

REPORT TO: CORPORATE RESOURCE MANAGEMENT and GOVERNANCE SCRUTINY COMMITTEE

DATE: 8 DECEMBER 2020

REPORT OF: CORPORATE DIRECTOR (CORPORATE AND SUPPORT SERVICES) AND DEPUTY CHIEF EXECUTIVE

REPORT TITLE: COMPLAINT HANDLING RESOURCING REVIEW

1. Purpose of the report

- 1.1 This summary and accompanying report have been produced in response to recommendations made by the Corporate Resources Management and Governance Scrutiny Committee following the meeting held in July this year. During discussion at the meeting Members raised some concern regarding the increase in the number of corporate complaints upheld at Stages 1 and 2, and the number of complaints escalating to Stage 2 despite being upheld at Stage 1. It was also noted there was a dip in the response times at Stages 1 and 2 of the corporate process and Members recommended that Cabinet should review complaints resourcing.
- 1.2 This review has been carried out by officers in consultation with the Cabinet Member for Citizen Focus and Engagement. This paper sets out the main procedures for complaints handling and legislation covering this and sets out the improvements identified as a result of the review, which are now being progressed.
- 1.3 The report provides an overview of complaint handling arrangements for the following complaints procedures:
- Corporate Complaints
 - Adult Social Care Complaints
 - Children’s Social Care Complaints
 - School Complaints

2. Procedures and Directorates

Procedure	Accompanying Legislation	Directorate	Statutory / Non-statutory	Number of stages
Corporate Complaints	‘Corporate Complaints Policy & Procedure.’	Corporate Support Services Services to Place Citizen Focus	Non-statutory	Two
Adults Complaints	The Local Authority Social Services and National Health Service Complaints	Adult services	Statutory	One

	(England) Regulations 2009			
Children's Social Care Complaints	The Children Act 1989 Representations Procedure (England) Regulations 2006.	Stockport Family Citizen Focus	Statutory	Three
School Complaints	DfE statutory guidance	Maintained, Voluntary Controlled, Voluntary Aided and Academy schools	Statutory for schools	Three

3. Corporate complaints

Relevant legislation and guidance

- 3.2 There is no statutory basis for the corporate complaint procedure other than local authorities must have in place a procedure for dealing with complaints from its constituents. It is a two-stage process: stage 1 is responded to at service level and then by the corporate complaint manager at stage 2.
- 3.3 In terms of outcomes, in the last reporting period where figures are available, Stockport had an upheld rate of 67% in respect of the 45 formal complaints dealt with. This puts the Council in the mid-range of the 10 Greater Manchester Local Authorities (55-84%).
- 3.4 A number of issues were identified that were felt to hinder the quality of responses to complaints, cause delays and increase the likelihood of escalation to Stage 2.
- 3.5 In order to address these the Digital by Design (DbD) team worked with the corporate complaints manager and a number of services in reviewing existing processes, systems and policies with the aim of improving the customer experience, as well as helping save the Council resources and time otherwise spent on matters that can become protracted.

Online complaints form and Verint

- 3.6 A review was undertaken of how customer complaints are submitted on the Council's website. The project team of user experience and content designers, business and system analysts, developers and officers from number of services looked at all aspects of the customer journey, viewing it through the eyes of the user, with the aim of improving the customer experience.
- 3.7 As a result, the online information, advice and guidance was updated to ensure the website guides customers to the most efficient and relevant way of contacting the Council. The web-page now includes simple prompts to separate service requests and comments from formal complaints. The online complaints form has been re-

designed to improve the customer experience when logging cases online. All the new content and form designs were tested with users to ensure they met their needs and improved the customer journey.

- 3.8 Changes have also been made to the way formal complaints are handled in Verint, including improvements to the complaints work-queues, and how officers are notified when a new case is submitted. This should ensure delays in responding to customers are reduced, and also help to de-escalate certain enquiries that may turn into formal complaints.

4 Adult Social Care

Relevant legislation and guidance

- 4.1 Adult Social Care Complaints are handled under the '*Adult Social Care Policy and Procedure for Handling Complaints and Processing Compliments and Comments*'. A single-stage complaints process is in place and complaints are managed within the specified time frame by members of the Quality Assurance Team, with one FTE assigned to specifically manage complaints and enquiries, including from the Ombudsman. Complaints are logged on the Respond CRM system and passed to relevant service managers to investigate.

Further improvements

- 4.2 The Directorate does address spikes in complaints. For example, there was an increase in complaints regarding arrangements for hospital discharge. Staff have received training about speaking with service users and their families regarding care options and information has been provided in leaflets about the likely cost of care, so people are aware in advance. This has helped to dramatically reduce complaints and enquiries in this area. This approach could be strengthened further through regularly reviewing complaints and linking this with service improvement.

