

By: Cabinet Member for Corporate Support Services and  
Performance Management  
Robert Hardy, Director of Improvement and Engagement

To: Governance & Audit Committee 1 December 2009

Subject: KCC Annual Complaints Report 2008/09

Classification: Unrestricted

File Ref:

---

Summary: This report provides Members with overview information of the  
KCC's handling of complaints in 2008/09

---

## FOR INFORMATION

---

### **1. Introduction**

1.1 This report provides information about the operation of the Councils complaints, comments and compliments procedure between 1 April 2008 and 31 March 2009. The main focus is on complaints, but for the sake of completion, statistics are also included about compliments and comments as all three categories represent 'unsolicited' feedback which, although not statistically representative, is nevertheless very valuable in service development.

1.2 As reported to Corporate Policy Overview and Scrutiny Committee in September 2009, the Council has introduced a new two step corporate complaint procedure to replace and improve on the former three stage procedure in operation since 1991/92. The emphasis in the current complaints procedure is to try to resolve complaints at a local level and we now record complaints at Stage One for monitoring purposes. As from April 2009 Kent Adult Social Services (KASS) statutory complaint procedures no longer have review panels and will also only have two steps. Transitional arrangements are in place for any complaints falling within the old process, which were not resolved prior to the implementation of the new process. This means that complaints falling within this category can still proceed through to a Review Panel if applicable. The statutory complaint procedures for children will still follow a three stage process, with different time scales and procedural requirements until April 2010. (see CFE Appendix 1)

1.3 Within the Council we have developed a whole range of forums and engagement processes which enable people to express their views, which are then fed into the appropriate development/delivery processes for services. This provides people with alternative avenues, rather than resorting to making a complaint.

1.4 The revision of the corporate complaints process is one part of the developing strategy to transform customer service by listening to what our customers want and expect. The aim is to reduce the bureaucracy involved. This strategy includes changing the culture within the Council by encouraging staff to deal with complaints speedily and sympathetically, apologising when things go wrong and taking action to resolve the source of complaints by learning lessons from what causes them.

### **2. Operation of the Complaints Procedure in 2008/09**

2.1 In 2008/09, 2,394 complaints were recorded compared with 2,046 for 2007/08, an increase of 348 (17%) complaints. It is easy when analysing complaints to assume that an increase or decrease in the number of complaints received reflects a change in the standard of service provided but it is not as straightforward as this. An overall increase in complaints could indicate that a Directorate welcomes complaints and views them as a positive tool for improving services and that people are well informed about how to make a complaint. What is more important is to be able to identify where there is an increase in the number of complaints received for a particular service and carry out further investigation to establish the reason.

2.2 A contributing factor to the increase in 2008/09 has been a better understanding amongst staff about what constitutes a complaint that should be recorded and the change in the complaints procedure with complaints now being recorded at the local resolution stage. It also reflects the fact that people are better informed about how to make a complaint following the revision of the Complaints, Comments and Compliments leaflet and its increased availability. We are expecting there to be an increase in the number of complaints monitored in 2009/10 in certain business units as we improve how we give information to the public on making a complaint and improve our recording.

2.3 As from 2008 a full report by each directorate is presented to Policy Overview Committees. Appendix 1 gives an overview of each of the directorate's performance for the year.

2.4 KCC has now set consistent standards for acknowledging (three working days) and responding to complaints (20 working days). These turnaround performance standards (Appendix 2) are now monitored half yearly and reported on [kent.gov.uk](http://kent.gov.uk).

2.5 The majority of the Communities Directorate's units achieved 100% compliance to the 2008/09 standards for sending out acknowledgements and responses to complainants. The compliance rate for the Directorate as a whole (based on figures where data is available) is 96% for acknowledgements and 74% for responses. The latter rises to 94% if Libraries results are excluded. The low compliance level found in Libraries has been investigated by senior managers and was traced to inconsistencies in how complaints are recorded and reported by some front line members of staff. This has been addressed and early indications for 2009/10 data show that improvements are already being made.

2.6 Information is collected so that we can make comparison of complaints over time (Appendix 2). There appears to be an increasing trend for complainants to complain about more than one issue when they complain.

2.7 There has been an increase in the number of complaints relating to the residential care category. This has been apparent for the past two years and customer care will be monitoring this regularly to establish whether there are any patterns emerging. The "increase" from 400 to 526 in KASS is as a result of us aiming to gather all the issues on a complaint rather than just recording separate issues as one complaint.

2.8 The majority of complaints are still received in writing, letter 49% and email 26% followed by 19% by phone. Comment cards are very successful at getting feedback where they have been introduced and we are looking at increasing their availability across services.

2.9 Satisfaction with the way complaints were handled was a best value performance indicator (BVPI) BV 4 and measured in the BVPI general surveys which took place every three years. The results of the last three surveys in 2000, 2003 and 2006 were 33%, 32% and 27%, putting KCC's scores in the third, first and fourth quartile respectively.

2.10 BV 4 ended with the deletion of all BVPIs and their replacement with the National Indicator (NI) set on 1 April 2008 and none of the new National Indicators deals with satisfaction with the handling of complaints.

2.11 The BVPI survey has now been replaced by the Place Survey and one aspect of a question in the Place Survey which took place in September 2008 concerned how well respondents felt they were informed about how to complain to the Council, where 41% felt well informed and 55% felt not well informed. A KCC satisfaction questionnaire following up a number of complaints concluded that satisfaction with complaints handling was low when the complaint was not resolved and was high if it was.

