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To: Corporate Policy & Overview Scrutiny Committee – 24 September 2010

Subject: KCC Annual Complaints, Comments and Compliments Report 2009/10

Classification: Unrestricted

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Summary and Recommendations: This report provides information about complaints against the Council considered by the Local Government Ombudsman; comments on the Council's performance on complaints, comments and compliments under our own performance management (including a detailed report on the Chief Executives Department complaints, comments and compliments); and reports on developments in the Councils complaint handling for 1 April 2009 – 31 March 2010.

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**STATUS FOR INFORMATION**

**1. Introduction**

1.1 This is the Council's second annual report on complaints, comments and compliments. It sets out:

- The Local Government Ombudsman Letter & Annual Review 2009/10
- Developments in KCC Complaints Management
- A summary of the complaints, comments and compliments received by the Council
- Further improvements for 2010/11
- Chief Executives Department Annual Complaints, Comments and Compliments Report.

1.2 Kent County Council aims to delivery high quality services where the customer is at the heart of everything it does. We welcome all customer feedback and aim to deal with customers' concerns in a fair and consistent way.

1.3 The Council wants to listen to its customers' views and values their contributions. We learn from good practice as well as any mistakes and build upon past experiences to help improve our future service.

1.4 Complaints, comments and compliments tell the Council what services look like from the consumers' points of view and what their preferences are. These forms of representations, together with feedback from surveys, focus groups and engagement

activities, help the Council to assess the quality, effectiveness and relevance of services. The information collected is used to inform and shape future decisions.

## 2. The Local Government Ombudsman Letter & Annual Review 2009/10

2.1 Each year, the Local Government Ombudsman issues an annual review in which he sets out the number of complaints he has dealt with concerning the county council and summarises the outcome in each case. The purpose of the Letter and Annual Review is to:

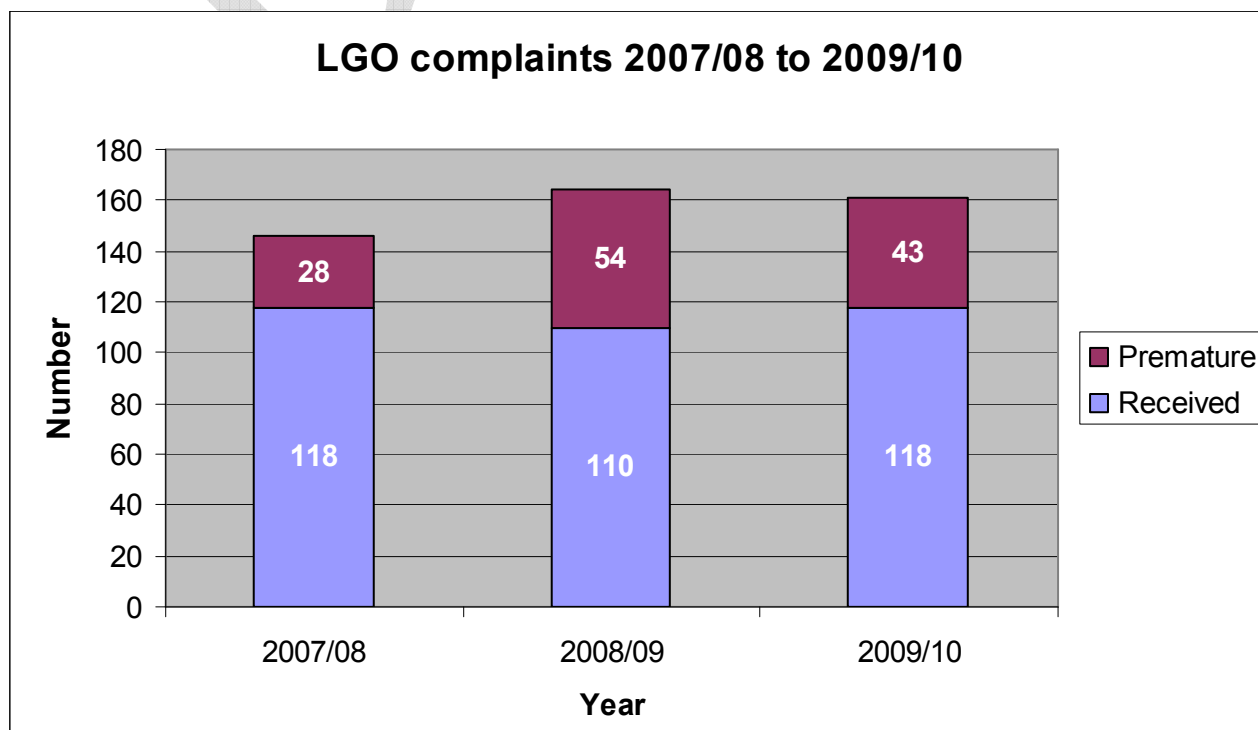
- Help Councils learn from the outcome of complaints to the Ombudsman
- Underpin effective working relationships between Councils and the Ombudsman's office
- Identify opportunities for the Ombudsman and his staff to provide assistance that a Council may wish to seek in bringing about improvements to its internal complaint handling
- Generally provide complaint-based information which the Ombudsman hopes Councils will find useful in assessing and reviewing their performance.

2.2 The Ombudsman's letter to the Group Managing Director plus the Annual Review for 2009/2010 is attached as Appendix A to this report.

## 3. Ombudsman Complaints Statistics

3.1 For the second year running, the Ombudsman has changed the reporting format of statistics so appendix 2 of his review contains details relating to complaints made to the Ombudsman against KCC for the last financial year only. (In the past, complaints received for the two years prior to the one reported were also shown allowing easier comparison). The Ombudsman also provides KCC's response times to first enquiries over the past three years and compares KCC's performance in this respect with other councils.

3.2 The figures tabled in Appendix A, appendix 2 of the Ombudsman's review shows that the Ombudsman **received 161** complaints about KCC in 2009/10 (including 43 that were deemed premature) compared to **164** complaints (54 premature) in 2008/09 and 146 (28 premature) in 2007/08.



3.3 In April 2009 the KCC complaints procedure was streamlined from 3 internal stages to a 2 internal stage process. Although there has been an increase in the number of complaints recorded by KCC in 2009/10, the removal of the third stage (Chief Executive Review) has not seen an increase in the number of complaints received by the Local Government Ombudsman.

3.4 Of the 118 complaints that the Ombudsman **investigated** in 2009/10, 86 of them (nearly 75%) related to education matters and virtually all of these were about school admission appeals. In 2009/10 the Council received **2,895** admission appeals but actually heard **2,369**. Only 3% complained to the Ombudsman. KCC Officers met with senior investigators from the Local Government Ombudsman Office to discuss the issues related to school admissions. The Council has incorporated the feedback from the meeting into its training of Appeal Panel Members and Clerks.

3.5 The Ombudsman's criticisms of KCC in this year's letter fall into three main issues:

- Not providing the LGO with an initial response to enquiries within the LGO's target time of 28 days

*The Ombudsman did observe that the average response time of 31.5 days in 2009/10 was an improvement on the average of 38.1 days for 2008/09. The improvement was due to the recruitment of a new member of staff in April 2009 and we are continuing to work to achieve the required standard*

- Not providing full and comprehensive responses necessitating further enquiries by the Ombudsman

*Further training is planned for staff to ensure that full and comprehensive responses are sent to the Ombudsman*

- Reluctance to settle complaints locally until ordered to do so by the Ombudsman

*There were 29 Ombudsman local settlement decisions in 2009/10. These complaints are being reviewed to see how KCC can be more proactive in the future.*

3.6 Of the 120 decisions issued, (there was only one report of maladministration, KCC's first in four years. The Ombudsman provides a summary of the case and KCC's action following the complaint in section 1 of his review (page 4 of the Ombudsman report).

3.7 To conclude on a positive note, 90 of the 120 complaints that the Ombudsman issued a decision on, couldn't have been avoided. KCC had done nothing wrong; the complainant was simply unhappy with perhaps a decision or policy that went against them.

#### **4. Developments in the Local Government Ombudsman service**

4.1 In April 2010 the LGO launched the first pilot phase of a complaints service extending its jurisdiction to consider parent and pupil complaints about state schools. This power was introduced by the Apprenticeships, Skills, Children and Learning Act

2009. Kent County Council was to be one of the ten local authorities involved in phase 2 of the pilot planned to start on 1 September 2010 but the Government has now decided to look further at the phase 1 pilot before making decisions on further expansion. This means that complaints about schools will continue to be considered by the Secretary of State for the time being.

4.2 The Health Act 2009 extended the Local Government Ombudsman's powers to investigate complaints about privately arranged and funded adult social care, where the provider is registered with the Care Quality Commission. These powers come into effect from 1 October 2010. Provision of care that is arranged by an individual and funded from direct payments also falls within this jurisdiction. Each Ombudsman has set up a team to deal with all adult social care complaints. The Ombudsman is currently developing information sharing agreements with both the Care Quality Commission and local authorities in their roles as adult safeguarding leads and service commissioners.

4.3 Kent Adult Social Services welcomes the LGO's dedicated complaints service that is being introduced in October 2010, which will bridge this gap and will be raising awareness of this new service in the coming months to ensure that people who fund their own support are provided with information to be able to make a complaint to the LGO. Further information is available at <http://www.lgo.org.uk/working-for-us/self-funders/>

## **5 KCC COMPLAINTS, COMMENTS & COMPLIMENTS MANAGEMENT**

5.1 KCC, in general, has a devolved approach to complaints, comments and compliments management. Individual Directorates and business units are responsible for developing, operating and monitoring their own processes, but they must comply with the KCC Complaints, Comments and Compliments Policy and KCC standards.

