

# OVERVIEW AND SCRUTINY COMMISSION

## Agenda Item 44

Brighton & Hove City Council

<b>Subject:</b>		<b>Annual Complaints and Compliments Report</b>	
<b>Date of Meeting:</b>		<b>01 November 2011</b>	
<b>Report of:</b>		<b>Head of Policy, Performance and Analysis</b>	
<b>Contact Officer:</b>	<b>Name:</b>	<b>Brian Foley, Standards and Compliments Manager</b>	<b>Tel: 29-3109</b>
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<b>Wards Affected:</b>	All		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report gives information on the feedback from complaints and compliments received by Brighton and Hove City Council during 2010/11 and compares that with data from the previous year.
- 1.2 The report highlights how complaint levels have changed during 2010/11 for the services receiving highest levels of complaints.
- 1.3 The report describes some of the actions identified from Stage One and Two complaints that have brought about improvements in services.

#### 2. RECOMMENDATIONS:

It is recommended that Overview and Scrutiny Commission note the report.

- 2.1 Overview and Scrutiny might wish to use the information contained within the report to look at specific service areas in more detail over the forthcoming year.

#### 3. RELEVANT BACKGROUND INFORMATION

- 3.1 Overall the level of complaints received by the council is reducing and compliments are consistently received across the organisation.
- 3.2 There are clear signs that the council takes the complaints it receives seriously and considers what it can do to improve services in response to that feedback.
- 3.3 The Council uses three main complaints process. The Standards and Compliments Team will give guidance to residents who wish to make a complaint. At the end of the local complaints procedure the matter can be referred to the Local Government Ombudsman. However, in some instances, for example, where a person is vulnerable or if there is need

for a speedy resolution, the Ombudsman will investigate the issue of complaint immediately.

- Corporate complaints account for the great majority of complaints. BHCC has a two stage process.
  - Complaints are initially referred to the service complained about where a manager will investigate the issues and reply to the complainant.
  - If the person is dissatisfied with the response they can then ask the Standards and Complaints team to carryout an independent investigation. This is Stage Two.
  - If still dissatisfied the complainant can then contact the Local Government Ombudsman.
- Adult Social Care is a statutory single stage process leading to Ombudsman.
  - Standards and Complaints Officers with specific knowledge of Adult Social Care liaise with the complainant and Services Managers to identify the best way to resolve the complaint.
  - The objective is to remedy the complaint and to learn from the experience so that services are improved.
  - If the complainant is dissatisfied they are advised to contact the Ombudsman.
- Children's Social Care is a statutory three stage process leading to Ombudsman.
  - When a child or young person raises a complaint they have a right to be supported by an advocate. Stage One complaints are referred to Service Managers to investigate and reply.
  - The second stage of the Children's Social Care complaints process is for an Independent Investigator to meet with the complainant and then interview the staff who are involved with the issue of complaint. The Investigator produces a report for the member of the public. The council then has to tell the complainant what it will do in response to the report.
  - If a person is unhappy with the outcome they can ask for a Stage Three Independent Review Panel. The Panel will listen to what the complainant has to say, consider the Investigator's report and reach a decision on what should happen next.
  - Finally, the complaint can be referred to the Ombudsman.

