

BARNSLEY 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 ON 8 SEPTEMBER 2021

Barnsley Council Annual Customer Feedback Report - Complaints, Compliments, Comments and Learning – April 2020 to March 2021

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 2020 to 31 March 2021.

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 is shared with the service concerned. 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
 - reflecting 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. However, a specific response to a comment is not always required. Where a response is requested, the service is 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 475 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 fourth year this business unit has received the most compliments across all Council services. It is also pleasing to note that 2020-21 saw an increase in the total number of compliments received from the figure reported last year (369). Work will continue to ensure that customers and staff members know how to share positive experiences with the CFIIT.
- 4.2 The period 2020-21 resulted in 61 comments being received from our customers. This is a decrease on the total number received last year (98).
- 4.3 Two hundred and eleven customer complaints have been registered during 2020-21. This is a decrease on last years total of 275. It is important to note that not all customer concerns are processed as a complaint. 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. Work continues within the Council to encourage this approach, thus ensuring complaints received are those where there is a real need to focus on investigating where a customer's experience has fallen below expectations.
- 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 made directly to the CFIIT (75%). In 2020-21, there has been a slight decrease (53% compared to 55%) in customers making an online complaint and work continues to encourage our customers to access our online services.
- 4.5 Eighty nine percent of customer complaints received were acknowledged within the 3 working day timescale. This is a significant increase compared to the figure reported last year (55%).

- 4.6 Eighty seven percent of complaints met their corporate and/or statutory timescale for completion. Again, this is a positive increase compared to the figure reported last year (79%). Furthermore, consistant to the trend reported last year, the majority of complaints received have also been resolved through formal investigation (134) compared to those resolved quickly through early method. (77).
- 4.7 Investigations into customer complaints resulted in 105 cases being upheld, 51 partially upheld, 47 not upheld, 7 inconclusive and 1 following an alternative route for completion. It is important to note that whilst 112 customers withdrew their complaint during 2020-21, follow up contact made with the customer identified the issue raised to be a service request, the matter resolved itself or not a complaint.
- 4.8 In 2020-21, 9 complaints progressed onto the review stage of which:
- 7 stage two reviews for Children's Social Care
 - 1 stage two corporate review for Environment and Transport
 - 1 stage three review in respect of Children's Services
- 4.9 The total number of complaints progressing to the next stage of the procedures is a decrease on the number reported for 2019-20 (11). 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 first investigation undertaken. Whilst it is positive to note that the number of complaints progressing onto the review stage remains low compared to the number of complaints received (4%). Those customers who did tell us that they remained unhappy were supported by the CFIIT to resolve their concerns without the need to progress their complaint onto the next stage of the process.
- 4.10 Our records indicate that we have received 28 contacts from the Ombudsman's office in 2020-21, this is a decrease from last years reported position (41). The reduction in cases referred to the LGSCO is of a direct result of the Ombudsman not accepting new complaints between March and June 2020, in response to the Covid-19 pandemic.
- 4.11 Seven of the contacts originated from the Housing Ombudsman Service (HOS) and 21 from the LGSCO. Nineteen of these required the LGSCO to undertake a formal investigation, of which five cases where upheld and improvements to service delivery were recommended in 3 cases. The Council agreed with the Ombudsman's recommendations to resolve and redress these complaints.
- 4.12 The LGSCO annual review letter was also received by the authority on 21 July 2021 in which it has reported a total of 21 contacts received for the Council.
- 4.13 The LGSCO has benchmarked the Council's annual performance against other similar authorities and their data shows that:
- 83% of the complaints investigated by the Ombudsman's office were upheld. This compares to an average of 72% in similar authorities
 - We implemented 100% of the LGSCO recommendations which compares to an average of 100% in simiar authorities

- 0% of the upheld complaints found the Council had satisfactorily remedied the complaint prior to escalation to the Ombudsman. The average for similar authorities is 11%.

4.14 Nationally, the Ombudsman is reporting trends in:

- Upholding more complaints (61% in 19-20 up to 67% last year), our data shows that we are also seeing this trend in our own complaints handling with there being some elements of the complaint being upheld
- More than three quarters of complaints in Education and Children's Service were upheld (77%). We are also seeing this trend in our data in that we have upheld or partially upheld 71% of the complaints received in these areas
- The Ombudsman is just starting to see the impact and response by Council's to the pandemic and is looking to publish their early experience and findings on this in September 2021

4.15 Furthermore, the Ombudsman states it has observed a national "erosion" of effective complaint handling in local authorities. It is understood the prolonged budget and demand pressures placed on services in response to the Covid-19 pandemic in 2020 has amplified the issues highlighted. In essence, reduced capacity has had a great impact on local authorities ability to deal effectively with complaints. However, it is accepted more work needs to be undertaken in seeking a satisfactory remedy before a complaint is referred to the Ombudsman.

