



Committee report

COMMITTEE	CORPORATE SCRUTINY COMMITTEE
DATE	10 MARCH 2020
TITLE	REVIEW OF THE COMPLAINTS PROCESS
REPORT OF	CHAIRMAN OF THE CORPORATE SCRUTINY COMMITTEE

SUMMARY

1. At its meeting of 8 October 2019, the Corporate Scrutiny agreed to review the Council's complaints process in early 2020. This was to allow data to be available from the first six months of a new customer relationship management system (CRM).
2. The Committee had agreed that the review would be based on the overarching question:
 - Is the way that the Council handles complaints leading to improvements in service delivery?
3. This paper reports the review. It finds that there is evidence that learning from the complaints process is leading to improvements in service delivery.
4. However, learning outcomes are only being formally identified in a minority of cases. This suggests that there is significant potential to develop the Council's work in this area, and further improve service delivery. This possibility is recognised by the Corporate Management Team and work is actively under way to achieve this.
5. It is recommended that the committee receive a report on complaints at its September 2020 meeting. This will allow it to consider a full year of complaints reporting using the new CRM and the impact of work to encourage learning outcomes.

BACKGROUND

6. Learning from complaints is recognised as good practice. The Isle of Wight Complaints Policy (Appendix A) identifies as the first of its list of aims and objectives to "improve the quality of the services we provide". This objective is echoed by the Local Government and Social Care Ombudsman (LGCSO); for example, in their annual letter of 11 July 2018 under a heading of "Learning from complaints to improve services".

7. The Corporate Plan includes a performance indicator of a rolling twelve-month average number of stage 1 complaints made about council services per month. The baseline figure for 2017 is 57; the 2022 target is 50. This measure is reported through the quarterly performance reports to Cabinet. The figure for September 2019 was 85. The figures over time show considerable variability.

SUMMARY OF POLICY AND PROCESSES

8. The Council's Complaints Policy was reviewed and updated in December 2019. In particular, this clarified responsibility for the complaints at any given stage with a particular focus on identifying learning outcomes and using these to improve services for the Council's customers in line with LGCSO guidelines.
9. The policy defines a complaint as follows: any expression of dissatisfaction with our services or those for which we are responsible, (this includes some provided under contract to the council), that requires a response. There is no difference between a "formal" and an "informal" complaint. Both are expressions of dissatisfaction that require a response.
10. The policy sets out processes and timescales. It should be noted that there are separate provisions for complaints about adult social care and children's social care.
11. Responsibility for complaints management within each service area is with a Nominated Complaints Officer (NCO) and deputy. Their responsibilities include recording and updating of information about complaints on a Customer Relationship Management system (CRM). A new CRM was introduced in June 2019 and NCOs were trained in its use.
12. First receipt of a corporate complaint is 'Stage One'. (Adult Social Care complaints have an 'Initial Stage'). The NCO or deputy enters the information into the CRM and passes on the details to the relevant service manager whose responsibility it is to respond to the complainant.
13. If the complainant is dissatisfied with the response at Stage One, then a Stage Two investigation is undertaken. This is carried out by a head of service or a strategic manager.
14. If the complainant is still dissatisfied, they may take the matter up with the LGCSO. In practice, the Stage One process does not have to be a single back-and-forth of complaint and response. Dialogue is encouraged.
15. Closure of a complaint on the CRM requires completion of a learning outcomes field. Responsibility for identifying learning outcomes is with service managers. These are passed to the NCOs for recording on the CRM. The new system does not allow the learning outcomes field to be left blank.

HOW COMPLAINTS ARE MADE

16. The complaints policy sets out that complaints may be made by email, telephone, letter, online, or in person at any relevant council office. A complaint form is available at any council office that is open to the public.

17. When making a complaint online the Council's website requires the complainant to log in. A user without an account must register for one. When online the user is presented directly with an online form. It should be noted that a requirement to log in can unnecessarily deter users from proceeding with communications.
18. The main complaints section of the Council's web site provides the County Hall address for correspondence, and the customer contact centre number for phone contact. No email address is displayed on either the contact information page or on the FAQ page.