5.2 This year work has continued to ensure that staff are empowered to act decisively to resolve complaints at source and that we capture complaint information to improve the customer experience. Improved reporting is helping the authority to take action earlier and make the changes that can make a difference. There is a link with good communication and the number of complaints received and it is important in the current climate that we continue to make information available for everyone on why decisions are made and on the services we provide.

5.3 An annual report for each Directorate is a standing item on Policy Overview and Scrutiny Committees and a detailed annual report of the Chief Executives Departments' complaints, comments and compliments is included in Appendix B. A comparison of complaints numbers for 2007/08, 2008/09 and 2009/10 is included in Appendix C Table 1 for information.

## **6. Developments in KCC complaints, comments and compliments management**

6.1 In April 2009, a **revised corporate complaints policy** was implemented across KCC with the aim of providing a fair, consistent and simple complaints procedure that our customers could access easily. The corporate complaints procedure was **streamlined** from 3 internal stages to a 2 internal stage process and we continued to promote and increased the availability of 'how to complain' and 'Have your Say' information for the public.

6.2 During 2009/10, lessons learned from complaints have been published as '**You said, we did**' on the [kent.gov](http://kent.gov) website to illustrate the changes that are made as a direct result of complaints. It is anticipated that this will encourage people to make a complaint as it can be seen that one complaint can help us improve services. In addition, complaints information and figures are now produced on a quarterly basis by all Directorates and will be published on [www.kent.gov.uk](http://www.kent.gov.uk) from October 2010. Consultation on the revised complaints booklet and the new '**Have your say**' (including Complaints) leaflet was carried out with previous complainants and changes have been made to reflect their feedback.

6.3 There were changes in the **health and social care statutory procedures** with the introduction, in April 2009, of a single complaints process across health and social care. The key aim of the new arrangements was to create a consistent approach to complaints handling across both health and social care.

6.4 **Cross boundary complaints**, which involve both health and social care organisations, are now dealt with via a single, co-ordinated response. The joint protocol, endorsing and promoting these obligations was developed by the Complaints Managers in Kent and Medway. It is pleasing to report that these protocols are working well.

6.5 In order to understand which groups of people use the complaints process, and which might have difficulty accessing it, we attempt to collect information across the equality strands. As from 1 April 2009, when complaints are acknowledged a Complaints **Equalities Monitoring Form** (EMF) has been included with the acknowledgement letter. This new procedure has significantly improved the number of equality monitoring responses received but there has also been an increase in negative comments about this process. This information is enabling the council to ensure that our complaints procedures are open and accessible to everyone and equalities monitoring information will be used to inform best practice.

## 7. **Number of complaints, comments and compliments**

7.1 A **complaint** is an expression of dissatisfaction, whether justified or not and however made, about the standard of or the delivery of service, the actions or lack of action by the Council or its staff which affects an individual service user or group of users. This is consistent with the definitions used by other local authorities.

7.2 The emphasis in the complaints procedure is to ensure that staff are equipped and empowered to act decisively to resolve complaints at a local level. The aim is that we work harder to resolve issues at the first point of contact – 'do it once and do it well'! It is important that we record what went wrong so we can ensure that the experiences of others is improved, that we can show that we listen and learn and to help shape and improve our services for the future.

7.3 In 2009/10, **3,901** complaints were recorded compared with **2,226** for 2008/09, an increase of **1,675 (75%)** complaints.

7.4 The trend across all services is for the number of recorded complaints to have increased. Complaints recorded by Kent Highways Service have increased by 1,064 complaints and this represents an overall increase of 546%, Insurance services complaints has also increased by 183 complaints and this represents an increase of 915%. A number of factors have contributed to the increase, some of which were

outside of KCC control (the severe weather conditions in December 2009/January 2010 followed by flooding which had a detrimental effect on the quality of the road surfaces across Kent and led to a significant increase in pothole and flooding related complaints).

7.5 In terms of factors within our control, we have promoted how to make a complaint and have implemented changes to improve our recording of complaints, comments and compliments. This has contributed to an increasing trend in our recorded complaints data and the corresponding increase in comments and compliments.

7.6 It is important to be able to identify where there is an increase in the number of complaints received for a particular service, and investigate trends. This information is taken seriously and service unit managers have reviewed it with their teams, alongside more formal satisfaction survey information. Data is now being monitored at quarterly intervals instead of six monthly and we will be publishing this information on kent.gov.uk from October 2010.

7.7 A **comment** is a general statement about policies, practices or a service as a whole, which have an impact on everyone and not just one individual. A comment can be positive or negative in nature. Comments may question policies and practices, make suggestions for new services or for improving existing services.

7.8 This year we received **2,986** comments compared with **964** last year a 3 fold increase. The council actively encourages our customers to give us opinions about any of our services and we are making it easier to make a comment about a council service. Kent.gov.uk has a number of options for people to have their say on the services we provide. These include email links for council tax, highways, complaints, social care and have your say.

7.9 We are continuing to use comment cards to gain customer feedback. This system works successfully in Libraries and Country Parks and Key Training has successfully introduced comment cards this year.

7.10 A **compliment** is an expression of thanks or congratulations or any other positive remark. (Internal compliments are excluded from this process)

7.11 Compliments across the council increased by 25%. We recorded **3,722** compliments from April 2009 to March 2010 compared to the same time period in the previous year when **2,975** compliments were recorded. It should be noted that the total number of compliments excludes an estimated 5,000 compliments for the "House" project involving the Youth Service and Kent Drug and Alcohol Action Team (KDAAT).

7.12 These compliments have provided a valuable source of learning and can be a good indicator of best practice or areas where we are getting things right across the Council.

## 8. Reasons for complaints

8.1 The main grounds for complaints during 2009/10 tend to fall under one of the following themes (not in order of prevalence):

- Administrative errors and operational mistakes
- Availability of services (including accessibility and eligibility)
- Disagreement with decisions or policies made

- Dissatisfaction with services or products offered or received
- Impact of services on local residents and businesses
- Physical location, buildings and facilities
- Poor communication or information
- Prices, charges and fees associated with services
- Quality of the experience (directly delivered services)
- Relating to a third party supplier or contracted service provider
- Staff conduct and behaviour with service users
- Timings or delays involved in delivering services or responding

## **9. SUMMARY OF COMPLAINTS, AND COMPLIMENTS**

### **9.1 Chief Executives Department**

#### **9.2 Complaints**

In 2009/10, **448** complaints were received; this represents an overall increase of 213 % on the previous year when **143** complaints were recorded

9.3 This increase can be partly accounted for by the delays that occurred in the receipt of information from KHS to enable pot hole claims to be assessed, 203 in 2009/10 compared with 20 in 2008/09, an increase of 915%. We received 1,000 more insurance claims in January/ February/ March 2010 compared to the same period in 2009. Due to the increase in volume, insurance claims had been delayed within Highways. To improve the process insurance claim complaints are now dealt with by the Contact Centre enabling the Insurance and Highway Sections to get on with processing claims.

9.4 Home to School Transport complaints has seen an increase of 52% from 67 to 102. We worked with our transport providers to provide the service during the bad weather and ensure all problems are resolved.

9.5 Work has continued across the department in 2009/10 on improving the recording of complaints, comments and compliments and capturing this information in a more consistent way.

#### **9.6 Compliments**

Across the Chief Executives Department, we received **237** compliments from April 2009 to March 2010 compared with **139** in the previous year. This represents a 70% increase in the number of compliments received. The largest number of compliments was received by Law & Governance.

9.7 A full report on the Chief Executives Department Complaints, Compliments and Comments for this Committee is included in Appendix B.

## **10. Adult Social Services**

10.1 The number of people who were referred to Adult Social Services was 33,172 and those in receipt of services 34,796 as at 31 March 2010. This compares with

2008/09 where 31,300 referrals were made and 34,400 people received a service. Analysis of these figures indicates that complaints represent approximately 1% of those people who have contact with our services.

## 10.2 Complaints

10.3 In 2009/10, **436** complaints were received; this represents an overall 21.5% (**77**) increase from the previous year when **359** complaints were recorded. Of these, 340 were logged as statutory complaints and 96 as non-statutory complaints.

10.4 Analysis of the statutory complaints indicates that 36 complaints were received in respect of finance during 2009/10. This represents an 89% increase on the previous year when 19 complaints were recorded. 11 or 30% were attributable to payments and typically incorrect billing. A further 17 or 47% fell within the financial assessment for either residential or domiciliary care, where people disagree with the assessment that has been carried out. The remaining increases in complaints mainly fall within the older people and physical disability service areas, typically assessment and case management.

10.5 The corresponding analysis of non statutory complaints shows a 60% increase, with 96 complaints record during 2009/10 as opposed to 60 in the previous year. This increase can be accounted for by a rise in complaints for contracting services, county duty service, learning disability day care, older people respite care and older people case management .Customer care will continue to monitor these complaints in the coming year for any continuing patterns.

10.6 Some people complain about more than one issue covering more than one Business Unit. These issues are recorded separately and therefore the total of issues adds up to more than the total number of complaints. (Appendix C, Table 1)

## 10.7 Compliments

Across Adult Social Services, **502** compliments were recorded compared to **463** compliments for the same time period in the previous year. This represents an 8% increase in the number received.