2.12 The initial contact with someone who has concerns or wishes to complain about any aspect of a service is crucial so that the outcome is more likely to be to the satisfaction of everyone involved. It is important to:

- Make sure the issues are clearly understood
- Find out what the complainant wants to happen as a result
- Obtain the right information to assess the seriousness of a complaint
- Agree a plan and timescale at the outset
- Maintain regular communication
- Act as quickly as possible.

2.13 We are currently looking at best practice on complaints handling and monitoring the satisfaction with the handling of complaints with other local authorities and the private sector.

2.14 The KCC Complaints, Comments and Compliments leaflets has been redesigned taking into account feedback from the public and widely distributed within Kent. Work has been undertaken to increase the availability of comment cards and improve how to complain information on [kent.gov.uk](http://kent.gov.uk).

### **3. New Developments**

#### **3.1 Adult Social Services**

Under the Kent Adult Social Services (KASS) statutory complaint procedures new process, cross boundary complaints are to be dealt with via a single, co-ordinated response with the nominated lead organisation ensuring that this is achieved. To optimise joint working arrangements between Complaints Managers in Kent and Medway, a joint protocol has been developed to ensure these obligations are met. KASS has already signed up to the protocol. The Kent and Medway Complaints Managers Network is in the process of gaining organisational sign up for all health and social care partners in the area.

3.2 The current Adult Social Care statutory process for complaints does not cover Self-Funding people who self fund their adult social care either themselves or by way of a direct payment. This omission in provision is being rectified within The Health Bill 2009, which proposes that the Local Government Ombudsman extend its jurisdiction to cover an independent complaints handling role in respect of self funded adult social care. The new service is expected to commence in 2010.

### **3.3 Children, Families & Education**

In September 2008, the Department for Children School and Families issued a consultation document entitled "A New Way of Handling Parents Complaints about School Issues". As a result of the consultation there are likely to be changes to the procedures.

3.4 The Apprenticeship, Skills, Children and Learning Bill 2009 proposed making the Local Government Ombudsman the new independent complaints handling function for schools. The Ombudsman would consider the complaint after the governing body of the school had considered it. Subject to legislation, the new service is likely to be piloted in September 2010.

### **3.5 Communities**

A number of practical improvements to the process are also being introduced by individual units this year including: giving front line staff an opportunity to give feedback about some "low level" expressions of dissatisfaction which may not warrant the application of formal complaints procedures; developing joint processes with other agencies to cover complaints that involve two or more organisations and incorporating analysis of complaints into future service and workforce development planning.

## **4. Valuing Diversity**

4.1 The Council collects diversity and equalities information as required by the statutory guidance. A form is issued to people who have made a complaint to seek information on ethnicity, gender and age of the complainants. Not everyone completes and returns the form so the details are not known for all complaints.

4.2 Monitoring information is used to inform practice, however due to the relatively low response rate to our equality and diversity monitoring forms it has not been feasible to make judgments and set specific objectives or actions from the feedback received.

4.3 As from 1 April 2009 when complaints are acknowledged a Complaints Equalities Monitoring Form (EMF) has been included with the acknowledgement letter. Early indications are that this new procedure has significantly improved the number of equality monitoring responses received by the Council.

## **5. Vexatious and Repetitious Complainants**

5.1 Dealing with a complaint is generally a straightforward process. In a small number of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for the Council. This can happen either while their complaint is being investigated or once the Council has finished dealing with the complaint.

5.2 The number of such complaints is increasing to such an extent nationally that in Autumn 2007 the Local Government Ombudsman published a Guidance Note on 'Unreasonable and persistent complainants'. The Council can review a complaint and give a decision without formal Investigation where it considers it to be deliberately repetitious or vexatious.

5.3 KCC's guidance on vexatious and repetitious complainants has helped staff respond in this difficult situation and I am pleased to report that we have not had to record any complaints as vexatious and repetitious in 2008/09.

## **6. Kent Health Watch**

6.1 The service was launched in October 2008 having been established by Kent County Council in partnership with the NHS to help local residents express their views about all health and social care services in Kent. This service was developed to enhance, rather than replace, the existing feedback mechanisms currently available within health and social care, with the aim of improving services.

6.2 The service is available 24 hours a day, seven days a week, by telephone, textphone and email. It operates like a Directory Enquiry service, signposting callers to the right contact within health or social care should they wish to register compliments, comments, complaints or concerns. Data collected by Kent Health Watch - either by telephone or email – is recorded and reported back to the relevant NHS organisations and KASS.

Quarter to :	Dec 08	Mar-09
Calls received	140	148
Cases created	96	65

## 7. Local Government Ombudsman Annual Letter 2008/09

7.1 Each year the Local Government Ombudsman produces an individual Annual Review for every Council. The Annual Letter for 2008/09 is attached as Appendix 3 to this report.

7.2 The purpose of the Annual Letter is to help Councils learn from the outcome of complaints to the Ombudsman, underpin effective working relationships between Councils and the Ombudsman's office and help improve the Councils complaint handling.

7.3 As can be seen in Appendix 3 - Appendix 2 of the Ombudsman report, 164 complaints about KCC were received in 2008/09 compared to 146 in 2007/08 and 148 in 2006/07. These figures include premature complaints, (the Ombudsman was unable to investigate as KCC had not had the opportunity to try and resolve the complaint). The increase relates to an increase in complaints about Children & Family Services (30, eight more than last year), Transport & Highways (30, seven more than last year) and "Other Service Areas" – this includes planning applications, consumer affairs, trees and waste management – (17, nine more than last year).

