

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR - CORE TO CABINET

Barnsley Council Annual Customer Feedback Report - Complaints, Compliments, Learning and Comments – April 2018 to March 2019

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to provide Cabinet with an analysis and overview of the customer complaints handled under the Council's management of customer feedback procedures during the period 1 April 2018 to 31 March 2019.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members' receive and discuss the information contained in this report as required under the complaints legislation.

3. INTRODUCTION

- 3.1 The data contained in this report was correct at the time of creation. However, there is a risk to some variation in future reported data due to updates.
- 3.2 The Council's procedures are written in line with our statutory obligations under the Local Authority Social Services and National Health Services Complaints (England) Regulations 2009, and the Children Act 1989 Representations Procedure (England) Regulations 2006. The report will also advise on the compliments and comments received by the Council, and the improvements to service delivery that have arisen as a result of complaints made within this period.
- 3.3 The submission of feedback (compliments, complaints, and comments) is an important means by which people can let the Council know about their experiences. The aim is to ensure that each item of feedback is recorded, acknowledged and appropriately responded to.
- 3.4 It is vital to continuous service improvement to know when our customers are happy with the services they receive and share with us their positive experiences. We refer to these as compliments, and each compliment received, where possible is acknowledged with the customer and shared with the service. However, on those occasions when a customer's experience falls below what they expect and they wish to complain about this, this information is equally as valuable because it provides a chance for the organisation to reflect on its practice and identify where things may have gone wrong, what can be done to learn from this, and offer redress to the customer where required. The complaints procedure enables this and is an alternative dispute resolution process which aims to:

- clearly identify a persons complaints,
- investigate these thoroughly and fairly in partnership with the customer,
- reach a swift resolution through the provision of providing a response on the investigation findings and reflecting upon any learning and redress where required.

3.5 For those contacts received where customers are not specifically complaining about the actions of the Council but wish to offer suggestions, ideas or advice, we refer to these as comments. All comments received are acknowledged with the customer and shared with the service area concerned. A specific response to a comment is not always required however, where this has been requested the service are asked to provide this within 10 working days.

3.6 Customer feedback is recorded, received, managed and facilitated by the Customer Feedback, Information and Improvement Team (CFIIT) which is a part of the Business Improvement, Human Resources and Communications Business Unit.

4. PROPOSAL AND JUSTIFICATION

4.1 A total number of 502 customer compliments have been received by the Council, the highest number of these being received in the Environment and Transport Business Unit. It is pleasing to report that this is the second year that this business unit has received the most compliments across all Council services. In addition to this, 2018-19 also saw an increase in the total number of compliments from the figure reported last year (490), and it is the second year that an increase in the number of compliment being received is reported. Work will continue to ensure that customers and staff members know how to share positive experiences with the CFIIT.

4.2 The period 2018-19 resulted in 188 comments being received from our customers. This is a decrease on the total number received last year (258).

4.3 333 customer complaints were registered during 2018-19. This is a slight increase on last year's total of 317. It is important to note that not all customer concerns need to be processed as a complaint. Where a customer has contacted the service direct and their concerns are resolved by the service, there is often no need to escalate these through the Council's complaints procedures. It is important that we make sure the customer is always informed of their right to make a complaint if their concern is not resolved or they remain unhappy. Work has been ongoing within the Council to encourage this approach, thus ensuring that the complaints received by the CFIIT are those where there is a focus on investigating where a customer's experience has fallen below their expectation.

4.4 It is positive to report a continuation that it is the customer who is in receipt of the service who are making their own complaints. Most complaints are also being made directly to the CFIIT and by telephone. 2018-19 has also seen the continuation in customers preferring to make their complaints via telephone. One reason for this could be that it can often be easier to explain/discuss concerns and events which led to the dispute than it can be to have to put this in writing.

4.5 59% of the customer complaints we received were acknowledged within the 3 working day timescale set for this to be achieved by. During 2019-20 we will

continue to monitor our acknowledgement rate to customers, and aim to improve this area of performance through the implementation of a number of changes within service delivery.

