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Strategic and Corporate Services - Customer Services

To: Governance and Audit Committee

Date:

Subject: KCC Annual Customer Feedback Report 2013/14

Classification: Unrestricted

Summary: This report provides a summary of the compliments, comments and complaints recorded by the Council. The report includes Local Ombudsman Complaints, Members Complaints and reference to recent and future improvements in the administration of customer feedback.

Recommendation: Committee is asked to note the contents of this report.

1. INTRODUCTION

1.1 This is the Council's fifth annual report on compliments, comments and complaints in this format. This report sets out:

- A summary of the compliments, comments and complaints received by the Council for the year April 1st 2013 to March 31st 2014
- The Local Government Ombudsman Complaints Statistics for the year April 1st 2013 to March 31st 2014
- Member Complaints for the year April 1st 2013 to March 31st 2014
- Progress planned for 2014/15 and beyond

1.2 During 2013, the Council launched 'Facing the Challenge' which sets the direction for KCC to become a Commissioning Authority, placing customers at the heart of everything we do. Building on the foundation of the existing Customer Service Strategy (2012), a new Customer Service Policy has been designed to support KCC and Commissioners to deliver on the Council's commitment to customers. This was endorsed by Corporate Management Team on 9th December 2014.

1.3 Customer feedback, whether it is a compliment, comment or complaint, provides invaluable insight to the experience of customers, service users and all who interact with the Council. Good quality insight builds intelligence and

understanding of where the Council is meeting expectation and doing well and what needs to be done to improve service outcomes for all customers.

- 1.4 This report presents a very positive position in respect of the low level of general complaints received relative to the volume of customer and service user interactions delivered by and on behalf of this Council. Further, during 2013/14, GovMetric has captured 121,971 individual expressions of customer feedback across three primary channels providing KCC with powerful insights into customer experience and satisfaction at point of service. KCC achievement across this year was Good 73.1%; Average 9.1%; Poor 17.8%.
- 1.5 Managing the collation and analysis of customer feedback is challenging for an organisation operating on the scale of KCC. This activity becomes increasingly critical as more services are devolved and delivered through an extended and more complex supply chain.
- 1.6 KCC's new Customer Service Policy will be linked to the Commissioning Framework and require internal and external suppliers to comply with our procedures; provide data in a timely and appropriate format, evidence that that intended performance outcomes have been achieved. This will ensure that Members are able to discharge their responsibilities to Kent residents.
- 1.7 KCC Complaints Policy will be refreshed to reflect a changing organisation. This Policy sets the common standard required for managing complaints to ensure that customers are assured through this process. Complainants will receive an acknowledgement to their complaint within 3 working days and a response within 20 working days, with the exception of Children Social Services and Adult Social Services statutory complaints.
- 1.8 In 2013, a detailed specification was developed for a 'corporate customer feedback' system. This approach was agreed and is linked to the implementation of a wider Customer Relationship system (CRM or similar) for the County Council. Implementation of this approach and system has been paused until the implications of Phase 1 Market Engagement activity are known.

2. MONITORING

- 2.1 The development of systems and mechanisms for recording all compliments, comments and complaints continues to be work in progress and opportunities to ensure the capture of all information from across KCC is ongoing. This report reflects current practice and the improvements that have been achieved. Officers currently involved in the local administration and reporting of customer feedback for their business areas are working very effectively. A best practice forum will be established to support further improvement and effective and more uniformed recording across KCC during 2015/16.
- 2.2 Customer Relationship and Digital Services are focused on making the KCC complaints handling and reporting process more responsive to customer needs. This will include:

- Streamlining contact channels by promoting a primary email, e-form, contact telephone number, and postal address for KCC (Social Care will continue with their existing arrangements)
- One leaflet for the council informing the public how to contact us regarding their feedback
- Identifying an initial complaints response team within the Contact Centre. This team will:
 - Log complaints arriving at a central point (mail, e-form and phone)
 - Acknowledge receipt of complaint - meeting 3 day standard
 - Answer 'simple' enquiries to resolve at first contact wherever possible
 - Divert complex complaints to 'specialist' directorate leads to answer within 20 days (with exception of statutory children's and adults' complaints)

2.3 Throughout the year complaints monitoring has been reported in the Council's Quarterly Performance Report, highlighting any issues that have arisen during the previous three months.

2.4 Data for this report is currently gathered manually, and is reliant on a range of inputs from local services that reflect a variety of collation and reporting methods.

2.5 A specification for a 'corporate feedback system' has been outlined. The system will provide a workflow for all feedback that requires a response and provide information on customer feedback in real time. It will enable tracking of issues that are presented to KCC as Complaints and then escalated to the Local Government Ombudsman or the issue challenged using Freedom of Information (reported separately).

3. CUSTOMER COMMUNICATIONS CHANNELS

3.1 Information on 'How to Complain' is available on our website and on our Complaints, Comments and Compliments leaflets. The public can now provide KCC with feedback in a number of ways. One area KCC must consider more robustly is Social Media. Increasingly, people will share poor experiences and issue untargeted complaints relating to commercial business as this type of exposure evidentially triggers a quicker response and reparation than via traditional Customer Service help lines.

3.2 The breakdown below indicates by percentage which channel customers have chosen to communicate feedback during 2013/14. There is an 8% percentage shift in preference for on-line reporting; 10% reduction in written media and a 2% increase in telephone reporting compared with 2012/13.

- 46% Phone (+ 2%)
- 30% e-mail (+ 7%)
- 16% Letter (-1%)
- 4% Comment Card (- 8%)

- 3% Online (+1%)
- .5% Face to Face (- .5%)
- .5% Other (- .5%)

3.3 It is essential to ensure that all channels remain open and effective so that 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 when they are given face-to-face, although it may be more possible to resolve the situation there and then with the complainant.

