

By: Amanda Beer – Corporate Director - People and Communications
To: Governance and Audit Committee
Date: 3rd October 2019
Subject: KCC Annual Customer Feedback Report 2018/19
Classification: Unrestricted

Summary: This report provides a summary of the compliments, comments and complaints recorded by the Council. The report includes statistics relating to customer feedback received by the Council and a sample of complaints considered by the Local Ombudsman.

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

1. Introduction

- 1.1 This is the Council's ninth annual report on compliments, comments and complaints.
- 1.2 Customer feedback only relates to those comments, compliments and complaints received from members of the public and our customers. It does not include internal feedback.

2. Progress in refining practices within KCC

- 2.1 This is the first full year of all services actively logging complaints, compliments and comments in the iCasework system. There are new charts within this report which will form a baseline for future reports.
- 2.2 This year more training has been developed for staff. The focus of the training is to equip staff with the tools to confidently look into issues raised by the public and carry out a robust investigation that can withstand the scrutiny of the Ombudsman should it be escalated.
- 2.3 There is a comprehensive investigation and communicating with customers training package that is being rolled out for staff in Children, Young People and Education (CYPE). Additional training has been developed to help Highways staff deal with customer enquiries by phone, face to face or by email/letter. This will be made available more widely through Delta (staff training platform) in 2019/2020.

3 Overview of Customer Feedback Received

- 3.1 A compliment is an expression of thanks or congratulations or any other positive remark. (Internal compliments are excluded from this process).
- 3.2 A comment is a general statement about policies, practices or a service as a whole, which has 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.
- 3.3 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.
- 3.4 The following table gives an overview of the feedback received by KCC as a whole compared with the previous year. The increase in volumes compared to the last year can largely be attributed in part to more rigorous reporting and the inclusion of new services that previously did not submit returns.

Table 1 – Feedback received by KCC compared with previous year

Year	Complaints at stage one	Comments	Compliments	Local Government Ombudsman complaints
2018/2019	4,451	542	1,416	179
2017/2018	3,628	1,751	1,917	190
Difference in volume	823	1,209	501	11
% increase/ Decrease	23% increase	69% Decrease	26% decrease	6% Decrease

Appendix A offers a breakdown of customer feedback received by Directorate and service.

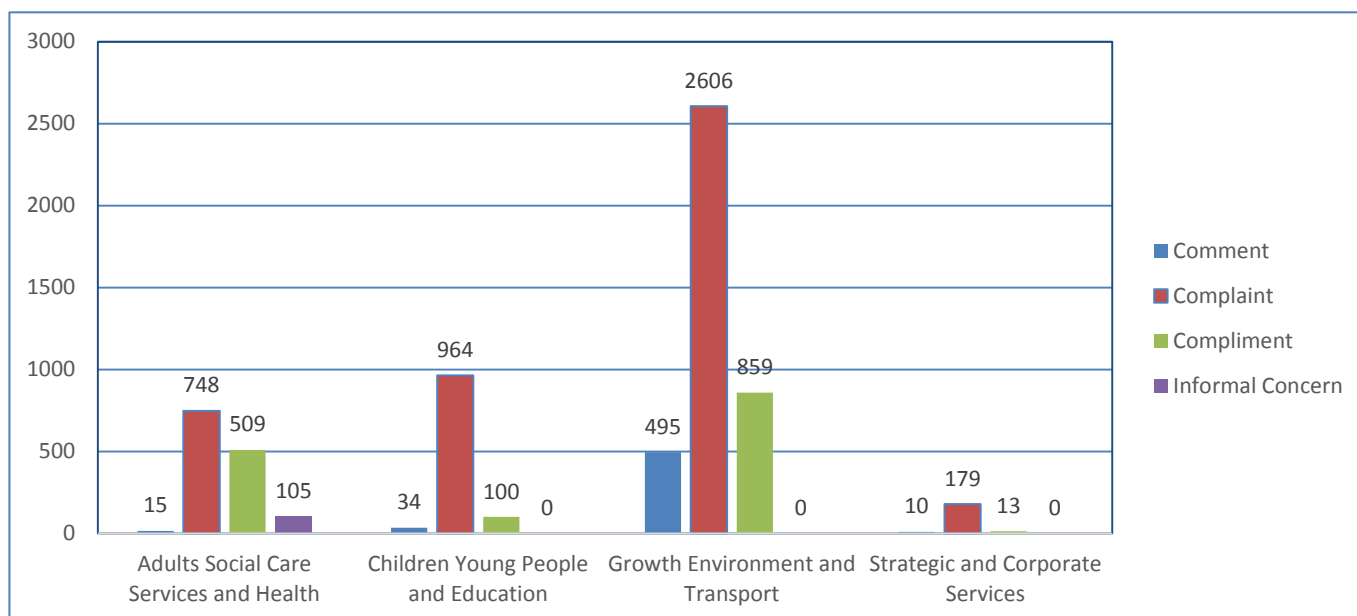
- 3.5 Cases received at stages 1 (local resolution) and 2 (Corporate Director/Director)