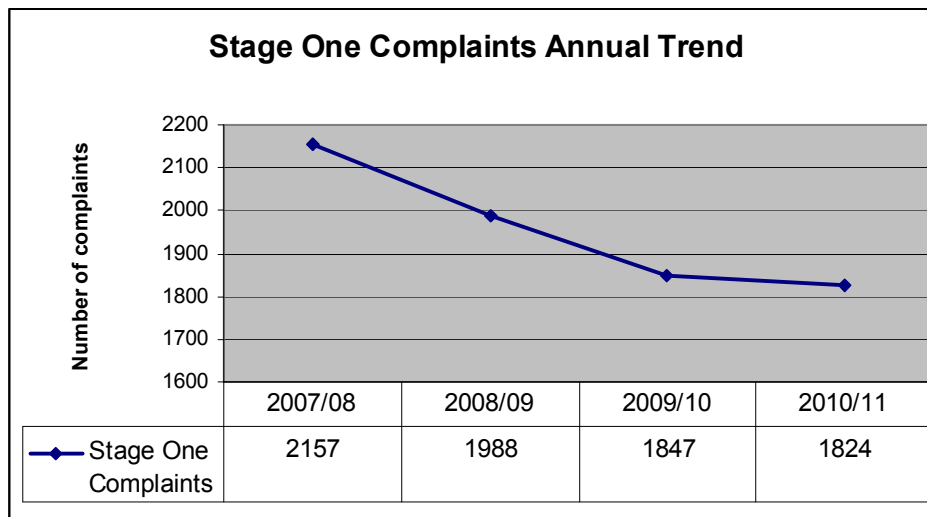
### **Commentary on Feedback**

- 3.4 There were 1824 Stage One complaints in 2010/11. The table below shows how Stage One complaint levels have reduced over the last four years and appear to have now reached a fairly consistent level.
- 3.5 With regard to Stage Two complaints the picture is much less clear. There was a significant increase in 2009/10 following a period of reducing referrals for investigation. The most likely explanation for the

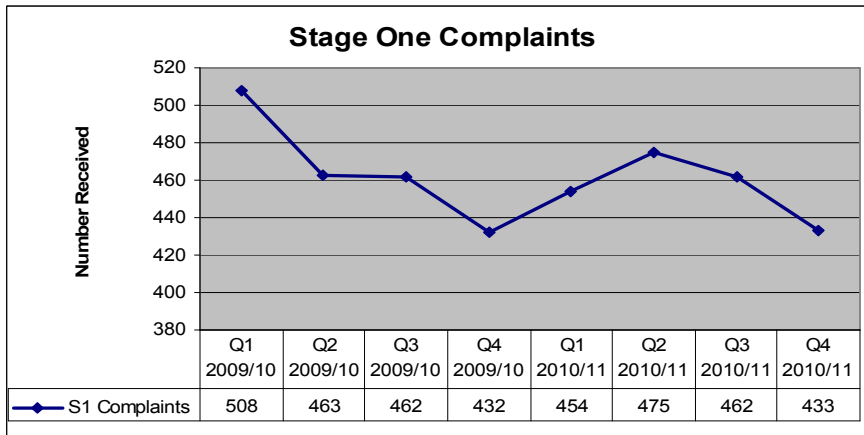
increase is that the complaint service became better publicised and all managers responding to complaints were consistently reminded to explain how to take the matter forward if the complainant was dissatisfied with the response. In 2010/11 Stage Two complaints have reduced.

3.6 The total number of enquiries made to the Ombudsman has been increasing. However, cases referred to the Ombudsman for investigation have been reducing more or less in line with the reduction in Stage One Complaints as illustrated below. The Ombudsman has taken steps to make their service more accessible and introduced an advice line service two years ago.

	2007/08	2008/09	2009/10	2010/11
<b>Stage One</b>	2157	1988	1847	1824
<b>Stage Two</b>	145	107	194	166
<b>LGO</b>	117	122	75	69



3.7 The quarterly records set out in the chart below for 2009 through to 2011 show that the overall volume of Stage One complaints is reducing even though there was an increase during Q2 and Q3 2010/11.