4. GOVMETRIC FEEDBACK FOR 2013/14

4.1 The table below provides a breakdown of the GovMetric feedback for 2013/14, the first full year of operation.

2013/14	Q1	Q2	Q3	Q4	Rating Total	Overall Total
Telephone						
Good	9571	13279	8150	10205	41205	43680
Average	356	595	359	499	1809	
Poor	126	180	156	204	666	
F2F						
Good	7265	8571	7520	8122	31478	46225
Average	1488	1761	1343	1350	5942	
Poor	2130	2466	2064	2163	8805	
Web						
Good	5049	4020	4094	3361	16524	32066
Average	892	777	876	809	3354	
Poor	3097	2716	2667	3708	12188	

4.2 Implemented during 2012, this is a fully automated system that provides KCC with a consistent opportunity to feedback across three primary service channels - Kent.gov, Contact Point and nine Gateway/Library face-to-face centres.

4.3 GovMetric provides an additional and important facet to traditional methods of receiving customer feedback. Each comment provides a unique insight into the customer experience at the time of their transaction. When taken alongside contact volumes for each channel, the information provides insight to the behaviours and preferences of customers when dealing with KCC. This evidence is essential and will inform future service redesign toward cheaper digital service solutions, encouraging the customer preference for the convenience of the digital channel.

4.4 This table provides a breakdown of the GovMetric feedback recorded across each channels by quality rating and volume. During 2013/14, KCC

received 121,971 pieces of individual customer feedback with 35.81% recorded for Contact Point; 37.90% for Gateway/Library; and 26.29% for Kent.gov.

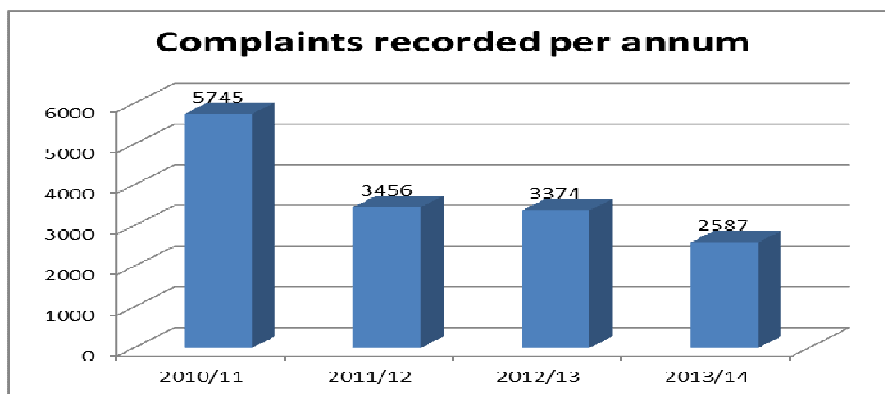
- 4.5 During 2013/14, customer satisfaction (when combining good and average ratings) with Contact Point was at 98.48%, with only 1.52% of comments rating the service poor; 80.95% had a positive experience of Gateway/Library transactions, with 19.05% recording a poor experience; 62.05% satisfaction with Kent.Gov, and 38% indicating a poor experience and recommending improvements. It must be noted that rating for Kent.gov precedes the implementation of the new content management system.
- 4.6 To supplement the broad opinion captured through GovMetric, the Digital Services team have devised a 'user exit survey' to ensure that improvements are made in direct response to user experience.
- 4.7 Where the customer provides an explicit insight with a poor rating, this information is used and converted into a formal complaint or enquiry to ensure that appropriate responses and actions are taken, and monitored under the standard complaint response times and processes.
- 4.8 A breakdown of complaints, compliments and comments by Directorate and Service can be found in Appendix F.

5. NUMBER OF COMPLIMENTS AND COMMENTS TO KCC

- 5.1 A **compliment** is an expression of thanks or congratulations or any other positive remark. (Internal compliments are excluded from this process).
- 5.2 Compliments across the council decreased by 17% with 4,527 recorded compliments from April 2013 to March 2014 compared to the previous year when 5,456 compliments were recorded. Compliments are equally important to record and have provided a valuable source of learning and can act as an indicator of best practice or highlight areas where we are getting things right across the Council. We are currently updating our recording procedure with clear guidelines to ensure all Compliments are captured.
- 5.3 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.
- 5.4 This year we received 2,250 comments compared with 1,530 last year. This is an increase of 47% on the previous year. The council actively encourages customers to give opinions about services and we are exploring how best to present information on Kent.gov about actions taken in response to comments received from the public.

6. NUMBER OF COMPLAINTS TO KCC

- 6.1 A **complaint** is an expression of dissatisfaction, whether justified or not and however made, about the standard or the delivery of a 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.
- 6.2 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. By recording accurately where things went wrong, we can use that information to improve service delivery and ensure that customers receive consistently good service regardless of how they choose to access them.
- 6.3 In 2013/14 2,587 complaints were recorded compared with 3,374 for 2012/13, this equates to a **decrease** of 23% in complaints recorded.



Graph showing the four year trend in complaint volumes – Data can be found at Appendices F & G.

- 6.4 The drop in the number of formally reported complaints could reflect a breakdown in the recording processes deployed across KCC; it could also indicate that customers are satisfied leaving feedback using the GovMetric feedback facility.
- ## 7. REASONS FOR COMPLAINTS
- 7.1 Irrespective of service or business type, the main grounds for complaints during 2013/14 tend to fall under one of the following themes (not in order of prevalence):
- Quality of service
 - Delivery of service
 - Availability of KCC services
 - Poor communications
 - Changes to service delivery due to cost saving measures
 - Policy decisions

- Staff behaviour
- Timeliness

7.2 The factors indicate that there are opportunities for corporate learning in areas such as Policy implementation and Governance, Commissioning and/or Contract Monitoring and Staff Development and Training.