Complaints about Children's Social Care Services

19. The Council's website provides a link to the Hampshire County Council web site. It also provides an email address and phone number. The linked Hampshire County Council page provides:
 - a link to an online form (log in is not required)
 - a specific complaints email address
 - a postal address
 - a phone number for verbal complaints
 - The page also identifies that complaints may be recorded on video, DVD, CD or audio tape.

Complaints about Adult Social Care Services

20. The Council's website provides:
 - a link to the general online complaints form (log in required)
 - a specific complaints email address
 - a Freepost address including a link to a downloadable complaint reporting form
 - a specific phone number for verbal for making an appointment to meet with Adult Social Care Complaints Team

Complaints about Island Roads

21. Any complaints received by the Council which relate to Island Roads service (project network) are passed to Island Roads to deal with directly and the customer would be notified that their complaint has been forwarded.
22. Any complaints received by the Council which do not relate to Island Roads service (project network) but do relate to highways matters that the Council are still responsible for are dealt with by the Council in accordance with our policy and process.
23. The Highways Maintenance section of the Council's website provides a contact form but otherwise provides Island Roads' postal address and phone number. The Island Roads' website provides a link to its complaints policy from its 'Contact Us' page. The policy identifies that the version dates from November 2015.
24. The policy provides:
 - a phone number
 - the general Island Roads' email address
 - an address for making complaints in person

25. The policy echoes the Council's policy for the main part, including discussing procedures for Stage 1 and Stage 2 complaints. It makes no reference to the role of the Local Government and Social Care Ombudsman (LGCSO). Island Roads have confirmed, however, that letters from them do refer to the LGCSO.

REPORTING AND PERFORMANCE MANAGEMENT

26. Figures on the number of Stage 1 complaints received by the council are reported to Cabinet as part of its quarterly performance reports.
27. An annual letter is issued by the Local Government and Social Care Ombudsman (LGCSO) relating to complaints that have been taken up with them. The most recent letter (Appendix B) was reported to Cabinet in September 2019.
28. The Policy and Scrutiny Committee for Health and Adult Social Care receives an annual report (the most recent is at Appendix C). The Policy and Scrutiny Committee for Children's Services does not receive an annual report.
29. The complaints policy sets out that the Corporate Complaints Team will prepare an annual report with learning outcomes from complaints for both members and officers in line with LGCSO guidance.

PERFORMANCE STATISTICS

30. There have been two quarters since the new CRM was implemented. The table below summarises

Quarter	Complaints logged	Complaints closed*	Learning outcomes recorded
June to September 2019	342	349	60 (17%)
October to December 2019	187	199	36 (18%)

* complaints logged in one quarter may go on to be closed in the succeeding quarter

31. The percentages are of number of learning outcomes recorded to number of complaints closed.
32. Data relating to the statutory process for children's services, and on complaints relating to the delivery of the Highways PFI contract by Island Roads is not included in this table.
33. The need for a mechanism to capture appropriate data for the statutory children's services complaints process has been identified by the Corporate Management Team.
34. There is a monthly report that demonstrates the number of complaints received by Island Roads. This is a high-level meeting which is required as part of the contract.
35. The most recent LGCSO annual letter reports on the period ending 31 March 2019. The LGCSO received 43 complaints and enquiries. It referred 12 back for local

resolution and closed 15 after initial enquiries. Detailed investigations took place in 16 cases, of which 5 were upheld.

36. The LGSCO's letter confirms the ongoing steps it is taking to "...move away from a simplistic focus on complaint volumes and instead focus on the lessons learned...". To support this, it has established a web-based interactive map of council performance for all councils in England at: <https://www.lgo.org.uk/your-councils-performance/isle-of-wight-council/statistics>