Table 3 - Cases received at stages 1 (local resolution) and 2 (Corporate Director/Director)

	Stage 1	Stage 2	Total	%
Adults Social Care Services and Health*	777	0	777	17%
Children Young People and Education	862	107	969	21%
Growth Environment and Transport	2658	65	2723	59%
Strategic and Corporate Services	154	7	161	3%
Total	4451	166	4630	
%	96%	4%		

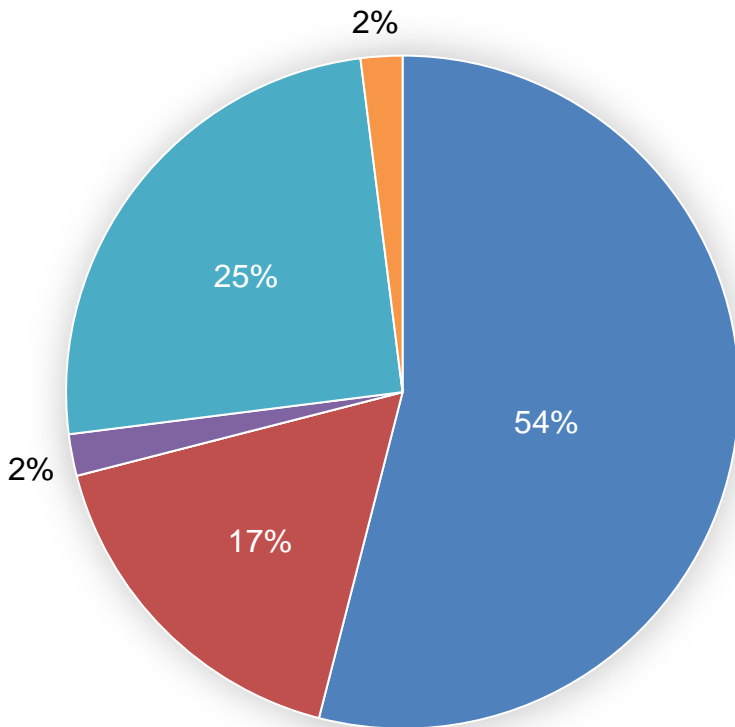
*ASCH operate a 2-stage process with the Local Government Ombudsman acting as the second stage

3.5 Cases closed by Directorate at Stage 1



	Comment	Complaint	Compliment	Informal Concern	Total
Adults Social Care Services and Health	15	741	509	105	1370
Children Young People and Education	34	854	100	0	988
Growth Environment and Transport	495	2598	859	0	3952
Strategic and Corporate Services	10	148	13	0	171
Total	554	4341	1481	105	6481
%	8%	67%	23%	2%	