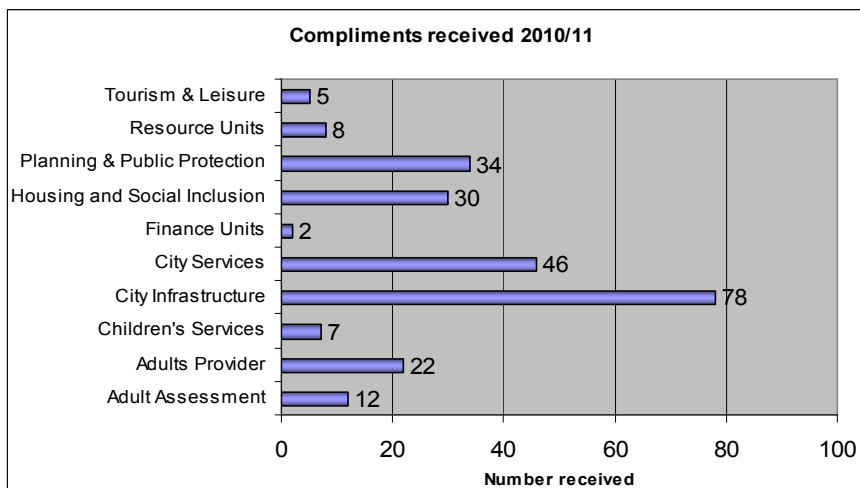
3.8 The table below shows the distribution of Stage One complaints between the various services provided by the Council.

<b>Stage One Complaints</b>	<b>2009/10</b>		<b>2010/11</b>	
Adults Assessment	<b>28</b>	1.5%	<b>37</b>	2.0%
Adults Provider	<b>82</b>	4.3%	<b>50</b>	2.7%
Children's Services	<b>109</b>	5.9%	<b>113</b>	6.2%
City Infrastructure	<b>771</b>	41.7%	<b>507</b>	27.8%
City Services	<b>292</b>	15.8%	<b>275</b>	15.1%
Finance Units	<b>4</b>	0.2%	<b>4</b>	0.2%
Housing and Social Inclusion	<b>411</b>	22.3%	<b>664</b>	36.4%
Planning & Public Protection	<b>88</b>	4.8%	<b>100</b>	5.5%
Resource Units	<b>17</b>	0.9%	<b>20</b>	1.1%
Tourism & Leisure	<b>45</b>	2.4%	<b>53</b>	2.9%

3.9 The significant changes in complaint levels have occurred in the following services:

- A reduction in complaints about City Infrastructure
- An increase in complaints about Housing and Social Inclusion
- Overall reduction in complaints about Adult Social Care

3.10 The chart below shows the distribution of compliments received in 2010/11.



## City Infrastructure

- 3.11 Parking complaint levels have reduced from 95 in 2009/10 to 30 in 2010/11, but no new schemes have been introduced. Consultation can generate complaints from people who do not want a scheme in their area, or who have worries about displacement, or concerns about detail such as positioning of pay and display machines.
- 3.12 For future schemes the council intends to do its utmost to ensure that all consultation is as clear as possible, goes through an agreed, tested process and that any decision-making based on the consultation is transparent via member meetings. One simple measure identified was to post reminders about the consultation process on lamp posts to ensure all residents are aware of the process even if their address is not held on the council's system.
- 3.13 Complaint levels for City Parks increased from 59 to 73. A significant number were about work carried out in Mile Oak Recreation Ground and Wild Park. Further changes were made to the park in Mile Oak and information was given about the work carried out in Wild Park.
- 3.14 City Parks have been taking much firmer approach regarding tenancy enforcement. The Allotments Team have used complaints feedback to identify they need to improve their record keeping systems and have a more robust system of contacting tenants in the event of potential breaches of their agreements. Volunteers and Council Officer have been reminded about the need for confidentiality and discretion.
- 3.15 During 2010/11 there have been 45 compliments recorded for City Parks. These included 18 compliments specifically about the "wonderful" and "beautiful" display of wild flowers along the central reservation of the Lewes Road these came from residents and people driving into the city. There were also compliments about "excellent and imaginative planting in various flower beds around the city". The Arboriculture service received several compliments regarding the very quick response time for trimming back overgrown trees.
- 3.16 Complaints about City Clean have reduced from 451 in 2009/10 to 240 in 2010/11 at Stage One. Stage Two complaints reduced from 19 to 14. There were no complaints to the Ombudsman in 2010/11.
- 3.17 An increase in Stage One complaints during the winter quarter corresponded with the effect of weather conditions but overall complaint levels have almost halved.
- 3.18 Factors which have contributed to this include the re-organisation of the contact centre. Information is now more readily available through the

