

## KCC Annual Customer Feedback Report 2022/23

**By:** Amanda Beer – Deputy Chief Executive  
**To:** Governance and Audit Committee  
**Date:**  
**Subject:** KCC Annual Customer Feedback Report 2022/23  
**Classification:** Unrestricted

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**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 Ombudsman.

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

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### 1. Introduction

- 1.1 This is the Council's annual report on compliments, comments and complaints.
- 1.2 Overall complaints volumes are up slightly this year, there were a number of key changes this year that drove complaints in a number of areas. These included Homes for Ukraine, SEND and changes to transport provision.
- 1.3 For the purposes of this report customer feedback only relates to those comments, compliments and complaints received from members of the public and our external customers. It does not include internal feedback between departments or contractors.

### 2. Progress in refining practices within KCC

- 2.1 The customer feedback system has been in place for over 5 years, enabling us to breakdown data easily, understand trends and react to evolving issues.
- 2.2 The Customer Feedback Forum meets monthly to discuss best practice, performance and system developments. This group supports each other with changes to the Customer Feedback Policy, discuss Ombudsman requirements and approaches to contacting customers regarding service changes.
- 2.3 Although not relevant to the year 2022/23, there have been some changes that have been implemented since April 2023, which will change the way in which the Council works in regard to complaints handling. A team has been formed to manage feedback centrally, the focus of the team will be on clearing the backlog of complaints with a view to improving timeliness in the long term. In addition, the team will be focusing on providing good quality responses and consistency of service to our residents and service users.

### 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.

**Table 1 – Feedback received by KCC compared with previous year**

Year	Complaints (Stage 1)	Comment	Compliments	Local Government and Social Care Ombudsman complaints
<b>2022/23</b>	<b>5580</b>	<b>273</b>	<b>1162</b>	<b>229</b>
2021/22	5210	285	1208	182
Difference	370	-12	-46	47
% difference	7%	-4%	-4%	+ 26%

- 3.5 We saw an increase in the volumes of cases in 2022/23, there were a number of factors behind the increase in cases, these include the introduction of the Homes for Ukraine scheme, SEND Ofsted visit and changes to bus provision countywide.
- 3.6 The nature of complaints and comments received during the pandemic, were in many cases different to previous years reflecting the decisions that needed to be made at the time. This has made it difficult to draw direct comparisons to previous years.
- 3.7 There has also been significant backlog in responding to complaints in CYPE and Highways & transportation, which is impacting on both volumes and timescales.

**Table 2** - Cases received at stages 1 (local resolution)

Stage 1	Adults Social Care and Health	Children Young People and Education	Growth Environment and Transport	Strategic and Corporate Services (including Public Health)	Total
<b>2022/23</b>	<b>958</b>	<b>1240</b>	<b>3231</b>	<b>151</b>	<b>5580</b>
2021/22	744	1049	3238	179	5210
Difference	214	191	-7	-28	<b>370</b>
% difference	29%	18%	<1%	-16%	<b>7%</b>

- 3.8 There were a number of changes to the way in which services were delivered in this year. This included changes bus provision countywide which will be reflected in Growth, Environment and Transport (GET) figures.
- 3.9 Adult Social Care and Health (ASCH), saw a significant increase from the previous year there were remarked increase in Blue Badge complaints which were likely due to the number of renewals that were due in the year and subsequent delays in processing. ASCH saw increases across the board all of which contributed to the general rise in this directorate.
- 3.10 Whilst Children, Young People and Education (CYPE) saw a significant increase in complaints overall. Much of the increase in cases here can be attributed to Special Educational Needs (SEN). Work is currently ongoing to reduce the backlog of complaints awaiting responses in this area.
- 3.11 All directorates bar Strategic and Corporate Services (SCS) the increase in SCS in the previous year was largely attributed to the Council's response to Covid with regards to operating asymptomatic testing sites, applying National Government guidance locally including communications and in some cases enforcement.
- 3.12 In 2022/23 complaint volumes were lower but still relatively high for SCS as the directorate led on the Council's response to the Homes for Ukraine scheme.
- 3.13 Overall, we have seen a 7% increase in the number of complaints received at stage one. A breakdown of complaints received by division/service can be found in Appendix A.

