

**By:** Amanda Beer – Corporate Director for Engagement Organisation Design and Development

**To:** Governance and Audit Committee

**Date:** 24<sup>th</sup> October 2018

**Subject:** KCC Annual Customer Feedback Report 2017/18

**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 Local Ombudsman.

**Recommendation:** 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 eighth 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 A comprehensive exercise was undertaken to capture the full requirements of key stakeholders from each of the Directorates and main customer facing services. These requirements formed the specification which was then market tested and later released as an OJEU tender.
- 2.2 Following successful contracting of a provider, a customer feedback system was launched on the 1<sup>st</sup> October 2017. In line with reporting schedules, in January, Information Governance joined the system to log Freedom of Information, Subject Access and Disclosure Requests. Highways, Transportation and Waste were the final team to join on 1<sup>st</sup> April 2018.
- 2.3 Training has been provided to over 400 users of the new system and first line support is being managed through daily calls and information sharing.

- 2.4 It is anticipated that due to the launch of the system, that the 2018/19 report will be richer in content both qualitative and quantitatively, with a full year's worth of data being collected and handled in one system.
- 2.5 Exploration has begun in creating in-house training for staff involved in complaints investigation. 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.

### 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 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.
- 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 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	Comments	Compliments	Local Government Ombudsman complaints
<b>2017/2018</b>	<b>3,628</b>	<b>1,751</b>	<b>1,917</b>	<b>190</b>
<b>2016/2017</b>	<b>3,424</b>	<b>1,569</b>	<b>2,714</b>	<b>190</b>
Difference in volume	+204	+182	-797	0
% increase/ Decrease	+6%	+12%	-29%	0

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

## 4. Compliance with standards

- 4.1 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 **responded to 83%** of complaints within corporate timescales which compares to 86% the previous year.

## 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 2017/2018 & 2016/2017.

**Table 2:** Channels used to communicate Compliments, comments & complaints

	Phone	Letter	Email	Comment card/ Face to Face	Online	Other
<b>2017/2018</b>	<b>36%</b>	<b>8%</b>	<b>33%</b>	<b>11%</b>	<b>10%</b>	<b>2%</b>
Volume	2819	594	2586	866	811	143
<b>2016/2017</b>	<b>22%</b>	<b>13%</b>	<b>43%</b>	<b>13%</b>	<b>8%</b>	<b>1%</b>
Volume	1710	1038	3298	961	599	95

- 5.3 The above tables show that there has been a movement towards telephone, this was largely due to the volume of Highway complaints that are received through the Contact Centre. This may be due the immediacy of being able to speak to someone directly and receive reassurance it will be looked into. However, this is not the case as all feedback is treated equal ensuring that no channel is given preference. Otherwise there is an increasing trend showing customers moving towards logging their feedback online.

## 6. Compensation across all complaints received by KCC

6.1 In 2017/18, £73,703 was paid in compensation, settlements, changes to the amount we charge and waived charges as a result of complaints to the organisation this includes;

- £48,370 has been paid or waived as part of local resolution in Adult Social Care and Health.
- £4,852 has been paid out by Strategic and Corporate services including Legal Services, Insurance and Property & Infrastructure.
- £1,331 has been paid out for Growth, Environment and Transport
- £3,717 has been paid out for Education and Young People Services including Community Learning and Skills and Children Specialist Services
- £15,433 additional payments following Local Government Ombudsman Decisions found against KCC.

6.2 It is important to note that monies paid out during the 2017/18 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.

6.3 This is a decrease of £110,475 from 2016/17 when £184,178 was paid out in settlements or through waived charges.

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

### Complaints recorded in 2016/17

7.1 During 2017/18 the Monitoring Officer has responded to 4 complaints of alleged misconduct of the breach of the Elected Member Code of Conduct. All of the complaints were dismissed.