8. COMPLIANCE WITH STANDARDS

8.1 **KCC** is committed to acknowledge any complaints received within 3 working days and to provide the customer with a response within 20 working days. As a whole KCC acknowledged 96% and responded to 83% of complaints within corporate timescales.

8.2 The percentage of complaints meeting KCC response standards by directorate is shown in Appendix G.

Families & Social Care - Adult Social Care

8.3 There is only one statutory timescale for adult social care complaints and this is the acknowledgement of the complaint, which must be provided to the complainant within three working days of receipt. 97% of these complaints were acknowledged within the statutory timescale of three working days, this is an improvement against 95% last year. **79% of complaints were responded to within the 20 day time scale.**

8.4 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. 79% of complaints were responded to within the timescale agreed with the complainant which is a considerable improvement on the previous year when the Council achieved 67%.

8.5 The average response time for statutory complaints set with a complaint plan timeframe of 20 working days is 14 working days. Complex cases that require either an off-line/external investigation or a joint response with health colleagues are identified at the beginning of the complaint and a longer timeframe is negotiated.

Within Adult Social Care there is no statutory response timeframe to be measured against as the legislation allows for the response timescales to be agreed with the complainant.

Families & Social Care - Children's Social Services

8.6 The Local Authority must consider and try to resolve Stage One complaints within 10 working days of the start date for Children's Social Services complaints. This can be extended by a further 10 working days where the complaint is considered to be complex.

- 8.7 Timescales have been extended for particularly difficult or complex cases, for example when more than one agency or service is involved or when cases are involved in other processes such as court proceedings and safeguarding procedures. Performance against timescales has improved since the previous year. **In 2013/14, 75% of statutory complaints were completed within 20 working days**, this compares against 64% completed within 20 working days in the previous year.
- 8.8 The Local Authority should consider Stage Two complaints within 25 working days of the start date (the date upon which a written record of the complaints to be investigated has been agreed) but this can be extended to 65 working days where this is not possible.

9. THE LOCAL GOVERNMENT OMBUDSMAN COMPLAINTS REVIEW 2013/14

9.1 Overview of Ombudsman & Changes to Service from the Ombudsman

- 9.1.1 In cases where a customer is unhappy with the responses received about their complaint from the Council they can exercise their right to involve the Local Government Ombudsman. The Ombudsman will investigate cases where a customer has exhausted the Council's own complaints policy and feel that their case has not been appropriately heard or resolved.
- 9.1.2 The Ombudsman can look at complaints about things that have gone wrong that has caused problems for the Customer, either,
- in the way in which a service has been delivered
 - when a service has not been delivered at all, or
 - in the way a decision has been made.
- 9.1.3 Each year, in June/July, the Local Government Ombudsman issues an annual review to each local authority. In her letter and the summary of statistics to accompany this, she sets out the number of complaints about that authority that her office has dealt with.
- 9.1.4 In response to LGA, Care Quality Commission and SOLACE feedback, the Local Government Ombudsman service implemented a new business model for 2013/14 with the aim of delivering a comprehensive service and ensuring more effective local accountability of public services.
- 9.1.5 The changes provide a single Ombudsman service for all public services in England. Independent Chairs for the LGO Audit and Remuneration Committees and further independent advisory member has been introduced to the governing board, the Commission for Administration in England.
- 9.1.6 Changes to reporting include the opportunity for councils to compare their performance on complaints against their peers; copies of the Annual Review letter as well as any published Ombudsman will be issued to the Leader of the Council and Head of Paid Service/Chief Executive to encourage more

democratic scrutiny of local complaint handling and local accountability of public services.

9.1.7 As a result of these changes, updates to the classification of cases and the implementation of a new national database, the figures for this year were not directly comparable to our records and will not be comparable to previous years. KCC has responded to the Ombudsman on the findings of the report which shows a discrepancy of 19 cases which we believe is a reflection of coding for example a duplication of Premature Complaints, and complaints closed between May 2014 and June 2014 being attributed to 2013/14. (Appendix A)

9.1.8 The KCC data and the Ombudsman statistics published on the 15th July has been investigated. Whilst it was anticipated that the figures may not directly compare, there was found to be a variation of an additional 19 cases recorded against KCC for 2013/14. A further variation in the LGO figures was also identified in their summary alignment to the new case classifications. The tables below outline the assessment of KCC reporting against the Ombudsman Report.

Local Authority breakdown of Cases 2013/14

Local Authority	Adult Care Svs	Bens. and Tax	Corp. & Other Svc	Educ. & Child. Svc	Env. Svc & Public Prot. & Reg.	H/ways & Trans.	Housing	Plan. & Dev.	Grand Total
KCC Total	37	1	5	102	9	16	1	4	175
LGO Total	47	1	6	102	10	23	1	4	194*

Scope of error	+10 <i>Duplic./ Prem.</i>		+1 <i>reported in 12/13</i>		+1 <i>Medway Case</i>	+7 <i>1 x Dup/ Prem. 6 x Dup. Enq to Compl.</i>			
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‘LGO Summary of how cases were dealt with’.

Local Authority	Detailed investigations carried out		Advice given	Closed after initial enquiries	Incomplete/ Invalid	Referred back for local resolution	Total
	Upheld	Not Upheld					
Kent CC	36	36	1	50	7	45	175
LGO Figures	36	41	1	57	12	44	191*
Scope of error	*+2 Mal Admin? +1 Medway Omitted?						

9.2 Changes to Classification and reporting

9.2.1 The Local Government Ombudsman has introduced two classifications of query made to the council. The first is an ‘enquiry’ which they normally ask the Council to respond to within 5 days. This classification includes a question relating to whether a complainant has exhausted the Council’s own complaints policy.

9.2.2 The rationale is that an early clarification will potentially reduce and number and time spent handling ‘premature complaints’ – when the complainant has not exhausted the Council’s procedure or where fault is not likely to be found.