- 4.6 In a change to the trend reported last year, the majority of complaints received have been resolved through formal investigation (168) with 165 being resolved quickly through early resolution. Work will continue to be undertaken to improve the timely resolution of complaints with 79% of complaints in 2018-19 meeting the timescale agreed with the investigating officer (this can be between 10 to 65 working days depending upon the complexity of the complaint).
- 4.7 Investigations into customer complaints resulted in 92 cases being upheld, 115 were partially upheld, 76 were not upheld and for 19 a conclusion could not be drawn. Unfortunately, 13 of our customers withdrew their complaints during 2018-19 and this was followed up directly with the customer.
- 4.8 6 complaints received progressed onto the review stage, and 3 were investigated at stage 2 of our children's complaints procedures. The total number of complaints progressing to the next stage of the procedures is an increase on the number reported for 2017-18 (3). The purpose of the review stage is to review our actions and response to the customer based upon what they believe remains outstanding from the first investigation undertaken. Whilst it is positive to note that the number of complaints progressing onto the review stage is still relatively low when compared to the number of complaints received (3%), it is not to say that all customers were happy with the outcome of their complaint after investigation. Those customers who did tell us that they remained unhappy were supported by the CFIT to resolve their concerns without the need to progress their complaint onto the next stage of the process.
- 4.9 Our records indicate that we have received 33 contacts from the Ombudsmans office in 2018-19, this is a slight decrease from last years reported position (41). 5 of the contacts were from the Housing Ombudsman Service (HOS) and 28 were from the Local Government and Social Care Ombudsman (LGSCO). 20 of these required the LGSCO to undertake a formal investigation, of which fault was found in 3 of these cases with 2 resulting in injustice being caused to the customer. The Council agreed with the Investigator's recommendation for both to resolve and redress these complaints.
- 4.10 The LGSCO annual review letter was received by the authority in July in which they have reported a total of 47 contacts received for the Council. It is acknowledged that there is a difference in the figures reported by the LGSCO to that held by the Council but this can be explained through:
- 18 received direct advice from the Ombudsman's office and no contact was made with the Council to record.
 - 25 corresponded with the Council's records, and there is a query on 4 cases.
- 4.11 The LGSCO have benchmarked the Council's annual performance against other similar authorities. Their data shows that:
- 44% of the complaints investigated by the Ombudsman's office were upheld. This compares to an average of 61% in similar authorities.

- We implemented 100% of the LGSCO recommendations, this compares to an average of 99% in similar authorities.
- 25% of the upheld complaints found the Council had satisfactorily remedied the complaint prior to escalate to the Ombudsman. The average for similar authorities is 14%.

4.12 Work is continuing to embed the role of the CFiIT and during 2018-19 the following work has been undertaken:

- Development of the customer feedback management system with a view to improving records management and the reporting of the data. This remains ongoing and it is hoped that implementation of the new system and performance reports will be available during the autumn/winter of 2019.
- Promoting the benefits of ensuring services report to the CFiIT compliments received from customers directly and celebrating these through 'compliment of the week' in the Council's staff newsletter.
- We continue to promote, encourage and support our customers to contact us and access our services online, whilst offering a telephony service too. We have worked to ensure the information we provide to customers both online and via telephone is clear to ensure their concerns are handled appropriately and proportionately.
- We have continued to embed the approach in how we capture learning from customer complaints and work remains ongoing to strengthen this arrangement during 2019-20.
- Ensuring our procedures are reviewed and remain up to date whilst reflecting best practice guidance.
- Created an intranet webpage for staff which gives them access to the Council's complaints procedures and provides advice and guidance.
- Delivered a host of drop-in sessions to staff members across different Council buildings to highlight the importance of customer feedback and the opportunities this brings in terms of learning and improved continuous service delivery

4.12 During 2019-20 we plan to undertake the following:

- Implement a new management system and reporting software for business units
- Continue to strengthen our learning from complaints arrangements with a view to ensure the evidence to support the changes made as result of complaints is captured.
- Explore how we ensure our most vulnerable customers know how to make a complaint if they are unhappy with a service provided. This includes customers who are receiving a service paid for by the Council whilst delivered by a third party.