7.4 90 of the 125 complaints that the Ombudsman issued a decision couldn't have been avoided as KCC had done nothing wrong, the complainant was simply unhappy with a decision or policy that went against them.

7.5 A main criticism of KCC in this year's Local Government Ombudsman letter is the deterioration of the Council's response times to their enquiries from 29.4 days in 2007/08 to 38.1 in 2008/09. The Ombudsman expects a response to their initial approach within 28 calendar days and the Council was well outside of this target. Although some responsibility does lie with a few operational units who have been slow to provide the Corporate Access to Information Coordinator with the information requested by the Ombudsman, the link officer's own lack of resources, increased workload and prioritising responses to FOI requests (which have a statutory deadline to meet) over complaints were primary factors.

7.6 A new member of staff was recruited at the beginning of this financial year and this has already had a positive effect; the average number of days to respond to the Ombudsman has fallen so far this year, to within the Ombudsman's target.

7.7 Several Business Units are working with the Ombudsman this year to look at how we can improve our complaints handling and the Council has agreed to review its procedures and published material relating to applications and appeals for school places and the handling of complaints on highway issues. We are also looking at the % of complaints that are settled when the Ombudsman becomes involved.

A brief summary of each Directorate's ombudsman involvement is included below.

#### 7.8 Adult Social Services

The Ombudsman decided four complaints as local settlement relating to complaints received in 2007/08 relating to complaints regarding Adult Care.

7.9 In 2008/09, three people contacted the Ombudsman's office to complain about Kent Adult Social Services. One of these referrals was not upheld and two were deemed premature and therefore outside the jurisdiction of the Ombudsman. These complainants were referred to the Adult Social Services complaints procedure.

#### 7.10 Children, Families & Education

The Ombudsman considered 17 complaints relating to Kent Children's Social Services in 2008/09. Two complaints were outside the Ombudsman's jurisdiction. In five complaints there was no evidence of mal-administration, five others were not pursued under the Ombudsman's discretion and five were resolved by local settlement. One finding of maladministration causing injustice was made in May 2009 in respect of a 2007/08 complaint about the Direct Payments Policy. This policy has since been amended to avoid a similar circumstance arising again.

7.11 A meeting was held with the Assistant Local Government Ombudsman (LGO) to discuss complaints arrangements particularly relating to Stage Two of the procedures. The LGO considered that the procedures appeared to be working well and that investigations were good. They were also very positive about the number of children and young people accessing the procedures compared with other Local Authorities.

7.12 In 2008/09, the Ombudsman considered 85 complaints about Education related services. Of the 85 complaints, 58 related to school admissions, four about school transport and six related to special educational needs and in 31 cases, the Ombudsman found no evidence of maladministration, in 27 cases the Ombudsman used his discretion not to pursue and investigation, four cases were considered outside the Ombudsman's jurisdiction and in 23 cases there was a local settlement. It is pleasing to note that Education complaints have fallen for the third year in a row.

#### 7.13 Communities

One complaint resulted in a finding of 'no maladministration' and the case was closed in July 2009. A second complaint was also closed during the 2008/09 reporting period when the LGO determined that there were insufficient grounds for investigation.

#### 7.14 Environment, Waste and Highways

The Ombudsman decided 22 complaints about highway management. Three complaints were outside their jurisdiction. In seven complaints, there was no, or insufficient, evidence

of maladministration and, in one other the Ombudsman used his discretion not to pursue an investigation.

7.15 There were six related complaints about the way in which the Council had kept and maintained its highway records, and given inconsistent advice about the status of a highway and land adjoining it. The Ombudsman has asked us to review the handling of complaints on highway issues.

## **8. Conclusion**

8.1 In 2008/09 the Council continued to provide a robust and effective complaints procedure in line with new statutory regulations and guidance. Lessons are learned from complaints and used to improve service delivery. We are working with the Local Governments Ombudsman's office to improve our performance and with our partners to provide an easy an accessible service to the public.

### **Recommendations**

Members of the Governance and Audit Committee are asked to note this report.

Janice Hill

Performance Manager – Performance, Improvement & Engagement

(01622) 221981

[Janice.hill@kent.gov.uk](mailto:Janice.hill@kent.gov.uk)

---

### *Background Documents*

Annual Complaints Report 2008/09, Joint Children, Families & Education Policy Overview Committee 18 September 2009

Adult Social Services Annual Complaints Report, KASS Policy Overview Committee November 2009

E & R Annual Complaints 2008/09, E H& W Policy Overview Committee, 15 September 2009

Chief Executives Department Annual Complaints, Comments and Enquires Report, Corporate Policy Overview Committee, 25 September 2009

Annual Complaints Report 2008/09, Communities Policy Overview Committee 17 September 2009

Connecting with Communities Annual Report R & E Policy Overview Committee 24 September 2009

Other useful information -

It is a statutory requirement under the following items of legislation for local authorities to have in place a complaints and representations procedure:

- Children Act 1989 Representations Procedure (England) Regulations 2006
- NHS & Community Care Act 1990 (section 50)
- Health & Social Care Act 2000

- Local Authorities Social Services Complaint (England) Regulations 2006 (including associated Guidance; Learning From Complaints – Social Services Complaints Procedure for Adults)
- Local Government Act 2000.