9.2.3 The second classification is a ‘complaint’ in which the Ombudsman has chosen to fully investigate the claim and will give the council 28 Calendar days or 20 working days to respond to its questions.

9.2.4 Decision statements made in 2013/14 will be published - website <http://www.lgo.org.uk/publications/annual-reviews/> - three months after the date of the final decision. The information published will not name the complainant or any individual involved with the complaint. Cases in which the complainant, despite redaction of names, can be easily identified are not published.

9.3 KCC Performance – Ombudsman complaints

9.3.1 During 2013/14 KCC received a total of 175 complaints and 73 enquiries which includes 12 complaints deemed premature. This is an increase on 2012/13, when Council received 129 complaints and 40 enquiries, including 33 complaints that were deemed premature.

- 9.3.2 In 2013/14 the average number of working days taken KCC to respond to a 'Complaint' was 12 days (or 2.4 weeks) a significant reduction on last year's performance of 30 days (or 6 weeks). The reduction of time and improved performance reflects a more robust manual reminder and follow up process having been introduced during the year and effective inter-departmental liaison.
- 9.3.3 The time taken to respond to Local Ombudsman enquiries or requests for further information was not previously reported but has been introduced during this year to reflect the changing LGO model.
- 9.3.4 The average number of working days require to respond to a request for further information is high at 21 working days (or 4 weeks). Conversely, the average number of calendar days taken to respond to an 'Enquiry' is within target at just 4 days. This difference is due to the fact that the Ombudsman's office requires far less information when the Complaint is at their Enquiry stage.
- 9.3.5 The Ombudsman Annual Report states that KCC received 194 complaints and 73 Enquiries during 2013/14. These figures do not match those collated by KCC at 9.3.1.
- 9.3.6 According to this breakdown, the Ombudsman had been able to give decisions on 191 complaints received about the council. It is important to note that not all of these complaints would have been received in 2013/14. A breakdown of the Local Government Ombudsman Decisions in relation to KCC's Directorates made in 2013/14 can be found in Appendix B. Appendix C shows these decisions in relation to KCC's Units. A summary of Ombudsman Report findings can be found at Appendix D.
- 9.3.7 Of the other complaints investigated by the Ombudsman, 103 of the 175 (59%) received were under the category of Education & Children's Services. 31 related to Education Appeals, the authority statistically has one of the largest volumes of appeals relating to schools admissions. A further 3 related to Home to School Transport provision, following a change to policy in the previous year. A directorate breakdown can be found at Appendix E.

Local authority report – Kent County Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

Complaints and enquiries received

Local Authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Kent CC	47	1	6	102	10	23	1	4	194

Decisions made

Local authority	<u>Detailed Investigation Carried out</u>		Advice given	Closed after initial Enquiries	incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Kent CC	36	41	1	57	12	44	191

9.3.8 Further correspondence received from the LGO on 23 October confirmed that they are happy in the knowledge that the report is based on 'data will not be the same as that recorded by councils. This is not an error by either the LGO or the Council.' Further LGO acknowledges that the timing of decisions, categorisation, varying recording methods and limited resources for more detailed analysis prior to issuing the reports may result in marginal differences.

9.3.9 It is worth noting that one complaint which was being dealt with throughout 2013/14 (although was initiated in 2012) and related to concerns from a number of school governors about the Local Authority's dealing with a particular issue at their school was referred to the LGO but was deemed by them to be an issue outside their jurisdiction. This caused both KCC and the complainant difficulty as referral to the LGO is a well tried and tested method for potential resolution of complaints. As a result, KCC has lobbied for the remit of the LGO to be extended to cover cases of this type.

10. COMPENSATION

10.1 In 2013/14 £93,421.49 was paid in compensation, settlements, changes to the amount we charge and waived charges as a result of complaints to the organisation this includes;

- £34,058 adults which has been paid or waived as part of local resolution
- £30,828 children's which has been paid or waived as part of local resolution
- £28,535.49 additional payments following 28 Local Government Ombudsman Decisions found against KCC.

It is important to note that monies paid out during the 2013/14 financial year may relate to complaints recorded in previous years. This is due to the time that elapses between the date the complaint was lodged and achieving resolution.

10.2 This is an increase on 2012/13 when £63,642.48 was paid out.

11. LEARNING THE LESSONS AND SERVICE IMPROVEMENTS

11.1 Complaints are a valuable resource helping us to understand where improvements could be made to improve the customer experience. These improvements can be changes to procedures or processes, improvements in communications or improvements to the quality of service. The text below outlines examples of where improvements have been made as a result of a complaint being received;

11.2 Improving digital transactions

GovMetric feedback is providing positive opportunities to be responsive to customer experience by correcting broken links, improving language and information search capability.

11.3 Improvements to service experience and quality

Adult Social Care is conducting a review of the complaints procedure across their services to ensure that processes are efficient and continue to meet statutory requirements and best practice. Complaints information is reported to divisional management teams and lessons from complaints are presented to inform the Quality and Practice groups. The Care Act 2014 is likely to introduce an appeals element to the complaints procedure. The detail hasn't been produced but it is expected to be in place for April 2016 rather than 2015.

11.4 In the event that the Local Government Ombudsman upholds a complaint, KCC best practice involving key officers in developing a specific action plan for resolution.

12. LEVELS OF COMPLAINTS TO THE STANDARDS COMMITTEE (MEMBER COMPLAINTS)

12.1 As enacted on the 1st July 2012, the Localism Act 2011 puts in place a standards regime which includes the following features and requirements:

- (a) A duty to promote and maintain high standards of conduct by elected and co-opted members of the authority.
- (b) A requirement to have a Code of Conduct dealing with the conduct that is expected of members when they are acting in that capacity
- (c) A requirement for the Code of Conduct, when viewed as a whole, to be consistent with the principles of selflessness; integrity; objectivity; accountability; openness; honesty and leadership
- (d) A requirement to have in place arrangements under which allegations that a Member has failed to comply with the Code can be investigated and also under which decisions relating to those allegations can be made.
- (e) A requirement for the authority to appoint an 'independent person' whose views must be sought and taken into account by the authority before it

makes its decision on an allegation that it has decided to investigate. Additionally, the views of the independent person may be sought by the authority and by a Member in other limited circumstances specified in the Act.