Number of Complaints			Outcome
2017/2018	2016/17	2016/15	
10	3	10	No Action. Dismissed by the Monitoring Officer
0	1	0	Action taken by party

## **8. The Local Government Ombudsman complaints review 2017/18**

### **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 2017/18 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 referral to the Council or it is identified as out of jurisdiction.
- 9.2 During 2017/18 KCC received a total of 174 decisions from the Ombudsman this included 59 referred back for local resolution.
- 9.3 The level of complaints received by KCC for the size of population, volume of services and interaction is low but each complaint is an opportunity to learn from our customers and improve our systems. We need to focus on those complaints that are upheld to ensure that lessons are learned.
- 9.4 The Ombudsman's report noted that the national average that the Ombudsman upheld is 57% of complaints they investigated, this is up nationally from 53% last year. Kent County Council's average is **39%**; this is a decrease on 63% in 2016/17. The full letter and Ombudsman statistics can be found in Appendix B.
- 9.5 This is a significant reduction in the number of complaints in which we have been found at fault. Teams throughout KCC have been working hard to work alongside

complainants to resolve issues as they arise. By conducting robust and thorough investigations into complaints, we are able to demonstrate due diligence and are therefore not upheld once escalated to the Ombudsman. We are also being clearer with customers about their rights to escalate their complaints further if they are dissatisfied.

## 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	Total
2017/18	57	0	6	99	6	20	2	0	190
2016/17	62	0	4	89	12	14	1	1	184*
2015/16	62	0	5	98	7	10	2	0	185

\* 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.

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					
2017/18	19	30	0	55	11	59	174
2016/17	42	25	2	46	13	62	190
2015/16	34	28	1	44	3	74	185

## 11. Ombudsman Complaints – Themes and Outcomes

11.1 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.

### 11.2 Children, Young People and Education

	Children Social Care	Kent Test/ School Admission appeals	Home to School Transport/ Free School Meals	Special Educational Needs	Total
<b>Upheld</b>	4	1	1	2	<b>8</b>
<b>Not upheld</b>	7	2	5	0	<b>14</b>
<b>Closed: out of jurisdiction/no further action or withdrawn</b>	15	8	7	1	<b>31</b>
<b>Premature</b>	7	0	0	1	<b>8</b>

#### Children Social Care

### 11.3 Not upheld example – 15 016 977

**Complaint** - The complainant, whom I shall call Mr X, says the Council failed to deal properly with his complaint that its children’s social services team has failed to properly enable his supervised contact with his children since a change of social worker in November 2015.

**Decision & Outcome** - The investigation of Mr X’s complaint is satisfactory, and he chose not to pursue the matter to the final review panel stage of the complaints process. I consider the investigator addressed the complaint about Mr X’s supervised contact sessions and consider her conclusions were properly based on information provided on this during her investigation.

### 11.4 Upheld example – 16 013 998

#### Complaint –

1. Miss X complains about the actions of the Council in Child and Family Assessment reports.

2. Miss X says the reports contained false information about her and her family and the Council shared that inappropriately. She said this was abuse against her and her family.

3. Miss X complains the Council's remedy for the admitted faults in its actions does not adequately reflect the harm done to her and her family.

**Decision** – I recommend the Council apologise again to Miss X for its accepted faults and clearly recognizes the impact on her of its actions, rather than referring to any 'good will' gesture.

I recommend the Council pays Miss X £600 to recognize the impact on her and her children of its actions.

These actions should be completed within one month of my final decision.

I recommend the Council looks at the Ombudsman's Guidance on Remedies, available on the LGO website, and reviews its own complaints process to incorporate suitable guidance on remedies for the future. This should be completed within three months of my final decision and evidence provided to the Ombudsman of changes made.

**Outcome** - The Council apologised for faults in its assessment reports and for sharing inaccurate information inappropriately. However, the Council has not properly recognised the impact of these faults on Miss X and her family in its remedy.

The Council has accepted my recommendations, so I have completed my investigation.