# 11. **Children Families and Education**

## 11.1 Complaints

In 2009/10, **513** complaints were recorded compared with **496** for 2008/09, a slight increase of 3% (**17**) complaints.

## 11.2 Compliments

In 2009/10 a total of **81** compliments were recorded across the Children's Families & Education Directorate. In 2008/9 **71** compliments were recorded about Children's Social Services.

11.3 Since 1 April 2010 the Directorate's complaints, comments and compliments have been managed by a single team in order to provide a more consistent and co-ordinated service.

# 12. **Communities**

## 12.1 Complaints

In 2009/10, **863** complaints were received; this represents an overall increase of 8% (64) compared with the previous year when **799** complaints were recorded.

12.2 The Communities Directorate adopted the revised and unified KCC Complaints Procedure in April 2009, and this is the first full year that all Units have operated their complaints procedures under the same set of standards.

12.3 We are not unduly concerned by the increase in complaints received as the most significant contributing factors to the increase are likely to be the continued improvements to the understanding amongst staff about what constitutes a complaint that should be recorded.

#### 12.4 Compliments

The number of compliments received in 2009/10 was **1,247** compared with **1,361** in 2008/09. Libraries & Archives and the Registration Services, in particular, again all receiving high numbers of positive comments from customers. It should be noted that the total number of compliments excludes an estimated 5,000 compliments for the "House" project involving the Youth Service and Kent Drug and Alcohol Action Team.

### 13. **Environment, Highways and Waste**

#### 13.1 Complaints

In 2009/10, **1,641** complaints were recorded; this represents an overall 283% (**1,282**) increase from the previous year when **429** complaints were recorded.

13.2 The Contact Centre answered 142,758 Highways calls in 2009/10. From December 2009 to March 2010, 6,118 of the calls received related to winter maintenance, 8,511 related to potholes and 3,273 concerned drainage/flooding issues. Less than 1% was complaint related.

13.3 In 2009/10, Kent Highways Service recorded 1,259 complaints this represents an overall increase of 546% from the previous year when 195 complaints were recorded.

13.4 908 of the complaints (72%) were recorded at the end of Q3 and into Q4 and were as a direct result of the extremely harsh winter which Kent suffered. The extraordinary weather conditions (which lasted from December 2009 to February 2010) caused severe damage to the Kent road network and KHS, like many other local authorities struggled to manage the subsequent increased weather related faults being reported.

13.5 Environment & Waste recorded 380 complaints this represents an overall increase of 65% from the previous year when 231 complaints were recorded.

13.6 Of the 380 complaints recorded the majority came from two main service areas – Country Parks which recorded 109 complaints and the Household Waste Recycling Centres (HWRCs) which recorded 260 complaints.

13.7 There were three key issues highlighted through the HWRC complaints recorded. 152 complaints (40%) related to height barriers, walking waste onto the sites and changes to the twin axle policy.

13.8 Across the Country Parks, the key issues highlighted by customers through complaints related to café queues/prices, car parking charges and litter (including dog fouling).

### 13.9 Compliments

Across EHW, we recorded **1,655** compliments from April 2009 to March 2010 compared to the same time period in the previous year when we recorded **941** compliments. This represents a 76% increase.

13.10 479 compliments were recorded in KHS with 275 of them (57%) being recorded at the end of Q3 and in Q4. Of the 1,163 compliments recorded in E&W, the majority came from two main service areas; Country Parks which recorded 414 compliments and Countryside Access which recorded 636 compliments.

## 14. **Compliance with standards**

14.1 New corporate standards for complaints handling were introduced from April 2009 as follows: 3 working days to acknowledge a complaint (reduced from 5 days) and 20 working days to give a formal response (reduced from 25 - 28 days).

14.2 The percentage of complaints meeting KCC response standards is shown in Table 3 of Appendix C. The majority of our Units achieved 100% compliance to these standards for sending out acknowledgements and responses to complainants.

14.3 It is worth noting the improvements in response times made in the Registrations Service which increased from 75% in 2008/09 to 90% in 2009/10.

### 14.4 Kent Adult Social Services

There is only one statutory timescale within the new complaints process and this is the acknowledgement of the complaint, which must be provided to the complainant within three working days of receipt. The period for responding to the complaint is agreed with the complainant on a case by case basis depending on the nature and complexity of the complaint and the desired outcome. This can be anything from 5 to 65 days. 388 (89%) were acknowledged within the statutory timescale and 392 (90%) were responded to within the timescale agreed with the complainant.

## 15. **Methods of communication**

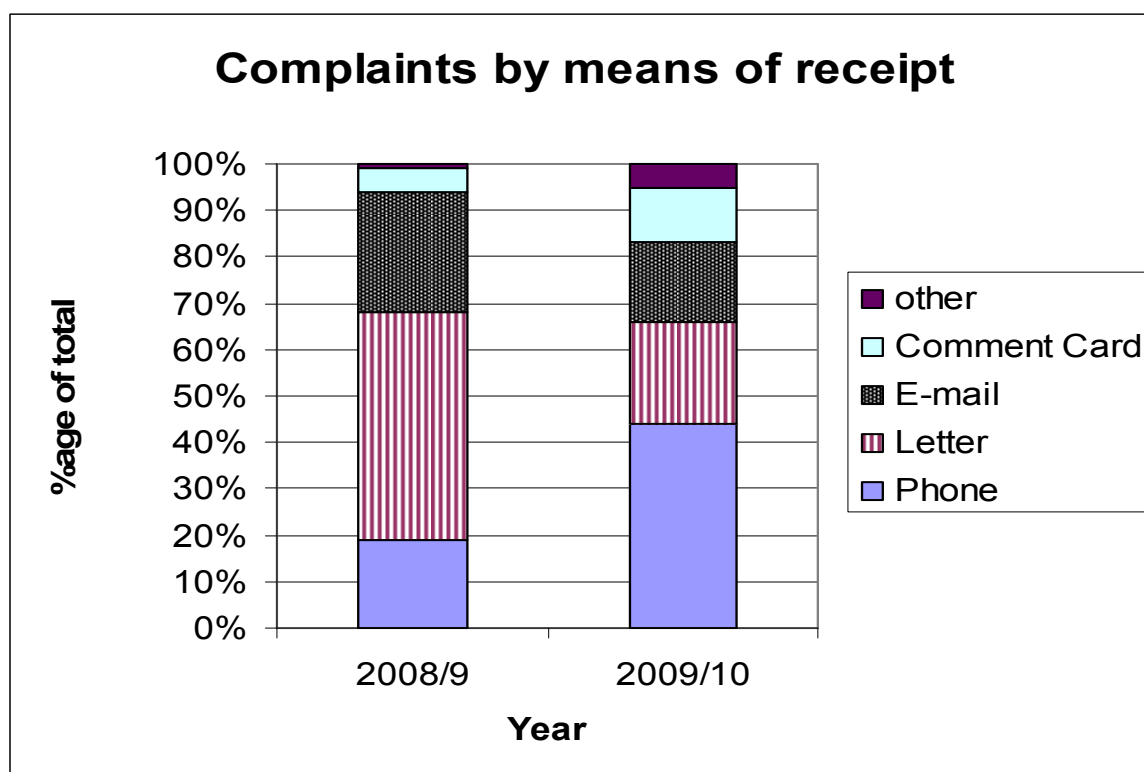
15.1 Information on how to complain is available on our website and various 'Have your Say' and Complaints, Comments and Compliments leaflets.

The public can give feedback in the following ways:

- Talk to the manager where they receive the service
- Complete the 'Have your Say' feedback form on our website, [www.kent.gov.uk](http://www.kent.gov.uk)  
This is available in Contact us, Have your say, How to get involved and the Complaints sections
- E-mail: [haveyoursay@kent.gov.uk](mailto:haveyoursay@kent.gov.uk) or [corporate.complaints@kent.gov.uk](mailto:corporate.complaints@kent.gov.uk)
- Telephone: 08458 247247
- Contact their local County Councillor
- Write to us

15.2 It is important to ensure that all channels remain open and effective so customers can choose how they contact us. It should be noted, however, that it can be more difficult for staff to record comments, compliments and complaints given face-to-face but are perhaps more likely to be able to resolve the situation there and then with the complainant.

- The majority, 44% (19%) of complaints in 2009/10 (2008/09) were recorded by phone, followed by 22% (49%) by letter and 17% (26%) by e-mail.



- 74% of highways complaints were recorded by phone compared with 14% of Children Families and Education and 26% of Kent Social Services Complaints.
- The majority of Children Families and Education 64% and 58% of Kent Social Services Complaints were received by letter.
- Just over 1% of complaints recorded are received face to face (0.8%) and using the on-line complaints form (0.3%).

15.3 In 2010/11 we are looking at ways to improve how to complain 'on-line' and how we can capture information from face-to face complaints to make improvements without creating a bureaucratic process.

15.4 Further information on how complaints are received is available in Appendix C, Table 2.

## 17. Compensation

17.1 During the year a financial remedy was made in respect of three complaints concerning Children's Social Services (these exclude local settlement, Local

Government Ombudsman Complaints). A payment of £3,500 was made to foster carers and the children in their long-term care for delays, lack of communication and other practice issues which caused distress to the family. A payment of £400 was made to the mother of a disabled child for the time and trouble in making her complaint and for a lost opportunity for support. An investigation found that there was a failure to fully explain the eligibility criteria for the Children with Disabilities Services and to signpost the family to services elsewhere that they might be able to access. The third complaint was from a grandmother applying for a Residence Order for her grandchildren. There was a failure to respond to letters from solicitors and it was agreed to pay the legal costs to ensure stability for the children.