## **1. Adult Social Services**

- 1.1 In 2008/09, there were over 31,300 referrals to Adult Social Services; there were also over 34,400 people in receipt of services in March 2009. In 2008/09, 359 complaints were received, this represents a 3.75% increase from the previous year when 346 complaints were recorded.
- 1.2 Of the 359 complaints received, 297 were logged as statutory complaints under the NHS and Community Care Act. In comparison to those reported the previous year, (295), this reflects a less than 1% increase in the number received. The remaining 62 complaints were from “non qualifying individuals” (not service users or carers); these complaints do not fall within the statutory process, but are responded to nonetheless.
- 1.3 Of the 297 statutory complaints received in 2008/09, 288 were investigated under Stage One and nine were investigated under Stage Two of the complaints procedure. There were no Complaints Review Panels held during this reporting period.
- 1.4 In 2008/09, there were 133 complaints about services for older people. This accounts for 45% of the total number of statutory complaints received. Each individual complaint is broken down into the issues relating to that complaint; the aim is to identify any trends that need addressing. In broad terms the numbers of complaints received within the categories of older people services do not show significant fluctuations from those received the previous year.
- 1.5 When analysing the residential care category, it is noted that the number of issues within an individual complaint are increasing, although the reverse is true for domiciliary complaints. This has been apparent for the past two years and will be monitored to establish whether there are any patterns emerging.
- 1.6 There were 44 complaints representing 15% of the total number of statutory complaints received, related to learning disability. This total does not indicate any significant fluctuations in comparison to the previous year's figures. Issues falling within this category included care management, day care and residential.
- 1.7 Those complaints about services for adults with physical disabilities total eight or 2.7% of the total number of complaints logged. Care management account for the majority of these.
- 1.8 The common themes falling within these areas of complaint include people who are dissatisfied with either the outcome of their assessment where they feel there is insufficient service provision, the quality of care or poor timekeeping.
- 1.9 In total, 29 complaints (9.7%) were received about the Occupational Therapy (OT) Bureau, (one of which related to Deaf Services). Again, this is broadly in line with the figures received the previous year. The number of complaints relating to the Blue Badge scheme indicates an upward trend as a result of tighter assessment criteria for people applying or renewing within the scheme.
- 1.10 Those complaints specifically relating to OT typically arise as a result of delays in providing equipment or completion of adaptations following an assessment. This is an ongoing issue as funding for this work is obtained via the Disabled Facilities Grants (available from Borough and District Councils).

1.11 In total 30 complaints (10%) were received about other Direct Provision services (Specialist Services). The services that fall within this category include the in-house provision for learning disabilities and in-house registered care centres for older people. When comparing the figures against the previous year, there are not any significant increases/decreases to report. Figures are once again broadly in line with those recorded for 2007/08. The typical reasons for people complaining include poor communication and/or concerns about the quality of care.

#### 1.12 Method of Contact

The majority of complaints 240 (69%) were received by letter, followed by 69 (19%) received by telephone and 35 (10%) by e-mail. This year six (2%) complaints were received through the kent.gov.uk website.

#### 1.13 Timescales

The compliance rate for the Directorate as a whole is 96% for acknowledgements and 85% for responses

#### 1.14 Learning the Lessons from Complaints

The following examples illustrate the lessons learned as a direct result of complaints and the positive impact this has on the respective services:

- As a result of a complaint regarding the lack of accurate personal information at a day centre whereby relatives could not be contacted in an emergency, the manager discussed with staff the importance of ensuring this type of data was kept up to date. In addition, staff were advised of the need to keep relatives informed of any changes in circumstance. This will impact upon all current and future service users within the day centre.
- Several separate complaints highlighted the issue of poor or inadequate communication. As a result, the relevant district managers addressed the issues of poor tone and manner of communication with staff through supervision. In another example, the district manager reviewed the process for logging calls to prevent the poor response to such calls from recurring. To ensure there is continuity of service provision when service users transfer between districts, increased communication between the relevant teams has been implemented, following a complaint, removing the risk of a potential lapse in service.

#### 1.15 Compliments

There were 463 compliments received in 2008/09.

#### 1.16 Training

Briefings have been circulated to staff to inform them of the new single complaint process and how this would be implemented, including the practicalities, within each area.

1.17 A presentation on complaints and customer care is delivered to all new KASS staff as part of their Induction Day training. Additional core training covering complaints handling and customer care is also offered to new and existing staff on a self referral basis. Individual team training is also provided by area teams as required. A rolling programme of customer care training is to be delivered by customer care teams to ensure that this key area is highlighted and reiterated to all staff every 2-3 years. Customer care teams will utilise the "Complaints Made Easy" tool to assist with the delivery of this training, which will coincide with existing team meetings to minimise disruption to teams

and maximise staff attendance. It is anticipated that this training will commence in early 2010.

1.18 The Local Government Ombudsman staff will be carrying out training on “Effective Complaints Handling”. Staff at Team Leader level and above have been targeted for this training in order to meet the anticipated increased demand for investigations under the new process. The first tranche of training commenced in September 2009.

## **2. Children Families and Education**

2.1 The Children Families and Education Directorate continues to operate a robust and effective complaint procedure for children’s social care services in accordance with statutory requirements. Every effort is made to ensure service users and carers are aware of their right to complain if they are not satisfied with the service provided. Looked After Children are advised how to complain and information is provided in leaflets, cards and on the website so that children in receipt of services and the adults in their lives are aware of their right to complain. Complaints can be made by text and e-mail as well as the more traditional formats.

