaints System – Local Government Ombudsman March 2009

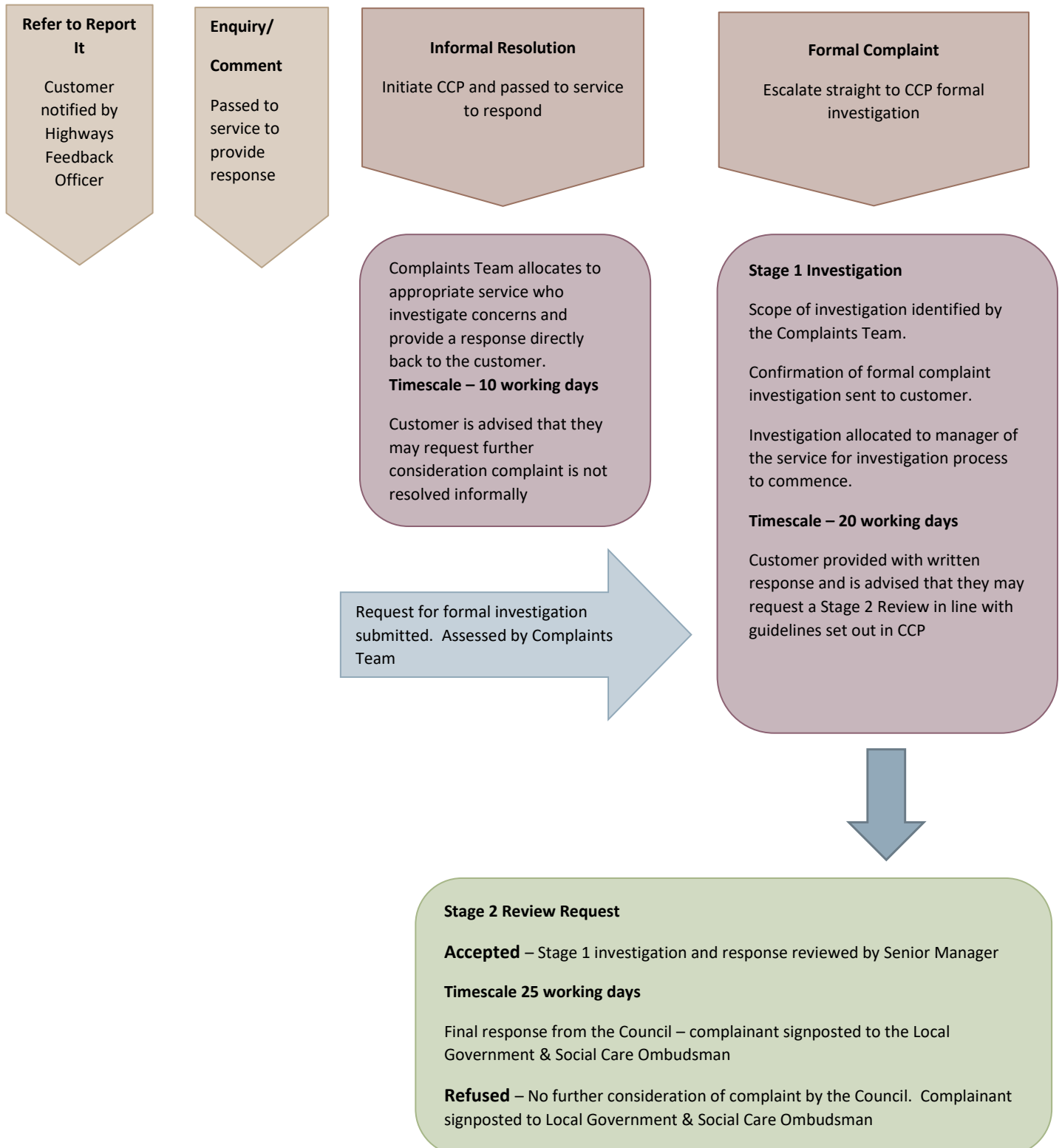
It is important to note that there are a number of exclusions within the Corporate Complaints Procedure and not all complaints will be addressed under this procedure, even if the resident has identified their concerns as a complaint. The following are examples of exclusions under this procedure:

- First time request for service
- Certain highways issues
- Suggestions for improvements to council services
- Council action or lack of action that affects more than one individual, such as local highways or community issues
- Claims for damages
- Matters where an alternative and more appropriate course of action exists

The Corporate Complaints Procedure (CPP)

Complaint/feedback received by the Council

Details of the complaint are assessed by the Complaints Team for allocation to the relevant process. The assessment can include reference to relevant policy/procedure/process, records held by the Council, information sought from the service area



The Role of the Complaints Team

The Complaints Team are responsible for assessing complaints that are received by the Council. All complaints are screened to identify the most suitable way to address the issues raised.

As part of the screening process, the Complaints Team will define the issues that require investigation from the information submitted by the complainant. Defining complaints or statement of complaints has several benefits including

- Assists the allocated Investigating Officer in identifying the key issues that require investigation
- It ensures that each complaint is considered separately and provides the complainant with a clear decision as to whether their complaint has been upheld or not
- Captures themes and trends for reporting purposes

Each complaint will be signed off by either a Complaints Officer or Complaints Team Leader to ensure that the areas for investigation have been correctly identified and that they have been entered into the most appropriate procedure. It is vital that a complaint is dealt with via the correct process from the beginning to avoid any potential future maladministration

Formal complaints are coordinated via specific statutory and corporate policies and procedures to manage this. Issues that are not eligible for handling under the formal complaint's procedures will be directed as appropriate.