**Table 3 – Feedback received at Stage 2 compared with the previous year**

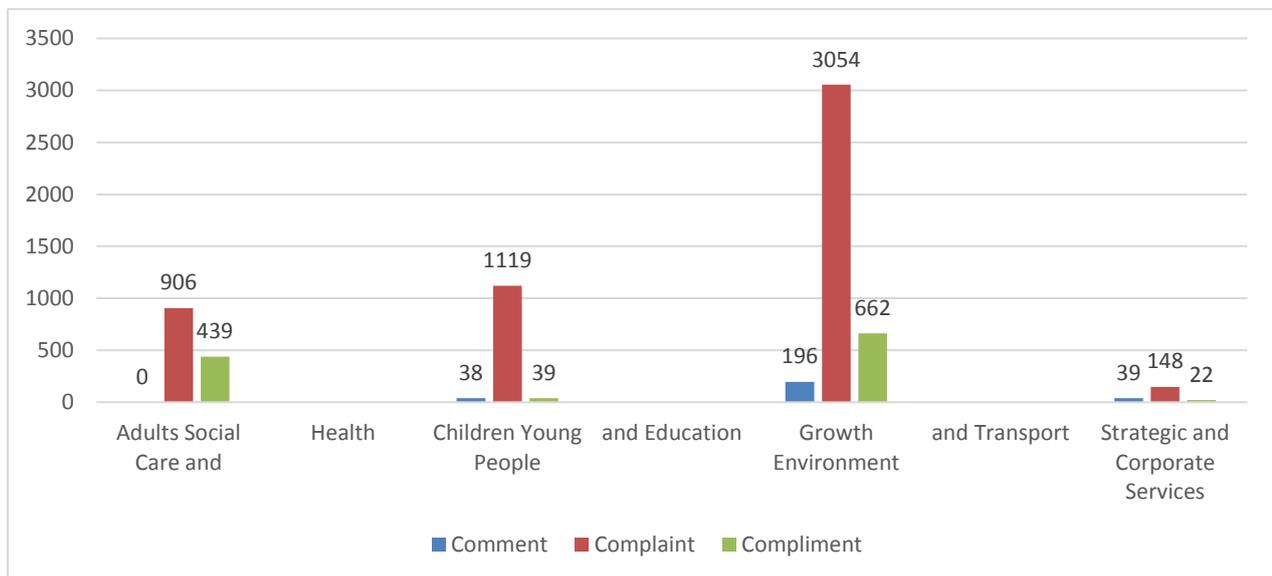
Stage 2	Adult Social Care and Health	Children, Young People and Education	Growth, Environment and Transport	Strategic and Corporate Services
2022/23	14	220	160	30
2021/22	0	140	145	15
Difference	14	76	15	15
% difference		54%	10%	100%

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

\*\*Complaint that was handled under corporate complaints process and not under ASCH process

3.14 We have seen a significant increase in complaints escalating to stage 2 within all Directorates bar CYPE, the majority of the escalations were in SEN where response times to customers have been particularly challenging this year. Where there are delays in responding to stage one complaints, there is usually an increase in complaints escalating to stage 2.

3.15 Cases closed by Directorate at Stage 1



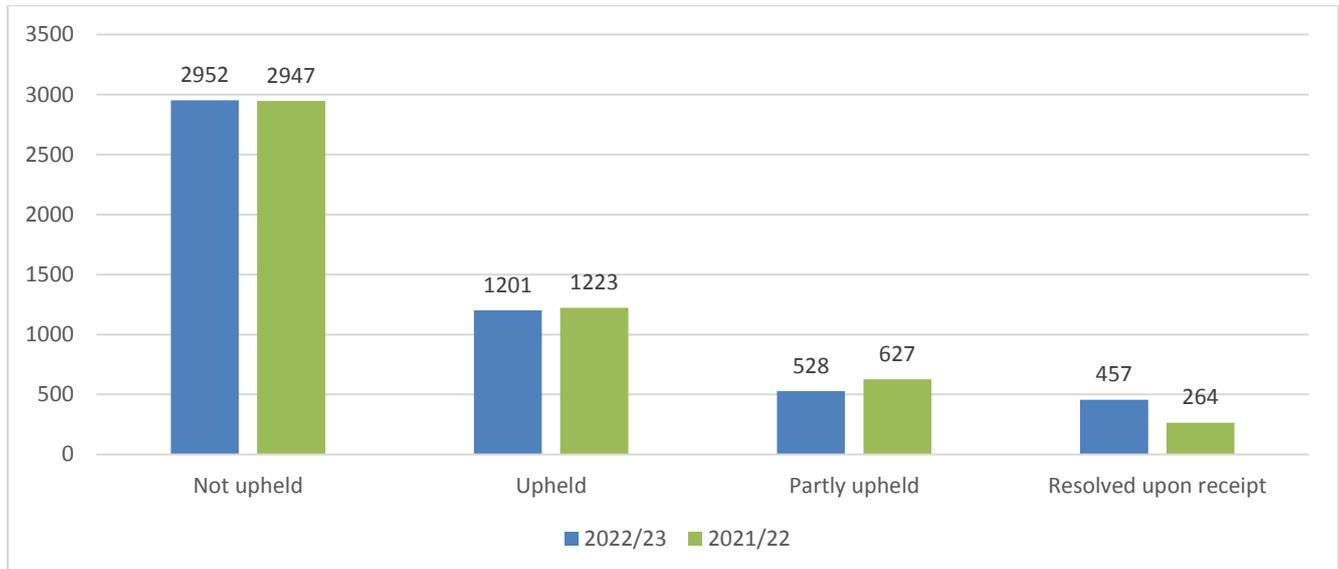
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**Table 4 - Cases closed by Directorate at Stage 1**

	<b>Comment</b>	<b>Complaint</b>	<b>Compliment</b>	<b>Total</b>
Adults Social Care and Health	0*	906	439	1345
Children Young People and Education	38	1119	39	1196
Growth Environment and Transport	196	3054	662	3912
Strategic and Corporate Services	39	148	22	209
<b>Total for 2022/23</b>	<b>273</b>	<b>5227</b>	<b>1162</b>	<b>6662</b>
Total for 2021/22	285	5114	1208	6607
Difference	-12	113	-46	55
% Difference	-4%	2%	-4%	<1%