2.2 In February 2009 an independent review was commissioned to review complaint arrangements in the Children, Families and Education (CFE) Directorate in relation to developing a unified complaints system across the Directorate. The review also addressed the need to have clear complaint management arrangements and to have processes in place to ensure complaints comply with statutory and KCC corporate requirements. Following the review it was decided to establish a single complaints team for CFE. The new arrangements for complaints handling will form part of the restructuring of services currently underway in CFE for implementation by April 2010.

2.3 This section is divided into two parts, Children’s Social Services, whose complaints procedure is required by the “Children Act 1989 Representations Procedure (England) Regulations 2006” and then other information regarding the complaints and comments received in the wider CFE Directorate.

### **2.4 Number of Children Social Services Complaints Received in 2008/2009**

The number of complaints needs to be seen in the context of the number of people accessing the services. In 2008/09 there were 17,358 referrals to Children’s Social Services, an increase of 44% over 2007/08. The proportion of complaints received is small (1.5%) when seen in this context.

2.5 In 2008/09, 187 complaints were logged at Stage One and 30 at Stage Two (six complaints went directly to Stage Two).

2.6 If the complainant remained dissatisfied with the outcome of Stage Two, there is an option to request that a Complaints Review Panel be convened. The Panel consists of a Chair and two other people. All three panel members are independent of the Local Authority. The responsibility of the Panel is to review the handling of the complaint, rather than reinvestigate the complaint, and make any recommendations to the Director, who considered these before responding to the complainant.

2.7 The Panel consists of a Chair and two other people. The Chair and one of the panellists are independent people, with an elected Member as the third panellist. The responsibility of the Panel is to review the administration of the complaint, (rather than

reinvestigate the complaint), and make any recommendations to the Managing Director, who will be considered these before responding to the complainant.

2.8 Five complaints were considered by a Complaints Review Panel, these related to complaints that had been received and investigated in 2007/08. One complaint was upheld.

### 2.9 Method of Contact

The majority of complaints 355 (71%) are still received by letter, with 99 (20%) received by email, 44 (9%) are received by phone, with 1% by other means such as face to face.

### 2.10 Timescales

The timescale for Stage One complaints is 10 working days for most complaints and 20 working days for more complex complaints (for example complaints that involve another agency). The majority of Stage One complaints were responded to within the statutory timescales with 73.9% responded to within 10 working days and 53.8% of the more complex complaints responded to within 20 working days. It proved difficult to meet the time scales for Stage Two complaints due, in part, to the complexity of the complaints being dealt with at this stage.

### 2.11 Learning the Lessons from Complaints

Complaints have led to changes in policy and practice. For example:

- Following one complaint training was provided for staff on financial assessments relating to Special Guardianship and there was a change to documentation to make processes clearer.
- In another case there were changes to the Direct Payments policy after criticism arising from a complaint.

### 2.12 Comments

There were 98 comments in 2008/09 with 94 in 2007/08. Comments are mostly from MPs raising issues on behalf of constituents. Examples include asking for information about support for disabled children or where a family is thought to be in need of assistance, or when an adaptation to a property might be completed. Occasionally where there is a dispute or problem in a family, someone will contact an MP and the MP in turn will contact Children's Social Services to see if any help can be provided.

### 2.13 Compliments

There were 71 compliments a significant increase on the 36 merits received in the previous year. The compliments were from a variety of sources including children and young people, parents, courts and schools.

### 2.14 Complaints relating to other Children, Families and Education services.

There are not the same statutory requirements for complaints about education services. When a complaint is made about a school issue, then it is referred to the school to be considered within the school complaints procedure. Although there are some occasions where a local manager is asked to intervene to assist in bringing about a resolution.

2.15 Appeals processes exist for parents/carers to challenge decisions they are not satisfied with, for example appeals processes relating to school admissions, transport and statementing. Consequently not all "dissatisfaction" is handled through the complaint procedure.

2.16 Where complaints do not fall within the remit of Children Social Services, school complaints procedures or the appeals processes then they are dealt with in accordance with the KCC corporate complaints procedures.

2.17 In 2008/09, 231 complaints were received. A change in the way complaints are logged means that the statistics about complaints received in 2008/09 are not directly comparable with those from 2007/08 but as a general indication there were 218 complaints and 110 enquiries in 2007/08.

2.18 The complaints received reflect the diversity of services delivered, however, school issues, provision for children with special needs and decisions about admissions were the areas that gave rise to most complaints.

#### 2.19 Comments

180 enquires were recorded in 2008/09 compared with 110 in 2007/08. The enquiries included letters from MPs where they raised an issue or advocated on behalf of a constituent. Examples are where a family wants a child admitted to a particular school, or where there is an issue around school transport arrangements.

#### 2.20 Compliments

Compliments will be recorded from 1 April 2009.

#### 2.21 Training

In 2008/09 various training courses were provided for staff relating to complaints including a training course provided by the Local Government Ombudsman on investigation, a training course on writing letters of response to complaints and training on dealing with difficult situations and vexatious complainants.

### 3. Communities

#### 3.1 Number of Communities Complaints Received in 2007/2008

The total number of complaints in 2008/09 was 799 compared with 521 recorded during 2007/08. A contributing factor to the increase in 2008/09 has been a better understanding amongst staff about what constitutes a complaint that should be recorded.