## **18. Learning the lessons and service Improvements**

18.1 Complaints provide senior managers with useful information in respect of the way that services are delivered. When complaints are upheld it is necessary for managers to consider whether there is a need for any service improvements to be made with a view to ensuring that similar failings do not recur. The consideration of complaints has resulted in reviews and changes to procedures; guidance and training for staff and improvements being identified and made in relation to service delivery and practice. Detailed below are some specific examples of service improvements which were identified in complaint responses. The examples show how one complaint can make a difference to how we work and how complaints can highlight simple solutions to improve the customer experience.

### **18.2 Improvements to procedures or business processes**

18.3 Following the extremely harsh winter and subsequent damage to the KHS network, a huge volume of complaints was recorded about potholes and how quickly KHS were repairing them. A major programme of work called 'Find & Fix' was introduced which saw KHS using private contractors to repair rural roads with the main term contractor (Ringway) being used to fix problems on major A & B Roads. For potholes, the recent find and fix process has delivered some significant improvements to the network. KHS is reviewing the balance between reactive pothole repair hoping to meet customer demands and the overall improved customer perception of the programmed approach. Over the first six months of the year, Kent Highway Services and the specialist tarmac teams have fixed over 130,000 potholes – double the total number repaired in the first half of last year.

18.4 In the KHS drainage team, recent improvements have included the use of specialist crews to fix drainage problems where the initial gully clean has not fixed the blockage. By linking the cleansing crews with the specialised repair crews, KHS have speeded up the end to end time from customer call to fix. In addition, crews have been targeting whole parish or village areas with known drainage hot spots and meeting up with parish councillors working with them to ensure their local knowledge is used to review and fix the whole drainage system and not just localised drains.

18.5 Household Waste Recycling Centres (HWRC) site opening times were extended during the summer months to allow late night opening every Thursday from April 2010 to help alleviate customer queues at the weekend. The trailer policy was reviewed and subsequently amended in line with customer comments to allow twin axle trailers within sites. An allowance has been made for disabled customers regarding the introduction of a 2m height barrier at sites. If a disabled customer has a vehicle over 2m in height and a Blue Badge, that customer can make contact with Waste Management staff who will

arrange for the customer to deliver waste to a site of their choice where the height barrier will be raised for them to enter.

18.6 The menu in the café at Shorne Wood Country Park has been reviewed to ensure prices remain affordable to customers and in doing so a number of the regular suppliers have been changed. To start to address queue times within the café, some of the items that take longest to prepare have been removed from the menu. The café has very recently been refurbished with a self service counter in order to serve customers quicker during peak times.

18.8 Car parking charges are made to help towards the cost of running the parks and all the money from the parking machines goes straight back into the country parks budget. However a season ticket is now available for regular visitors which is then valid for use at all of the country parks.

18.9 All Trading Standards staff were reminded of the need to ensure every enquiry is recorded. Procedures were changed to ensure officers working flexibly receive messages via their mobile phones. Community Warden's operational procedures and protocols were updated to address communications issues with Parish Councils. Adult Education Service (now Community Learning and Skills) has been refocused on the customer. This includes programme managers now focusing on one district to improve local knowledge, meet needs and improve local communications. The Arts Investment Fund application process is now launched so the decision is finalised before the start of the next financial year.

18.10 A number of complaints were recorded last year about delays in carrying out Occupational Therapy Assessments for Disabled Children. Additional staff were recruited to manage the workload but before additional staff were in post improvements were made to the way the waiting list was managed and communicated to families with the result that complaints about delays reduced significantly

18.11 A number of community members and young people complained when a local school withdrew funding for the Community Youth Tutor, which led to the closure of some services. Following negotiations with the school concerned the Youth tutor position will be re-introduced. KDAAT is working on a new commissioning framework that will clearly set out the processes that will be followed when new or existing services are commissioned. The Framework will set out how service users, carers and other interested groups will be consulted, involved or informed throughout the process.

#### 18.12 Improved communications

Supporting People improved the information it provided about how the programme can assist people by making its leaflets and website content clearer. Several Trading Standards complainants were given an explanation of the Intelligence led approach to enforcement and this has also become a key message as part of the service's communications approach. The Youth Offending Service revised its advice on the Rehabilitation of Offenders Act. KEY Training has also improved its communications materials for learners and employers.

18.13 The Contact Centre has also strengthened relationships with all KHS departments to ensure that the advisors have the latest information available to pass onto the general public.

#### 18.14 Improvements to service experience and quality

Supporting People updated its floating support referral form to make it easier for individuals to complete and to understand the services provided. Libraries Service updated its in-library PCs with the latest web browser (IE8) and included a more convenient link through the kent.gov.uk website for customers to access their PIN to use online services. Also books have been exchanged and changed at libraries throughout the county in response to comments received. Libraries have also agreed a standard greeting with Contact Kent to avoid any confusion as to who the customer has reached when using the library service general contact telephone number. Adult Education website was upgraded to enable online enrolments and improved course information.

18.15 Previous complaints have raised issues where families have stated that they had not been fully informed about the likely charge for care. Since the introduction of the Financial and Benefits Officers the volume of this type of complaint has reduced. However, the Maidstone Hospital Team implemented a system to obtain a signature from the service user/family to agree that the charging booklet had been received and explained to them. This practice has been discussed at the Area Good Practice Group and will be cascaded throughout the Area.

18.16 As a direct result from a complaint made by a relative of a client in a residential home and as a means of promoting good practice, all residential & nursing care homes have been asked via their Trade Associations to consider updating their laundry policies. This is to ensure that there is a reference to only disposing of clients' clothing or other belongings once they have received confirmation from the client themselves (if they have capacity) or their representative (family members, etc.) that this is acceptable.

#### 18.17 Improvements to customer feedback processes

Key Training introduced comment cards for learners to feedback their views more easily, and a process was introduced to capture learners' email to improve communications. Mystery shopping exercises are being carried out to highlight problems with customer care and centre standards. Supporting People now have monthly meetings between staff responsible for logging complaints and the Head of Service. Customers have said that they prefer their complaints to be dealt with locally so Libraries staff are encouraged to do this wherever possible, rather than initiate a formal investigation.

18.18 To help the Contact Centre provide the KHS departments callers with some expectation of when a fault will be actioned, each enquiry is automatically given a 28 day target (for routine repairs or drain cleansing etc) or a programmed target (for more complex work that requires planning such as requests for traffic calming). Where KHS meet the 28 day target but further work is required (for example a gully is cleaned but still does not work due to a broken pipe) then KHS let the customer know the timescales for this programmed work.

### **19. Levels of complaints to the Standards Committee**

Responsibility for dealing with alleged breaches of the Code of Conduct by elected and co-opted Members of the Council passed from Standards for England to the local authority on 8 May 2008.

At its meeting on 22 May 2008, the Standards Committee agreed to set up two Sub Committees; one to make an initial assessment of a complaint that a Member has breached the Code of Conduct and one to review any decision by the Assessment Sub Committee to take no action, if so requested by the complainant

The Assessment and Review Sub Committees are charged with deciding whether, on the basis of the information presented, a Member has breached the Code of Conduct and whether the matter merits investigation. Specifically, either Sub Committee can reach one of the following three decisions:

- (a) Refer the allegation to the Monitoring Officer of the Authority for investigation or some other action such as mediation or training
- (b) In exceptional cases, refer the allegation to the Standards Board for England
- (c) Decide that no action should be taken in respect of the allegation

Decision	2008/09	2009/10
No action	4	1
Monitoring Officer for other action	2	1
Monitoring Officer for formal investigation (*)	0	2
Standards for England	0	0
Not Determined	0	0

(\*) Neither of the two cases referred to the Monitoring Officer for formal investigation have resulted in the subject Member being found to be in breach of the Code of Conduct.

## 20. Training for Staff

20.1 Several briefing sessions were held early in the year to communicate the revised and unified KCC Complaints Procedure and changes to standards. New tools and templates were created to help units implement the standards locally while giving them enough flexibility to ensure they can introduce the procedures in a way that will be meaningful and useful to them and their service users.

20.2 Adult Social Services Customer Care carried out a range of training on the new single complaints process.

20.3 Children, Families, and Education provided two one-day letter-writing workshops for staff responding to complaints at stage 1, three sessions for newly qualified social workers, four sessions for overseas social workers, two sessions for administrative staff in complaints handling, and three days for support staff in dealing with difficult situations.

20.4 Waste Management staff received bespoke training in March 2010 on customer service clarifying the KCC complaints procedure, timescales for responding to customers and the standards of customer care expected. Waste Management provided bespoke customer service training to HWRC site staff and contractors in November 2009 to ensure customer standards were clarified and enhanced. Follow up customer care training is planned for winter 2010, including a refresher around the latest

complaints received and conflict resolution. Furthermore in all new HWRC contracts, contractors are obliged to provide some training to their site staff.

20.5 Ten sessions on “Effective Complaints Handling” have been delivered by investigators from the Local Government Ombudsman’s office. Staff at Team Leader level and above, were targeted for this training and further sessions have been commissioned for 2010/11

## **21. Improvements in 2010/11**

21.1 Customer satisfaction questionnaires on the complaints process and the customer experience are being carried out and work is being undertaken to find out why less than 1% of complaints are received using on-line forms to inform future improvements.