\*ASCH log informal concerns and feedback of this nature under other categories

### 3.16 Case outcomes at Stage 1\*



\*Number of cases closed will not equal the number received

**Table 5 – Stage one - cases not upheld, upheld, partly upheld and resolved upon receipt**

Stage 1	Not upheld	Upheld	Partly upheld	Resolved upon receipt
<b>2022/23</b>	<b>2952</b>	<b>1201</b>	<b>528</b>	<b>457</b>
<b>%</b>	<b>56%</b>	<b>23%</b>	<b>10%</b>	<b>9%</b>
2021/22	2947	1223	627	264
%	59%	24%	12%	5%

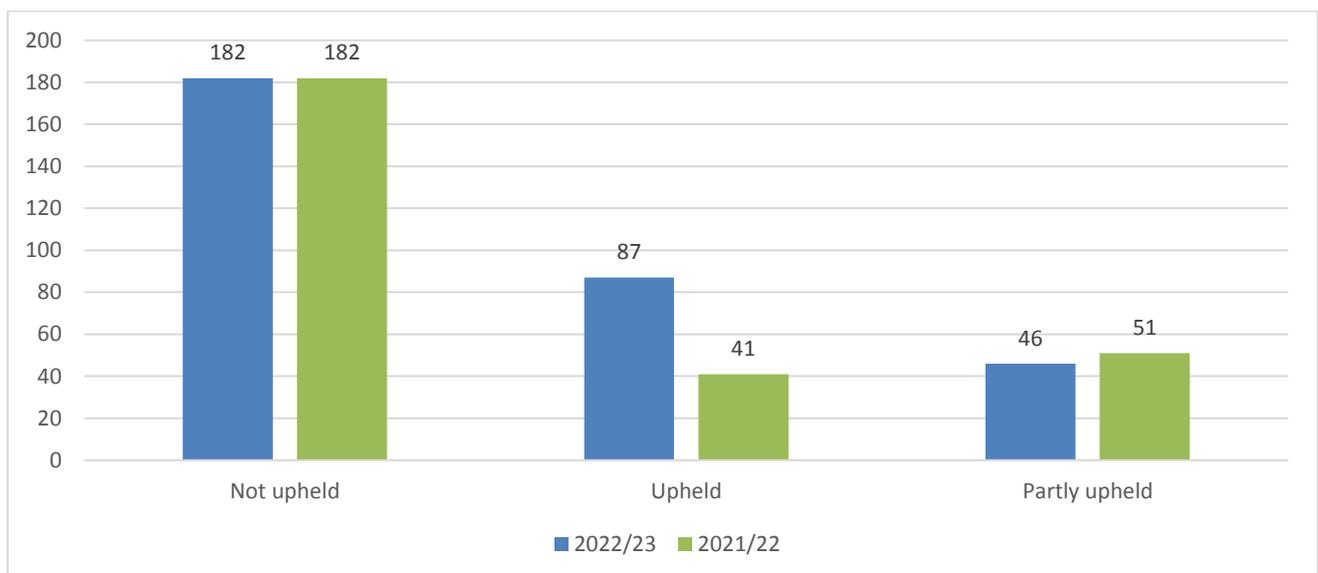
3.17 The number of cases upheld versus not upheld remains steady. With a 1 to 3% difference retrospectively.

3.18 An example of a not upheld and partially upheld case.

A not upheld example may include where a resident complains about KCC policy, but that policy had been through consultation, comments had been considered at committee meetings and a key decision had been made to implement the policy.

Partially upheld cases will be where some elements of the complaint were not upheld, as in the example above but other elements, for example if they had cause to complain about staff behaviour and this was found to be upheld, then this would cause the overall complaint to be partially upheld.

3.19 Case outcomes at Stage 2\*



\*Number of cases closed will not equal the number received

**Table 6 – Stage two – Not upheld, upheld, partly upheld, resolved upon receipt**

Stage 2	Not upheld	Upheld	Partly upheld	Resolved upon receipt
2022/23	182	87	46	0
%	59%	28%	15%	0%
<b>2021/22</b>	<b>182</b>	<b>41</b>	<b>51</b>	<b>0</b>
<b>%</b>	<b>66%</b>	<b>15%</b>	<b>19%</b>	<b>0%</b>

3.20 There is a marked increase in the number of complaints upheld at stage 2, however 79% of these were already upheld or partially upheld at stage 1 which demonstrates that in the majority of cases customers are exercising their right to escalate to stage 2. This may be because they were unhappy with the proposed remedies offered at stage 1 or because they wanted to take their complaint further, either to stage 2 or Ombudsman. 14% of cases were overturned and the remainder bypassed stage one where conversations had already been going on.

3.21 Table 7 below tracks the other types of feedback received by the Council including Member and MP enquiries and informal concerns compared with the previous year. Enquiries include Ask a Kent Librarian service requests which account for a significant proportion of the volumes received below.

**Table 7 – Volumes received for other types of feedback.**

	Member/MP enquiry	Enquiry (includes Ask a Kent Librarian)	Informal Concerns	Representation
<b>2022/23</b>	<b>2634</b>	<b>14708</b>	<b>247</b>	<b>0</b>
2021/22	1682	13364	208	10
Difference	952	1344	39	-10

3.22 There is a significant increase in Member/MP enquiries two high volume services (SEN and Highways & Transportation) are incurring substantial backlogs in terms of responses which often leads to frustration from residents who then contact their MP or local Members for assistance.