5 Children's Social Care Complaints

Relevant Legislation and guidance:

- 5.1 Legislation includes:
- The Children Act 1989 Representations Procedure (England) Regulations 2006
 - 'Getting the Best from Complaints – Social Care Complaints and Representations for Children, Young People and Others'
 - LA Procedural Document: 'Children's Social Care Complaints Procedures'
- 5.2 There has been little change in the trend in numbers of formal complaints over the last few years, but it is notable that complaints are becoming more complex and multi-layered. The service has very close links with Stockport Family service leads and managers and a strong co-working relationship with service managers and service users has been developed to help ensure concerns and complaints are resolved swiftly and effectively.
- 5.3 Regular monitoring takes place regarding service improvements and outcomes. The deployment of service outcome Monitoring Records, which are circulated at the closure of each complaint, are used to highlight to managers any recommendations from an independent investigation, any actions agreed within the Adjudication

report, or service improvements, as identified by the service manager as part of the response to a complaint. The form is circulated to service managers who agree the relevant actions, identify a named person and a completion date. The information is then shared with senior management at service meetings and discussion takes place as to the impact of changes to services. See Appendix 2.

- 5.4 Quarterly and annual reports are produced for SMT (Senior Management Team) and CLT (Corporate Leadership Team).

Risks to Council

- 5.5 Parents and carers have developed an increased awareness of legislation and guidance in relation to the responsibilities of both public sector and private service providers. In many ways this is a positive development that empowers parents and carers to understand the services that support their children. However, the number and complexity of complaints and enquiries now being received from solicitors and other professional bodies on behalf of their clients, has increased proportionately. Upheld complaints can be costly in terms of financial costs / penalties, and in loss of reputation. Whilst one of the main functions of the CRS is to safeguard the rights of children, young people and their parents / carers to make representations, it also has a responsibility to ensure that the views of those providing services are given equal consideration. It must also ensure that high-quality services are provided and maintained and that any potential risks to the Council are identified and addressed early.
- 5.6 Evidence shows that the CRS has an excellent track record of achieving early local resolution, as described above, without the need for the complaint progressing to the formal stages of the process. During the last four years, less than 2% of the total representations received have led to an independent investigation at stage 2 of the statutory process which, by their very nature can be very costly to the Local Authority. This position compares extremely favourably with other Greater Manchester local authorities and statistical neighbours.

6 School complaints

Relevant Legislation and guidance:

- 6.1 Legislation includes:
- The Education Act 2002
 - The Guide to the Law for School Governors
 - LA Procedural Document: 'Practical Guidance for Managing School Complaints'
- 6.2 This specific area of work has been delivered to schools as part of a wider Service Level Agreement (SLA) under the Headteachers' Legal and Management Support.
- 6.3 For a number of years head teachers and governing bodies have been consistent in their individual and collective appreciation of the quality of the support they receive from the Schools Support Service and this has been reflected in the fact the service has been the most consistently 'bought back' service for schools since the outset of the Services to Schools Service Level Agreements programme. Part of this agreement includes the provision of a 'Head teacher's Toolkit' which was developed to help support heads with day-to-day legal and management issues. This Toolkit has received national acclaim with the joint development of a publication by the

National Association of Head teachers (NAHT) using extracts from Stockport's Toolkit highlighted as good practice. New guidance and model policies have recently been circulated to all Governing Boards in relation to responding and dealing with school complaints.

7 Resourcing - progress to date and next steps

- 7.1 The complaints team (CRS) has moved from HR and OD to Citizen Focus. This new team was formed in February 2020, bringing together members of the school support service and CRS – a total of 3.6fte. A further complaints role exists within adult social care. Bringing together officers who deal with complaints has afforded service managers the opportunity to review and evaluate ways in which complaints are dealt with across the Council.
- 7.2 As a result, a number of changes have already been made to improve complaint handling and recording. For example, the senior officer responsible for corporate complaints is now part of the CRS team and further developments are planned to support the establishment of a centralised team that will have oversight of complaint handling of all the different procedures, across and on behalf of the Council, providing greater continuity of service and cover during absences such as leave or sickness.
- 7.3 Greater visibility of the progress of complaints will also be given to individual services to help improve the response rates to complaints so that we can better meet the prescribed timescales. To help improve recording and reporting, with more accurate data and information analysis, we are already in the process of developing a service-wide accessible Dashboard that will link with the systems used to record, report and monitor complaints, such as Verint, in order to provide up-to-the minute information about complaints, i.e., the number and types of complaint being dealt with, response timescales and outcomes. This will be rolled out in early 2021 and will help senior officers and others have a clear picture about the kind of issues being raised and the outcomes, as well as how we as a Council learn from the complaints being made.
- 7.4 Some of these changes are likely to require training sessions to be developed and delivered to relevant services and individuals, and information about these will be circulated when appropriate.
- 7.5 By taking these steps we aim to create a more holistic and consistent approach to complaint handling across the Council and improve reporting to CLT and Scrutiny Committees.

Scrutiny Committee is asked to:

- a) Note the steps being taken to improve complaints handling across the council and that these proposals have been developed in consultation with the relevant Cabinet Member.

Contact officer for accessing background papers and discussing the report;

Digital Inclusion

Kirsteen Roe, Service Director - Citizen Focus

Kirsteen.roe@stockport.gov.uk 07967 673484