21.2 There is a financial cost in dealing with complaints and further work is being undertaken to avoid unnecessary resources being devoted to complaints which ought to have been resolved very early on in the process.

## **22. Conclusion**

22.1 The letter and Annual Review reflects the generally good working relationship which exists between the County Council and the Ombudsman’s office. Positive action is being taken to respond to lessons learnt through complaints monitoring – through service development, training and through improvements to the complaints process itself.

22.2 Several customer focused improvements have been implemented across the Council in 2009/10 and these are making a difference to the customer experience.

22.3 We have looked into the growing number of complaints and have taken action to prevent further complaints in these areas.

## **23. Recommendations**

23.1 Members are asked to note the contents of this report.

Janice Hill  
Performance & Improvement Manager  
Ext 1981

### *Background Documents*

Adult Social Services Annual Complaints Report, KASS Policy Overview Committee, 21 September 2010

EH & W Annual Complaints 2009/10, E H& W Policy Overview Committee, 14 September 2010

Annual Complaints Report 2009/10, Communities Policy Overview Committee, 16 September 2010

Regeneration and Economic Development Financial Outturn and Unit Operating Plan Outturn for 2009/10, Regeneration & Economic Development Policy Overview & Scrutiny Committee 8 July 2010

Other useful information:

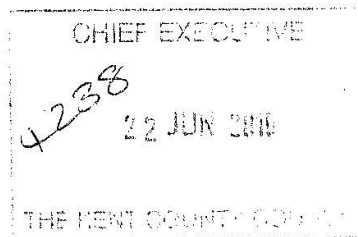
It is a statutory requirement under the following items of legislation for local authorities to have in place a complaints and representations procedure:

- Children Act 1989 Representations Procedure (England) Regulations 2006
- The Local Authority Social Services and National Health Service Complaints (England) Regulations were published in February 2009 and came into force with effect from 1 April 2009. This procedure introduced a single approach to dealing with complaints for both the National Health Service and Adult Social Care.
- 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.

Local Government  
**OMBUDSMAN**

21 June 2010

Ms K Kerswell  
Managing Director  
Kent County Council  
County Hall  
Maidstone ME14 1XQ



**If telephoning contact: Mr Redmond's PA on 020 7217 4692**  
**email address: d.gorwala@lgo.org.uk**

Dear Ms Kerswell

**Annual Review 2009 / 2010**

I am writing to give you a summary of the complaints about your authority that my office has dealt with over the past year, set out in the annual review attached. I hope you find the review a useful addition to other information you have on how people experience or perceive your services.

The review is split into two sections. The first concerns complaints about your authority and the second section provides a general update on LGO developments. I would welcome any comments you may have on the form and content of the review.

We will publish all the annual reviews on our website ([www.lgo.org.uk](http://www.lgo.org.uk)). We will wait for three weeks after this letter before doing so, to give you an opportunity to consider the review first. If any material factual inaccuracy is found we will reissue it. We will issue a press release about the publication of the annual reviews on our website. We will also publish on our website a summary of statistics relating to the complaints we have received and dealt with against all authorities.

I would again be happy to consider requests for me or a senior colleague to visit the authority to present and discuss the letter with councillors or staff. We will do our best to meet the requests within the limits of the resources available to us.

I am also arranging for a copy of this letter and the review to be sent to you electronically so that you can distribute it easily internally and put the annual review on your website. You do not need to include this covering letter on your website.

Yours sincerely

**Tony Redmond**

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Millbank Tower  
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**Tony Redmond**  
Local Government Ombudsman  
**Nigel Ellis**  
Deputy Ombudsman

Local Government  
**OMBUDSMAN**

**The Local Government Ombudsman's  
Annual Review**

**Kent County Council**

**for the year ended  
31 March 2010**

Local Government Ombudsmen (LGOs) provide a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, we aim to get it put right by recommending a suitable remedy. We also use the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual reviews.

## Contents of Annual Review

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## Section 1: Complaints about Kent County Council 2009/10

### Introduction

This annual review provides a summary of the complaints we have dealt with about Kent County Council. We have included comments on the authority's performance and complaint-handling arrangements, where possible, so they can assist with your service improvement.

I hope that the review will be a useful addition to other information your authority holds on how people experience or perceive your services.

Two appendices form an integral part of this review: statistical data for 2009/10 and a note to help the interpretation of the statistics.

### Enquiries and complaints received

Last year our Advice Team handled 161 enquiries and complaints about your Council. Of these 14 related to complaints which we considered were premature, and we referred them to your Council for investigation. We gave advice to 28 other enquirers on a variety of matters, including my jurisdiction. Our Advice team passed 119 complaints to the investigative team. The issue which prompted the largest group of enquiries and the most complaints was education. Of 116 complaints forwarded to the investigative team 86 concerned education.

### Complaint outcomes

Last year I made decisions on 120 complaints against your Council. There were 52 complaints in which I found no, or insufficient, evidence of fault by the Council to warrant further investigation. I used my discretion not to pursue investigations into 21 complaints, for example where the injustice to the complainant was not significant enough to warrant a remedy or where the remedy which the Council had provided was adequate. I found that 17 complaints were outside my jurisdiction.

### Reports

When we complete an investigation, we generally issue a report. I issued one report. The complaint concerned the Council's actions in respect of the complainant's two children both of whom have learning difficulties. I found that the Council failed in its statutory duty to make direct payments available for overnight respite care. The Council also failed to carry out regular reviews of children in need. There was a delay in assessing the needs of the family which, coupled with the failure to make direct payments available for overnight respite care, meant that one of her children missed one night a week of overnight respite care for eight months, and seven hours of daytime respite care a week for three months. To remedy matters the Council agreed to pay the complainant the value of the direct payments she missed (in the region of £12,000). It apologised and paid a further £500 for the time and trouble she had been put to in pursuing her complaint. The Council has also taken action to ensure that regular reviews are carried out for children in need.

### Local settlements

A 'local settlement' is a complaint where, during the course of our investigation, a council takes or agrees to take some action that we consider to be a satisfactory response to the complaint. In 2009/10, [26.9%] of all complaints the Ombudsmen decided and which were within our jurisdiction were local settlements. Of the complaints we decided against your authority which were within my

jurisdiction 29 (28%) were local settlements. These settlements resulted in the Council making payments totalling just under £9,000 (£5,000 of which was in respect of one complaint).

Of the 29 local settlements, 25 were education complaints. The largest group of local settlements, 21, concerned applications and appeals for admission to schools where the Council is the admissions authority. The faults included wrong or insufficient information being presented to appeal panels, inappropriate questioning by panellists and poor record keeping. In 14 cases the Council agreed to settle the complaint by the offer of a fresh appeal hearing. In five cases the Council offered a place at the preferred school. I found fault in four other admission cases but used my discretion not to pursue these as I was not satisfied that any injustice had been caused.

During the year, four of my staff met officers from the Council's corporate complaints section and its education department. They discussed identified problems in the way the Council arranges appeals (both for its own schools and in the appeal service that it provides for voluntary aided and foundation schools). They also discussed some delays in responding to our enquiries and resistance to settling complaints. The meeting was useful. As a result, two of my staff took part in three training sessions the Council organised for panellists, presenting officers and appeal clerks for all types of schools.

I settled four other education complaints. Two concerned a failure by the Council to provide education while a child was out of school. The Council paid a total of £1,450 compensation. The second concerned the Council's failure to state that it would not pay for transport to a school named in a statement of special educational needs. The Council agreed to provide transport following my involvement. The last concerned a number of faults in the way the Council dealt with a child's special educational needs. As a result he lost half a year's education which had an impact on him and his mother, who was unable to work while she cared for him at home. The Council paid £5,000 compensation.

Of the remaining four settlements one concerned errors by the Council in the way it arranged a meeting to discuss care arrangements for the complainant's daughter, for which the Council paid £250 compensation. A second concerned some modest fault in the way the Council considered a consumer affairs complaint, for which it apologised. Two concerned highways matters. In the first of these the Council had not implemented a previous agreement to adopt a highway. The Council clarified the timescale for carrying out this work. In the second the Council failed to give advance notice of a road closure. The Council agreed to pay £1,000 compensation for the impact on the complainant's business.

### **Liaison with the Local Government Ombudsman**

The average time taken by the Council to reply to our written enquiries was 31.5 days. This is an improvement on last year's figure but still outside my target time of 28 days. As in previous years the Council's responses do not always provide full answers. There is sometimes a reluctance to acknowledge fault and to agree to local settlements. These issues were raised at the meeting I have referred to above. I hope that the Council can continue to reduce the time taken to reply and respond positively to my proposed settlements.

### **Training in complaint handling**

I would like to take this opportunity to remind the Council that part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. All courses are presented by experienced investigators. They give participants the opportunity to practise the skills needed to deal with complaints positively and efficiently. We can also provide customised courses to help authorities to deal with particular issues and occasional open courses for individuals from different authorities.

I have enclosed some information on the full range of courses available together with contact details for enquiries and bookings.

During the year I ran seminars for officers dealing with adult social care complaints. I am pleased that two of your staff attended one of these events. I hope they found it useful.

**Conclusions**

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your authority's services.