website so there is less need for personal contact. Call times have improved greatly. Specific staff now deal with complaints quickly and efficiently and there is better link with operations staff so that problems are remedied before they become formal complaints. For example on a particular round smaller vehicles were introduced to ensure recycling collection could be consistently collected and this was coupled with close monitoring by the management team. A lot of work has been undertaken of working practices and systems to ensure they are streamlined and there for the purpose of assisting customers. Much work has been completed on improving customer services whether through the contact or social media.

- 3.19 There were 28 compliments for City Clean in the year in particular 4 compliments were received about the quick removal of graffiti and 9 focused on an efficient and thorough service provided by the street cleaning team.

### Housing and Social Inclusion

- 3.20 Overall there has been a rise in complaints at Stage One from 441 to 664. Stage Two complaints have increased from 46 to 56. Ombudsman Complaints reduced from 17 to 15.
- 3.21 Housing Needs complaints increased from 57 to 98 in 2010/11. The main focus of those complaints have been disagreement with Banding or dissatisfaction with the Temporary Accommodation provided. But this increase should be set in context of 16% increase in Homeless applications and changes to the Banding system which now places homeless people in Band C rather than immediately going to Band A and has meant fewer offers being made. Housing Needs has had a complete overhaul of their system but continue to manage within existing resources. In response to some complaints the Temporary Accommodation Team have introduced a Landlord pack which contains useful information and details of relevant contacts.
- 3.22 Housing Needs Stage Two complaints increased from 12 to 19. Ombudsman complaints increased from 2 to 6.
- 3.23 Housing Management has similarly seen an increase in the number of Stage One complaints received with the level rising from 150 to 189. The most significant complaint issues being Car Parks and Garages, and Anti-Social Behaviour.
- 3.24 Housing Income Management are reviewing the definition of vulnerability so this can be applied to their recharge policy. In Sheltered Housing work has been carried out to improve communications when major works are being carried out to reduce the tension that can be caused.

- 3.25 Housing Management Stage Two complaints remained the same in both years with 18 complaints. Ombudsman complaints reduced from 9 to 6.
- 3.26 The biggest increase in complaint activity in H&SI has been within Property and Investment. Complaint levels have risen from 187 to 342 over the year. However, to put this into context considerable amount of work has been undertaken by the council and Mears, our repairs and improvement partner, to bring stock up to the Brighton & Hove Standard.
- 3.27 Over the last six months officers from Property & Investment, Standards & Complaints and Mears have been meeting on a monthly basis to analyse complaints in detail and learn from the feedback. This has identified a number of service improvements including developing a new leaflet with residents that summarise the Brighton & Hove Standard and what it means for residents. We have received a number of enquiries in this area and the leaflet has helped improve communications with residents and improve understanding of the standard.
- 3.28 Feedback from complaints has also led to a number of changes with how the repairs partnership with Mears operates. Earlier this year a new appointments system was introduced to improve the customer experience and in September 2011 the teams receiving repair calls from residents and carrying out the repairs have been merged to improved communications internally and with residents. It is expected this will deliver immediate improvements in the service and a reduction in complaints over the coming quarters.
- 3.29 Property and Investment Stage Two complaints increased from 16 to 19. Ombudsman complaints reduced from 6 to 3.
- 3.30 The repairs Partnership received 25 compliments. The majority of compliments thanked the council for repair work carried out in properties and installation of new kitchens and bathrooms but compliments were also received for work carried out on shared garden areas.