- (f) A regime for requiring the notification to the Monitoring Officer of Disclosable Pecuniary Interests (DPIs) to enable him to establish and maintain a register of interests, backed by criminal sanctions. Under the new regime it is not only the interests of the Member that must be notified and registered, but also those of a spouse or civil partner; a person with whom the Member is living as husband or wife, or as civil partners.
- (g) The authority must also secure that its Code of Conduct includes appropriate provisions in respect of the registration of DPIs and interests other than DPIs.
- (h) As with the former regime, the new provisions allow for the withholding of sensitive information from the register where the Member concerned and the Monitoring Officer consider that the disclosure of details of the interest could lead to violence or intimidation.
- (i) As with the former regime there are provisions for obtaining dispensations to allow a Member to speak and vote notwithstanding an interest

Complaints recorded in 2013/14

12.2 During 2013/14, the number of complaints recorded and reviewed by the Monitoring Officer was 13. This matches the level of complaints recoded in the previous year. In any event, the Monitoring Officer found that no further action was necessary in response to any of these complaints.

Former	Former	New Regime	Outcome
1/4/12 to 30/6/12 Number of Complaints	1/7/12- 31/3/13 Number of Complaints	01/04/13 – 31/3/14 Number of Complaints	
2			No Action
	9		No Action Dismissed by the Monitoring Officer
		13	No Action Dismissed by the Monitoring Officer

13. RECOMMENDATIONS

13.1 The Governance & Audit Committee is asked to note the contents of this report for assurance.

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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 Government Act 2000

Key for Appendix A – Decisions and their meanings

<i>Decision Reasons from 1 April 2013</i>	<i>What changed in February 2014</i>	<i>Decision Reasons from 1 April 2014</i>	<i>Meaning</i>
Not in jurisdiction (OJ) and no discretion	No Change	Closed after initial enquiries – out of jurisdiction	The complaint falls out of the LGO's remit and they have no discretion available to them to investigate the complaint.
Not in jurisdiction (OJ) and discretion not exercised			The complaint falls out of the LGO's remit and they have decided not to exercise discretion. There are cases in law where they can exercise discretion if the case warrants investigation.
Not investigated		Closed after initial enquiries – no further action	<ul style="list-style-type: none"> the law does not allow the LGO to investigate it the law does not allow the LGO to investigate unless there is an exceptional reason to do so, and they have decided there is no such exceptional reason there has been no fault by the council concerned there was fault, but the effect on the complainant was not serious enough to justify an investigation
To discontinue investigation		Not upheld: No further action	<ul style="list-style-type: none"> there was no fault by the council concerned even if there was fault, the effect on complainant was not serious enough to justify continuing to investigate the complaint the council or care provider agreed to take action to resolve to complaint during the LGO's investigation.
<i>Decision Reasons from 1 April 2013</i>	<i>What changed in February 2014</i>	<i>Decision Reasons from 1 April 2014</i>	<i>Meaning</i>
Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B)	Investigation complete: Maladministration and Injustice	Upheld: Maladministration and Injustice	<ul style="list-style-type: none"> there was fault by the council concerned and the LGO makes recommendations about how the council should put the matter right there was fault found and the council had taken action to put the matter right by the time we complete our investigation there was fault found but this did not cause complainant significant injustice there was no fault found.
	Investigation complete: Maladministration, No Injustice	Upheld: Maladministration, No Injustice	
	Investigation complete: No	Not Upheld: No Maladministration	

	Maladministration		
Investigation complete and appropriate to issue a report S30(1)	Investigation complete and report issued: Maladministration and Injustice	Report issued: Upheld; maladministration and injustice	There is evidence of maladministration a report will be issued and publicised
	Investigation complete and report issued: Maladministration, No Injustice	Report issued: Upheld; maladministration, no injustice	
	Investigation complete and report issued: No Maladministration	Report issued: Not upheld; no maladministration	
Premature Complaint	Premature Complaint	Premature Complaint	Complainant has not exhausted KCC's Complaints procedure and has been referred back to the authority by the LGO.

Appendix B - Ombudsman Complaints – Decisions Made using Ombudsman Categories per Directorate in 2013/14

LGO Decision Category	Adult Care Services	Corporate & Other Services	Education & Children's Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Planning & Development	Grand Total
Invalid/Forwarded Decisions			1				1
Investigation complete and satisfied with authority actions of proposed actions and	11	2	41		5		59
Investigation complete: Maladministration and Injustice	2						2
Investigation complete: Maladministration No Injustice			1				1
Investigation complete: No Maladministration	2	1	1		2		6
Maladministration	1		1				2
Not in jurisdiction (OJ) & discretion not exercised		1	1	2	5	1	10
Not in Jurisdiction (OJ) & no discretion			8	1		1	10
Not Investigated Closed after initial enquiries - no further action			1				1
Not KCC	1						1
Not to initiate an investigation				1			1
Not upheld: No further action			1				1
Not upheld: No Maladministration	1		3				4
Out of jurisdiction (OJ) & discretion not exercised		1					1
Premature Complaint	2						2
Premature Complaint	9		3				12
Not Investigated	3		24	6	2	2	37
To Discontinue Investigation	3		5		2		10
To discontinue investigation			3				3
Upheld: maladministration and Injustice	1		7				8
Upheld: maladministration, No Injustice	1		1				2
Closed after initial enquiries - out of jurisdiction			1				1
Grand Total	37	5	103	10	16	4	175