**Tony Redmond  
Local Government Ombudsman  
10<sup>th</sup> Floor  
Millbank Tower  
Millbank  
London  
SW1P 4QP**

**June 2010**

## Section 2: LGO developments

### Introduction

This annual review also provides an opportunity to bring councils up to date on developments in the LGO and to seek feedback.

### New schools complaints service launched

In April 2010 we launched the first pilot phase of a complaints service extending our jurisdiction to consider parent and pupil complaints about state schools in four local authority areas. This power was introduced by the Apprenticeships, Skills, Children and Learning Act 2009.

The first phase involves schools in **Barking and Dagenham, Cambridgeshire, Medway and Sefton**. The Secretary of State no longer considers complaints about schools in these areas. In September the schools in a further 10 local authority areas are set to join the pilot phase.

We are working closely with colleagues in the pilot areas and their schools, including providing training and information sessions, to shape the design and delivery of the new service. It is intended that by September 2011 our jurisdiction will cover all state schools in England.

A new team in each office now deals with all complaints about children's services and education on behalf of the Ombudsman. Arrangements for cooperation with Ofsted on related work areas have been agreed.

For further information see the new schools pages on our website at [www.lgo.org.uk/schools/](http://www.lgo.org.uk/schools/)

### Adult social care: new powers from October

The Health Act 2009 extended the Ombudsmen's powers to investigate complaints about privately arranged and funded adult social care. These powers come into effect from 1 October 2010 (or when the Care Quality Commission has re-registered all adult care providers undertaking regulated activity). Provision of care that is arranged by an individual and funded from direct payments comes within this new jurisdiction.

Each Ombudsman has set up a team to deal with all adult social care complaints on their behalf. We expect that many complaints from people who have arranged and funded their care will involve the actions of both the local authority and the care provider. We are developing information-sharing agreements with the Care Quality Commission and with councils in their roles as adult safeguarding leads and service commissioners.

### Council first

We introduced our Council first procedure in April last year. With some exceptions, we require complainants to go through all stages of a council's own complaints procedure before we will consider the complaint. It aims to build on the improved handling of complaints by councils.

We are going to research the views of people whose complaints have been referred to councils as premature. We are also still keen to hear from councils about how the procedure is working, particularly on the exception categories. Details of the categories of complaint that are normally treated as exceptions are on our website at [www.lgo.org.uk/guide-for-advisers/council-response](http://www.lgo.org.uk/guide-for-advisers/council-response)

## Section 2: LGO developments

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### **Training in complaint handling**

Demand for our training in complaint handling has remained high, with 118 courses delivered over the year to 53 different authorities. Our core Effective Complaint Handling course is still the most popular – we ran some of these as open courses for groups of staff from different authorities. These are designed to assist those authorities that wish to train small numbers of staff and give them an opportunity to share ideas and experience with other authorities.

The new Effective Complaint Handling in Adult Social Care course, driven by the introduction of the new statutory complaints arrangements in health and adult social care in April 2009, was also popular. It accounted for just over a third of bookings.

Over the next year we intend to carry out a thorough review of local authority training needs to ensure that the programme continues to deliver learning outcomes that improve complaint handling by councils.

### **Statements of reasons**

Last year we consulted councils on our broad proposals for introducing statements of reasons on the individual decisions of an Ombudsman following the investigation of a complaint. We received very supportive and constructive feedback on the proposals, which aim to provide greater transparency and increase understanding of our work. Since then we have been carrying out more detailed work, including our new powers. We intend to introduce the new arrangements in the near future.

### **Delivering public value**

We hope this information gives you an insight into the major changes happening within the LGO, many of which will have a direct impact on your authority. We will keep you up to date through LGO Link as each development progresses, but if there is anything you wish to discuss in the meantime please let me know.

Mindful of the current economic climate, financial stringencies and our public accountability, we are determined to continue to increase the efficiency, cost-effectiveness and public value of our work.

**Tony Redmond**  
**Local Government Ombudsman**  
 10<sup>th</sup> Floor  
 Millbank Tower  
 Millbank  
 London  
 SW1P 4QP

June 2010

## Appendix 1: Notes to assist interpretation of the statistics 2009/10

### Table 1. LGO Advice Team: Enquiries and complaints received

This information shows the number of enquiries and complaints received by the LGO, broken down by service area and in total. It also shows how these were dealt with, as follows.

**Premature complaints:** The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will either refer it back to the council as a 'premature complaint' to see if the council can itself resolve the matter, or give advice to the enquirer that their complaint is premature.

**Advice given:** These are enquiries where the LGO Advice Team has given advice on why the LGO would not be able to consider the complaint, other than the complaint is premature. For example, the complaint may clearly be outside the LGO's jurisdiction.

**Forwarded to the investigative team (resubmitted premature and new):** These are new cases forwarded to the Investigative Team for further consideration and cases where the complainant has resubmitted their complaint to the LGO after it has been put to the council.

### Table 2. Investigative Team: Decisions

This information records the number of decisions made by the LGO Investigative Team, broken down by outcome, within the period given. **This number will not be the same as the number of complaints forwarded from the LGO Advice Team** because some complaints decided in 2009/10 will already have been in hand at the beginning of the year, and some forwarded to the Investigative Team during 2009/10 will still be in hand at the end of the year. Below we set out a key explaining the outcome categories.

**MI reps:** where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

**LS (local settlements):** decisions by letter discontinuing our investigation because action has been agreed by the authority and accepted by the LGO as a satisfactory outcome for the complainant.

**M reps:** where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

**NM reps:** where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

**No mal:** decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

**Omb disc:** decisions by letter discontinuing an investigation in which we have exercised the LGO's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

**Outside jurisdiction:** these are cases which were outside the LGO's jurisdiction.

### **Table 3. Response times**

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat, since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

### **Table 4. Average local authority response times 2009/10**

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.

**Appendix 2: Local Authority Report - Kent CC**

**For the period ending - 31/03/2010**

**LGO Advice Team**

Enquiries and complaints received	Adult care services	Children and family services	Education	Housing	Benefits	Planning and building control	Transport and highways	Other	Total
Formal/informal premature complaints	3	7	1	0	1	0	3	0	15
Advice given	3	0	14	1	0	2	2	6	28
Forwarded to investigative team (resubmitted premature)	0	1	0	0	0	0	2	0	3
Forwarded to investigative team (new)	7	12	86	0	0	2	6	2	115
<b>Total</b>	<b>13</b>	<b>20</b>	<b>101</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>13</b>	<b>8</b>	<b>161</b>

**Investigative Team**

Decisions	Investigative Team							Total
	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	
2009 / 2010	1	29	0	0	52	22	16	120

## Appendix 2: Local Authority Report - Kent CC

For the period ending - 31/03/2010

Average local authority resp times 01/04/2009 to 31/03/2010

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
1/04/2009 / 31/03/2010	76	31.5
2008 / 2009	69	38.1
2007 / 2008	78	29.4

Types of authority	<= 28 days		29 - 35 days		> = 36 days	
	%	%	%	%	%	%
District Councils	61	22	17	6	8	10
Unitary Authorities	68	22	32	36	20	20
Metropolitan Authorities	70	58	52	60		
County Councils	58	60				
London Boroughs	52					
National Parks Authorities	60					

## CHIEF EXECUTIVES DEPARTMENT ANNUAL COMPLAINTS, COMMENTS AND COMPLIMENTS REPORT

### 1. The number of complaints, comments and compliments recorded

1.1 The number of complaints, comments and compliments needs to be seen in the context of the number of people accessing services and the number of complaints. What is important is to be able to identify where there is an increase in the number of complaints recorded for a particular service, as this would require further investigation.

1.2 In 2009/10, **448** complaints were recorded compared with **143** for 2008/09. This increase can be partly accounted for by a large increase in complaints regarding the time it takes to deal with insurance claims for potholes. Transport Integration, home to school transport complaints have increased 52% from 67 to 102 with an increase in complaints during the bad weather. Work has continued across the department in 2009/10 on improving the recording of complaints, comments and compliments and capturing this information in a more consistent way.

1.3 We recorded **791** comments and **235** compliments regarding the services we provided. The majority of comments are received by the Communication & Media Centre and the Financial Strategy Group and the largest number of compliments is recorded by Law & Governance.

Further information is provided below and in Tables 1, 2 and 3

### 2. Complaints, comments and compliments by business unit

#### 2.1 Commercial Services

Commercial Services comprises: Transport Integration, Landscape Services, Staff Care Services and Facilities Management.

144 complaints, 23 comments, 53 compliments

Facilities Management complaints are now recorded within Commercial Services. 20 complaints were received from neighbours regarding KCC staff parking after KCC staff relocated to building with insufficient car parking spaces. We have ensured our neighbours were listened to by briefing our teams to encourage a better relationship with our neighbours and more responsible parking.

Transport Integration, home to school transport complaints have increased 52% from 67 to 102 with an increase in complaints during the bad weather. The majority of complaints are from parents who are not satisfied regarding the mode of transport to school provided for their child and problems with the transport provided. We worked with our transport providers to provide the service during the bad weather and ensure all problems are resolved. Other complaints related to Staff Care Services and Landscape gardening.

Commercial Services Teams recorded 53 compliments for the services they provide.

## 2.2 Communication & Media Centre

12 complaints, 652 comments, 19 compliments

The 12 complaints related to articles in Around Kent, and links not working on the kent.gov.uk web site.

Complaints and comments about Around Kent have been recorded so that we can take account of public opinion when we produce the next edition and work is ongoing to improve elements of the website.