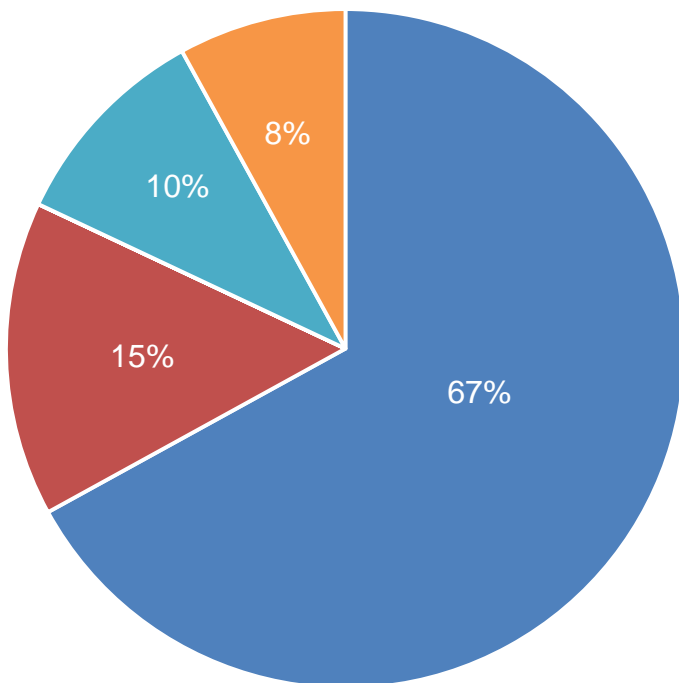
3.6 Case outcomes at Stage 1*



Outcome	Total	%
Not upheld	2340	54%
Upheld	1080	25%
Partly upheld	734	17%
Resolved upon receipt	102	2%
Withdrawn	82	2%
Resolved at first point of contact	3	<1%
Total	4341	

*Number of cases closed will not equal the number received

3.7 Case outcomes at Stage 2*



Outcome	Total	%
Not upheld	126	67%
Partly upheld	28	15%
Upheld	19	10%
Withdrawn	16	8%
Resolved at first point of contact	0	0%
Resolved upon receipt	0	0%
Total	189	

*Number of cases closed will not equal the number received

3.8 This is the first full year that we have the ability to track other types of feedback received by the Council including Member and MP enquiries and general comments. The below captures the volumes received for other feedback types.

Table 4 – Volumes received for other types of feedback.

Member/MP enquiry	Enquiry (includes Ask a Kent Librarian)	Informal Concerns	Representation
1,371	14,734	105	10

3.9 A representation is a procedure for cases where a complainant wishes to complain about something which is eligible for progression through the statutory Children Act complaints procedure, however there is something else in progress which prevents them from having it accepted i.e. Section 47 child protection enquiries, legal proceedings, a Child and Family Assessment, Tribunal, disciplinary etc.

3.9 Table 5 - Top three reasons for the complaint

Whole KCC

	Amount
Service failure	1660
Policy and procedure	737
Service quality	731

Full breakdown*

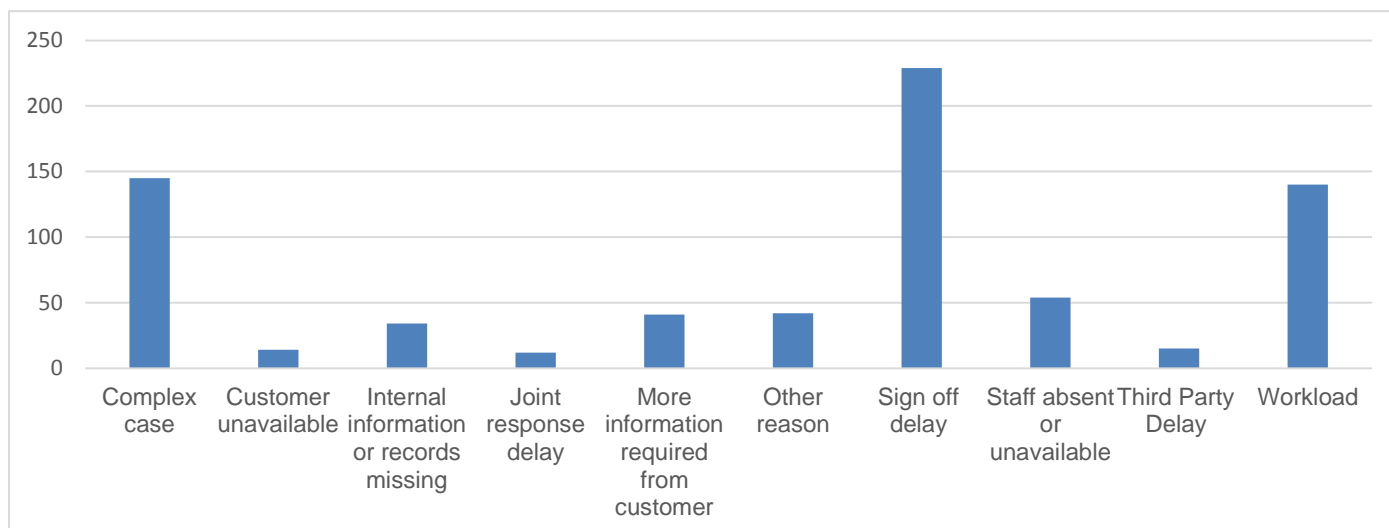
	Adults Social Care Services and Health	Children, Young People and Education	Growth Environment and Transport	Strategic and Corporate Services	Total	%
Communication or information	224	175	143	52	594	13%
Equalities and regulatory	5	45	9	16	75	2%
Not for KCC	1	5	19	1	26	1%
Policy and procedure	95	202	417	23	737	16%
Service failure	153	227	1247	33	1660	37%
Service quality	78	89	538	26	731	16%
Staff conduct cause	81	175	168	24	448	10%
Value for money or disputed charges	139	25	38	1	203	4%
Total	776	943	2579	176	4474	