3.2 The main grounds for complaints during 2008/09 are categorised below. Capturing systematic information under these headings is a possible development for introduction in 2010:

- Timings or delays involved in delivering services or responding
- Price or pricing of services
- Availability of services (including accessibility and eligibility)
- Quality of the experience
- Physical location, buildings and facilities
- Dissatisfaction with services or products received
- Administrative errors and operational mistakes
- Disagreement with decisions or policies made
- Staff conduct
- Poor communication or information
- By association or about a third party

### 3.3 Learning the Lessons from Complaints

- The Community Safety Unit improved communications with Parish Councils and the public about the role of the Community Wardens.
- KEY Training simplified its induction booklet and other information that is given to service users. It has also introduced a centralised 0800 contact number to help assure a quick response and better partnership working. KEY Training has re-introduced a focus group to help share good practice and further identify areas where services could be improved.
- Turner Contemporary's website, communications and publicity messages were all made clearer to ensure that the public and local residents are kept well-informed and up to date about the project.
- Libraries and Archives have made 226 local changes in response to comments from customers.
- Kent Youth Service's togogo website has been changed since its launch in response to feedback gained from users and a new version is scheduled for release winter 2009/10.
- Feedback is given to tutors if dissatisfaction has been expressed about Adult Education classes and they have been supported in making improvements. If courses have had to be cancelled as a result of late notice of tutor unavailability, KAES has recruited new tutors and re-instated some courses. Car parking issues at some KAES centres have also been resolved by investigating local alternatives and telling students about alternative parking.
- The Registration service has speeded up certificate issue by simplifying the process.
- Kent Scientific Service has removed a 2MB maximum size filter set on the email system to speed up transfer of documents to clients.
- The Sports, Leisure and Olympics Service considered complaints about some of the rules during the Kent School Games and amended them as a result. The event specification will also be sent out earlier than previously.

3.4 The priority for improvement to the process during 2008/09 has been to consolidate consistent recording and reporting across the whole Directorate and implement new corporate requirements. Communities' staff are based in more than 200 different locations, and many are part time, so this has been a big undertaking over the last three years and will continue to be so.

3.5 A number of practical improvements to the process are also being introduced by individual units this year including:

- Giving front line staff an opportunity to give feedback about some "low level" expressions of dissatisfaction which may not warrant the application of formal complaints procedures
- Developing joint processes with other agencies to cover complaints that involve two or more organisations
- Incorporating analysis of complaints into future service and workforce development planning; and implementing complaints management training.

### 3.6 Methods of contact

Email is the most popular method for submitting a complaint with 39% of complaints being submitted this way, followed by telephone (31%) and letter (25%). The remaining complaints were received in person and by fax (less than 1% combined). Most people prefer to put their complaints in writing (64%) but a significant minority use the telephone. The range of methods used for complaining indicate that units must be able to provide the same high level of customer service and complaints handling no matter how the complaint was received.

### 3.7 Timescales

The majority of the Directorate's units achieved 100% compliance to 2008/09 standards for sending out acknowledgements and responses to complainants. The compliance rate for the Directorate as a whole (based on figures where data is available) is 96% for acknowledgements and 74% for responses. The latter rises to 94% if Libraries is excluded (see paragraph below).

3.8 The low compliance level found in Libraries has been investigated by senior managers and was traced to inconsistencies in how complaints are recorded and reported by some front line members of staff. This has been addressed and early indications for 2009/10 data show that improvements are already being made.

### 3.9 Compliments

The high number of compliments (1,361) is encouraging, with Libraries & Archives, the Youth Service, Community Safety and Registration Services, in particular, all receiving high numbers of positive comments from customers.

### 3.10 Training

The following training and information needs were identified during 2008/09 as a result of complaints monitoring and are being met during 2009/10:

- Togogo data quality training for Youth Service HQ staff and Youth Centre staff
- Library Management System training for all staff in Libraries
- Tutor development and customer care for some frontline Adult Education staff
- Development programmes for individual members of staff
- Training on a new complaints management and reporting system in Turner Contemporary, especially for front of house staff.
- Improved training for staff registering work in Kent Scientific Services.
- Introduction of a package of targeted training for staff in KEY training including customer service.
- Ensuring that any issues arising from complaints are fed into the workforce development programme for YOS staff.

## 4. Environment and Regeneration

### 4.1 Number of Environment & Regeneration Complaints Received in 2008/2009

In 2008/09 KHS received 195 complaints (45%), E&W received 231 (54%) and Strategy & Planning received three (1%).

4.2 Of the 231 complaints received by E&W in 2008/09, the majority came from two main service areas – Country Parks (93 complaints) and the Household Waste Recycling Centres (HWRC) 129 complaints. In 2008/09, there were approximately 1.4 million visitors to the Country Parks and four million visitors to the Household Waste Recycling Centres (HWRC), so the level of complaints received in comparison to the number of customer visits is very low.

4.3 Within KHS, we received 99,480 enquiries (requests for service) in 2008/09 so again the volume of complaints (195) in relation to this figure is comparatively low.

4.4 The majority of complaints are received are about the quality of the service received 131 (31%). 82 complaints were about the lack of action or delays (19%).

