

BARNSELY 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, Comments and Learning – April 2019 to March 2020

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 2019 to 31 March 2020.

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 is expected and they wish to complain about this, this information is equally as valuable as it provides an opportunity 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 customer's complaint
- Investigate thoroughly and fairly in partnership with the customer and service
- Reach a swift resolution complete with robust investigation findings
- Reflect upon any learning and identifying service improvements

- 3.5 With reference to contacts received where a customer is not specifically complaining about the actions of the Council but wishes 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.
- 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 369 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 third year this business unit has received the most compliments across all Council services. However, it is important to note that 2019-2020 saw a decrease in the total number of compliments received from the figure reported last year (502). Work will continue to ensure that customers and staff members know how to share positive experiences with the CFIIT.
- 4.2 The period 2019-20 resulted in 98 comments being received from our customers. This is a decrease on the total number received last year (188).
- 4.3 Two hundred and seventy five customer complaints have been registered during 2019-20. This is a decrease on last year's total of 333. It is important to note that not all customer concerns are processed as a complaint
- 4.4 Where a customer has contacted the service direct and their concerns are resolved, there is often no requirement to escalate this through the Council's complaints procedure. However, it is vital that we make sure the customer is informed of their right to make a complaint should their concern remain unresolved or they remain unhappy.
- 4.4 There is a continuing trend which shows it is the customer in receipt of the service that is making the complaint and the majority of complaints are being made directly to the CFIIT. In 2019-20, there has been an increase in customers making a complaint online and we are keen to encourage our customers to use our online services.
- 4.5 Fifty-five percent of customer complaints received were acknowledged within the 3 working day timescale set for this to be achieved by. We acknowledge this percentage to be low and advise a contributing factor to this is as a result of customer feedback services being placed on hold in March 2020 to support the Coronavirus response effort. However, in 2020-21 a number of further changes will be made to improve this particular area with the implementation of new tracking and

recording performance management systems complimented by revised procedural changes to enhance service delivery.

- 4.6 Consistent to the trend reported last year, the majority of complaints received have been resolved through formal investigation (157) with 118 being resolved quickly through early resolution. Work will continue to be undertaken to improve the timely resolution of complaints with 79% of complaints in 2019-20 meeting the timescale agreed with the customer and investigating officer concerned (timescales can vary between 10 to 65 working days depending upon the complexity of the complaint).
- 4.7 Investigations into customer complaints resulted in 76 cases being upheld, 87 partially upheld, 79 not upheld, 23 a conclusion could not be drawn and 10 awaiting a response. It is important to note that whilst 127 customers withdrew their complaint during 2019-20, follow up contact made with the customer identified the issue raised to be a service request and not a complaint.
- 4.8 In 2019-20, 11 complaints progressed onto the review stage of which:
- 4 stage two corporate reviews for Environment and Transport
 - 3 stage two corporate reviews for Children's Services
 - 3 stage two investigations for Children's Social Care
 - 1 stage three investigation for Children's Social Care
- 4.9 The total number of complaints progressing to the next stage of the procedure is an increase on the number reported for 2018-19 (3). The purpose of the progression stage is to review our actions and response to the customer based upon what they believe remains outstanding from the initial investigation undertaken.
- 4.10 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 (4%), 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 such concerns without the need to progress onto the next stage of the complaint process.
- 4.10 Our records indicate that we have received 41 contacts from the Ombudsmans office in 2019-20, this is an increase from last year's reported position (33). Four of the contacts originated from the Housing Ombudsman Service (HOS) and 37 from the Local Government and Social Care Ombudsman (LGSCO). Twenty-four of these required the LGSCO to undertake a formal investigation, of which 6 required service delivery improvements. The Council agreed with Ombudsmans recommendations to resolve and redress these complaints.
- 4.11 The LGSCO annual review letter was received by the authority in July 2020 in which they have reported a total of 54 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:
- 13 received direct advice from the Ombudsman's office and no contact was made with the Council to record
 - 41 corresponded with the Council's records

4.12 The LGSCO has benchmarked the Council's annual performance against other similar authorities and their data shows that:

- 57% of the complaints investigated by the Ombudsman's office were upheld. This compares to an average of 67% in similar authorities
- We implemented 100% of the LGSCO recommendations which compares to an average of 100% 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 11%.

4.13 The LGSCO annual review letter also concluded that it had encountered delays in responses to investigation enquiries and the completion of recommendations agreed. As a direct result of this, the CFIIT has reflected on the way it has responded to LGSCO enquiries over the past 12 months and is implementing robust remedies to ensure the timely issue of responses and execution of associated recommendations, as agreed by all parties.