*Some cases will have more than one reason for the complaint

3 Compliance with standards

4.1 KCC is committed to acknowledging any complaints received within 3 working days and to provide the customer with a response within 20 working days. As a whole KCC **responded to 84%** of complaints within corporate timescales which compares to 83% the previous year.

4.2 Table 6 - Delay reasons



	Adults Social Care Services and Health	Children Young People and Education	Growth Environment and Transport	Strategic and Corporate Services	Total
Complex case	52	52	37	4	145
Customer unavailable	2	4	8	0	14
Internal information or records missing	5	0	26	3	34
Joint response delay	9	2	1	0	12
More information required from customer	12	17	10	2	41
Other reason	10	20	9	3	42
Sign off delay	128	59	38	4	229
Staff absent or unavailable	7	19	25	3	54
Third Party Delay	7	1	7	0	15
Workload	36	61	39	4	140
Total	268	235	200	23	726

5 Customer communications channels

- 5.1 Information on 'How to complain' is available on our website and on our Complaints, Comments and Compliments leaflets. The public can provide feedback to the Council through a number of different ways including via our online form, phone, email and through Social Media.
- 5.2 The breakdown below indicates by percentage which channel customers have chosen to communicate feedback (compliments, comments & complaints) during 2018/2019 & 2017/2018.

Table 7: Channels used to communicate compliments, comments, informal concerns and complaints

	Phone	Letter	Email	Comment card/ Face to Face	Online	Contact via Corporate Director, Member or MP	Other
2018/2019	22%	9%	30%	12%	26%	1%	>1%
Volume	1418	596	1893	747	1688	57	1
2017/2018	36%	8%	33%	11%	10%	0%	2%
Volume	2819	594	2586	866	811	0	143

- 5.3 The above table shows that we have had an increase in submitting compliments, comments and complaints via our online systems. Also there has been a significant decrease compared to last year of residents using the phone to submit feedback. Over 50% of feedback received is now arriving digitally either by email or via the online form.

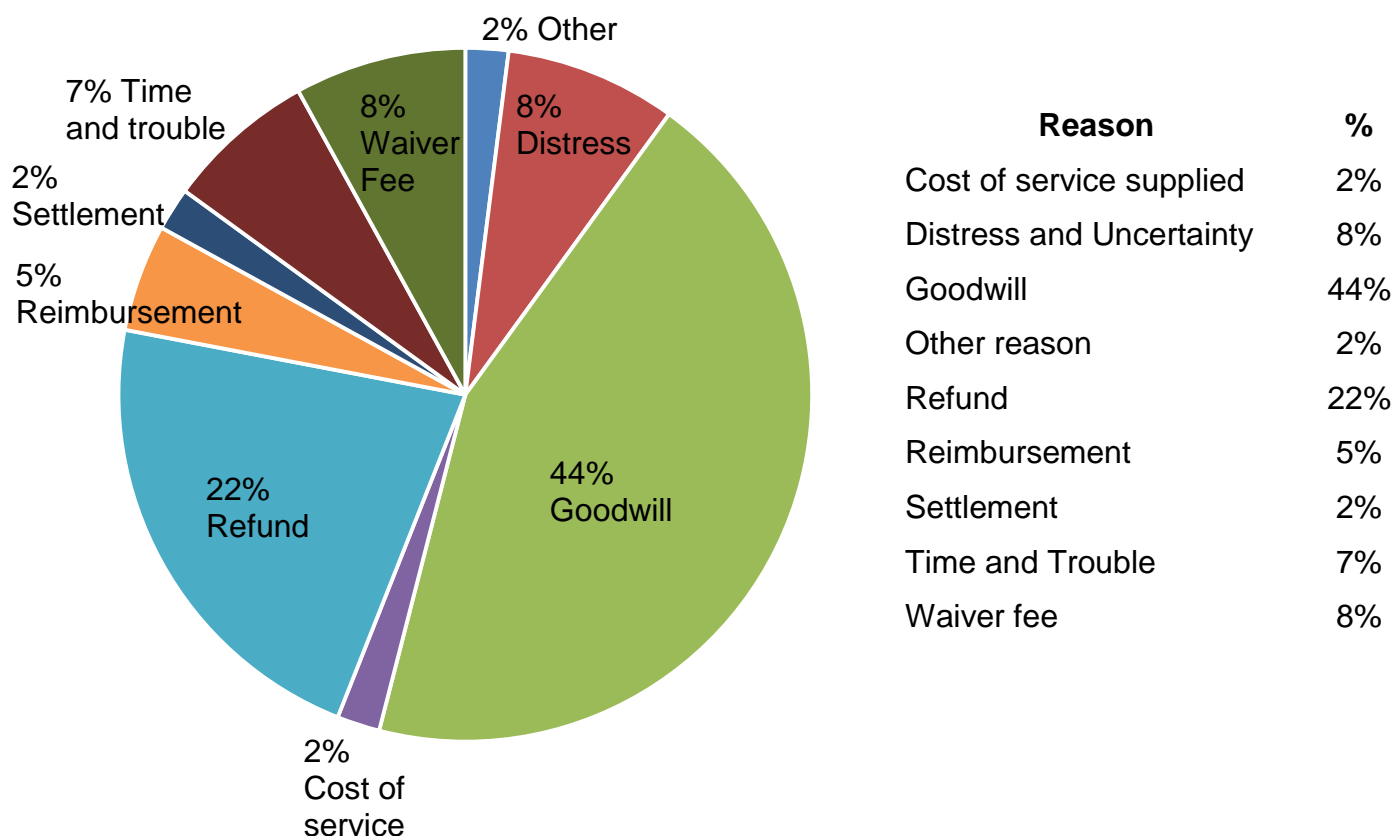
6 Compensation across all complaints received by KCC