652 comments were received by email regarding the kent.gov.uk website. These range from broken links, spelling mistakes, questions about our search functions, PDFs not opening, no access to directorate applications, people who could not find documents and requests to publish documents. All of this feedback is used to improve the website.

There were 19 compliments relating to the running of successful events and the Around Kent publication.

## 2.3 Insurance Section

203 complaints, 0 comments, 30 compliments

Complaints have increased ten fold from 20 in 2008/09 to 203 in 2009/10. We received 1,000 more insurance claims in January/ February/ March 2009/10 compared to the same period in 2008/09. Due to the increase in volume, insurance claims had been delayed within Highways. To improve the process insurance claim complaints are now dealt with by the Contact Centre enabling the Insurance and Highway Sections to get on with processing claims.

There were 30 compliments for the handling of insurance claims.

## 2.4 Financial Strategy Group

2 complaints, 62 comments, 0 compliments

There was 1 complaint about pensions and 1 regarding Council Tax increases.

KCC actively encourages our customers to give us opinions about any of our services. This year we received 62 comments in our council tax email box regarding services within the Chief Executives Department.

A wide range of financial enquiries are received including issues in the press such as Kent TV, Turner Centre, Icelandic Banks, Chief Executive's level of pay / severance payment, and "gold-plated" staff pensions.

Questions include why council tax is so high / why it continues to increase, why more savings are not made, and about the publication of information on spending.

We also received 107 contacts not included above on issues relevant to other public bodies, often relating to council tax billing / moving, benefits, change in circumstances (District Council functions), or about property tax bands (Valuation Office Agency issue).

## 2.5 Law & Governance

13 complaints, 54 comments, 97 compliments

There has been an increase in complaints from 8 to 13. There were 6 complaints regarding the administration of the Schools Appeal System. KCC Officers met with senior investigators from the Local Government Ombudsman Office to discuss the issues related to school admissions. The Council has incorporated the feed back from such meetings into its training of Appeal Panel Members and Clerks.

Other complaints related to Freedom of Information delay in response times and legal fees.

54 Comments and 97 compliments were recorded on the Legal Services comment cards and give feedback on the service received. This information is used to improve services.

## 2.6 Personnel & Development

27 complaints, 0 comments, 2 compliments

A total of 1,738 posts were advertised and over 51,327 (50,346 in 2008/09) application forms from candidates were processed during the year. There was an increase from 10 to 27 in complaints recorded regarding the KCC recruitment process and the Schools Personnel Service. Complaints relate to not being short-listed and Managers not getting back with feedback. No complaints were made regarding the recruitment team itself.

To improve the service the team chase the outcome of vacancies following the short-listing and interview stages of recruitment to ensure that all candidates are contacted with an outcome. The Team has a continuous approach to improving customer service, coaching managers with regard to the process and encouraging the attendance on the Recruitment & Selection course to ensure a consistent message is communicated. Recruiting Managers now need to contact applicants post interview within 2 days or contact the recruitment team who will follow this through with immediate effect.

## 2.7 Property Group

6 complaints, 0 comments, 4 compliments

The number of complaints for the Estate and Asset Management Group within the Property Group have remained the same. Facilities Management are now managed by Commercial Services and their complaints are recorded within Commercial Services.

Four complaints were recorded regarding services at Oakwood House. All were resolved satisfactorily. Two complaints relate to land for sale and how KCC has dealt with asbestos in Schools.

Compliments were recorded for excellent service involving two serious incidents at two schools which included staff from Maintenance & Minor Works team in Property Group.

## 2.8 Strategic Development and Public Access

38 complaints, 0 comments, 26 compliments

The number of complaints went up from 5 in 2008/09 to 38 in 2009/10.

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.

Contact Centre complaints are included in the figure this year and account for the increase in numbers. The contact centre had in the region of 1.26million contacts in 2009/10 and recorded 35 complaints. These complaints related to callers incorrectly transferred, waiting time for call to be answered, attitude/way call handled by advisor.

The following actions have been taken to improve customer service:

- Identified that more Switchboard training required both for new and established Advisors to ensure calls being transferred correctly – a series of training sessions has been planned in the annual training schedule
- Soft skills training – a training programme has just been written for Advisors helping them deal with difficult callers – this was based on Advisor feedback and picked up as a requirement when the calls were being listened to for quality and training purposes
- If individual Advisors are identified with regards to a complaint they will receive 1-2-1 coaching.

As part of the new Customer Relationship Management (CRM) system to be introduced in 2010/11 the Contact Centre will be able to collect more detailed information in the future.

There was 1 complaint about the Gateway Service and 2 complaints about Kent TV.

There were 26 compliments regarding the Contact Centre service. These compliments range from helpful attitude of advisor and the efficiency of dealing with the enquiries.

## 2.9 Strategy, Economic Development & ICT

2 complaints, 0 comments, 6 compliments

There were 2 complaints regarding the collecting of Equalities and Diversity Information and the non availability of information in paper format.

There were 6 compliments, 2 related to the clarity and readability of the Annual Performance Plan, 2 for the Kent Property Market Report breakfast launch and 2 for information provided by the Research and Intelligence Team.

## 2.10 Strategic Procurement

1 complaint, 0 comments, 0 compliments

There was 1 complaint regarding the Tendering Procedure and improvements have been made regarding access to the mailbox that suppliers use.

### **3. Methods of communication**

3.1 The majority of complaints within the Chief Executive's Department are received by phone 207 (52%) and letter 97 (24%) with 54 (13%) by email and 9 (2%) complaints received using the on-line complaint system. See Table 4.

3.2 It is important to ensure that all channels remain open and effective so customers can choose how they contact us. It should be noted, however, that it can be more difficult for staff to record comments, compliments and complaints given verbally (over the phone and especially face-to-face) but they are more likely to be able to resolve the situation there and then with the complainant.

### **4. Compliance with standards**

4.1 The corporate standards for complaints handling is as follows: 3 working days to acknowledge a complaint and 20 working days to give a formal response.

4.2 The Group Managing Directors complaints are handled within the Law and Governance Team. Complaints are often already over three working days old before they arrive at the Unit from other Directorates for logging and acknowledging. The Unit also has no control over the timeliness of responses to "Stage 1" complaints which are passed to the responsible operational unit manager to investigate and reply direct to the complainant. All the Unit can do is to remind the team dealing that they are approaching/have exceeded the desired timeframe. All other Business Units acknowledged and responded to complaints within timescales. The percentage of complaints meeting the KCC response standards are detailed in Table 5.

### **5. Valuing Diversity**

5.1 As from 1 April 2009, when complaints are acknowledged a Complaints Equalities Monitoring Form (EMF) has been included with the acknowledgement letter. This new procedure has significantly improved the number of equality monitoring responses received by the Chief Executives Department from 1% to 20%. We are required to carry out this monitoring but we do get complaints questioning the value of the monitoring form.

### **6. Vexatious and Repetitious Complainants**

6.1 There were no complaints recorded as a Vexatious and Repetitious complaint within the Chief Executives Department for the period 1 April 2009 – 31 March 2010.

### **7. Compensation**

7.1 No compensation has been paid to complainants within the Chief Executives Department during 2009/10 under the complaint procedure.

## **8. Local Government Ombudsman Complaints**

8.1 The Ombudsman decided five complaints for the Chief Executives Department in 2009/10:

- Commercial Services received 1 complaint with regard to school transport
- Corporate Access to Information Team received 1 complaint relating to a Subject Access Request and our refusal to share information provided in confidence by a third party
- Legal Services received 2 complaints (from same complainant) relating to their involvement with a s278 agreement under the Highways Act and then the fees KCC's Legal Team charge
- Personnel received 1 complaint but the Ombudsman considered it was outside of their jurisdiction.

None of these complaints were found against KCC.

**Table 1 - Number of Complaints**

	<b>2009/10</b>	<b>2008/09</b>	<b>2007/08</b>
<b>Business Units</b>			
Commercial Services	144	67	16
Communication and Media Centre	12	N/A	N/A
Financial Strategy Group	2	8	4
Insurance	203	20	12
Law & Governance	13	8	5
Personnel (Employee services & Schools Personnel Service)	27	10	4
Property Group	6	13	1
Strategic Development & Public Access	38	17*	1
Strategy, Economic Development & ICT	2	0	1
Strategic Procurement	1	N/A	N/A
<b>TOTAL</b>	<b>448</b>	<b>143*</b>	<b>44</b>

\* includes 12 Kent TV complaints

**Table 2 – Number of Comments**

<b>Business Units</b>	<b>Total</b>
Commercial Services	<b>23</b>
Communication and Media Centre	<b>652</b>
Financial Strategy Group	<b>62</b>
Insurance	<b>0</b>
Law & Governance	<b>54</b>
Personnel (Employee Services & Schools Personnel Service)	<b>0</b>
Property Group	<b>0</b>
Strategic Development & Public Access	<b>0</b>
Strategy, Economic Development & ICT	<b>0</b>
Strategic Procurement	<b>0</b>
<b>TOTAL</b>	<b>791</b>

**Table 3 - Number of Compliments**

<b>Business Units</b>	<b>Total</b>
Commercial Services	<b>53</b>
Communication and Media Centre	<b>19</b>
Financial Strategy Group	<b>0</b>
Insurance	<b>30</b>
Law & Governance	<b>97</b>
Personnel (Employee Services & Schools Personnel Service)	<b>2</b>
Property Group	<b>4</b>
Strategic Development & Public Access	<b>26</b>
Strategy, Economic Development & ICT	<b>6</b>
Strategic Procurement	<b>0</b>
<b>TOTAL</b>	<b>237</b>