Complaints are directed to the relevant service area, and progress is monitored to ensure that a response is provided in a timely manner and within corporate timescales. The procedure requires complaints to be responded to at the point of service delivery. This gives the service area subject of the complaint the opportunity to respond to any concerns raised about it. The manager of the service is also best placed to provide a knowledgeable and comprehensive response to the complaint. They can identify where things have gone wrong and propose a suitable remedy to the complainant.

The Complaints Team do not usually provide a response to complaints unless in exceptional circumstances. This is to provide the resident with confidence that the team offers an impartial service that can support them in making representation to the Council. The team provides advice to persons wishing to use these procedures and also offers staff members support and guidance on how to appropriately handle and respond effectively to complaints about the Council.

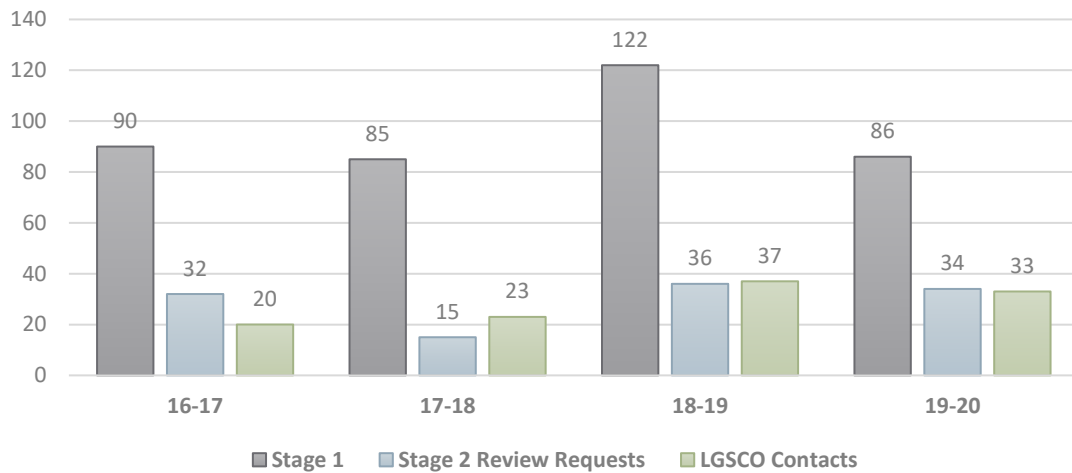
A comprehensive reporting timetable ensures that data on the types of feedback is shared within the Council. This valuable information provides insight into the views of our residents and can be used to inform future service planning.

Collation of Data

Complaints are collated on a bespoke database that records details of the service subject of the complaint, the nature of the complaints raised, the outcome and remedies/learning.

Overview of Complaint Volumes

The following chart provides information on the number of Stage 1, Stage 2 Review requests and Local Government and Social Care Ombudsman's contacts during 2018-19 in comparison with previous reporting years.



There has been an overall decrease in the number of complaints handled under the Corporate Complaints Procedure during 2019-20 in comparison with 2018-19.

2019-20	Stage 1	Stage 2 Review Requests	LGSCO Contacts
Economy, Infrastructure & Skills	63	32 25 Stage 2 7 Refusals	27 10 Investigations
Families & Communities	6	0	1 Not Investigating
Corporate Services	17	2	5 3 Investigations 2 Not investigating

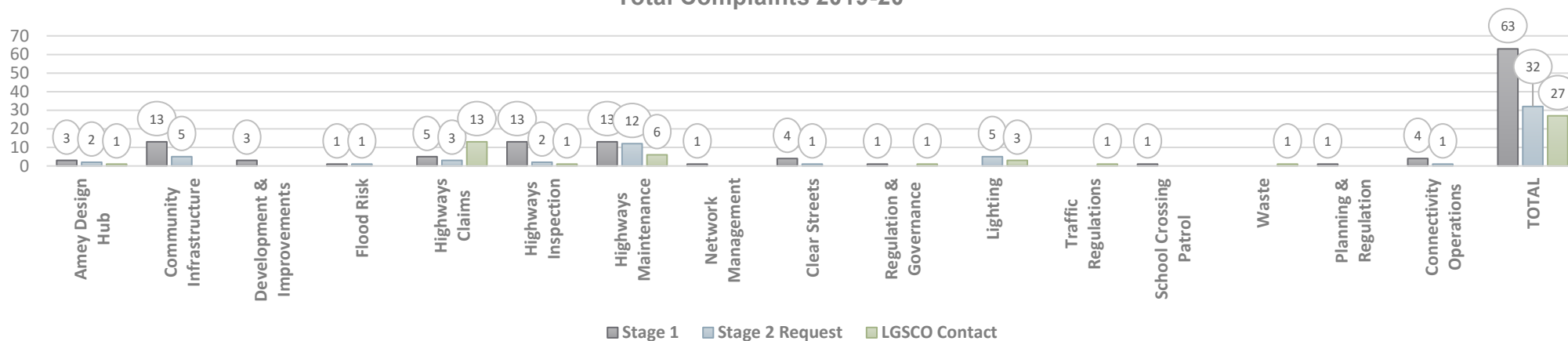


Stage 1 Investigations – down by 30%

Stage 2 Review Requests – down by 5%

LGSCO Contacts - down by 11%

Total Complaints 2019-20



Outcomes:

	Stage 1	Stage 2	LGSCO
Upheld	22%	9%	7%
Partially Upheld	17%	16%	-
Not Upheld	56%	38%	26%
Not Investigating	-	-	67%

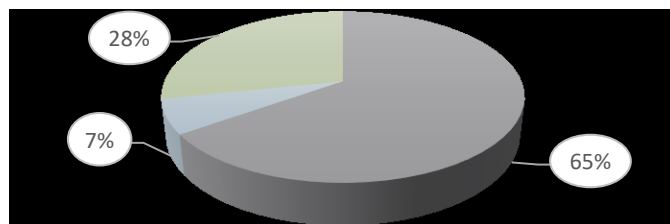
Reasons for Complaint:

70% of complaints were related to services issues:

40% - Service not provided

30% - Quality of service

Performance



■ Within Timescale ■ Agreed Extension ■ Over Timescale

Compliments:

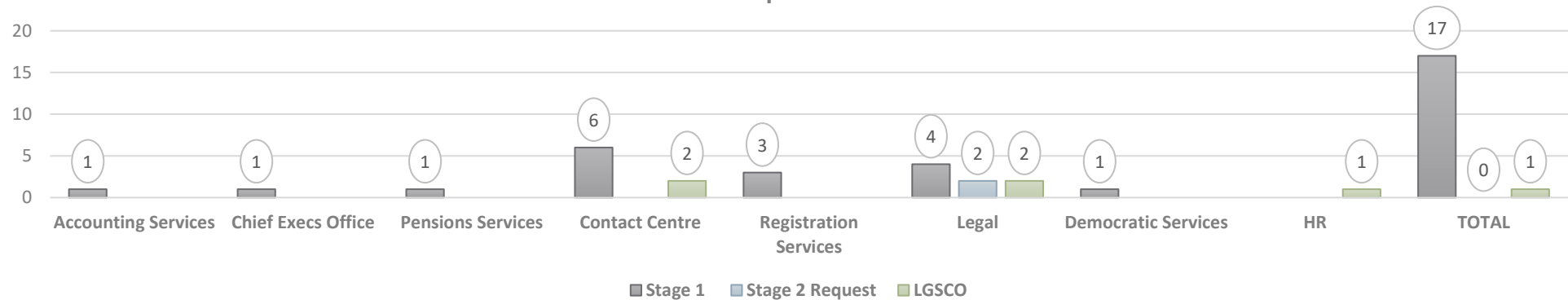
Highways 19

Waste 1

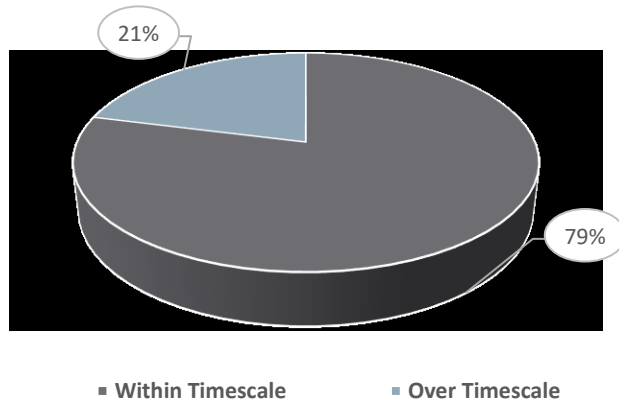
Connectivity Operations 1

Corporate Services

Total Complaints 2019-20



Performance



Outcomes:

	Stage 1	Stage 2	LGSCO
Upheld	41%	-	-
Partially Upheld	18%	-	-
Not Upheld	41%	100%	20%
Not Investigating	-	-	40%
Investigation Ongoing	-	-	40%

Reasons for Complaint:

41% of complaints were related to service issues

29% of complaints were about staff professionalism

6% of complaints were disagreement with Council decision

Compliments:

Access Team 3

IGU 3

Contact Centre 3

Legal Services 2

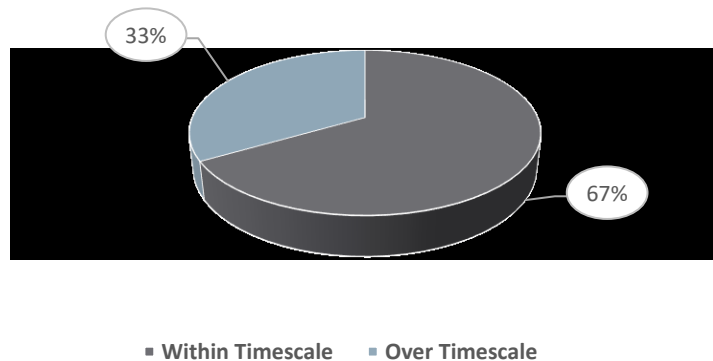
Democratic Services 2

Families and Communities

Total Complaints 2019-20



Performance



Outcomes:

	Stage 1	Stage 2	LGSCO
Upheld			
Partially Upheld			
Not Upheld			

Reason for Complaint:

50% of complaints were in relation to staff professionalism

33% of complaint were about the quality of service

17% of complaints were regarding disagreement with a Council action

Compliments:

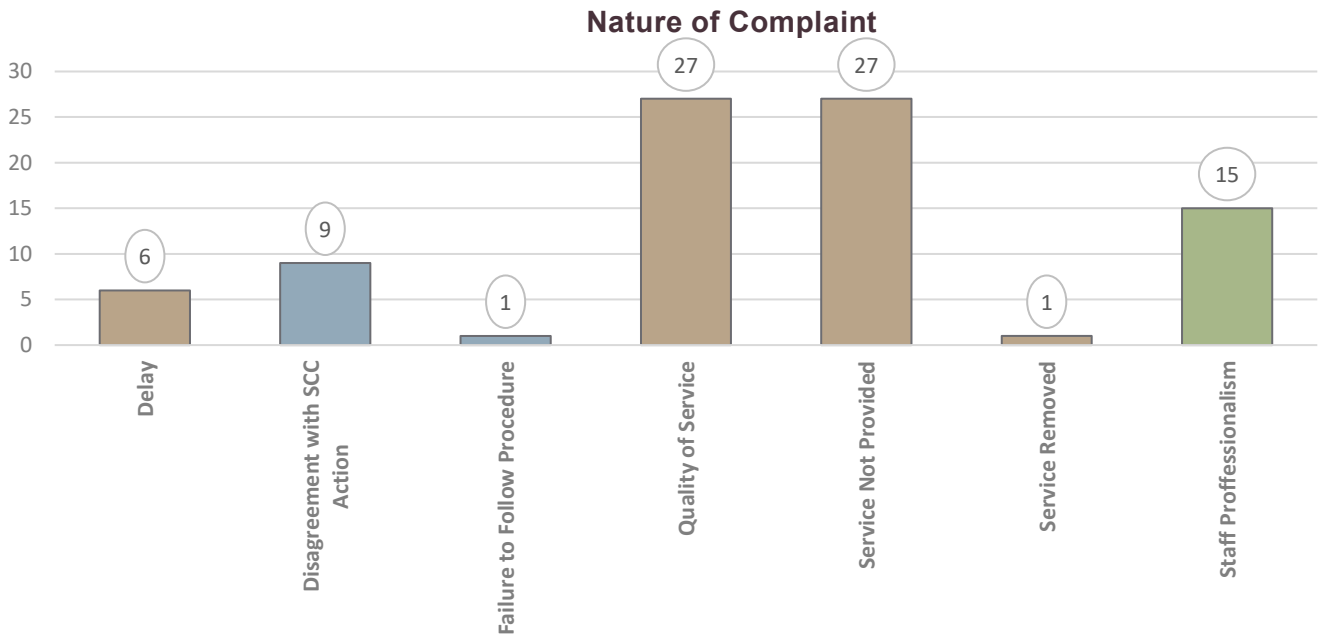
Trading Standards **4**

Archives **23**

Libraries **10**

Rights of Way/Country Parks **1**

Overview of Stage 1 Complaints

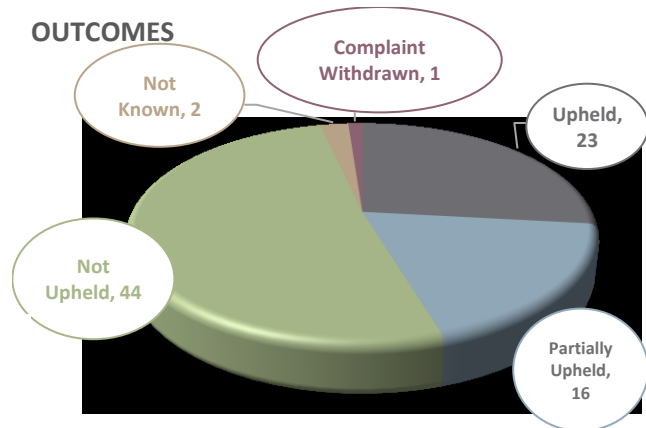


Most complaints that were made during 2019-20 were about service issues (71%). However, whilst 2018-19 saw a higher number of complaints received, service-related complaints were lower during that reporting period (63%) in comparison with 2019-20. The majority of service complaints were regarding highways maintenance and inspection.

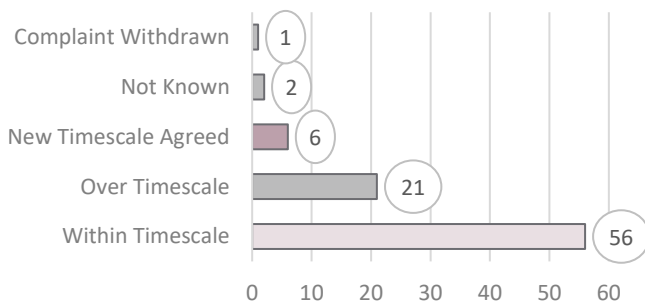


51% of complaints investigated and responded to under Stage 1 were found to be Not Upheld. This is a decrease in comparison with 2018-19 which saw 64% of complaints Not Upheld.

OUTCOMES



Performance



Services achieved a 65% compliance rate in respect of the Councils corporate timescales for responding to Stage 1 complaints.