APPENDIX C - Ombudsman Complaints – Decisions Made mapped against KCC Units in 2013/14

LGO Decision Category	E&W	ELS	FOI	FP & PG	GL & SSP	H&T	Libra- ries	OPPD	OPPD & CC	Plan- ning	PROW	SCS	SEN	SEN&R	SSP	Bene- fits	Grand Total
Invalid/Forwarded Decisions													1				1
Investigation complete and satisfied with authority actions of proposed actions and not appropriate to issue report S30(1B)				2	20	4		11			1	15	1	2	2	1	59
Investigation complete: Maladministration and Injustice								2									2
Investigation complete: Maladministration No Injustice					1												1
Investigation complete: No Maladministration						1	1	2			1	1					6
Maladministration								1				1					2
Not in jurisdiction (OJ) & discretion not exercised	1			1		6				1		1					10
Not in Jurisdiction (OJ) & no discretion	1	1								1		7					10
Not Investigated	6				10	2		3		2		10			4		37
Not Investigated Closed after initial enquiries - no further action												1					1
Not KCC					1			1									2
Not to initiate an investigation	1																1
Not upheld: No further action												1					1
Not upheld: No Maladministration					1			1				2					4
Out of jurisdiction (OJ) & discretion not exercised			1														1
Premature Complaint								1	1								2
Premature Complaint								7	2			3					12
To Discontinue Investigation	1				1	1		3				2	2				10
To discontinue investigation												3					3
Upheld: maladministration and Injustice								1				6	1				8
Upheld: maladministration, No Injustice								1				1					2
Grand Total	10	1	1	3	34	14	1	34	3	4	2	54	5	2	6	1	175

Appendix D – Ombudsman Report Findings & Recommendations 2013/14

Report Findings	Link to report
<p>The Ombudsman found maladministration because: Kent County Council charged a lady for delivering a care package before completing a financial assessment against government guidelines.</p> <p>The lady agreed to have home care after a stay in hospital. Her care was free for the first six weeks but after a review a social worker recommended a long term care package. The lady agreed and Kent County Council agreed to deliver the package. The council then applied a provisional charge of £39 a week before completing a financial assessment. Guidance from the Department of Health, which councils should follow, does not allow for a charge to be applied for a past period before a financial assessment is completed and the customer is informed of the charge.</p> <p>The Ombudsman found maladministration causing injustice.</p> <p>To remedy the injustice, the Ombudsman recommended that the Council withdraw the policy of applying a provisional charge before completing a financial assessment;</p> <ul style="list-style-type: none"> • waive the provisional charge; and • pay the lady's son, who complained for her, £200 for his avoidable time and trouble in bringing the complaint. <p>The council acknowledged there are others who have been affected in the same way as this complainant. So the Ombudsman recommended the council identifies those customers and makes arrangements to repay any provisional charges that should not have been applied.</p> <p><i>Complaint submitted December 2012</i></p>	<p>http://www.lgo.org.uk/decisions/adult-care-services/assessment-and-care-plan/kent-county-council-12-014-343</p>
<p>The Ombudsman found maladministration by the Council because: Kent County Council failed to help a 16-year old with both his housing and welfare needs after he became homeless. It also failed to assess him as a 'looked after' child which meant he missed out on his entitlement to services due to all looked after children (before age 18 and when leaving care). The man approached the council for welfare and housing help when he became homeless after both his parents</p>	<p>http://www.lgo.org.uk/decisions/children-s-care-services/looked-after-children/kent-county-council-12-001-464</p>

abandoned him. Although the council offered a foster placement they didn't offer any other housing alternatives. They also failed to help him with his welfare needs. After staying with friends, the man became homeless again at age 18 and the council could not provide him with accommodation because he was not considered in priority need.

The Ombudsman found maladministration causing injustice.

To remedy the injustice the Ombudsman recommended that the man should have been assessed as a looked after child. To remedy that the council should now confirm him as a leaving care child. In addition, the council should:

- set aside £3,000 for the injustice caused to him by the loss of welfare benefits over a two year period. This should be used, in consultation with the Leaving Care Team, to promote his independent living and is in addition to the services he is entitled to as a leaving care child;
- review the implementation of its joint protocol to ensure it is meeting the council's responsibilities to all homeless young people; and
- bring this report to the attention of the Council's Committee and ensure the Lead Member of Children's Services is made aware of it.

Complaint submitted May 2012

Appendix E - Complaints Summary by Directorate 2013/14

<p>BUSINESS STRATEGY AND SUPPORT (now Strategic & Corporate Services)</p>	<p>85</p>	<p><u>Finance/Procurement/Insurance – 54 Complaints</u></p> <p>Total complaints for financial year 2013/14 were 54: 36 to Insurance and 18 to the rest of F & P (this excludes complaints relating to means tested care charges, which are included with Social Care).</p> <p>Eight complaints related to service delivery; 1 to staff conduct and 15 to communications. Of the latter 11 were about delays in acknowledging claims of damage attributed to highway potholes: In the winter we received up to 50 incoming claims a day; 30 were disagreements with decisions (mostly with the outcomes of financial claims).</p>
<p>CUSTOMER & COMMUNITIES (Now under Growth, Environment & Transportation)</p>	<p>172</p>	<p><u>Libraries – 172 Complaints</u></p> <p>The topics for complaints to the service are very wide ranging and can relate to subjects such as the behaviour of other customers through to building issues. The main themes for complaints in 13/14 were regarding teething problems with automated telephone renewals, software and hardware issues and the wording of pre-overdue reminders. We work closely with customers to resolve issues and feedback to them what we have done.</p>
<p>CUSTOMER & COMMUNITIES (Now under Social Care, Health & Wellbeing)</p>	<p>34</p>	<p><u>KSAS – 34 Complaints</u></p> <p>The majority of KSAS complaints are not upheld. They are mostly dealt with by Commissioned Services, in order to retain impartiality. Generally speaking, a large number of the complaints are as follows:</p> <ul style="list-style-type: none"> • Applicants who have been rejected for an award (many of whom are in fact not eligible or may have misrepresented important information) or have misunderstood what KSAS can offer. • Applicants unhappy with the time it takes them to get an answer (many of which are well within the timeframes set out in our KPIs) • Spurious complaints from people who are disproportionately angry over a range of matters; often people with mental health issues. These include things such as claiming to have called the police over a call-handler being “rude” to them.