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

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**Table 8 - Reasons for complaints this year**

Year	Break-down	Communications or Information	Equalities & regulatory	Not for KCC	Policy and procedure	Service failure	Service Quality	Service not provided	Staff Conduct cause	Value for money	Impact of major incident	Issues with service	Total
22-23	<b>Total</b>	<b>794</b>	<b>205</b>	<b>62</b>	<b>1067</b>	<b>3</b>	<b>2131</b>	<b>718</b>	<b>197</b>	<b>32</b>	<b>5</b>	<b>171</b>	<b>5411</b>
	<b>% of total complaints</b>	<b>15%</b>	<b>4%</b>	<b>1%</b>	<b>20%</b>	<b>&lt;1%</b>	<b>39%</b>	<b>13%</b>	<b>4%</b>	<b>1%</b>	<b>&lt;1%</b>	<b>4%</b>	
21-22	Total	900	239	81	1191	13	7		282	42	63	2667	5485
	% of total complaints	16%	4%	1%	22%	<1%	<1%		5%	1%	1%	49%	

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

3.21 During the pandemic it was also decided that a new category ‘impact of major incident’ should be added, the volume of these complaints has significantly decreased. We would expect these types complaints to decrease over the coming year.

3.22 The biggest topic was ‘quality of service’ which accounted for 39% of cases. Table 10 shows the breakdown of the root causes of these complaints where they were upheld. This was newly added last year as previously the ‘issues with service’ topic did not give sufficient detail, that category was split into ‘Quality of Service’ and ‘Service not Provided’.

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**Table 9** – Breakdown of reasons for upheld\* complaints by Directorate Stage one and two\*\*

Complaint reason	Adults Social Care Services & Health	Children Young People & Education	Growth Environment & Transport	Strategic & Corporate Services	Total	%
Communications or Information	46	113	66	18	<b>243</b>	20%
Equalities & regulatory	5	12	8	2	<b>27</b>	2%
Policy and procedure	74	29	82	2	<b>187</b>	15%
Quality of service	54	185	211	14	<b>464</b>	38%
Service not provided	15	122	68	5	<b>210</b>	17%
Staff Conduct cause	7	7	35	6	<b>55</b>	4%
Value for money	1	1	1	0	<b>3</b>	<1%
Issues with service	3	7	34	0	<b>44</b>	4%
<b>Total</b>	<b>205</b>	<b>476</b>	<b>505</b>	<b>47</b>	<b>1233</b>	
<b>%</b>	<b>17%</b>	<b>39%</b>	<b>41%</b>	<b>4%</b>		

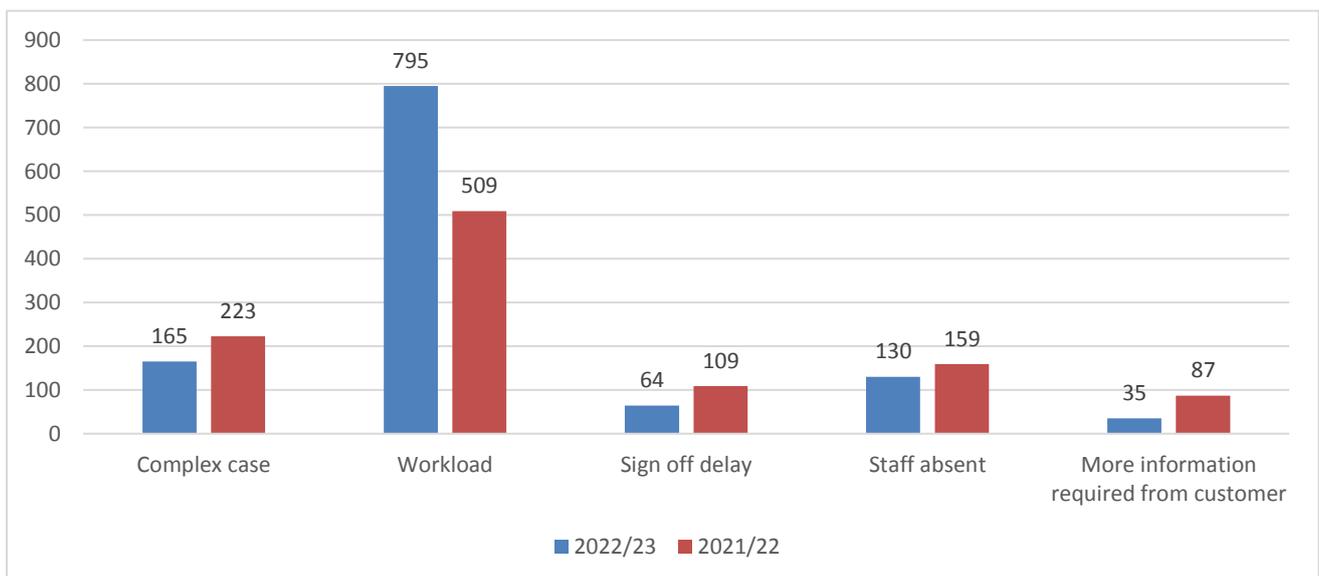
\*table only includes upheld complaints and not those partially upheld

\*\*some complaints will have multiple reasons as to why they were upheld

## 4. 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 75%** of complaints within corporate timescales which compares to **77%** the previous year. The KPI for complaints responses is 85%.
- 4.2 This year services struggled with meeting deadlines for handling complaints within timescales. Staff have been reminded of the importance of keeping customers up to date and of meeting timescales. Performance has been challenging, particularly in a number of key areas of the organisation where there are already existing pressures such as SEN and where there were gaps in staffing for example Highways & Transportation. There has also been significant change in customer habits/behaviours, particularly due to financial pressures.
- 4.3 This year, of those 25% that were not answered in timescale, **15%** of the total number of complaints received, were not responded to within timescale as a result of either staff availability or workload. This reason significantly increases in those services where there is already pressure.