4.14 Work continues to embed the role of the CFIIT and during 2019-20 the following work has been undertaken:

- Development of the customer feedback management system with a view to improving records management and the reporting of data with the implementation of a new performance reporting system in place in October 2020
- Promoting the benefits of ensuring services report compliments received directly from customers through CFIIT and celebrating positive news stories through 'Thank You Thursday' in the Council's staff newsletter
- 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
- To embed how we learn from customer complaints; understanding our customers better and getting underneath what has gone wrong before making much needed improvements to service delivery and we will continue to work remains ongoing to strengthen this arrangement during 2020-21
- Ensured our procedures are reviewed and remain up to date whilst reflecting best practice guidance.
- Reviewed our intranet webpage for staff, giving access to the Council's complaints procedures and providing advice and guidance
- Continued to deliver a host of face to face and virtual drop-in sessions to staff members across different Council services to highlight the importance of customer feedback and the opportunities this brings in terms of learning and improved continuous service delivery

4.15 During 2020-2021 we plan to undertake the following:

- Implementation of a new performance management system in early October 2020 to effectively track and manage the end to end customer complaint journey
- Constantly record complaints on the system that has the functionality to automatically highlight and escalate a potential delay to a customer, service area and LGSCO alike, before this occurs – giving assurance that delays will in future be actioned in a timely manner
- Development and publication of directorate complaint management performance dashboards from 30 October 2020. These dashboards will capture a number of RAG rated and measurable factors such as:
 - No. of complaints received per service area
 - No. of complaints under investigation
 - No. of complaints approaching completion
 - No. of complaints completed
 - No. of complaints completed out of time
- The dashboards will act an additional tool in alerting CFIT and services concerned to a potential delay before is occurs
- Proactively, work together with all services to become stronger in meeting complaint statutory obligations and timescales. It is acknowledged that some complaints are complex in nature, however, the importance of meeting the needs of our customer is of paramount importance
- Impress the importance of delivering a robust and effective complaint service; one that prides itself in resolving dispute matters swiftly
- Reinforcing this message with the regular attendance at Directorate Management Team meetings to discuss the nature of complaints received, explore where gaps may exist and working collaboratively to get this right next time
- Reflect upon the feedback received from the LGSCO's Annual Review Letter and adopt an ethos that delays are no longer an option
- Taking the LSGCO's feedback as an opportunity to learn and forge change in the delivery of the customer feedback service. Reinforce the application of our values and in doing so, create a culture of 'doing the best work of our lives' that will enhance service delivery and the customer experience going forwards
- Learn more from what our customer's are telling us and strive harder to get underneath what has gone wrong. Challenge the status-quo to make changes and improvements to existing service delivery
- Adopt a 'critical friend' approach with services to ensure all learning is firmly embedded in systems and processes

- 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 customer feedback 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 budget the complaint relates to.

7.3 As a resolution to a complaint, it is important that consideration is given when the Council is required to make improvement and how it can redress the customer for any inconvenience 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 budget the complaint relates to.

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

8. EMPLOYEE IMPLICATIONS

8.1 All staff made aware of the complaints procedures covering their area of work to enable advice to be given to 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 A robust communications and marketing plan has been developed to:

- Provide an overview of the annual customer feedback received from April 2019 to March 2020 and highlight key statistics
- Celebrate examples of feedback received
- Provide information to managers and employees about actions need to be taken to ensure we learn from the customers experience
- Highlight to customers that we are honest and transparent. Their feedback is important to us and we are looking at what we can do to improve the services we provide

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

10. CONSULTATIONS

10.1 Discussed at Senior Management Team on 8 September 2020

10.2 Circulated to the Barnsley Leadership Team on 1 September 2020

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 2019-20 on the management of customer complaints, compliments and comments. The progress on these will outlined in the Council's corporate performance report.

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

12.1 The Customer Feedback, Information and Improvement Team has worked in consultaion with the Equality and Inclusion Team during 2019-20 with regards to improving customer accessibility of the Council's complaints procedure. Actions arising from this will continue to be developed during 2020-2021.

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 has been a previous delay in the progressing of customer complaints through the Council's complaints procedures. Such delays have resulted in the suspension of CFIIT services in order to support and respond to the Coronavirus pandemic. Whilst such delays have been brought up to date, any future delays and failure to adhere to procedural timescales, could lead to adverse ombudsman decisions. Work is ongoing to 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 2019 to 31st March 2020

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)*