Appendix E - Complaints Summary by Directorate 2013/14 (Cont'd)

<p>CUSTOMER & COMMUNITIES (Now Strategic & Corporate Services)</p>	<p>50</p>	<p><u>Contact Point – 50 Complaints</u></p> <p>Contact Point have had a range of complaints, with Call Waiting Times being the most recorded (10% of complaints).</p> <p>The change of the main numbers to 03000 generated a few complaints, both about the loudness and speed of the Rad Message advising customers of the change, to the customers feeling that the change was not publicised. These led to a review of the associated RAD messages, and changes for some service to make these clearer.</p> <p>There were some complaints regarding errors made by advisors, which prompted re-training in specific areas for these individuals.</p> <p>Other complaints were more service specific, with the Automated Libraries change, and a fault with GovMetrics also being reported.</p>
<p>CUSTOMER & COMMUNITIES (Now Education & Young People's Services)</p>	<p>103</p>	<p><u>Community Skills – 103 Complaints</u></p> <p>From approximately 35,000 customers, 103 complaints were received within Community Learning and Skills which equates to 0.29%. Of the 103 received 'no specific' areas of dissatisfaction regarding service delivery were identified.</p>
<p>ENTERPRISE & ENVIRONMENT (Now Growth, Environment and Transport)</p>	<p>211</p>	<p><u>Waste – 211 Complaints</u></p> <p>Waste 2013/14 complaints mainly related to the service provided or the policies in place at the Household Waste Recycling Centre, although the number of complaints continue to drop since the launch of the new policy in 2012. Compliments were mainly about individual staff or service provided at the Household Waste Recycling Centres.</p> <p>Complaint volumes for the Environment & Planning division in 2013/14 were low. A number of compliments were received regarding the handling of planning applications, events and service provided by individuals and teams.</p>

<p>ENTERPRISE & ENVIRONMENT (Now Growth, Environment and Transport)</p>	<p>1069</p>	<p><u>Highways – 1069 Complaints</u></p> <p>At the start of year 2013/14 the majority of complaints stemmed around Highway Operations and Resurfacing with customers complaining about the finished product not being to the standard it should, with the following months being similar but with no identifiable trends that stand out. In Q3 there was an increase in complaints which was been driven by the high demand on services due to winter weather with the majority of complaints about programmed maintenance and reactive works (Highway Ops). Towards the end of the year we saw a high volume of complaints about drainage due to the severe weather over the Christmas period, increase in the decision against policies regarding the implementation of Safe and Sensible Street Lighting (SSSL) and changes to the Kent Freedom Pass. Throughout the year we predominantly received complaints regarding service delivery but at the end of the year had an increase in decision and policy.</p> <p>NB: Although the highest number of complaints we receive relate to Highways and Transportation, 1,069 in total, as a proportion of Highways maintenance jobs completed,113,695, this represents only a small percentage (just under 1%).</p>
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<p>ENTERPRISE & ENVIRONMENT (Now Growth, Environment and Transport)</p>	<p>1069</p>	<p><u>Highways – 1069 Complaints</u></p> <p>At the start of year 2013/14 the majority of complaints stemmed around Highway Operations and Resurfacing with customers complaining about the finished product not being to the standard it should, with the following months being similar but with no identifiable trends that stand out. In Q3 there was an increase in complaints which was been driven by the high demand on services due to winter weather with the majority of complaints about programmed maintenance and reactive works (Highway Ops). Towards the end of the year we saw a high volume of complaints about drainage due to the severe weather over the Christmas period, increase in the decision against policies regarding the implementation of Safe and Sensible Street Lighting (SSSL) and changes to the Kent Freedom Pass. Throughout the year we predominantly received complaints regarding service delivery but at the end of the year had an increase in decision and policy.</p> <p>NB: Although the highest number of complaints we receive relate to Highways and Transportation, 1,069 in total, as a proportion of Highways maintenance jobs completed,113,695, this represents only a small percentage (just under 1%).</p>
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<p>FAMILIES & SOCIAL CARE (now Social Care, Health and Wellbeing)</p>	<p>327</p>	<p><u>Children’s – 327 Complaints</u></p> <p>A total of 19,744 referrals about children were made to Kent Specialist Children’s Services in 2013/14. Children in receipt of services, and the adults in their lives, are encouraged to exercise their right to complain should they wish to. Specialist Children’s Services received a total of 327 complaints in 2013/14: 222 complaints from children and families directly affected by services which were handled under statutory requirements and a further 105 non-statutory complaints which, by definition, were either from citizens not directly affected by services and with whom information about the child could not be shared, or were about functions such as child protection investigations or court action where there are other routes for challenging the Local Authority. The number of statutory complaints is comparable to last year but there was a slight reduction in the number of non-statutory complaints received.</p>
	<p>387</p>	<p><u>Adults’ – 387 Complaints</u></p> <p>Of the 387 statutory complaints received, 143 were upheld, 127 were partially upheld and 117 were not upheld.</p> <p>79% of complaints were responded to within the 20 day timescale agreed with the complainant and 97.73% of complaints were acknowledged within the statutory timescale of three working days.</p> <p>Some common themes include staff behaviour and poor communication and disputes with decisions made. Families and Social Care staff have been reminded to ensure that their correct details are on KNet to facilitate better communication and returning of calls and messages. Disputed decisions are usually related to funding decisions and reductions to support plans.</p>