Overview of Stage 2 Reviews

2019-20 saw a total of 34 requests for escalation to a Stage 2 Review from complainants following receipt of the outcome of the investigation into the Stage 1. Of these, 27 Stage 2 Reviews took place and 7 were refused.

The table below provides information on the nature of complaint and outcomes in respect of the Stage 2 Reviews that were carried out.

Service	Nature of Complaint	Outcome
Amey Design Hub (1)	Disagreement with Council Decision	Not Upheld
	Service Not Provided	Not Upheld
Community Infrastructure (3)	Service Not Provided	Not Upheld
	Quality of Service	
Flood Risk (1)	Disagreement with Council Decision	Partially Upheld
	Delay	Partially Upheld
Highways Claims (3)	Quality of Service	Partially Upheld
	Quality of Service	Not Upheld
Highways Inspection (1)	Disagreement with Council Decision	Not Upheld
	Delay	Complaint Withdrawn
Highways Maintenance (10)	Disagreement with Council Decision	Not Upheld
	Service Not Provided	Not Upheld
	Service Not Provided	Partially Upheld
	Service Not Provided	Partially Upheld
	Service Not Provided	Not Upheld
	Service Not Provided	Not Upheld
	Service Not Provided	Not Upheld
	Service Not Provided	Not Upheld
	Service Not Provided	Not Upheld
	Quality of Service	Upheld
Lighting (4)	Delay	Not Upheld
	Disagreement with Council Decision	Not Upheld
	Disagreement with Council Decision	Not Upheld
	Service Not Provided	Upheld
Clear Streets (1)	Quality of Service	Upheld
	Service Not Provided	Not Upheld
Legal Services (2)	Service Not Provided	Not Upheld
	Service Not Provided	Not Upheld
Connectivity Operations (1)	Disagreement with Council Decision	Response Not Shared

	2016-17	2017-18	2018-19	2019-20
Total Number of Stage 2 Review Requests Received	32	15	36	34
Request for Stage 2 Review Granted	85%	87%	78%	79% (27)
Request for Stage 2 Review Refused	13%	13%	22%	21% (7)
Stage 2 Review - Upheld	8%	0%	7%	11% (3)
Stage 2 Review – Partially Upheld	45%	9%	32%	19% (5)
Stage 2 Review – Not Upheld	49%	91%	57%	56% (15)



There has been an escalation in the number of Stage 2 Review requests received during 2019-20. 40% of complainants were unhappy with the Stage 1 investigation in comparison with 29% during 2018-19.



Out of the 34 Stage 2 Review requests received, seven were refused further escalation through the complaints procedure and were referred to the Local Government and Social Care Ombudsman.



Following further consideration at Stage 2, 56% of complaints remained Not Upheld with only 3% being upheld.

Local Government and Social Care Ombudsman

The Ombudsman investigates complaints about the actions taken by or on behalf of a council or authority. The service is independent, free and impartial. The Local Government Act gives the Ombudsman the powers of the High Court to require the production of evidence or witnesses.

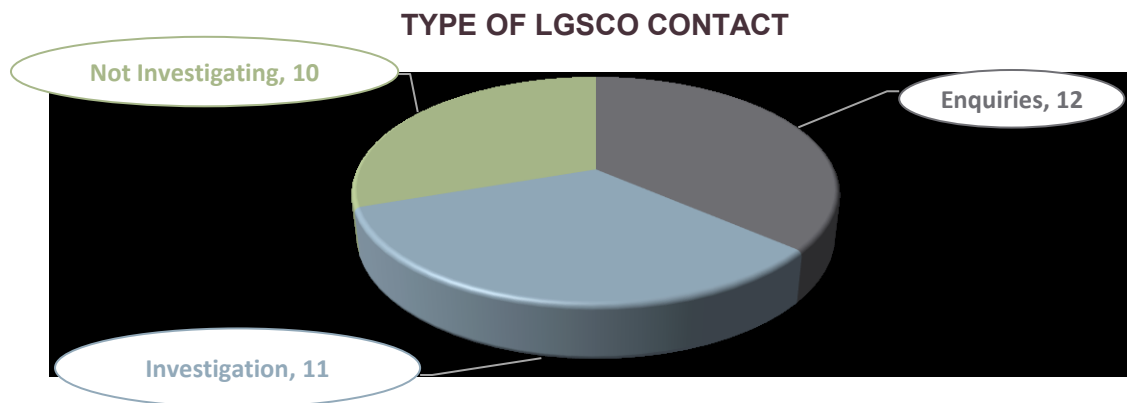
The main statutory functions for the Ombudsman are:

- to investigate complaints against councils and some other authorities
- to investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009)
- to provide advice and guidance on good administrative practice.

When investigating a complaint, the Ombudsman will look at whether there has been evidence of fault by the council and any injustice caused to the complainant. Following this the Ombudsman will recommend a proportionate appropriate and reasonable remedy to the complaint.

A total of 33 contacts were received from the Ombudsman during 2019-20.





Not all contacts from the Ombudsman result in an investigation. The above chart illustrates that out of the 33 contacts received during 2019-20, only 11 detailed investigations took place.