## Education

### 11.5 Not upheld example – 17 013 888

#### Complaint –

- Mrs R complains that the Council has refused to provide transport for her son, S, to his secondary school, School B. She considers the Council's decision unfair and says the appeal panel failed to take relevant factors into account when refusing her appeal.
- She says that, for S to enjoy the social element of the school bus journey and have the reassurance of his friends, they will have to pay £480 per year. Even if they bought a young person's travel pass at £240 per year, S could not use this on the school bus. This would be a significant financial burden for the family.

**Decision & Outcome** - I have closed my investigation into Mrs R's complaint because I have found no fault in the way the panel considered her appeal.



## 11.6 Upheld example – 17 003 893

**Complaint** – The complainant (Mrs B) complains there was fault in the way a school admission appeal hearing was conducted in the following way:

- Panel failed to put to proof a weak prejudice case presented by the admission authority
- The Panel administrator did not forward to Mrs B a copy of a document (school plan) which the presenting officer referred to when presenting the admission authority’s prejudice case

**Decision** - Panel did not have sufficient information to make a robust decision about school prejudice and should have adjourned the hearing to seek out further information relevant to deciding whether an extra child could be admitted to Year 3. The Presenting Officer gave new information during the hearing and the information should have been disclosed beforehand to put Mrs B in the best position to prepare her case. In the circumstances Panel should have adjourned the hearing and sought further information.

To correct fault the Ombudsman recommended, and the Council agreed to carry out the following action:

- Arrange a fresh appeal with new panel members and a different clerk as soon as is reasonably possible
- Pay the reasonable travel costs of Mrs B to and from the venue

**Outcome** - The agreed action suitably remedies fault. The complaint is therefore closed.

## 11.7 Growth, Environment and Transport

	<b>Total</b>
<b>Upheld</b>	<b>0</b>
<b>Not upheld</b>	<b>2</b>
<b>Closed: out of jurisdiction/no further action</b>	<b>11</b>
<b>Premature</b>	<b>11</b>

## 11.8 Not Upheld example – 16 012 522

**Complaint** - The complainant, whom I shall refer to as Mr K, complains the Council has not properly considered residents’ requests for traffic calming measures on his road.

**Decision & Outcome** - I find there was no fault by the Council. Therefore, I have closed the complaint.

### 11.9 Strategic and Corporate Services

	<b>Total</b>
<b>Upheld</b>	<b>0</b>
<b>Not upheld</b>	<b>0</b>
<b>Closed: out of jurisdiction/no further action</b>	<b>3</b>
<b>Premature</b>	<b>0</b>

### 11.10 Social Care, Health & Wellbeing

	<b>Adults</b>
<b>Upheld</b>	<b>11</b>
<b>Not upheld</b>	<b>14</b>
<b>Closed: out of jurisdiction/no further action or withdrawn</b>	<b>11</b>
<b>Premature</b>	<b>9</b>

### 11.11 Not Upheld example – 17 003 899

**Complaint** - Ms X has complained that the Council has stopped providing her care and support at home as it says she no longer has any eligible needs. Ms X disagrees. She says she has mobility problems and needs daily visits. Ms X does not believe the Council properly assessed her and feels it has treated her unfairly.

**Decisions** - There is no fault with the Council's decision to end Ms X's enablement care.

### 11.12 Upheld example – 16 012 531

**Complaint** - The complainant, whom I shall refer to as Mrs F, complains the Council has failed to assess her needs properly, resulting in a significant cut in her personal budget which means it no longer meets her needs.

**Decisions** - I recommended the Council:

- within the next six weeks review Mrs F's care package and either produce a care and support plan which explains how 39 hours are enough to meet her needs or provides the necessary funding to do so;

•if the latter, the Council also needs to remedy any injustice arising from the failure to meet Mrs F's eligible needs since November 2016.

