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Services & Performance Management
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To: Corporate Policy Overview Committee –
25 September 2009

Subject: Chief Executives Department Annual Complaints, Comments And
Compliments Report

Classification: Unrestricted

Summary: This report provides Members with information about the operation of the Chief Executives Department complaints comments and compliments procedure between 1 April 2008 and 31 March 2009.

1. Introduction

- 1.1 Handling complaints appropriately, and using them as a source of feedback about services, is an important element of our approach to community engagement and understanding. This report provides information on complaints received during 2008/09 and gives examples of where analysis has led to service change. The main focus is on complaints, but for the sake of completion, statistics are also included about compliments and comments as all three categories represent 'unsolicited' feedback which, although not statistically representative, is nevertheless very valuable in service development.
- 1.2 The report outlines the number of complaints received, complaint trends, the source of complaints and the performance on handling complaints. Information, where available, is provided on improvements taking place as a result of complaints. It also provides information on the number of comments and compliments received.
- 1.3 This year, following consultation, we have revised our complaints process and leaflet. This revision is one part of the developing strategy to transform customer service by listening to what our customers want and expect. The aim is to reduce the bureaucracy involved. This strategy includes reducing the number of formal stages and changing the culture within the Council by encouraging staff to deal with complaints speedily and sympathetically, apologising when things go wrong and taking action to resolve the source of complaints by learning lessons from what causes them.

2. What is a complaint?

- 2.1. 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.

3. Who can make a complaint

- 3.1 Any individual or organisation who uses or receives a Council Service can make a complaint if they are dissatisfied with the service. This definition includes:
- Statutory or non statutory services provided to individual customers
 - Services provided on a commercial basis (e.g. Home to School transport)
 - Services provided to schools
 - Services provided by contractors on KCC's behalf
- 3.2 The Complaints Procedure does not cover complaints, comments or compliments from members of staff, trainees, apprentices or persons on work placements, involving working conditions, pay or other internal grievances.

4. Stages of the complaints procedure

- 4.1 The first step in the complaints procedure is stage 1: Local Resolution. This is where an attempt to resolve the complaint at a local level is made.

The emphasis in the complaints procedure is to try to resolve complaints at a local level. If the complaint is not resolved at Stage One (problem solving) or if it is particularly serious, then the complaint can progress to Stage Two (Formal Complaint).

- 4.2 If the customer remains dissatisfied then they can ask for their complaint to be considered at stage 2. The complaint is directed to the Managing Director/Director/Head of Service. The customer themselves would usually make the decision on whether they want their complaint to be investigated at stage 2 and (this option is openly published) they are made aware of this option in the Complaints, Comments and Compliments leaflet and on kent.gov.uk.
- 4.3 The third stage is for the customer to take the complaint to the Local Government Ombudsman and (this option is openly published) they are made aware of this option in the Complaints, Comments and Compliments leaflet, on kent.gov.uk and within a standard paragraph within Stage Two complaint responses.

5. The Number of Complaints and Compliments Received

- 5.1 In 2008/09, 131 complaints were received compared with 44 for 2007/08. There was a change in how we report complaints during 2008/09 and this accounts for the increase in numbers reported this year. We now report all complaints received and not just those reported at Stage two (formal complaint). This change came about following the Comprehensive Performance Assessment, Corporate Assessment. (Further information is reported in paragraph 12).

5.2 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, the number for the Chief Executives Department therefore, is relatively small compared to the number of people accessing the services.

6. Learning Lessons/Practice Improvements

6.1 Customers have the right to complain. However, there are not always wider lessons from complaints. Some complaints often involve one off administration or human errors. Services are encouraged to understand and apply the lessons from complaints in terms of service or procedural improvements where clear trends emerge from individual complaints. There have been no policy changes as a result of complaints in 2008/09.