**Table 4 - How complaints were received**

<b>Business Units</b>	<b>How complaint was received</b>				
	<b>Total</b>	<b>e-mail</b>	<b>phone</b>	<b>letter</b>	<b>Other</b>
Commercial Services	<b>144</b>	38	40	40	26
Communication and Media Centre	<b>12</b>	4	1	1	6
Financial Strategy Group	<b>2</b>	0	0	0	2
Insurance	<b>203</b>	0	152	51	0
Law & Governance	<b>13</b>	9	1	3	0
Personnel (Employee services & Schools Personnel Service)	<b>27</b>	14	2	2	9
Property Group	<b>6</b>	1	0	5	0
Strategic Development & Public Access	<b>38</b>	4	24	6	4
Strategy, Economic Development & ICT	<b>2</b>	1	0	0	1
Strategic Procurement	<b>1</b>	0	0	1	0
<b>TOTAL</b>	<b>448</b>	71	220	109	48

**Table 5 – Compliance with Standards**

<b>Complaints acknowledged within 3 working days</b>	<b>2009/10</b>		<b>2008/09</b>	
		<b>%</b>		<b>%</b>
Commercial Services	144	100	64	95
Communication and Media Centre	12	100		N/A
Financial Strategy Group	2	100	8	100
Insurance	203	100	20	100
Law & Governance	10	77	8	100
Personnel (Employee Services & Schools Personnel)	18	100	10	100
Property Group	6	100	13	100
Strategic Development & Public Access	38	100	4	100
Strategy, Economic Development & ICT	2	100		N/A
Strategic Procurement	1	100	N/A	

<b>Responses to complaints within 20 working days</b>	<b>2009/10</b>		<b>2008/09</b>	
		<b>%</b>		<b>%</b>
Commercial Services	143	99	68	100
Communication and Media Centre	12	100		N/A
Financial Strategy Group	2	100	8	100
Insurance	203	100	20	100
Law & Governance	8	63	8	100
Personnel (Employee Services & Schools Personnel)	18	100	10	100
Property Group	6	100	13	100
Strategic Development & Public Access	38	100	4	100

Strategy, Economic Development & ICT	2	100		N/A
Strategic Procurement	1	100	N/A	

**Table 1 - Comparison of complaints numbers for 2007/08, 2008/09 and 2009/10**

**KENT ADULT SOCIAL SERVICES**

<b>Service</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Contracting	33	37	23
County Benefits		1	
County Duty Service	2	2	13
Customer Care			7
Direct Payments			8
Finance:	1		
CFAO	1		10
Debt Recovery			6
Fin Assessments - Dom	10	6	12
Fin Assessments – Res	6	16	12
Payments		12	18
Gypsy Unit		3	2
Hospitals	17	20	19
<b>Learning Disability:</b>			
Assessment			2
Care Management	29	63	69
Day Care	5	7	12
Domiciliary		1	1
Residential	9	18	12
Other	2		7
Respite		2	6
Transition Arrangements	2	2	1
Learning Disability Policy			
Management Support		1	1
Mental Health	4	6	4
<b>Older People:</b>			
Assessment			31
Care Management	128	115	173
Day Care	3	13	17
Domiciliary	27	24	49
Enablement			7
Residential	27	50	66
Other	2	1	3
Respite	4	4	29
<b>OT and Sensory Loss:</b>			
Deaf Services	4	1	1
OT	29	22	4
Blue Badges	6	19	7
KAB			

Other/Unknown	4	4	4
Out of Hours	2	2	0
<b>Phys Disability:</b>			
Assessment			8
Care Management	7	15	17
Day Care		1	4
Domiciliary	2	3	10
Enablement			6
Residential	1		2
Other			2
Respite			
Transition Arrangements			
Planning	1	3	2
Public Private Partnership & Property			3
<b>Specialist Services:</b>			
Adults	6	27	1
Homecare		3	
Older People	26	18	
Social Economy/ Kent Supported Employment		2	1
Telecare		1	2
Telehealth			1
Training and Development			1
Voluntary Escorts		1	1
<b>Total</b>	<b>400</b>	<b>526</b>	<b>697</b>

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

## CHILDREN FAMILIES AND EDUCATION

<b>Service</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Children & Families non-statutory	89	73	98
Children & Families statutory	178	193	200
Education (01/09/07-31/03)	218	230	215
<b>TOTAL</b>	<b>485</b>	<b>496</b>	<b>513</b>

## COMMUNITIES

<b>Service</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Arts Development	0	2	3
Community Learning and Skills **	-	-	118
Community Safety	20	9	8
Coroners Service	***	***	1
Emergency Planning	0	0	0
Kent Adult Education	27	31	-
KDAAT	2	10	11
Kent Volunteers	0	0	

## Appendix C

Kent Scientific Services	1	28	31
Key Training		29	-
Libraries	370	600	542
Registration (& Coroners)	10	8	10
Sport, Leisure & Olympics	0	4	0
SIP *		6	2
Supporting People			19
Trading Standards	15	9	22
Turner Contemporary	5	4	7
Youth Offending Service	0	3	2
Youth Service	7	56	87
<b>TOTAL</b>	<b>457</b>	<b>799</b>	<b>863</b>

\* Transferred from Chief Executives Dept 2008/09

\*\* New unit for Kent Adult Education and Key Training

\*\*\* was included in the Registration Service's count

### ENVIRONMENT, HIGHWAYS AND WASTE

<b>Service</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Environment & Waste	426	231	380
Kent Highway Services	232	195	1259
Strategy & Planning	1	3	2
Regeneration & Economy*	1	-	-
<b>TOTAL</b>	<b>660</b>	<b>429</b>	<b>1641</b>

\* Transferred to Chief Executives Dept 2008/09

### CHIEF EXECUTIVES

<b>Service</b>	<b>2007/08</b>	<b>2008/09</b>	<b>2009/10</b>
Business Solutions & Policy	1	0	2
Commercial Services	16	67	144
Communication and Media Centre	N/A	N/A	12
Finance	4	8	2
Insurance	12	20	203
Legal & Democratic Services	5	8	13
Personnel (Employee Services & Schools Personnel Services)	4	10	27
Property	1	13	6
Regeneration & Economy	0		
Strategic Development & Public Access	1	*17	38
Strategic Procurement	N/A	N/A	1
<b>TOTAL</b>	<b>44</b>	<b>143</b>	<b>448</b>

\*Includes 12 Kent TV complaints

Table 2 Complaints information 1 April 2007 – 31 March 2010

How complaints were received		Phone	Letter	E-mail	On-line	KMS	Face-to-face	Comment Card	Fax	Other
<b>COMMUNITIES</b>										
2007/08	<b>457</b>	21	51	14			1	370		1
2008/09 (ex. Libraries)	<b>184</b>	57	46	71			9		1	
2009/10	<b>863</b>	96	82	211	9		26	388		51
<b>ENVIRONMENT AND REGENERATION</b>										
2007/08	<b>660</b>	119	215	213	6	29	1	75	2	
2008/09	<b>429</b>	115	113	129				72		
2009/10	<b>1641</b>	1211	126	239				65		
<b>CHILDREN, FAMILIES AND EDUCATION</b>										
2007/08	<b>485</b>	52	350	70						13
2008/09	<b>496</b>	44	355	92						5
2009/10 (data incomplete)	<b>513</b>	65	291	90	1		2		5	3
<b>KENT ADULT SOCIAL SERVICES</b>										
2007/08	<b>346</b>	59	247	26	6		2		1	5
2008/09	<b>359</b>	69	240	35	6		4		3	2
2009/10	<b>436</b>	111	254	55	2		4		3	7
<b>CHIEF EXECUTIVE'S DEPARTMENT</b>										
2007/08	<b>44</b>	1	38	5						
2008/09	<b>143 *</b>	23	28	88						4
2009/10	<b>448</b>	220	109	71						48

\* includes 12 Kent TV complaints

Table 3 Acknowledgement and Response Times against standards

	COMPLAINTS	COMPLIMENTS	COMMENTS	% answered within our standards	
				ACKNOWLEDGEMENT	RESPONSE
<b>COMMUNITIES</b>					
2007/08	457	-	-	Not available	
2008/09	799	1,361	521	96%	74% *
2009/10	863	1,247	1,693	87%	96%
<b>ENVIRONMENT AND REGENERATION</b>					
2007/08	660	1,398	-	93%	97%
2008/09	429	941	-	96%	97%
2009/10	1,641	1,655	-	95%	98%
<b>CFE</b>					
2007/08	483	36	204	Not available	
2008/09	496	71	278	Not available	
2009/10	513	81	290	Not available	
<b>KENT ADULT SOCIAL SERVICES</b>					
2007/08	346	455	264	96%	92%
2008/09	359	463	198	91%	85%
2009/10	436	502	212	89%	90%
<b>CHIEF EXECUTIVES DEPARTMENT</b>					
2007/08	44	-	100+	95%	100%
2008/09	143	139	67	96%	100%
2009/10	448	237	791	98%	96%

\* The low compliance level found in Libraries has been investigated by senior managers and was traced to inconsistencies in how the complaints are recorded and reported by some front line members of staff.