6.1 In 2018/19, £36,002 was paid in compensation, settlements, changes to the amount we charge and waived charges as a result of complaints to the organisation this includes;

- £18,028 has been paid or waived as part of local resolution in Adult Social Care and Health.
- £900 has been paid out by Strategic and Corporate services including Legal Services, Insurance and Property & Infrastructure.
- £578 has been paid out for Growth, Environment and Transport
- £1,419 has been paid out for Children, Young People and Education Directorate including Community Learning and Skills and Children Social Work Services
- £15,077 additional payments following Local Government Ombudsman Decisions found against KCC.

This is a decrease of £37,701 from 2017/18 when £73,703 was paid out in settlements or through waived charges.

6.2 Compensation complaint reason chart



- 6.3 It is important to note that monies paid out during the 2018/19 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.

7 Levels of complaints to the standards committee (Member complaints)

Complaints recorded in 2018/19

- 7.1 During 2018/19 the Monitoring Officer has responded to 12 complaints of alleged misconduct of the breach of the Elected Member Code of Conduct.

Number of Complaints			
2018/2019	2017/2018	2016/2017	Outcome
12	10	3	No Action. Dismissed by the Monitoring Officer
0	0	1	Action taken by party

8 The Local Government Ombudsman complaints review 2018/19

Overview of Ombudsman

- 8.1 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.
- 8.2 Each year, in June/July, the Local Government Ombudsman issues an annual review to each local authority. In his letter he sets out the number of complaints about the authority that his office has dealt with and offers a summary of statistics to accompany this.
- 8.3 The annual review statistics are publically available, allowing councils to compare their performance on complaints against their peers; copies of the Annual Review letter as well as any published Ombudsman complaints are issued to the Leader of the Council and Head of Paid Service to encourage more democratic scrutiny of local complaint handling and local accountability of public services.

- 8.4 Decision statements made in 2018/19 will have been published on the Local Government Ombudsman website 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 KCC Performance – Ombudsman complaints