LEARNING OUTCOMES AND IMPROVING SERVICE DELIVERY

37. There will be many reasons why people express dissatisfaction with council services, and some may be unique to the circumstances of individuals.
38. The first two quarters show that substantive learning outcomes were identified and recorded in the CRM in a little under one-fifth of cases.
39. For the quarter October to December 2019, officers have carried out analysis of the 36 complaints with a learning outcome. The following themes were identified:
- wording of letters and terms and conditions to be rephrased to ensure that information is clear and accurate
 - staff training required
 - process improvement such as improving response times, not issuing unnecessary forms, and ensuring additional checks are made for accuracy of information
 - workload management through automating of processes and of training staff so that they may assist at times of high workload
40. Where substantive learning outcomes from a complaint were not recorded, it should be noted that this does not necessarily mean learning did not arise. It could be that these were not recognised as needing formal capture. It has been confirmed that staff are encouraged to identify learning outcomes, and training is being provided to support this.
41. Examples of learning outcomes leading to improvements in service delivery include:
- Customers had reported that the wording of some council tax correspondence (especially the reminder for non-payment) is harsh. The Council Tax team is working with the Council's communications team to review the content and advice on providing the same message and information in a more customer-friendly way.
 - A "Social Care Jargon Buster" written by 'think local act personal' and endorsed by the Social Care Institute for Excellence has been circulated to all adult social care staff in the newsletter and made available as a document on the department webpages. This provides a useful guide for individuals and their families to support them in their contact with the various agencies and departments

involved in their care and support. (Note: more examples from Adult Social Care can be found in the annual report to the Policy and Scrutiny Committee).

- Complaints were received regarding the assisted collection review letters requiring return by post, which caused difficulty for some residents who found it difficult to do this. To address this a dedicated e-mail account was set up so that residents could respond via e-mail, with this information added to the review letters sent by Amey.

42. The Corporate Management Team has committed to ensuring that the importance of identifying and recording learning outcomes is understood throughout the authority, with regular reviews of complaints and learning outcomes take place at directorate management team meetings.

OBSERVATIONS AND CONCLUSION

43. In summary, the following observations are made:

- The Council has an up to date complaints policy with clear objectives relating to improving service delivery by identifying learning outcomes
- The policy is appropriately managed in service areas by designated nominated complaints officers (NCOs)
- The new CRM provides an appropriate tool for recording information for all stages of a complaint, and for providing performance information
- Through a dedicated learning outcomes field, the CRM provides a specific means for capturing learning outcomes
- Learning outcomes are being formally identified by service managers, and captured in the CRM, but only in a minority of cases
- The desirability of increasing the number of learning outcomes captured is recognised by CMT and service managers, and action is under way to deliver that

44. The Committee had an overarching question in mind for the review: Is the way that the Council handles complaints leading to improvements in service delivery?

45. The conclusion is that there is, indeed, evidence to answer this question positively while recognising that there is still work to be done.

46. If successful, this work should lead to learning outcomes being recorded in a higher proportion of complaints cases. Ideally, improvements in service delivery should lead to a lower rate of complaints in areas where they are currently being made.

47. It may be that a baseline figure for the percentage of complaints that could reasonably be expected to have a learning outcome could be introduced at some time. If so, this could support performance monitoring in due course.

MATTERS FOR CONSIDERATION

48. Recommendations are made in the section below. As well as considering these, committee members may have views on the following issues:
- The scrutiny of complaints relating to the delivery of the Highways PFI contract by Island Roads through the quarterly reports to Corporate Scrutiny Committee on the contract's performance.
 - The means for making a complaint being standardised with the information clearly available on all relevant web pages (email, phone, postal address, in person, by recorded medium such as DVD etc).
 - Whether or not there should be a requirement for a user to log in to a council account – for which they may have to register first – to make a complaint, as the requirement could deter people from raising the issue.

RECOMMENDATIONS

- 1) Corporate Scrutiny Committee notes that there is evidence that the way the Council handles complaints is leading to service improvements.
- 2) Corporate Scrutiny Committee supports the Corporate Management Team's focus on encouraging the identification of a learning outcomes in a greater proportion of cases.
- 3) Corporate Scrutiny Committee should review the available data on complaints handling once four quarters of performance information from the new CRM is available; and should schedule this in its workplan for its September 2020 meeting.
- 4) Thereafter, Corporate Scrutiny Committee should review the annual report produced by the Corporate Complaints Team following its publication.
- 5) Island Roads' be asked to review their complaints policy to ensure it is up to date and in line with the Council's own policy.

APPENDICES

49. [Appendix 1](#) - the Council's Corporate Complaints Policy
50. [Appendix 2](#) - Annual Review letter from the Local Government and Social Care Ombudsman's, July 2019
51. [Appendix 3](#) - Adult Social Care Annual Complaints Report to Policy and Scrutiny Committee for Health and Social Care, October 2019

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