**Table 11** - Delay reasons



**Table 12** - Top five overall delay reasons

	<b>Complex case</b>	<b>Workload</b>	<b>Sign off delay</b>	<b>Staff absent or unavailable</b>	<b>More information required from customer</b>
<b>2022/23</b>	<b>165</b>	<b>795</b>	<b>64</b>	<b>130</b>	<b>35</b>
2021/22	223	509	109	159	87
% of total complaints rec'd	3%	15%	1%	2%	1%

- 4.4 The above table shows the overall delay reason cited alongside the percentage of complaints that represents the number of total complaints received. Workload is the most cited reason.
- 4.5 In Adult Social Care, complex case is the primary reason for delay against KCC timescales. The team continue to work hard with the service to reduce the number of complaint responses that are delayed.
- 4.6 The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 makes provision for customers and the complaints team to set the timescales for responding. This can be up to 6 months for the most complex of cases, and means that complaints will often not meet the 20 working day KCC standard. This is because an agreement with the customer has been formed to allow for more time to investigate and respond.
- 4.7 In addition, Mental Health complaints have an agreed 30 working day response time when requiring a joint response from health services. This is reviewed regularly.
- 4.8 Within CYPE this year, there has been a significant increase in workload cited as a reason for those delays. This is particularly evident in areas already under significant pressure such as SEN, where 467 cases closed were recorded as late due to workload. The impact of the Ofsted report and the revisit in October 2022 continues to be felt and a continual increase in referrals to the service, means that complaint responses are often delayed due to ongoing work pressures.
- 4.9 In GET, there was a significant increase in workload and complex cases being cited as the reason for delay. This is partly due to the provision of buses across the county, not all of which were as a result of KCC but had an impact, nonetheless. The team responsible for managing responses were significantly impacted by staff absences and vacancies and therefore performance was lower than expected.

**Table 13 - Top three delay reasons by directorate****Adults Social Care and Health**

	<b>Complex case</b>	<b>Workload</b>	<b>Sign off delay</b>
<b>2022/23</b>	<b>88</b>	<b>54</b>	<b>28</b>
2021/22	55	24	38
% of total complaints rec'd by Directorate	10%	6%	3%

**Children Young People and Education**

	<b>Workload</b>	<b>Sign off delay</b>	<b>Complex case</b>
<b>2022/23</b>	<b>467</b>	<b>31</b>	<b>25</b>
2021/22	241	63	56
% of total complaints rec'd by Directorate	42%	3%	2%

**Growth Environment and Transport**

	<b>Workload</b>	<b>Staff absent or unavailable</b>	<b>Complex Case</b>
<b>2022/23</b>	<b>271</b>	<b>107</b>	<b>50</b>
2021/22	226	120	109
% of total complaints rec'd by Directorate	9%	4%	2%

**Strategic and Corporate Services**

	<b>Workload</b>	<b>Sign off delay</b>	<b>Complex Case</b>
<b>2022/23</b>	<b>5</b>	<b>4</b>	<b>2</b>
2021/22	9	1	4
% of total complaints rec'd by Directorate	3%	3%	1%

## 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 channels 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 2021/2022 & 2022/2023.

**Table 14** - 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
<b>2022/23</b>	<b>13%</b>	<b>2%</b>	<b>33%</b>	<b>2%</b>	<b>50%</b>	<b>&lt;1%</b>	<b>&lt;1%</b>
Volume	969	133	2396	119	3598	10	13
<b>2021/2022</b>	<b>17%</b>	<b>3%</b>	<b>35%</b>	<b>2%</b>	<b>44%</b>	<b>&lt;1%</b>	<b>&lt;1%</b>
Volume	1160	189	2381	108	2992	11	14

- 5.3 The above table shows that there has been an increase in the submitting of compliments, comments and complaints via our online systems.
- 5.4 There is a significant proportion of complaints now being submitted via digital methods. 83% of feedback received is now arriving digitally either by email or via the online form.