### City Services

- 3.31 City Services receive the third greatest amount of complaints. The number of Stage One cases has reduced slightly from 292 to 275.
- 3.32 In Revenues complaints at Stage One reduced from 191 to 170. Through regular review of complaints performance the Revenues service has identified improvements to reduce complaints. For example, staff were reminded to be discreet when contacting employers about Attachments of Earnings. The team monitor complaints about Bailiffs

and take action where a pattern of poor conduct is established. The service is reviewing their refund procedure in response to customer feedback.

- 3.33 Stage Two complaints have reduced from 15 cases in 2009/10 to 9 cases in 2010/11. Complaints investigated by the Ombudsman reduced from 10 to 3 cases.
- 3.34 For Housing Benefits the level of demand for the service rose significantly during 2010/11 and it is therefore understandable that complaint levels increased from 61 to 76 Stage One cases. The Benefits Team have also been holding regular complaint review meetings. The complaint reviews and systems thinking have identified improvements such as a more consistent approach to applying underlying entitlement and appeal rights; where errors are made there will be prompt communication informing the customer that the claim is fine thereby avoiding unnecessary stress or confusion.
- 3.35 Stage Two complaints increased from 3 cases to 5. Complaints investigated by the Ombudsman reduced from 3 to 2.
- 3.36 There were 17 compliments received by the Benefits and Revenues service. These focused mainly on the communication skills of members of staff who were described as polite, calm, sensitive, patient, professional and efficient. Several of the compliments refer to staff making a difficult situation much easier because of these skills.
- 3.37 Life Events receive very few complaints but even so that team used complaints feedback to identify where improvements could be made to the service. This team received 9 compliments which commented on the politeness, enthusiasm and efficiency of the staff.
- 3.38 The Libraries Team received a wide range of feedback including 48 complaints which were resolved informally. There were 19 compliments and 79 comments and suggestions which often included compliments. The public have commented how helpful library staff have been and what excellent library facilities there are at the Jubilee Library.

#### Planning and Public Protection

- 3.39 The key services that receive complaints in this Delivery Unit are Development Control and Environmental Health.
- 3.40 Stage One complaints about Development Control and the Planning Decisions that arise remain static at 46 in 2009/10 and 45 in 2010/11. The complaint is almost always that a person disagrees with the



decision to grant or not to grant, whether that person is the applicant or an objector.

- 3.41 Generally, people are prepared to do what they possibly can if they disagree with a planning decision. Consequently, the proportion of cases escalating to Stage Two and to the Ombudsman is consistently higher than for any other service. In both years there were 11 Stage Two Complaints. In 2009/10 the LGO investigated 3 complaints and in 2010/11 they investigated 6 complaints. Consideration is being given to making planning minutes less detailed because the exact dialogue is available through the webcast. This will use officer time more efficiently.
- 3.42 To help put the work of Development Control into context there have been 21 compliments received. The compliments received largely focussed on the professionalism of the Planning Officers and the helpful advice and support they have given to members of the public.
- 3.43 For Environmental Health the main complaints are about Noise and Licensing. The total Stage One complaints increased from 28 to 40. Again there were relatively high levels of Stage Two complaints rising from 5 to 9 complaints.
- 3.44 The number of cases investigated by the Ombudsman increased from 1 to 6.
- 3.45 There were 13 compliments sent regarding the services provided by Environmental Health. Including 5 about the Hackney Carriage office responding to residents concerns about the conduct of licensed taxi drivers.

#### Adult Social Care, Assessor and Provider

- 3.46 In Provider Services there has been a noticeable reduction in the level of complaints received, falling from 82 to 50 in 2010/11 and for the Assessment Service there was an increase from 28 to 37. The teams have identified many improvements as a result of feedback from service users. Among the improvements identified a traffic light telephone system has been implemented so that staff can prioritise telephone calls received by service users to one of the contracted home care providers with more staff employed to cover the volume of calls at peak times. A series of training sessions have been developed for Provider Managers who complete Level 1 Safeguarding Investigations to improve the quality of their investigations and the confidence and skills of the managers who undertake them. All quarterly review meetings will now be attended by the Shared Lives Manager to ensure carers have the opportunity to discuss any difficulties and make action plans in a timely way.