4.16 With this in mind, the Ombudsman is developing a new programme of work and training packages that will utilise complaints to drive improvements in local complaint systems and services. This will enable targeted support to be provided to services who need it most.

4.17 As evidenced in the percentages reported, a significant amount of work has been undertaken to improve performance and in doing so, firmly embedding the importance of complaints.

During 2020-21 the following work has been undertaken:

- Implemented a new performance management system to effectively track and manage the end to end customer complaint journey
- Consistently recorded all complaints to allow the escalation of potential delays to a customer, service area and LGSCO alike, before this occurs. Giving assurance that delays will be actioned in a timely manner
- Development of directorate complaint management/performance dashboards which 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

- Embedded how we learn from customer complaints; understanding our customers better and getting underneath what has gone wrong before making improvements to service delivery
- Reviewed all CFIIT policies and procedures to ensure they remain up to date and fit for purpose whilst reflecting best practice guidance
- Promoted the benefits of ensuring services report compliments received directly from customers through CFIIT and celebrate positive news stories through ‘Thank You Thursday’ in the Council’s staff newsletter
- Promoted, encouraged and supported our customers to contact us and access our services online, whilst offering a telephony service too. We have also worked to ensure the information we provide to customers both online and via telephone is clear and easy to understand, ensuring their concerns are handled appropriately and proportionately
- Reviewed our intranet webpage for staff, giving access to the Council’s complaints procedures and providing advice and guidance
- Delivered a host of virtual drop-in sessions to staff to highlight the importance of customer feedback, the opportunities this brings in terms of learning and embedding continuous improved service delivery
- Delivered a host of virtual drop-in sessions to staff to provide advice, guidance and support in the use of the new performance management system and highlighting the importance of ensuring each complaint is effectively managed

During 2021- 22, we plan to undertake the following:

- Continue to proactively work with all services in maintaining high performance levels and striving to meet statutory/corporate complaint requirements and timescales
- Impress the importance of delivering a robust and effective complaints service; one that prides itself in resolving dispute matters swiftly and ensuring the needs of our customers is of paramount importance
- Reinforcing this message with the attendance at Directorate Management Team and other management meetings to discuss the nature of complaints received, explore where gaps may exist and working collaboratively to get this right next time
- Undertake targeted work with services where complaints trends and themes are emerging to understand where change needs to happen
- Ensure the allocation of each complaint through the performance management system
- Take customer feedback as an opportunity to learn and forge change in the delivery of our services. Reinforcing the application of our values and in doing

so, creating 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 how we deliver our services
- Continue to adopt a 'critical friend' approach with services to ensure all learning from complaints is firmly embedded in systems and processes
- 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
- 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 improvements 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 should be 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.
- 8.3 It is recognised that there are a number of complaints each year where the complexity of the complaint can create a high volume of work and commitment for the services they relate to. The reasons for this, whilst individual to the circumstances of the complaint, are often related to dispute resolution, service delivery and procedural requirements (some of which are statutory). It is important to recognise the impact that complex complaints can have upon the workforce in respect of workload and wellbeing. To help mitigate this the CFIIT provide support to services in the handling of complaints, offer provisions such as training and drop in sessions (recently reintroduced), and welcome staff feedback on our procedures.

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 3 August 2021
- 10.2 Circulated to the Barnsley Leadership Team on 21 July 2021

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

- 11.1 The CFIIT had a number of agreed performance measurements during 2020-21 on the management of customer complaints, compliments and comments. The progress on these will be outlined in the Council's corporate performance report.

12. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 12.1 The CFIIT has worked in consultation with the Equality and Inclusion Team during 2020-21 with regards to improving customer accessibility of the Council's complaints procedure. Actions arising from this will continue to be developed during 2021-22.

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 share these with the CFIIT. 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 Ombudsman.
- 16.4 There has been a slight delay in the progressing of customer complaints through the Council's complaints procedures. Such delays were as a direct result of suspending CFIIT services in order to support and respond to the Coronavirus pandemic. Any future delays and failure to adhere to procedural timescales, could lead to adverse Ombudsman decisions, although the high levels of performance in this area should mitigate against this risk.
- 16.5 These risks are mitigated through the implementation of a robust performance management complaints system, strengthened communication with services, customers, partners, other organisations and investigators, through alignment of resources, attendance at management meetings and drop in sessions 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 2020 to 31st March 2021

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



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