7. Complaint Handling Performance

7.1 Number of Complaints

	2008/09		2007/08
Business Units	Stage 1	Stage 2	Stage 2
Business Solutions & Policy			1
Commercial Services	49	18	16
Corporate Finance		8	4
Legal & Democratic Services	3	5	5
Insurance	20		12
Personnel (Employee services)	10		4
Property Group	9	4	1
Strategic Development & Public Access	5		1
TOTAL	96	35	44

	How complaint was received				
Business Units	Total	e-mail	phone	letter	Other
Business Solutions & Policy	0				
Commercial Services	67	15	15	34	3
Corporate Finance	8	1		7	
Legal & Democratic Services	8			8	
Insurance	20			20	
Personnel (Employee services)	10	2	8		
Property Group	13	4		9	
Strategic Development & Public Access	5		4		1
TOTAL	131	22	27	78	4

Complaints acknowledged within 3 working days		Actual	%
Business Solutions & Policy			N/A
Commercial Services		64	95
Corporate Finance		8	100
Legal & Democratic Services		8	100
Insurance		20	100
Personnel (Employee Services)		10	100
Property Group		13	100
Strategic Development & Public Access		4	100

Responses to complaints within 20 working days		Actual	%
Business Solutions & Policy			N/A
Commercial Services		68	100
Corporate Finance		8	100
Legal & Democratic Services		8	
Insurance		20	100
Personnel (Employee Services)		10	100
Property Group		13	100
Strategic Development & Public Access		4	100

7.2 Business Solutions and Policy including Regeneration

Business Solutions and Policy received no complaints from the Public.

7.3 Commercial Services

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

The majority of these complaints are from parents who are not satisfied regarding the mode of transport to school provided for their child. Identified improvements to service delivery introduced in response to complaints includes the following:

- the contract management process instigated in response to several complaints lead to sanctions against suppliers
- process reviewed for chasing medical reports
- process reviewed for collecting equality & diversity information
- Customer Service Training

7.4 Corporate Finance

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

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

7.5 Legal & Democratic Services

The 8 Complaints to Legal and Democratic Services are mainly to do with decisions made by Legal Services which the complainant disagrees with.

7.6 Personnel

10 complaints were received regarding the KCC recruitment process (a total of 1,855 posts were advertised and over 50,346 application forms from candidates were processed during the year). These complaints relate to the feedback to candidates. The team now chase the outcome of vacancies following the shortlisting and interview stages of recruitment to ensure that all candidates are contacted with an outcome and Recruiting Managers now need to contact applicants post interview within 2 days or contact the recruitment team who will follow this through with immediate effect.

7.7 Property Group

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

7.8 Strategic Development and Public Access

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

The Gateway Service itself received 5 complaints. Following these complaints the Gateways radio advert script was revised to make clearer the services offered and the risk assessment process for filming was enhanced to take into account the type of appointments booked into the Gateway when 'filming' is planned.

As from April 2008 complaints received about public access and the Contact Centre will be reported within the Chief Executives Department complaints report. There were no complaints about public access. The Contact Centres current Customer Relationship Management (CRM) System is unable to give us enough information to monitor the level of complaints regarding the service offered by the contact centre. The current CRM is being updated and a project is being undertaken to find an alternative method of recording complaints until the new system is up and running.

8. Valuing Diversity

8.1 The Council provides complaint leaflets for adults, children and those with learning difficulties. We continued to advertise and promote how people with disabilities can make a Complaint, Comment or Compliment.

8.2 Monitoring information is used to inform practice, however due to the relatively low number of complaints received and the current low response

rate to our equality and diversity monitoring forms it has not been feasible to make judgments and set specific objectives or actions from the feedback received.

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

9. Vexatious and Repetitious Complainants

- 9.1 The Council can review a complaint and give a decision without formal Investigation where it considers it to be deliberately repetitious or vexatious.
- 9.2 The number of such complaints is increasing to such an extent nationally that the Local Government Ombudsman published in September 2008 a Guidance Note on 'Unreasonable and Persistent Complainants'. The Council has amended its Complaints Procedure to take account of this guidance.
- 9.3 There were no complaints recorded as a Vexatious and Repetitious complaint within the Chief Executives Department for the period 1 April 2008 – 31 March 2009.

10. Compensation

- 10.1 No compensation has been paid to complainants within the Chief Executives Department during 2008/09 under the complaint procedure.