3.47 Assessment Services received 12 compliments and Provider Services received 22 compliments. These compliments focused on the care and attention shown by carers and how much customers appreciated those services which were provided to allow people to continue to live independently.

### Children and Families

3.48 There has been very little change in the number of complaints received about Children and Families. Managers frequently identify where improvements can be made as a result of the complaints feedback they receive. There has been an assurance that within the Adoption process family finding for sibling groups will be carefully supervise with particular attention being paid to the complex needs of older sibling groups. At Child Protection Conferences more emphasis will placed on the wishes and feelings of children. A specific role has been created to focus on assisting young people to gain access to their personal records.

3.49 Children and Families recorded 7 compliments. These related to the efforts and sensitivity shown by Social Workers in very difficult situations involving young people.

### Ombudsman Decisions

3.50 The table below sets out the decisions arising from LGO investigations.

Service Area	Number	Discontinue investigation injustice remedied	Discontinuing Investigation	Local Settlement	Maladministration Causing Injustice	Maladministration No Injustice	No Maladministration	Not to initiate investigation	Ombudsman Discretion	Outside Jurisdiction	Premature Complaint	Withdrawn	Not Set
Adult Assessment	3	0	0	0	0	0	0	1	0	0	0	0	2
Adults Provider	1	0	0	0	0	0	1	0	0	0	0	0	0
Children's Services	19	0	0	3	0	0	8	1	2	3	0	1	1
City Infrastructure	9	0	1	4	0	0	1	1	0	2	0	0	0
City Services	6	0	2	0	0	0	1	0	1	2	0	0	0
Finance Units	1	0	0	0	0	0	1	0	0	0	0	0	0
Housing and Social Inclusion	15	0	3	2	0	0	5	1	2	1	1	0	0
Out of Council	1	0	0	0	0	0	0	0	1	0	0	0	0
Planning & Public Protection	13	0	1	0	0	0	6	1	1	1	0	1	2
Resource Units	1	0	1	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>69</b>	<b>0</b>	<b>8</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>23</b>	<b>5</b>	<b>7</b>	<b>9</b>	<b>1</b>	<b>2</b>	<b>5</b>

There have been no findings of Maladministration against the Council. A small proportion of the investigations resulted in local settlements which is where the Council agrees to resolve a complaint in a way recommended by the Ombudsman.

#### **4. CONSULTATION**

4.1 The Heads of key services were invited to comment.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

5.1 The costs of administering complaints and compliments are met within service budgets.

*Finance Officer Consulted: Anne Silley Date: 12 Oct 2011*

##### Legal Implications:

5.2 The Local Government Ombudsman was established by the Local Government Act 1974. The Act provides that before investigating a complaint, the Ombudsman must usually be sure that the council knows about the complaint and had a reasonable opportunity to investigate and reply. The council's complaint process provides the council with a proper procedure for dealing with complaints.

*Lawyer Consulted: Liz Woodley Date: 12 Oct 2011*

##### Equalities Implications:

5.3 The complaints processes provide members of the public who feel they have been discriminated against the opportunity to have their complaint independently investigated.

##### Sustainability Implications:

5.4 There are no sustainability implications

##### Crime & Disorder Implications:

5.5 There are no crime and disorder implications

##### Risk and Opportunity Management Implications:

5.6 The main risk in not dealing with complaints in a sensitive and professional manner is that the reputation of the Council will be damaged. Feedback from residents provides the organisation with the

opportunity to consider how it can change and improve services to meet the needs and demands of citizens.

Corporate / Citywide Implications:

5.7 The ability of the Council to respond to complaints in a timely and professional manner has an impact on what members of the public think about the quality of service. The organisation should be able to demonstrate that it changes and improves services in response to customer feedback.

**SUPPORTING DOCUMENTATION**

**Appendices**

1. None

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None