#### 4.5 Complaints to the Local Government Ombudsman

The Ombudsman decided 22 complaints about highway management. Three complaints were outside their jurisdiction. In seven complaints, there was no, or insufficient, evidence of maladministration and, in one other the Ombudsman used his discretion not to pursue an investigation.

4.6 There were six related complaints about the way in which the Council had kept and maintained its highway records, and given inconsistent advice about the status of a highway and land adjoining it. The Ombudsman has asked us to review the handling of complaints on highway issues.

#### 4.7 Learning the Lessons from Complaints

Although complaints volumes overall have decreased in 2008/09 from the previous year, they have provided valuable customer feedback to enable EHW to improve customer service delivery. As such, the following service improvements have been implemented:

- E&W has been more proactive this year in ensuring customer feedback is captured by a number of methods, e.g. Country Park Comment Cards, Explore Kent website and customer surveys. This feedback has then been used to review the customer service experience and implement customer service improvements.
- In E&W, the HWRC opening hours and height barriers were reviewed as these were two areas of concern highlighted as issues in customer satisfaction surveys. Following the review, a number of changes have been implemented, including longer hours on certain days and increasing the height of barriers.
- In Country Parks, regular visitor feedback surveys were held as well as consultations on the improvements being made within the parks, e.g. new and improved visitor facilities such as car parking, toilets and visitor centre improvements.
- KHS launched a Dashboard in November 2008 to provide officers with a day to day view of customer requests. All teams now use the dashboard to monitor and manage their customer request workload.
- KHS launched weekly performance reporting in November 2008 which has enabled a two-way flow of feedback leading to customer service delivery improvements e.g. the most recent external customer tracker survey for 2008 recorded a 30% increase in net satisfaction with the way KHS had dealt with the customer's service requests.

- KHS have created a Knowledge Hub that provides the Contact Centre with up-to-date information on KHS activities. This has enabled contact centre agents to give improved and up to date information to customers.

#### 4.8 Method of Contact

30% of complaints were received by e-mail compared with 38% in 2007/08 followed by 27% by telephone and 26% by letter, 17% of complaints are received on comment cards.

#### 4.9 Timescales

In 2008/09 411 (96%) were acknowledged within five working days and 416 (97%) were responded to in full within 20 working days.

#### 4.10 Compliments

Although fewer compliments were received between April 2008 and March 2009 than in the previous year, this does not necessarily reflect a change in the level of service provided. As our standard of customer service has increased (which is reflected by the decrease in the number of complaints received between April 2008 & March 2009 compared to the previous year and in the most recent KHS customer tracker survey results for 2008 which recorded a 30% increase in net satisfaction with the way we dealt with customer's service requests), our customer expectations are likely to have increased as well. This will lead to fewer compliments being received.

### 5. Chief Executives Department

#### 5.1 Number of Chief Executives Department Complaints Received in 2008/09

In 2008/09, 143 complaints were received in 2008/09 compared with 44 for 2007/08. There was a change in how we report complaints during 2008/09 and this accounts for the increase in numbers reported this year.

#### 5.2 Business Solutions and Policy including Regeneration

Business Solutions and Policy received no complaints from the public.

#### 5.3 Commercial Services

Commercial Services received 68 complaints compared with 16 the previous year. The increase in recorded complaints relates to complaints now being reported at Stage One.

5.4 The majority of these complaints are from parents who are not satisfied regarding the mode of transport to school provided for their child.

#### 5.5 Corporate Finance

Within Corporate Finance there were 20 complaints regarding the processing or decisions taken by our insurers relating to claims and 8 connected to council tax. These related to potholes and comments in the press about the Local Government Pension Scheme and Members expenses.

5.6 Finance have also dealt with 67 enquires regarding Council Tax increase, Icelandic Banks, the Chief Executive's salary, senior staff salaries, support to Asylum Seekers, potholes and refuse disposal and recycling. The majority of these enquiries are received by e-mail.

### 5.7 Legal & Democratic Services

The eight complaints to Legal and Democratic Services are mainly to do with decisions made by Legal Services which the complainant disagrees with.

### 5.8 Personnel

Ten complaints were received regarding the KCC recruitment process (a total of 1,855 posts were advertised and over 50,346 application forms from candidates were processed during the year). These complaints relate to the feedback to candidates.

### 5.9 Property Group

There were 13 complaints concerning KCC Property Group. The majority of complaints received relate to work carried out near schools. Three complaints were received about the standard of accommodation at Oakwood House.

### 5.10 Strategic Development and Public Access

KCC Gateways are managed by the Strategic Development and Public Access Department. Complaints about the Gateways service are dealt with by the relevant business service using the Gateway and will not be reported here.

5.11 The Gateway Service itself received five complaints. As from April 2008 complaints received about public access and the Contact Centre will be reported within the Chief Executives Department complaints report. There were no complaints about public access.

5.12 There were 12 complaints regarding Kent TV. These ranged from Cost of service to tax payers, accessibility to the service including technical problems and content of specific videos.

5.13 The Contact Centres current Customer Relationship Management (CRM) System is unable to give us enough information to monitor the level of complaints regarding the service offered by the contact centre. The current CRM is being updated and a project is being undertaken to find an alternative method of recording complaints until the new system is up and running.

### 5.14 Method of contact

The majority of complaints 60% are received by letter, with 20% of complaints received by telephone and 17% by e-mail.

### 5.15 Timescales

All complaints were answered within the 20 working days standard. Only Commercial services failed to acknowledge all complaints within three working day achieving 95%.

