

# North Tyneside Council Report to Cabinet Date: 9 September 2019

## ITEM 5(f)

Title: Complaints Service  
Report 2018-19

<b>Portfolio(s):</b> Elected Mayor  Community Safety and Engagement  Adult Social Care  Children, Young People and Learning	<b>Cabinet Member(s):</b> Norma Redfearn  Councillor Carole Gambling  Councillor Gary Bell  Councillor Peter Earley
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**Report from Service Area:** Law & Governance

**Responsible Officer:** Bryn Roberts, Head of Law and Governance (Tel: 643 5339)

**Wards affected:** All

### PART 1

#### 1.1 Executive Summary:

The purpose of this report is to provide Cabinet with an overview of the Authority's closed complaints, for the year 1 April 2018 and 31 March 2019 and to ensure compliance with the requirement to publish a report on complaints under the relevant statutory complaint legislation. This report covers all complaints made to the Local Authority, including those made under social services arrangements, and those made to the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO).

The LGSCO have recently produced their annual summary of complaints for all local authorities and North Tyneside Council remain second lowest within Tyne & Wear. For 2018-19, the LGSCO were contacted by 56 complainants who were dissatisfied with their contact with North Tyneside Council. Of the 56 complaints received, advice was given by the Ombudsmen on six occasions, 18 were referred back to the Authority for local resolution, 20 were closed after initial enquiries, six were not upheld and six were upheld causing injustice to the complainant.

With regard to the Local Authority complaints, the number of complaints continues to be very low compared to the amount of transactions the Authority undertakes every year. Overall, formal complaints to the Authority in 2018-19 has decreased by 10% in comparison to 2017-18 (973 complaints and 1,070 complaints respectively).

Effective complaints handling is very important and learning from the outcomes is an excellent way to improve service delivery.

## **1.2 Recommendation(s):**

It is recommended that Cabinet:

1. notes the complaint related activity during 2018-19 as set out in the Annual Complaints Report (Appendix 1);
2. approves the above Report for publication by the Head of Law and Governance and
3. receives the Local Government and Social Care Ombudsman's Annual Review of complaints concerning North Tyneside Council for 2018-19 (Appendix 2).

## **1.3 Forward plan:**

28 days notice of this report has been given and it first appeared on the Forward Plan that was published on 9 August 2019.

## **1.4 Council plan and policy framework**

This report relates to the following priorities in the Our North Tyneside Plan "Our People" and "Our Places", as lessons learned from complaints are a key driver in service improvement and ensuring best value for money.

## **1.5 Information:**

### **1.5.1 Background**

The Authority undertakes millions of transactions with its 206,000 residents and over five million visitors to the Borough, throughout the year. Against that background, the number of complaints received by the Authority remains consistently low, reflecting the excellent services our customers receive and the Authority's ability to resolve swiftly any issues that do arise at the first point of contact.

The number of formal complaints decreased during 2018-19 compared to the previous year as the Authority continues to take a proactive approach to encouraging our residents and service users to provide feedback. The Authority's complaint leaflet entitled "How to complain about Council services" is widely available in the Authority's buildings and to download from the Authority's website. It is also now very easy for our customers to contact us on-line, and Social Care Service users are provided with a complaint leaflet at the first point of contact.

Customer satisfaction with the complaints process remains relatively high and the Authority continues to resolve the vast majority of complaints at Stage One. The Authority welcomes complaints as valuable feedback from its customers and complaint outcomes provide valuable lessons learned to further improve and enhance the Authority's services and procedures.

The Authority operates statutory complaint procedures for Adult Social Care and Children and Young People's Services and Public Health. It also provides a Corporate Complaints Procedure for all other services. The Senior Complaints

Officer is the main contact with the offices of the Local Government and Social Care Ombudsman and Housing Ombudsman (LGSCO and HO). This involves responding to initial enquiries, gathering information, and arranging access to files and interviews of staff under the instruction of the LGSCO and HO investigators, and providing advice and assistance to the Authority's Officers who may be the subject of a complaint.

### **1.5.2 Local Government and Social Care Ombudsman**

During 2018-19, the Authority responded to LGSCO enquiries in a timely fashion and was well within the required timescale for response of 28 days. The LGSCO's Annual Review of complaints concerning North Tyneside Council for 2018-19 is at Appendix 2.

### **1.5.3 Complaints Report**

The Authority's Complaints Annual Report for 2018-19 is attached at Appendix 1. Cabinet is invited to note that the overall number of formal complaints to the Authority in 2018-19 has decreased by 10% in comparison to 2017-18 (973 complaints and 1,070 complaints respectively)

### **1.5.4 Corporate Complaints**

There were 1070 Corporate Complaints received during 2017-18, this decreased to 973 in 2018-19.

The Authority recognises that it is important to deal with complaints well as this is central to providing a good customer service. Services seek to address complaints and learn from these complaints so that the Authority can continually improve services.