- Explore how we can capture and report on all compliments and complaints made directly to other organisations that provide services on the Council's behalf.
- Continue to develop the intranet webpage to staff using new guidance and research available on dispute resolution.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

5.1 Not applicable

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 The attached report demonstrates which areas of service provision that service users are currently providing feedback on, in the form of complaints and compliments.

7. FINANCIAL IMPLICATIONS

7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer)

7.2 As part of the complaints process a number of formal resolution methods may have financial charges associated with them such as external investigations and appointment of mediators. The cost of these dispute resolution options are aligned directly to the business unit the complaint relates to budget.

7.3 As a resolution to a complaint it is important that consideration is given when the Council is at fault and how it can redress the customer and any injustice caused. This may on occasions have financial implications, again the cost of any redress is done so in consultation with legal services and are aligned directly to the business unit the complaint relates to budget.

7.4 The effective resolution of complaints can lead to service improvements and complainant satisfaction.

8. EMPLOYEE IMPLICATIONS

8.1 All staff should be aware of the complaints procedures covering their area of work so that they can advise service users of the options available to them.

8.2 Staff resources are needed in order to carry out investigations following a complaint. On rare occasions other procedures such as management investigations may be required following a complaint investigation.

9. COMMUNICATIONS IMPLICATIONS

9.1 The report will be made available on the Council's website upon Cabinet approval.

10. CONSULTATIONS

10.1 Discussed at Senior Management Team on 13 August 2019

10.2 Circulated to the Barnsley Leadership Team on 14 August 2019

11. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

11.1 The Customer Feedback, Information and Improvement Team had a number of agreed performance measurements during 2018-19 on the management of customer complaints, compliments and comments. The progress on these will be outlined in the Council corporate performance report.

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

12.1 The Customer Feedback, Information and Improvement Team have worked with the equality team during 2018-19 with regards to improving customer accessibility of the Council's complaints procedure. Actions arising from this will continue to be worked upon during 2019-20.

13. TACKLING THE IMPACT OF POVERTY

13.1 Not applicable.

14. TACKLING HEALTH INEQUALITIES

14.1 Not applicable.

15. REDUCTION OF CRIME AND DISORDER

15.1 Not applicable.

16. RISK MANAGEMENT ISSUES

16.1 Services fail to recognise or escalate complaints that need to be considered through the Council's complaints procedures and fail to forward these to the Customer Feedback, Information and Improvement Team. This can result in the Council not following due process and lead to further customer dissatisfaction and adverse ombudsman rulings.

16.2 Robust arrangements are required when working in partnership with organisations and contracted providers in the management of customer complaints. Failure to work in partnership in the management of a complaint can result in the Council not following due process and lead to further customer dissatisfaction and adverse ombudsman rulings.

16.3 Failure to identify learning from complaints or provide redress when injustice has been found can lead to customer dissatisfaction and escalation to the Ombudsmans offices.

- 16.4 There is currently a delay in the progressing of customer complaints through the Council's complaints procedures and any delays, outside of procedural timescales, could lead to adverse ombudsman decisions. Work is ongoing to try and address this.
- 16.5 These risks are mitigated through good communication with services, customers, partners, other organisations and investigators, through alignment of resources, attendance at team meetings and drop in session to raise awareness of the customer feedback procedures.

17. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

17.1 Not applicable.

18. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

18.1 Not applicable.

19. CONSERVATION OF BIODIVERSITY

19.1 Not applicable.

20. GLOSSARY

CFIIT – Customer Feedback, Information and Improvement Team

LGSCO – Local Government and Social Care Ombudsman

HOS – Housing Ombudsman Service

21. LIST OF APPENDICES

Appendix 1: Barnsley Council Annual Customer Feedback Report – Complaints, Compliments, and Comments, 1st April 2018 to 31st March 2019

22. BACKGROUND PAPERS

- a) Management of Customer Feedback Procedure
- b) Management of Children's Social Care Customer Feedback Procedure

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

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Financial Implications/Consultation



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(To be signed by senior Financial Services officer
where no financial implications)