## 6. Compensation across all complaints received by KCC

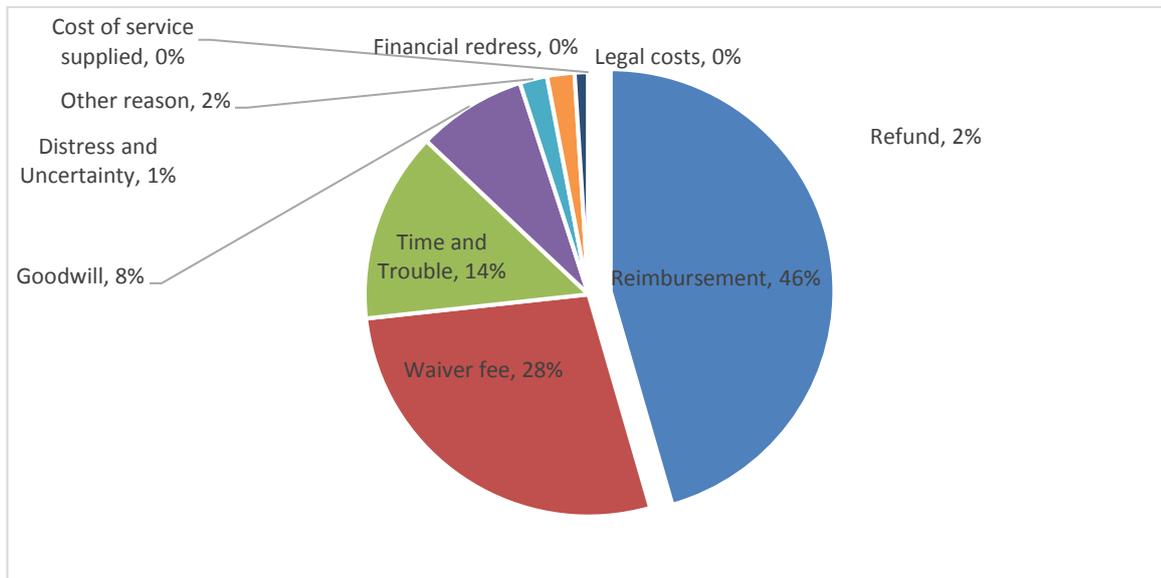
- 6.1 In 2022/23, £178,714.66 was paid in compensation, settlements, changes to the amount we charge and waived charges as a result of complaints to the organisation this includes;
- £116,960.06 has been paid or waived as part of local resolution in Adult Social Care and Health. This figure also includes the adjustments to the cost of care provided. The service has adapted their processes to ensure that this information is consistently calculated and recorded as part of the complaint outcome.
  - £758.20 has been paid out for Growth, Environment and Transport. £20 Pensions reimbursement.

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- £60,976.40 has been paid out for Children, Young People and Education Directorate including Community Learning and Skills and Children Social Work Services
- £63,926.40 of the payments above were made following Local Government and Social Care Ombudsman Decisions found against KCC.

6.2 This is a decrease of £66,696.12 from 2021/22 when £245,410.82 was paid out in settlements or through waived charges.

**Table 15** - Compensation complaint reason chart



Reason	%
Reimbursement	46%
Waiver fee	28%
Time and Trouble	14%
Goodwill	8%
Other reason	2%
Refund	2%
Distress and Uncertainty	1%
Cost of service supplied	<1%
Financial redress	<1%
Legal costs	<1%

6.3 It is important to note that monies paid out during the 2022/23 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. This is particularly true of Ombudsman complaints.

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

### Complaints recorded in 2022/23

- 7.1 During 2022/23 the Monitoring Officer has responded to 2 complaints of alleged misconduct of the breach of the Elected Member Code of Conduct.

**Table 16**

Number of Complaints			Outcome
2022/23	2021/222	2020/21	
2	9	8	No Action or resolved upon receipt. Dismissed by the Monitoring Officer
0	0	0	Action taken by party

## 8 The Local Government and Social Care Ombudsman complaints review 2021/22

### 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 and Social Care Ombudsman (LGSCO). 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 July, the 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 publicly 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 Chief Executive to encourage more democratic scrutiny of local complaint handling and local accountability of public services.
- 8.4 Decision statements made are published on the Ombudsman's website six weeks 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 Ombudsman and the authority. This is due to the 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 The Ombudsman has noted that the way in which they choose which complaints they will investigate has changed, leading to a higher number of complaints being upheld vs not upheld. The below is the Ombudsman’s explanation of the change.
- 9.3 “Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on ‘borderline’ issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation’s uphold rate is higher than in previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, we recommend comparing your authority’s uphold rate with that of similar organisations, rather than previous years, to better understand performance.”

- 9.4 During 2022/23 KCC received a total of **229** decisions from the Ombudsman this included 62 referred back for local resolution. The full letter and Ombudsman statistics can be found in Appendix B.
- 9.5 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.
- 9.6 The Ombudsman’s report noted that the national average upheld is **66%** of complaints they investigated; this is down nationally from 71% last year.
- 9.7 The average upheld rate for other County Councils has increased from 71% to 80%. Kent County Council’s average is **87%**; this was an increase from last year’s 68% upheld. However, as noted in 9.3, the Ombudsman was expecting an increase following a change in the way cases are progressed.

- 9.8 In **8%** of upheld cases the Council had provided a satisfactory remedy before the complaint reached the Ombudsman. This compares to an average of 6% in similar authorities.
- 9.9 The Ombudsman found the highest proportion of complaints upheld nationally to be in Education and Children’s services, of 243 cases received by the LGSCO for Kent, 146 were about Education and Children Services. Nationally 92% of complaints regarding SEN provision and EHC plans are upheld.

## 10. Public Report

10.1 The Council received no public reports in 2022/23.

## 11 Local authority report – Kent County Council

11.1 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

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

**Table 17**

	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
<b><u>2022/23</u></b>	<b>67</b>	<b>1</b>	<b>4</b>	<b>146</b>	<b>5</b>	<b>19</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>243</b>
2021/22	55	0	3	96	7	20	0	1	0	182
2020/21	56	0	4	79	5	9	1	1	1	156

### Decisions made

11.3 The following table examines the number of complaints decided by the Ombudsman over the last three years and decision category given by the LGSCO.