Enquiries – These instances are where the complainant has approached the Ombudsman with their complaint. The Ombudsman will then contact the Council to ask for further information in order to consider whether they will carry out a full investigation into the complaint. Should the Ombudsman decide that they will not carry out a detailed investigation, the complaint will be closed

Not Investigating – On occasion, the Ombudsman may receive a complaint that it will not investigate. Reasons for this can be as follows:

- Alternative legal remedy
- Insufficient fault of justice
- Complaint referred to the Ombudsman over one year after the incident subject of the complaint occurred

Investigation – An investigation will take place if the Ombudsman is of the view that the issues raised meet the tests set out in its Assessment Code. The Council will be advised of the investigation and the Ombudsman will specify what information it requires from the Council in order to investigate the complaint. Once the investigation has been completed, Draft Decision will be issued, and the Council and complainant will be invited to comment on this. The Ombudsman will then issue its Final Decision Statement on the complaint which details its findings and any recommendations that it expects the Council to implement. This can include changes to procedure or practice and financial payment to the complainant.

Service	Outcome	Remedy
Amey Design Hub	No Fault, No Injustice	-
Contact Centre	Ongoing	-
Highways Claims	No Fault, No Injustice	-
Highways Inspection	Maladministration	Apology, £150 payment, procedure review
Highways Maintenance	No Fault, No Injustice	-
	Fault, Injustice	Apology, £100 payment
	Outside Jurisdiction	-
Traffic Regulation	No Fault, No Injustice	-
Legal Services	Ongoing	-
	No Fault, No Injustice	-

Remedies:

- To send Mr X a written apology and £250 in recognition of his time and trouble arising from its failure both to send timely and effective responses to his letters.
- To write to Mr X confirming if the concrete blocks must be removed and, if so, proposing how and by when to achieve their removal.
- To review how its Highways Department communicates with residents. (The review should include publishing time targets for the Highways Department to respond to residents written correspondence. The review should also aim to improve information sent to residents about alleged obstructions, so it is clear what land/obstacles the Council is referring to.)
- Within 10 working days of completing the review, to send information to Highways officers about its results, including time targets for providing written responses on residents' correspondence.
- Apologise to Mrs X for the failings in its management of the works and responses to her concerns.
- Pay Mrs X £100 in recognition of the avoidable inconvenience caused to her.

The Council has accepted the above recommendations have been implemented. Evidence of implementation has been provided to the Ombudsman who have advised that they are satisfied with the Councils actions and the complaints have been closed. The Ombudsman publish details of investigations on its website. Further information about the above complaint investigations and Final Decisions can be found at:

<https://www.lgo.org.uk/decisions/transport-and-highways/other/18-018-106>

<https://www.lgo.org.uk/decisions/environment-and-regulation/drainage/19-008-553>

Learning from Complaints:

All officers investigating and responding to complaints are encouraged to document any identified learning that have arisen from the investigation in order that this information can be used to improve existing practices. Sharing details of the complaint and investigation are also done in team meetings in order to allow teams to contribute to future service improvements.

Examples of learning during this reporting period are:

Highways:

The process of dealing with Penalty Charge Notice (PCN) cheque payments received by the Council has been reiterated to the Cash Receipting Team and that the banking stationery has been amended to include a tick box indicating whether or not PCN related cheques have been banked.

Complaint investigation shared with the Operational Control Room Manager to ensure that when operatives identify defects during works, these are recorded in accordance with our current protocol.

Details of complaint investigation and response will be shared with members of my team and the local Technical Review Officer for the area, owing to potentially unresolved issues associated with the connection from your drainage system to the highway drainage system that you appear to have inherited from the previous homeowner, and for their awareness should you require further assistance/advice in this regard

A review of the procedure for letters issued to landowners in relation to matters affecting the highway is currently ongoing, but the Council will ensure that the review includes: The visibility and accessibility of

information held by the Council for its officers, regarding the extent of Highways Maintainable at Public Expense • The contact information provided on letters sent by the Inspection Team. • The tone, wording,

content and accuracy of letters sent by the Inspection Team. In addition: • The current template letters used by the Inspection Team will be checked for any reference to outdated communication channels so that these can be removed.

Improvements to be made in respect of how drainage asset information is collated and how maintenance works are recorded against each asset.

A review of timescales between issuing letters of invitation to public consultation events and the events taking place with an aim to determine an appropriate minimum period.

Staff will be reminded of the importance of ensuring that all emails received into the inbox are actioned. This is to include either forwarding to the relevant service area or information provided to the member of the public to re-direct the enquiry to the appropriate reporting system

The Council will review the information/guidance it provides about vehicle types, as part of the application process for Disabled Persons Parking bays

Our Network Management Unit will liaise with the Inspection Team to review the current process in relation to reports received about roadworks, and review whether any retraining of existing processes is required

A reminder to officers of the importance of ensuring that responses are dealt with in accordance with the timelines set out in the Corporate Complaints procedure and that if this is not possible, the complainant is kept informed of any delays and the reasons for that delay.

That data is correctly provided, analysed and interpreted with particular awareness of the way data is provided in technical reports and then interpreted for public use.

Consider how the Council might improve its automated communications for identified works when these have not yet been assigned a works order number.

Contact Centre:

Each Customer Service Advisor involved has received additional training in Rights of Way and further training has been arranged for all other advisors in Customer Services on the Rights of Way system.

Registration Services:

Re-enforce to staff of the expectation that customers are to be seen together, and to include all parties present when registering a death and referring to the Coroner.