11. Local Government Ombudsman Complaints

- 11.1 Local Government Ombudsman Complaints are handled by the Corporate Access to Information Coordinator within the Chief Executives Department.
- 11.2 A main criticism of KCC in this year's Local Government Ombudsman letter is the deterioration of the Council's response times to their enquiries from 29.4 days in 2007/08 to 38.1 in 2008/09. The Ombudsman expects a response to their initial approach within 28 calendar days and the Council was well outside of this target. Although some responsibility does lie with a few operational units who have been slow to provide the Corporate Access to Information Coordinator with the information requested by the Ombudsman, the link officer's own lack of resources, increased workload and prioritising responses to FOI requests (which have a statutory deadline to meet) over complaints were primary factors.
- 11.3 A new member of staff was recruited at the beginning of this financial year and this has already had a positive effect; the average number of days to respond to the Ombudsman has fallen to 21.4 so far this year, well within the Ombudsman's target.

- 11.4 The Ombudsman decided four complaints about school transport (Commercial Services). In one complaint, there was no, or insufficient, evidence of maladministration and in one other the Ombudsman used his discretion not to pursue an investigation. The third complaint was outside his jurisdiction.
- 11.5 The last complaint the Council had allocated too many places on a school bus so that it was overcrowded. The complainant's children were transferred to another bus which deposited them slightly further from their home. The Council reinstated the original provision.
- 11.6 In another case, which did not call for a formal settlement, the Council agreed to give further attention to procedural issues connected with eligibility for free home to school transport and with its scheme for non-statutory appeals against the refusal of transport.

12. Corporate Assessment - Comprehensive Performance Assessment Improvement Plan

- 12.1 The Corporate Assessment highlighted a number of areas for improvement in the way the Council handles complaints:

'The Council's use of and response to complaints as a resource to drive improved services is being further developed, but currently - although statutory requirements are met - directorates have inconsistent approaches, and mechanisms for monitoring and using complaints are underdeveloped. This inconsistency is reinforced by the mixed quality and availability of service standards'.

- 12.2 These areas have now been addressed by the County Complaints Group. All Directorates now produce an annual complaints report covering the following areas:

- Number of complaints (stage 1 and 2)
- How we received them; phone, letter, e-mail
- % answered within our standards
- % why complaints are being received
- What we have learnt and what we have changed and improved
- Equality and diversity information

and will ensure consistent practice across all Directorates in monitoring and responding to complaints from the public and regarding use of complaints to drive service improvements.

- 12.3 Work is also being carried out to improve public satisfaction with complaints handling. Following consultation the Corporate Complaints, Comments and Compliments leaflet and the website have now been updated to improve information to the public. Public satisfaction with the outcome from complaints was collected in the Best Value Survey which was carried out every 3 years. The Best Value Survey was replaced by the Place Survey in 2009, the Place Survey no longer measures public satisfaction with

complaints and further work is being undertaken to develop a system to monitor public satisfaction in this area.

12.4 The Comprehensive Performance Assessment Performance Improvement Plan for complaints is on target to be achieved and a progress table is attached as Appendix 1.

12.5 A detailed report on KCC complaints will be presented at the next meeting. This report will look at how the new procedures have been implemented across the Authority, complaints trend analysis, performance against our standards, what we have learnt and future improvements.

13. Compliments

13.1 As from September 2008 the number of compliments received by the Department from the Public has been collected.

Business Units	Total
Business Solutions & Policy	0
Commercial Services	79
Corporate Finance	0
Legal & Democratic Services	
Insurance	1
Personnel (Employee Services)	450
Property Group	
Strategic Development & Public Access	59
TOTAL	589

14. Conclusion

14.1 In 2008/09 the Chief Executives Department continued to provide a robust and effective complaints procedure. Lessons are learned from complaints and used to improve service delivery.

15. Recommendations

15.1 Members of the Policy Overview are asked to note the contents of this report.

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Supporting documents:

[Annual letter from the Local Government Ombudsman](#)