The results are set out in detail in Section 3, Table 8 of the Report at Appendix 1.

### **1.5.5 Social Care Complaints**

The number of Social Care complaints (relating to both Adult Social Care and Children and Young People's Services) decreased slightly from 126 in 2017-18 to 97 in 2018-19. This equates to 42 cases in Children's Social Services and 55 cases in Adult Social Care.

The results are set out in Section 2, Tables 2 to 6 of the Report at Appendix 1.

### **1.5.6 Customer Survey**

A survey of complainants' experiences of, and satisfaction with, the complaints service undertaken in respect of complaints handled during 2018-19 resulted in 11% of forms being returned. The majority of those responding found it easy to find information about the service and said that staff were helpful, that they were happy with the length of time taken to respond to their complaint, and that the content of the response letter was easy to understand. Overall 59% of customers thought the complaints process was good.

### 1.5.7 Future Developments

One key aim of the complaint process is 'learning' from complaints and this is a core driver in all future developments. A number of changes were made to procedures and practice in services as a result of complaints resolved during 2018-19. Examples have been listed on pages 10-11 of the Report.

A continuing area of development is partnership working, where services are provided on behalf of the Authority in conjunction with other public, voluntary and private sector organisations. Such change has potential for complaint processes to become complex, so arrangements are in place to ensure the customer's experience is as straightforward as possible. Securing the efficient handling of complaints is a vital component of ongoing arrangements with our current and any potential future partners.

### 1.5.8 Conclusion

Complaints are now widely recognised as integral to the provision of quality services at both individual and strategic levels. The Authority's successful history and current good practice in effective complaint handling will be an integral service improvement driver in the current rapidly changing culture. The demands of maintaining, and increasing levels of customer satisfaction, coupled with organisational changes across public and partner sectors, will be well supported by the current robust complaint handling procedures and electronic system in place.

The Report will be published on the Authority's website and will be available on request from the Senior Complaints Officer.

## 1.6 Decision options:

The following decision options are available for consideration by Cabinet:

#### Option 1

Note the content of the Report and approve publication of the report.

#### Option 2

Cabinet may refer the report back to officers and request that further analysis and information is provided.

Option 1 is the recommended option.

## 1.7 Reasons for recommended option:

Option 1 is recommended for the following reason:

All local authorities providing 'social service functions' including North Tyneside Council are legally required to publish an annual report on complaints received. Publication of a Report also supports community engagement and promotes transparency and opportunities for organisational improvement.

## 1.8 Appendices:

Appendix 1: North Tyneside Council Complaints Service Report 2018-19.

Appendix 2: The Local Government Ombudsman's Annual Review of complaints about North Tyneside Council 2018-19.

## **1.9 Contact officers:**

Bryn Roberts, Head of Law and Governance, tel 643 5339

Emma Rothery, Senior Complaints Officer, tel 643 5361

David G Dunford, Senior Business Partner, tel 643 7027

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- The Local Authority Social Services Complaints (England) Regulations 2006 and Guidance (Children)  
<http://www.legislation.gov.uk/ukxi/2006/1738/contents/made>
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and Guidance (Adults)  
[http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/DH\\_120361](http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/DH_120361)
- North Tyneside Council Corporate Complaints Procedure  
<http://my.northtyneside.gov.uk/category/479/complaints-procedure>
- The NHS Bodies and Local Authorities Regulations 2012  
<http://www.legislation.gov.uk/ukxi/2012/3094/introduction/made>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial or other resource implications arising directly from this report. The delivery of the service is provided for from existing budget provision. Compensation payments are funded from existing budgets in the relevant Service areas.

### **2.2 Legal**

Local Authorities with Social Service functions are required to publish regular reports on Complaints and Ombudsman investigations in accordance with The Local Authority Social Services Complaints (England) Regulations 2006.

### **2.3 Consultation/community engagement**

Internal Consultation

The Report has been circulated to Heads of Service, the Acting Chief Executive, the Elected Mayor, Deputy Mayor and Cabinet Members for Adult Social Care and Children, Young People and Learning. Comments received have been incorporated where relevant in the Report.

## 2.4 Human rights

The service promotes equal access to complaint services and opportunities to contribute to service improvement.

## 2.5 Equalities and diversity

The service promotes equal access to complaint services and opportunities to contribute to service improvement. Material is available in different formats and Officers actively provide assistance for people with individual needs as required. Equality monitoring is undertaken so that the service can ensure it meets the needs of people with protected characteristics across all of the borough's communities.

## 2.6 Risk management

A risk assessment has taken place. All risks identified can be managed through North Tyneside Risk Process and will be added to the Authority's Risk Register.

## 2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

## 2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

## PART 3 - SIGN OFF

- Chief Executive  X
- Head(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Head of Corporate Strategy and Customer Services  X