Changes to the Corporate Complaints Policy:

A review of the Corporate Complaints Procedure was carried out during 2019. This review resulted in a more effective, resolution-focused way of handling complaints. An Informal Resolution stage was introduced whereby initial complaints are directed to the service that is the subject of the complaint so that it can take the necessary steps to resolve the concerns raised. Informal Resolution is normally used for concerns that are first time notifications of an issue, are straightforward and can easily be resolved by little or no investigation. Concerns not resolved following Informal Resolution have the option to request further escalation under Stage 1.

In circumstances where the issues raised are complex or require a detailed investigation (staff interview, file and records review) then the complaint would go straight to Stage 1. To reflect the need for a comprehensive investigation the timescales for Stage 1 complaints was extended to 20 working days.

Exclusions to the Corporate Complaints Procedure were also introduced in relation to specific highways related complaints. The following are not accepted as complaints by the Council:

- First-time notification of a defect.
- A request for an update on the progress of a defect that has previously been reported.
- Notification that the condition of a previously reported defect has deteriorated.
- Defects that have not been repaired but have been categorised and the associated timescale for repair has not been exceeded.
- Disagreement with the categorisation of a defect following inspection.
- Requests to re-open a closed report.

Highways inspections are carried out in line with the Highways Safety Inspection Code of Practice and defects are assessed and prioritised for repair in accordance with this. The scheduling of identified repairs is based on order of priority and the complaints procedure is unable to influence the inspection process and escalate the repair of lower priority repairs above more urgent defects that are awaiting action.

A further change to the process was the focus of accepting complaints under the Corporate Complaints Procedure whereby the complainant potentially was or could be directly affected by the issues raised. Complaints about Council action or lack of action that affects more than one individual and whereby the complainant is not the person primarily affected would not be addressed formally but directed to the service concerned.

2019-20 - Key Messages:

- The 2019-20 data shows that overall, the number of complaints at all levels of the procedure has declined in comparison with the previous reporting year. However, the reduction in the number of highways complaints can be attributed to the review and subsequent changes made to the Corporate Complaints Policy part-way through the reporting year.
- Complaint numbers can fluctuate, and it can be difficult to anticipate the volume of complaints that the Council may receive. An increase or decrease does not necessarily indicate that there is a specific area of concern unless the complaints received are about the same issue and the same service area.
- Whilst consideration should always be given to the number of complaints received, it is important that in conjunction with these statistics that we also examine the number of complaints that were found to be upheld following investigation. The majority of complaints have been found to be not upheld at Stage 1 which is a positive indication that whilst citizens have found it necessary to register a complaint with the Council, not all investigations have resulted in identified service failure.
- Although Stage 1 complaint numbers have reduced, there has been a marked increase in the number requests for escalation to Stage 2 indicating a higher level of dissatisfaction with the Stage 1 investigations and outcomes. Escalation to Stage 2 is not automatic and a review will not re-investigate the complaint. Its purpose is to provide the complainant with the opportunity to state where they feel that the Stage 1 complaint was not adequately investigated at Stage 1 or whereby relevant evidence was not considered as part of the investigation. A Stage 2 Review will not take place based solely on the complainant's disagreement with the Stage 1 outcome and if insufficient reason is provided by the complainant in the request to escalate to a Stage 2 Review then this will not be granted.
- Outcomes of Ombudsman investigations are generally positive with two out of 11 investigations resulting in a finding against the Council

The Complaints Team

The Complaints Team is responsible for managing the following processes:

- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- The Children Act 1989 Representation Procedure (England) Regulations 2006
- The Corporate Complaints Procedure
- MP and Public Enquiries to the Chief Executive and Senior Leadership Team

As a central function of the Council, the team deals with a wide range of matters that often do not fall within the above processes or procedures. It is the aim of the team to resolve these types of queries as soon as possible usually by providing resolution or by signposting to an alternative route.

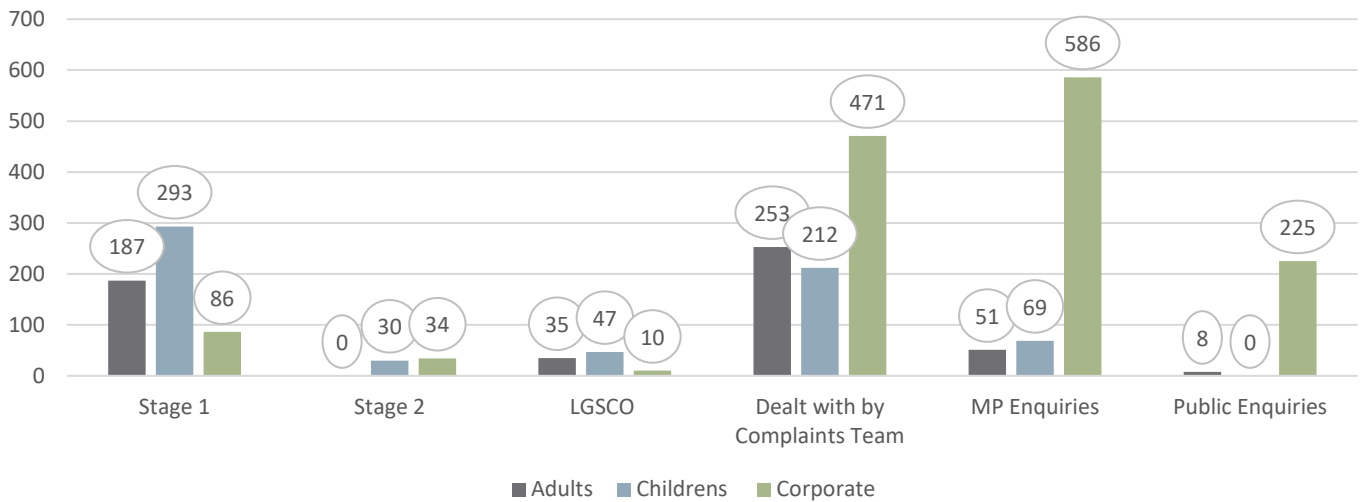
The table below shows the types of contact received during 2019-20 which have been dealt with by the Complaints Team and are in relation to Corporate Services, Economy, Infrastructure and Skills and Families and Communities.