- 9.1 It should be noted that there will be discrepancies between the volume recorded by the Local Government Ombudsman and the authority. This is due to the Local Government Ombudsman recording complaints that it does not progress to Kent County Council, as it is able to resolve the issue at first point of contact, either through referring the customer to the Council or it is identified as out of jurisdiction.
- 9.2 During 2018/19 KCC received a total of 179 decisions from the Ombudsman this included 45 referred back for local resolution. The full letter and Ombudsman statistics can be found in Appendix B.
- 9.3 We received one public report in 2018/19. Details of the report can be found in section 11 (page 13).
- 9.4 The level of complaints received by KCC for the size of population, volume of services and interaction is low. Each complaint provides an opportunity to learn from our customers and improve our systems and we need to focus on those complaints that are upheld to ensure that lessons are learned.
- 9.5 The Ombudsman has changed the way in which they categorise complaints to include 'Upheld: not investigated – injustice remedied during Body in Jurisdiction complaint processes.' This means that our upheld figures include those that were successfully remedied before the Ombudsman were asked to investigate, which we believe has led to an increase in 'upheld' cases for many organisations including KCC.
- 9.6 The Ombudsman's report noted that the national average that the Ombudsman upheld is 58% of complaints they investigated; this is up nationally from 57% last year.
- 9.7 The average upheld rate for other County Councils was **64%**, Kent County Council's average is **61%**; an increase on 39% in 2018/19.
- 9.8 However, in 28% of upheld cases the Council had provided a satisfactory remedy before the complaint reached the Ombudsman. This compares to an average of 9% in similar authorities.
- 9.9 It is also worth noting that the number of KCC cases the Ombudsman investigated and upheld in Adult Social Care and Education and Children's Services is lower than the national average. In Adult Social Care 66% are nationally upheld compared to 62% in KCC, and Education and Children's Services 65% are nationally upheld, compared with 59% in Kent.

10 Local authority report – Kent County Council

10.1 For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

The following table examines the number of complaints received by the Ombudsman over the last three years against the LGO's service categories.

	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services	Highways and transport	Housing	Planning and development	Other	Total
2018/19	56	0	11	83	8	17	0	1	3	179
2017/18	57	0	6	99	6	20	2	0	0	190
2016/17	62	0	4	89	12	14	1	1	0	184*

* This figure excludes 6 complaints received by the LGO that have not been classified against a service.

Decisions made

The following table examines the number of complaints received by the Ombudsman over the last three years and decision category given by the LGO.

	<u>Detailed investigation carried out</u>		Advice given	Closed after initial enquiries	Incomplete / Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
2018/19	36	23	2	59	11	45	176
2017/18	19	30	0	55	11	59	174
2016/17	42	25	2	46	13	62	190

Whilst the number of complaints heard by the Ombudsman is not necessarily an indicator of successful complaint handling, it can be noted that the number of complainants exercising their right to escalate to the Ombudsman has reduced in the last 2 years.

11. Public Report

11.1 The Council received one public report in 2018/19. Public reports are released by the Ombudsman where they believe that there is an issue that has significant public interest and that the learning from that issue could be applied to other authorities.

Complaint

Mr X complains about the Council's decision to issue him with a Parking Charge Notice, causing him to incur costs.

Finding Fault

Found causing no significant injustice and recommendations made.

Recommendations

To remedy the injustice identified in this report the Council has agreed to carry out the following actions:

- pay Mr X £100 for time and trouble within one month; and
- stop issuing parking penalties at Lullingstone Country Park and at its other parks that use the same enforcement process, until it has put in place appropriate arrangements.

The full report – Can be accessed at the following link -

<https://www.lgo.org.uk/decisions/transport-and-highways/parking-and-other-penalties/17-004-169>

Lessons Learned – a report was heard at the Environment and Transportation Committee on the 19th March 2019. (Item 15) The report was discussed, and a new way of charging has been put in place. For more information about the service's response to the report please visit

<https://democracy.kent.gov.uk/ieListDocuments.aspx?Cid=831&Mid=7979&Ver=4>

12 Ombudsman Complaints – Themes and Outcomes

12.1 The following section examines some cases that were investigated by the Ombudsman. The complaint and the subsequent decisions are taken from the Local Government Ombudsman's website where all decisions (in which the complainant cannot be identified) are published.

Children, Young People and Education

	Upheld	Not upheld	Closed: out of jurisdiction/no further action or withdrawn	Premature	Total
Children Social Work Services	8	3	20	2	33
Kent Test/ School Admission appeals	0	3	7	0	10
Home to School Transport/ Free School Meals	4	4	3	1	12
Special Educational Needs	8	4	0	7	19
The Education People	0	0	1	0	1
Total	20	14	31	10	75

Children Social Care - Not upheld example – 18 006 789

The complaint

Miss X complains the Council has failed to properly assess or meet her needs as carer to her son Z. She said it had not offered her appropriate support and respite care. As a result, she says she has no quality of life and she and her son are completely isolated.

Miss X wants the Council to help with support from an appropriately disability trained social worker that understands her son's needs.