COMMUNITY ENGAGEMENT - ENSURE CONSISTENT PRACTICE REGARDING USE OF COMPLAINTS TO DRIVE SERVICE IMPROVEMENTS

Action Required	Timescales	Lead Officer(s)	Evidence	Progress made
Develop a standard process across KCC for responding to complaints, including standard paragraphs for letters, timelines for responding etc	April 2009	Janice Hill Complaints Group	<ul style="list-style-type: none"> - Standardised complaints process agreed and signed- off by Complaints Group - All relevant staff aware of new process 	Revised Policy & Procedure agreed with Complaints Group, CIA carried out. Global email to staff, Policy & Procedure part of general induction CD. Complaints now part of Directorates Induction Process
Develop a standard complaints leaflet to be used by all KCC Directorates	April 2009	Janice Hill Complaints Group	<ul style="list-style-type: none"> - Complaint leaflet agreed and signed-off by Complaints Group - Complaint leaflet in use across KCC - Old version of complaints leaflet removed from websites and KCC offices 	Leaflet revised, taken through CIA process and published and printed. Available on web and all KCC offices
Embed these processes and monitor their usage in Directorates through the cross-Directorate complaints group	June 2009 onwards	Janice Hill Complaints Group	<ul style="list-style-type: none"> - Staff in all Directorates working to the same process - High level of satisfaction in dealing with complaints - Consistent monitoring information incorporated into the annual report on complaints for POCs and Governance & Audit Committee 	All Directorates working to same process. Consistent reporting in Sept/Oct POCs (See Satisfaction surveys below)
Annual Ombudsman letter reported to G & A Committee	Sept 2009	Caroline Dodge Janice Hill	<ul style="list-style-type: none"> - Report to G & A - Analysis of report and any actions re improvements to Corporate Complaints Group 	Ombudsman letter to be reported to G&A in Sept. More progress need re meeting the Ombudsman's standards
Annual Complaints report to POCs in September 2009	Sept 2009	Directorate Leads	<p>POC complaints report cover the following</p> <ul style="list-style-type: none"> - Number of complaints - How we received them; phone, letter, e-mail - % answered within our standards - What we have learnt and what we have changed and improved - Equality and diversity information 	All Directorates will report to their POCs in September under the agreed headings. CE & Communities will not be reporting on new standards as they were only introduced from 1 April 2009.
Review the process for Directorates to record what action is taken, if any,	July 2009	Janice Hill Complaints Group	<ul style="list-style-type: none"> - Process agreed and signed-off by Complaints Group - Monitoring information incorporated into the annual 	Agenda item September 2009

COMMUNITY ENGAGEMENT - ENSURE CONSISTENT PRACTICE REGARDING USE OF COMPLAINTS TO DRIVE SERVICE IMPROVEMENTS

Action Required	Timescales	Lead Officer(s)	Evidence	Progress made
following a complaint			report on complaints for Personalisation & Improvement Board, POCs and Governance & Audit Committee	
KCC Annual Complaints report to Governance & Audit Committee and Personalisation and Engagement Board	Sept 2009	Janice Hill	Report agreed by G & A	Revised date of December. Directorates reports moved to September to allow the Ombudsman Report (June) to be addressed.
Work with Directorates and corporate finance to ensure that information from complaints is included in service planning processes	Ongoing	Janice Hill Complaints Group Directorate Leads for Business Planning	<ul style="list-style-type: none"> - Directorates use data and information from complaints to plan service improvements - Targets in service plans able to be linked back to customer and service user complaints 	Ongoing. Currently working on new guidelines for Community Engagement which will include a section on complaints. Due out in August 2009
Develop a process for Directorates to regularly undertake public satisfaction surveys for their services	Ongoing	Nick Warren	- Regular public satisfaction surveys on complaints-handling carried out	Mapping of current process underway
Review process for Directorates to record what action is taken, if any, following satisfaction surveys regarding complaints	September 2009	Janice Hill Directorate Leads	<ul style="list-style-type: none"> - Consistent process agreed by complaints group and signed-off by Personalisation & Engagement Board - Information on action taken to improve satisfaction is reported to POCs and Governance and Audit Committee as part of Annual Complaints reporting 	See above Group to work with Nick Warren
Review of how complaints equalities monitoring is working	September 2009	Directorate Leads	<ul style="list-style-type: none"> -Information is sent out with acknowledgements -Equalities forms are kept separate from complaints -% received 	New system started 1 April 2009, to reviewed in September 2009
Performance information on complaints standards updated on kent.gov.uk complaints pages 6 monthly	Nov 2009	Directorate Leads	<ul style="list-style-type: none"> % achieved against standards Information published on kent.gov.uk 	Meeting in September 2009