Whilst the team’s primary function is to manage complaint and MP/Public Enquiry processes, a significant number of matters are reported to the Complaints Team that do not fall within these processes. Development work has been carried out on the Council’s Complaints webpages to provide information to residents about how they can report claims, road defects and other service issues to the Council. Despite clear information being available, the Complaints Team continue to receive a volume of emails and online forms about matters that are not appropriate for the Corporate Complaints Procedure. These are represented in the above chart under Highways Report It, Highways Enquiries and Refer to Online Claim Form.

Matters categorised as Duty are complaints or enquiries that are outside the remit of the Corporate Complaints Procedure and work is undertaken by the Complaints Team to provide a response to the citizen. The input by the Complaints Team can include liaising with the service area for background information and depending on complexity of the issues raised, this can take between 1 working day to several weeks of case management to conclude.

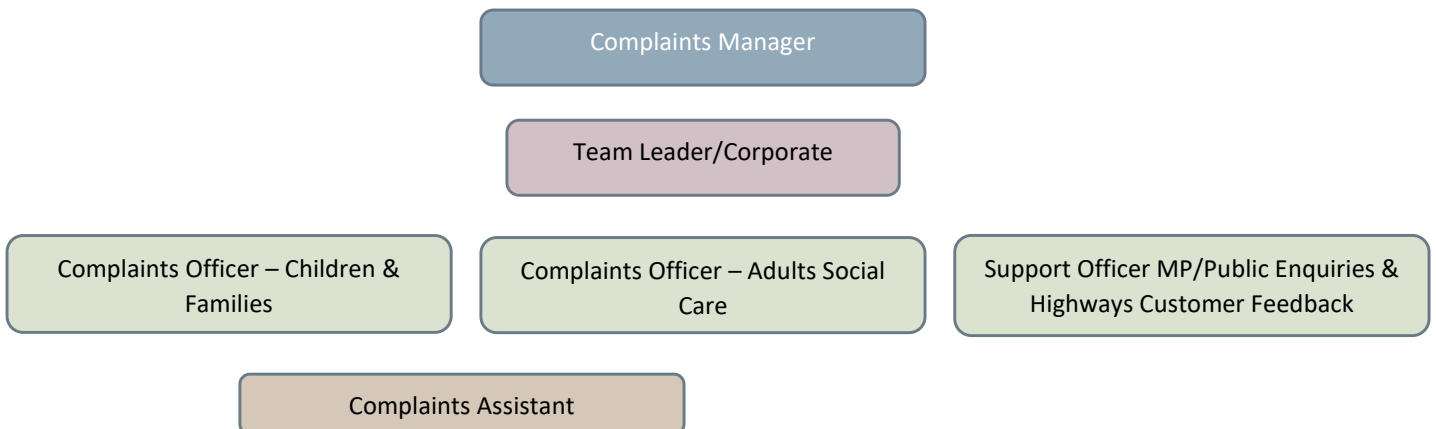
Complaints Team 2019-20



Dealt with by Complaint's Team includes:

- Re-direction to other organisations
- Informal Resolution
- Complaints or enquiries that are outside of complaints procedures but require further investigation and response
- Re-direction to other Council services

Complaints Team Structure:



Service Developments:

Database – The team continues to review the functionality of its current database and work is being undertaken in this area to look at how complaint themes and learning can be more effectively disseminated through the organisation

Webpages – In line with the Council's digital objectives, citizens are encouraged to access the complaints service via online channels.

Internal complaints handling – Publicise the Corporate Complaints Procedure internally to ensure that all staff understand that they can take a complaint from a citizen and understand circumstances whereby they can either take action to try and resolve the concerns at the point of receipt or if this is not possible, refer the matter to the Complaints Team.

Improve Local Government and Social Care Ombudsman investigation handling – The LGSCO Annual Letter identified areas that could be improved on in respect of this Council's response to Ombudsman enquiries, investigations and the implementation of Ombudsman recommendations following an investigation. These areas are being addressed and strategies including improved communication with the Ombudsman office during investigations is now part of complaint handling practices. Information is also being drafted for services to ensure they understand the importance of full co-operation and timely and comprehensive response to investigations and the implications should this not occur. The Council has also participated in a pilot scheme with the Ombudsman's External Relationships Officer to further understand how improvements can be made.

Complaints procedures – Regular review of all processes that support corporate and statutory complaint procedures to ensure that these are robust enough to withstand scrutiny by the Local Government and Social Care Ombudsman.