**Table 18 – LGSCO complaint decisions**

	<b><u>Detailed investigation carried out</u></b>		<b>Advice given</b>	<b>Closed after initial enquiries</b>	<b>Incomplete / Invalid</b>	<b>Referred back for local resolution</b>	<b>Total</b>
	<b>Upheld</b>	<b>Not upheld</b>					
<b>2022/23</b>	<b>53</b>	<b>8</b>	<b>7</b>	<b>91</b>	<b>8</b>	<b>62</b>	<b>229</b>
<b>2021/22</b>	<b>65</b>	<b>30</b>	<b>0</b>	<b>75</b>	<b>2</b>	<b>10</b>	<b>182</b>
<b>2020/21</b>	<b>40</b>	<b>14</b>	<b>0</b>	<b>49</b>	<b>9</b>	<b>40</b>	<b>152</b>

11.4 The number of complaints heard at Ombudsman level reduced in 2020/21, however this is an anomaly as the Ombudsman did not investigate any new complaints during the first three months of the financial year due to Covid. The number closed after initial enquiries has increased significantly, these are cases where the Ombudsman has reviewed our responses and has decided not to investigate further.

## 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 Ombudsman's website where all decisions (in which the complainant cannot be identified) are published.

**Table 19 - Children, Young People and Education**

	<b>Upheld</b>	<b>Not upheld</b>	<b>Closed: out of jurisdiction/ no further action or withdrawn</b>	<b>Premature</b>	<b>Total</b>
<b>Children Social Work Services</b>	4	0	25	8	<b>37</b>
<b>Kent Test/ School Admission appeals</b>	1	0	2	0	<b>3</b>
<b>Home to School Transport/ Free School Meals</b>	4	2	3	1	<b>10</b>
<b>Special Educational Needs</b>	29	0	12	29	<b>70</b>
<b>The Education People</b>	1	0	0	0	<b>1</b>
<b>Community Learning and Skills</b>	0	0	0	0	<b>0</b>

<b>Total</b>	<b>39</b>	<b>2</b>	<b>42</b>	<b>38</b>	<b>121</b>
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**Children Social Care - Upheld example – 21 012 369**

**Complaint**

1. Mr X complained that the Council:
  - a. failed to address the impact of the faults found in the independent investigation of his complaint about children's social care and provide a suitable remedy;
  - b. failed to carry out actions agreed at the end of the complaints process; and
  - c. took too long to complete the complaints process.
2. As a result he says he and his family have missed out on support they should have received.

**Outcome**

We find there were some flaws and delays in the assessment process that the Council has not fully recognised in its response to the complaint so far. The Council has agreed a further remedy.

**Education - Not upheld example – 22 009 075**

**Complaint:**

Mrs M complains about the Council wrongly refusing her daughter travel assistance after the school she applied for closed and she chose a school which was not her nearest under its policy; as a result, this causes her stress and financial hardship as she now meets the cost of travel to school.

**Outcome**

We found no fault by the Council on Mrs M's complaint about it wrongly refusing her daughter travel assistance. The Council correctly assessed her application, and the appeal panel correctly considered all the evidence submitted before deciding to refuse it.

**Education - Upheld example – 22 007 365**

**Complaint**

Mrs X complained the Council failed to provide suitable alternative education when her son, B, was too unwell to attend school.

**Outcome**

We find the Council was at fault for failing to provide B with alternative education. This caused distress to Mrs X and B has been out of education. To address the injustice caused by fault, the Council has agreed to apologise, make symbolic payments and remind staff of the relevant guidance.

**Table 20 - Growth, Environment and Transport**

	<b>Upheld</b>	<b>Not upheld</b>	<b>Closed: out of jurisdiction/no further action or withdrawn</b>	<b>Premature</b>	<b>Total</b>
<b>Environment, Planning and Enforcement</b>	0	1	3	1	<b>5</b>
<b>Growth and Communities</b>	0	0	2	0	<b>2</b>
<b>Highways, Transportation and Waste</b>	0	1	15	3	<b>19</b>
<b>Total</b>	<b>0</b>	<b>2</b>	<b>20</b>	<b>4</b>	<b>26</b>

**Not Upheld example – 22 002 987**

**Complaint:**

1. Miss X complains the Council:
  - Installed a bright LED light bulb in the streetlight across the road from her;
  - Expected her to pay for any shield to be fitted to the light;
  - Failed to understand the issue she raised.
2. Miss X says the light from the LED bulb has caused her to have sleep problems which impacted her health.

**Outcome**

We do not uphold Miss X’s complaint about the Council’s installation of an LED light bulb in a streetlight outside her home and management of her complaint. The issue is now resolved, and no further action is required.

**Table 21 - Strategic and Corporate Services**

<b>Upheld</b>	<b>Not upheld</b>	<b>Closed: out of jurisdiction/no further action or withdrawn</b>	<b>Premature</b>	<b>Total</b>
0	0	4	0	<b>4</b>

**Table 22 - Adult Social Care and Health**

<b>Upheld</b>	<b>Not upheld</b>	<b>Closed: out of jurisdiction/no further action or withdrawn</b>	<b>Premature</b>	<b>Total</b>
14	3	25	6	<b>48</b>

**Not Upheld example – 22 010 647****Complaint:**

Mrs X, on behalf of her adult son, Mr Y, complains the Council has refused to cover the cost of an increase in his care provider's hourly rate, putting his current care package at risk. She says Mr Y's mental health has deteriorated, causing the family distress and uncertainty. They are worried he will lose the bespoke support which has worked well for him for many years.