Outcome

The Council has assessed Miss X's needs as a carer without fault. It has also offered to reassess her needs to see if they have changed since the last assessment.

Children Social Care - Upheld example - 17 016 977

The complaint

Miss X complains:

1. The Council failed to provide appropriate support in 2012 when she left a secure mental health unit to live at home.
2. The Council did not provide enough help and support to access education and mental health services in 2012.

3. When she contacted the Council in 2015 she was contacted by Specialist Children's Services staff. However, she complained the support provided since then was insufficient.
4. The Council did not provide a suitable response to her complaint and misled her due to her vulnerability.

Outcome

The Council agreed to pay Miss X £500 to reflect the failings in the support it provided following her discharge from hospital in 2012.

The Council agreed to pay Miss X £300 to recognise the failings in the way the complaint was considered and the time and trouble she was put to in pursuing her complaint further.

There was fault by the Council that it has remedied appropriately. I have now completed my investigation and closed the complaint.

Education - Not upheld example – 18 002 844

The complaint

Ms Q removed her two children, A and B, from their nearest school due to bullying issues with A. She applied for free school transport for both of them to their new school. The Council awarded A free school transport, but not B. Ms Q complains the Council did not properly consider:

- the impracticalities of only having one child on the school bus;
- the impact the bullying had on B and;
- the family's financial situation.

Outcome

The Ombudsman finds no evidence of fault in the way the appeal panel reached their decision.

Education - Upheld example – 18 007 520

The complaint

Mrs X complains about the Council's handling of the Education, Health and Care Plan (EHCP) process for her son. Mrs X is dissatisfied with the time taken by the Council to complete the process. Mrs X says she had to chase the Council for information as she was not kept informed of progress on the application or the reasons for any delay.

Mrs X says her son's behaviour deteriorated at school because he did not receive the specialist provision required to meet his needs.

Outcome

There was fault by the Council because of unreasonable delay in completing an EHCP for Mrs X's son. The complaint was closed because the Council agreed to remedy the injustice to Mrs X and her son.

Growth, Environment and Transport

	Upheld	Not upheld	Closed: out of jurisdiction/no further action or withdrawn	Premature	Total
Environment, Planning and Enforcement	2	1	2	1	6
Highways, Transportation and Waste	1	0	10	1	12
Total	3	1	12	2	18

Not Upheld example – 17 011 500

The complaint

Mr B complains that the Council promised him a heating grant, sent a representative who condemned his existing gas heater without testing it, and then failed to provide a heating grant. The Council then delayed in responding to his complaint. As a result, he has no affordable heating in his home.

He considers that the Council should, at the very least, provide funding for a proper assessment of his current heating and to fund any necessary repairs. Ideally, he would like the Council to provide enough funds for a minimal modern heating replacement which would be economic to run and environmentally better.

Outcome

I have closed my investigation into Mr B's complaint because I have not found significant fault in the way the Council handled his application for a grant to replace his gas heating.

Upheld example – 17 016 559

The complaint

Mrs X complains there were failings by the Coroner's service following the passing away of Mr X causing her distress.

Outcome

I am completing my investigation. There is evidence of fault by the Coroner's Support Services following the passing away of Mr X. The Council has accepted it was a fault, made errors in documents and failed to tell Mrs X of her right to representation for the post-mortem. It has apologised to Mrs X and carried out officer training. I consider this is a suitable and proportionate remedy and I cannot achieve anything more for Mrs X.

Strategic and Corporate Services

Upheld	Not upheld	Closed: out of jurisdiction/no further action or withdrawn	Premature	Total
0	0	4	5	9

Adult Social Care and Health

Upheld	Not upheld	Closed: out of jurisdiction/no further action or withdrawn	Premature	Total
13	8	8	9	38

Not Upheld example – 17 007 066

The complaint

Mr and Mrs A complain about Kent County Council's (the Council) decision to manage their son Mr B's case in its mental health service. They say Mr B should also receive input from the learning disability service.

Mr and Mrs A say:

1. The assessment of Mr B's learning disability was flawed. He was not present during the assessment;
2. A member of staff claimed to have relied on school records, but the school confirmed records on Mr B had been destroyed;
3. Education records state Mr B has a learning disability and cognitive abilities far below expected of a child at the relevant ages;
4. The Council used IQ of 70 as a measure of learning disability. Despite no testing, there is other evidence suggesting Mr B fits within this range.