The Council has agreed to do this by allocating a new Case Manager to reassess Mrs F and revise her care and support plan. It will also arrange for an Occupational Therapist to assess the moving and handling requirements.

**Outcome** - I have completed my investigation as the Council has agreed to take the action I recommended.

## **12. LESSONS LEARNED**

12.1 Where the Ombudsman has made a decision against the Council, steps are taken by 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. RECOMMENDATIONS**

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

Report Author:

Pascale Blackburn-Clarke  
Delivery Manager – Engagement and Consultation  
03000 417025  
Pascale.blackburn-clarke@kent.gov.uk

Relevant Director:

Amanda Beer, Corporate Director, Engagement, Organisation Design and Development  
03000 415835  
Amanda.beer@kent.gov.uk

## Appendix A – Directorate overview of Customer Feedback Received

### Children, Young People and Education

#### All Feedback Reported

	Complaints	Comments	Compliments	Local Government Ombudsman enquiries & complaints*
<b>2017/18</b>	<b>666**</b>	<b>1101</b>	<b>190</b>	<b>53</b>
2016/17***	260	326	474	32
2015/16***	171	199	54	32

\*Excluding premature \*\*Specialist Children Services moved Directorates \*\*\*excluding Specialist Children Services

The below table compares the number of complaints received in 2017/18 with those received in 2015/16 and 2016/17

Service	2015/16	2016/17	2017/18
Specialist Children Service	245	269	368
Community Learning & Skills (was Adult Education)	70	86	80
Education Services	101	174	218
<b>Total Complaints</b>	<b>416</b>	<b>529</b>	<b>666</b>

## Growth, Environment and Transport

### All Feedback Reported

	Complaints	Comments	Compliments	Resolved Local Government Ombudsman enquiries & complaints*
<b>2017/18</b>	<b>2054</b>	<b>509</b>	<b>1188</b>	<b>13</b>
2016/17	1764	509	1326	17
2015/16	1450	485	1112	15

\*Excluding premature

The below table compares the number of complaints received in 2017/18 with those received in 2015/16 and 2016/17

Service	2015/16	2016/17	2017/18
Environment, Planning and Enforcement	372	57	76
Economic Development	0	0	4
Highways and Transportation and Waste Management	875	1,437	1705
Libraries, Registrations and Archives	203^	270	269
<b>Total Complaints</b>	<b>1450</b>	<b>1764</b>	<b>2053</b>

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

## Social Care, Health and Wellbeing

### All Feedback Reported

	Complaints	Comments	Compliments	Resolved Local Government Ombudsman enquiries & complaints*
<b>2017/18</b>	<b>625</b>	<b>118</b>	<b>357</b>	<b>36</b>
2016/17**	919	640	542	65
2015/16**	924	702	606	49

\*Excluding premature \*\*Includes Specialist Children Services.

The below table compares the number of complaints received in 2017/18 with those received in 2015/16 and 2016/17

Service	2015/2016	2016/2017	2017/18
Adult Social Services	679	650	625
<b>Total Complaints</b>	<b>679</b>	<b>650</b>	<b>625</b>

## Strategic and Corporate Services

### All Feedback Recorded

	Complaints	Comments	Compliments	Resolved Local Government Ombudsman enquiries & complaints*
<b>2017/18</b>	<b>283</b>	<b>23</b>	<b>182</b>	<b>3</b>
2016/17	481	74	362	3
2015/16	525	100	300	2

\*Excluding premature

The below table compares the number of complaints received in 2017/18 with those received in 2015/16 and 2016/17

Service	2015/2016	2016/17	2017/18
Finance and Procurement	60	71	28
FOI	21	134	57
Gateways and Contact Point	49	56	53
Insurance *	295	144	62
Infrastructure, Property, Total Facilities Management, Business Services Centre, Schools Personnel Service	100	75	38
Other	0	1	45
<b>Total Complaints</b>	<b>525</b>	<b>481</b>	<b>283</b>

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