### 5.16 Learning the Lessons from Complaints

Identified improvements to service delivery introduced in response to complaints includes the following:

- Commercial Services have reviewed the process for chasing medical reports and the process for collecting equality & diversity information and provided more customer service training.
- The Personnel Team now chase the outcome of vacancies following the shortlisting and interview stages of recruitment to ensure that all candidates are contacted with an outcome and Recruiting Managers now need to contact applicants post

interview within two days or contact the recruitment team who will follow this through with immediate effect.

- Following complaints the Gateways radio advert script was revised to make clearer the services offered and the risk assessment process for filming was enhanced to take into account the type of appointments booked into the Gateway when 'filming' is planned.

#### 5.17 Comments

Finance have also dealt with 67 comments regarding Council Tax increase, Icelandic Banks, the Chief Executive's salary, senior staff salaries, support to Asylum Seekers, potholes and refuse disposal and recycling. The majority of these comments were received by e-mail.

#### 5.18 Compliments

There were 589 compliments, the majority being received by the recruitment section within Personnel.



## 1. COMPARISON OF COMPLAINTS NUMBERS FOR 2007/08 and 2008/09

### 1.1 KENT ADULT SOCIAL SERVICES

Service	2007/08	2008/09
Total	400	526

### 1.2 CHILDREN FAMILIES AND EDUCATION

Service	2007/08	2008/09
Children & Families non-statutory	89	73
Children & Families statutory	178	193
Education (01/09/07-31/03)	218	231
<b>TOTAL</b>	<b>485</b>	<b>497</b>

### 1.3 COMMUNITIES

Service	2007/08	2008/09
Contact Centre*	0	
Arts Development	0	2
Community Safety	20	9
Emergency Planning	0	0
Kent Adult Education	27	31
KDAAT	2	10
Kent Volunteers	0	0
Kent Scientific Services	1	28
Key Training		29
Libraries	370	600
Registration & Coroners	10	8
Sport, Leisure & Olympics	0	4
Trading Standards	15	9
Turner Contemporary	5	4
Youth Offending Service	0	3
Youth Service	7	56
SIP **		6
<b>TOTAL</b>	<b>457</b>	<b>799</b>

\* Transferred to Chief Executives Dept 2008/09

\*\*Transferred from Chief Executives Dept 2008/09

### 1.4 CHIEF EXECUTIVES

Service	2007/08	2008/09
Business Solutions & Policy	1	0
Commercial Services	16	67
Finance	4	8
Insurance	12	20
Legal & Democratic Services	5	8
Personnel	4	10
Property	1	13
Strategic Development & Public Access	1	*17
Contact Centre	0	0
<b>TOTAL</b>	<b>44</b>	<b>143</b>

\*Not included in report to Corporate POC on 25/9/09  
12 Kent TV complaints

**1.5 ENVIRONMENT & REGENERATION**

<b>Service</b>	<b>2007/08</b>	<b>2008/09</b>
Environment & Waste	426	231
Kent Highway Services	232	195
Strategy & Planning	1	3
Regeneration & Economy*	1	
<b>TOTAL</b>	<b>660</b>	<b>429</b>

\* Transferred to Chief Executives Dept 2008/09

## APPENDIX 2

## 2. Complaints information 1 April 2007 – 31 March 2009

## 2.1 Acknowledgement and Response Times against standards

	COMPLAINTS	COMPLIMENTS	ENQUIRIES	% answered within our standards	
				ACKNOWLEDGEMENT	RESPONSE
<b>COMMUNITIES</b>					
2007/08	457	-	-	Not available	
2008/09	799	1361	521	96%	74%*
<b>ENVIRONMENT AND REGENERATION</b>					
2007/08	660	1398	-	93%	97%
2008/09	429	941	-	96%	97%
<b>CFE</b>					
2007/08	483	36	204	Not available	
2008/09	496	71	278	Not available	
<b>KENT ADULT SOCIAL SERVICES</b>					
2007/08	346	455	264	96%	92%
2008/09	359	463	198	91%	85%
<b>CHIEF EXECUTIVES DEPARTMENT</b>					
2007/08	44	-	100+	95%	100%
2008/09	143	589	67	96%	100%

\*The low compliance level found in Libraries has been investigated by senior managers and was traced to inconsistencies in how complaints are recorded and reported by some front line members of staff. This has been addressed and early indications for 2009/10 data show that improvements are already being made.

## 2.2 How complaints were received

	Total No.	How complaint was received								
		Phone	Letter	E-mail	On-line	KMS	Face-to-face	Comment Card	Fax	Other
<b>COMMUNITIES</b>										
2007/08	457	21	51	14			1	370		1
2008/09*Ex Libraries	184	57	46	71			9		1	
<b>ENVIRONMENT AND REGENERATION</b>										
2007/08	660	119	215	213	6	29	1	75	2	
2008/09	429	115	113	129				72		
<b>CHILDREN, FAMILIES AND EDUCATION</b>										
2007/08	483	52	350	70						11
2008/09	496	44	355	92						5
<b>KENT ADULT SOCIAL SERVICES</b>										
2007/08	346	59	247	26	6		2		1	5
2008/09	359	69	240	35	6		4		3	2
<b>CHIEF EXECUTIVE'S DEPARTMENT</b>										
2007/08	44	1	38	5						
2008/09	143	23	28	88						4

Some people complain about more than one issue, therefore the total adds up to less than the total number of complaints



This page is intentionally left blank