**Outcome**

We have not found the Council at fault for how it made its decision not to increase its direct payments for Mrs X's son.

**Upheld example – 21 018 229****Complaint:**

The complainant, who I am calling Mr X, complains the Council delayed the assessment of need for care and support. Mr X's mother, who I am calling Mrs Y, has brought the complaint on his behalf. She says:

- The Council knew about Mr X's need for care and support in September 2020 but did not complete his assessment until May 2022; and
- Because of the delay he missed out on the care and support he needed.

**Outcome**

Mr X complained the Council delayed the assessment of his need for care and support. We have found fault by the Council causing injustice. The Council has agreed to remedy this by apologising to Mr X and Mrs Y.

**13 LESSONS LEARNED**

- 13.1 Where the Ombudsman has made a decision against the Council, steps are taken by officers in the 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 shows a list of actions that have been recorded where they exceed 100 complaints.

**Table 23** - Top remedy actions

<b>Action taken</b>	<b>Stage 1</b>
Formal apology	625
Explanation	397
Discuss at team meeting	242
Provided service requested	193
Arrange staff training or guidance	186
Change or review communications	122

13.3 Other actions taken include changing or reviewing services, a financial remedy and changing or reviewing policies or procedures.

## **14 RECOMMENDATIONS**

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

**Report Author:**

Pascale Blackburn-Clarke  
Customer Experience and Engagement Manager  
03000 417025  
Pascale.blackburn-clarke@kent.gov.uk

**Relevant Director:**

Amanda Beer, Deputy Chief Executive  
03000 415835  
Amanda.beer@kent.gov.uk

## KCC Annual Customer Feedback Report 2022/23

### Appendix A – Directorate overview of Customer Feedback Received

#### Children, Young People and Education

##### All Feedback Reported

	Complaints (Stage One)	Comments	Compliments	Resolved Local Government and Social Care Ombudsman enquiries & complaints*
<b>2022/23</b>	<b>1240</b>	<b>38</b>	<b>39</b>	<b>121</b>
<b>2021/22</b>	<b>1049</b>	<b>42</b>	<b>91</b>	<b>96</b>
2020/21	867	51	77	78

The below table compares the number of complaints received in 2022/23 with those received in 2021/22 and 2020/21

Service	2020/21	2021/22	2022/23
Specialist Children Service/Children’s Social Work Services	698	825	<b>991</b>
Community Learning & Skills (was Adult Education)	24	46	<b>81</b>
Education Services	143	176	<b>155</b>
The Education People	2	2	<b>13</b>
<b>Total Complaints</b>	<b>867</b>	<b>1049</b>	<b>1240</b>

## KCC Annual Customer Feedback Report 2022/23

### Growth, Environment and Transport

#### All Feedback Reported

	Complaints (Stage one)	Comments	Compliments	Resolved Local Government and Social Care Ombudsman enquiries & complaints*
2022/23	3231	196	662	26
2021/22	3238	226	703	28
2020/21	3585	252	750	15

The below table compares the number of complaints received in 2022/23 with those received in 2021/22 and 2020/21

Service	2019/20	2020/21	2022/23
Environment, Planning and Enforcement	242	172	145
Economic Development	1	4	4
Highways and Transportation and Waste Management	3106	2791	2822
Libraries, Registrations and Archives	236	271	260
<b>Total Complaints</b>	<b>3585</b>	<b>3238</b>	<b>3231</b>

## KCC Annual Customer Feedback Report 2022/23

### Adult Social Care and Health

#### All Feedback Reported

	Complaints (Stage One)	Comments	Compliments	Resolved Local Government and Social Care Ombudsman enquiries & complaints*
<b>2022/23</b>	<b>958</b>	<b>0</b>	<b>375</b>	<b>48</b>
<b>2021/22</b>	<b>744</b>	<b>0</b>	<b>375</b>	<b>55</b>
2020/21	754	252	512	53

The below table compares the number of complaints received in 2022/23 with those received in 2021/22 and 2020/21

Service	2020/21	2021/22	2022/23
Adult Social Care and Health	754	744	<b>958</b>
<b>Total Complaints</b>	<b>754</b>	<b>744</b>	<b>958</b>

## KCC Annual Customer Feedback Report 2022/23

### Strategic and Corporate Services

#### All Feedback Recorded

	Complaints (Stage One)	Comments	Compliments	Resolved Local Government and Social Care Ombudsman enquiries & complaints*
2022/23	151	39	22	4
2021/22	179	17	39	3
2020/21	169	52	24	4

The below table compares the number of complaints received in 2022/23 with those received in 2021/22 and 2020/21

Service	2020/21	2021/22	2022/23
Finance	28	39	15
FOI	3	13	15
Gateways and Contact Point	33	64	41
Strategy, Policy, Relationships and Corporate Assurance	-	-	34
Insurance	1	0	11
Infrastructure, Property and Total Facilities Management	28	16	11
Public Health	59	34	1
Other	17	13	10

KCC Annual Customer Feedback Report 2022/23

<b>Total Complaints</b>	<b>169</b>	<b>179</b>	<b>151</b>
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**Appendix B**

**Ombudsman Letter**