Outcome

The complaint is about the Council's decision to manage Mr B's care within mental health services rather than learning disability services. The Council acted in line with the Care Act 2014 and Valuing People, so there is no fault.

Upheld example – 18 000 484

The complaint

Ms C complains for her father Mr A that Kent County Council (the Council) refused to fund the day service he has been attending.

Outcome

The Council refused to fund Ms C's preferred day care provision for her father before carrying out an assessment of his needs or review of his care and support plan. This is pre-empting the outcome of an assessment, is not in line with Care and Support Statutory Guidance and is fault. To remedy the injustice, the Council will carry out a fresh assessment of need or review the current care and support plan within two months of my final decision.

13 LESSONS LEARNED

13.1 Where the Ombudsman has made a decision against the Council, steps are taken by officers' service to ensure that any lessons learned are applied across the service to improve the customer experience and avoid any further complaints of a similar nature.

13.2 With regards to lessons learned across the Council, the following table explores some of the actions taken following an investigation of a complaint.

The top three actions taken following complaint closure were explanations given, arranging for staff training or guidance and changes or reviewing of communications.

Action taken	Stage 1
Advice	9
Arrange staff training or guidance	128
Change or review communications	88
Change or review policy or procedure	35
Change or review service	20
Discuss at team meeting	51
Explanation	221
Financial remedy	39
Formal apology	51
Performance management - staff member	16
Policy change/review	9
Procedure change	7
Provided service requested	38
Reassessment/Rehearing	1
Remedy complete and satisfied	7
Review contract or partner arrangements	9
Supervision discussion	14

14 RECOMMENDATIONS

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

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Appendix A – Directorate overview of Customer Feedback Received

Children, Young People and Education

All Feedback Reported

	Complaints (Stage One)	Comments	Compliments	Local Government Ombudsman enquiries & complaints*
2018/19	862	32	94	65
2017/18	666**	1101	190	53
2016/17***	260	326	474	32

*Excluding premature

**Specialist Children Services moved Directorates

***excluding Specialist Children Services

The below table compares the number of complaints received in 2018/19 with those received in 2016/17 and 2017/18

Service	2016/17	2017/18	2018/19
Specialist Children Service/Children's Social Work Services	269	368	490
Community Learning & Skills (was Adult Education)	86	80	94
Education Services	174	218	259
The Education People	-	-	19
Total Complaints	529	666	862

Growth, Environment and Transport

All Feedback Reported

	Complaints (Stage one)	Comments	Compliments	Resolved Local Government Ombudsman enquiries & complaints*
2018/19	2658	486	828	16
2017/18	2054	509	1188	13
2016/17	1764	509	1326	17

*Excluding premature

The below table compares the number of complaints received in 2018/19 with those received in 2016/17 and 2017/18

Service	2016/17	2017/18	2018/19
Environment, Planning and Enforcement	57	76	79
Economic Development	0	4	3
Highways and Transportation and Waste Management	1,437	1705	2059
Libraries, Registrations and Archives	270	269	517
Total Complaints	1764	2053	2658

(* Data not previously collected) (^ Q1 data not captured)

Adult Social Care and Health

All Feedback Reported

	Complaints (Stage One)	Comments	Compliments	Resolved Local Government Ombudsman enquiries & complaints*
2018/19	777	15	480	29

2017/18	625	118	357	36
2016/17**	919	640	542	65

*Excluding premature **Includes Specialist Children Services.

The below table compares the number of complaints received in 2018/19 with those received in 2016/17 and 2017/18

Service	2016/2017	2017/18	2018/19
Adult Social Care and Health	650	625	777
Total Complaints	650	625	777

Strategic and Corporate Services

All Feedback Recorded

	Complaints (Stage One)	Comments	Compliments	Resolved Local Government Ombudsman enquiries & complaints*
2018/19	154	6	11	4
2017/18	283	23	182	3
2016/17	481	74	362	3

*Excluding premature

The below table compares the number of complaints received in 2018/19 with those received in 2016/17 and 2017/18

Service	2016/17	2017/18	2018/19
Finance	71**	28**	52
FOI	134	57	7
Gateways and Contact Point	56	53	55
Insurance *	144	62	5
Infrastructure, Property and Total Facilities Management	75	38	23
Other	1	45	12
Total Complaints	481	283	154

* There is a marked decrease in Insurance complaints as these now follow a different appeal process due to the scope of the Local Government and Social Care Ombudsman

** Includes procurement figures