Appendix F – Complaints/Compliments/Comments per Directorate and Service

Directorate/ Service	Com-plaints	Complim-ents	Com-ments
Highways	1069	482	0
All other EE	211	246	602
EE Total	1280	728	602
ELS Total	24	20	180
Childrens	327	72	179
Adults	387	718	305
All FSC	725	790	706
Insurance(Included with Fin/Proc)	0	0	0
Public Health	1	0	0
Property	9	0	0
Legal	5	22	14
Finance/Procure/Ins	54	102	58
IT both KCC and EIS	2	8	0
HR SPS	9	14	0
HR Grads	1	2	1
HR ESC/HRBC	4	2	19
PSR	0	0	0
Economic Development	0	0	21
Business Intelligence	0	27	36
BSS All	79	153	97
Libraries/registration	205	421	475
KSAS	30	132	0
Country Parks	23	38	23
Countryside Access PROW	7	215	0
Arts Development	0	0	0
Community Skills	103	105	58
Contact Point	54	103	0
Kent Scientific	14	13	0
Supporting People	4	0	0
KDDAT	3	1	0
Youth Services	24	1534	54
Communications	3	24	1
Community Safety	0	63	0
Countryside partnership	0	104	0
Trading Standards	3	15	2
Sports/Leisure	6	44	0
C&C All	479	2779	600
Council All	2587	4470	2185

Appendix G – Acknowledgement and Response Times Against Standards

	COMPLAINTS	COMPLIMENTS	COMMENTS	% answered within our standards	
				ACKNOWLEDGMENT	RESPONSE
COMMUNITIES					
2010/11	627	4,077	1,382	98%	96%
2011/12	1,083	2,497	582	91%	92%
2012/13	712	3,542	878	85%	85%
2013/14	479	2779	600	88%	85%
EDUCATION					
2010/11	88	5	178	78%	84%
2011/12	44	137	74	63%	64%
2012/13	40	5	109	86%	63%
2013/14	24	20	180	92%	75%
ENTERPRISE AND ENVIRONMENT					
2010/11	2,248	551	16	98%	91%
2011/12	1,284	916	3	97%	89%
2012/13	1,586	902	0	95%	92%
2013/14	1280	728	602	100%	92%
FAMILIES & SOCIAL CARE - CHILDRENS SOCIAL SERVICES					
2010/11	406	54	166	94%	79%
2011/12	503	59	159	71%	65%
2012/13	395	61	148	95%	56%
2013/14	327	72	179	98%	74%
FAMILIES & SOCIAL CARE - ADULT SOCIAL SERVICES					
2010/11	527	598	266	88%	73%
2011/12	425	388	290	86%	67%
2012/13	416	716	297	93%	81%
2013/14	387	72	305	97%	75%
BUSINESS STRATEGY & SUPPORT					
2010/11	552	228	72	78% **	83% *
2011/12	117	95	35	77%**	93%**
2012/13	225	230	98	91%	97%
2013/14	79	153	97	100%	65%

* 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. ** Time taken to deal with Insurance claims.

**Appendix H – Directorate Breakdown
Comparison of Complaints numbers for 2010/11 to 2013/14**

CUSTOMER AND COMMUNITIES

Service	2010/11	2011/12	2012/13	2013/14
Community Learning and Skills	151	117	90	103
Community Safety	2	8	5	0
KDAAT	4	0	1	3
Contact Centre	61	66	72	54
Communication and Media	34	4	3	3
Kent Scientific Services	22	10	14	14
KSAS				30
Libraries, Registrations and Archives	133	722	473	205
Sports, Leisure and Olympics	5	2	4	3
Supporting People	32	17	5	4
Trading Standards	11	11	7	5
Integrated Youth Services	51	19	16	24
Country Parks	102	96	16	23
Countryside Access	8	9	6	7
Other	11	4	0	1
TOTAL	627	1083	712	479

EDUCATION, LEARNING & SKILLS

Service	2010/11	2011/12	2012/13	2013/14
Education	210	193	455	24

ENTERPRISE & ENVIRONMENT

Service	2010/11	2011/12	2012/13	2013/14
Waste Resource Management	210	193	455	211
Highways & Transportation	1,959	939	1109	1069
Planning and Environment	4	-	-	-
Commercial Services	-	152	22	**
TOTAL	2173	1284	1586	1280

**Service now independent from KCC

FAMILIES & SOCIAL CARE - CHILDREN SOCIAL SERVICES

Service	2010/11	2011/12	2012/13	2013/14
Children & Families non-statutory	139	198	169	105
Children & Families statutory	267	305	226	222
TOTAL	406	503	395	327

Appendix H – Directorate Breakdown (Cont'd)
Comparison of Complaints numbers for 2010/11 to 2013/14

FAMILIES & SOCIAL CARE - ADULT SOCIAL SERVICES

Service	2010/11	2011/12	2012/13	2013/14
Strategic Commissioning Unit / Support Services	23	-	9	15
Learning Disability (+Mental Health 2013/14)	104	75	75	50
Mental Health	26	1	2	
Older People	351	253	245	
Phys Disability & Older People (combined 13/14)	44	53	54	293
Other (including Finance & Strat Comm)	49	43	31	29
Total	597	425	416	387

BUSINESS STRATEGY AND SUPPORT

Service	2010/11	2011/12	2012/13	2013/14
Business Intelligence (Was solutions & Policy?)	5	7	0	0
Finance/Procurement/Insurance	420	89	178	54
HR (Employee Services & Schools HR Services)	29	17	17	14
Property	23	4	21	9
Other including IT	-	-	9	8
TOTAL	477	117	225	85