

North Tyneside Council

Report to Regulation and Review Committee

Date: 19 October 2023

Title: Annual Corporate Complaints Report 2022/23

Report from Service

Area: Corporate Strategy
and Customer Service

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Wards affected: All

PART 1

1.1 Purpose

North Tyneside Council publishes an Annual Corporate Complaints Report; it summarises the closed, registered customer complaints it has received. The next report to be published is for the year April 2022 to March 2023 and will be considered by the Authority's Cabinet on 27 November 2023.

This report summarises activity from the Annual Complaints Report 2022/23.

1.2 Recommendations

It is recommended that Regulation and Review Committee:

(a) note the contents of this report.

2.0 Information

2.1 Background

North Tyneside Council is here to serve the residents, businesses, and visitors of the Borough; it strives to deliver excellent customer service to keep North Tyneside a great place to live, work and visit.

The Authority's Customer Promise sets out what customers should expect of council services and what they can do if things don't go well. The Authority encourages comments and feedback about any of its services, both positive and negative; they provide the opportunity to learn and continually improve how things are done. The Authority is committed to doing everything possible to resolve complaints for its customers fairly, early and as efficiently as possible.

The Customer First Office was established in July 2022 and administers the Authority's corporate and statutory complaints, in line with its associated complaints Procedures and using the standards set out in the Authority's Customer Promise.

- The Authority has a Corporate Complaint Procedure for all its services, that satisfies the requirements of both the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO).
- Childrens social care complaints are governed by the Childrens Act 1989 and the Authority has a supplementary but complimentary Procedure for managing these, that satisfies the requirements of the Act, the LGSCO, and associated regulators.
- Adult social care complaints are governed by the Local Authority Social Services NHS Complaint Regulations (England) 2009 and the Authority has a supplementary but complimentary Procedures for these, that satisfies the requirements of the Regulations, LGSCO, and associated regulators.

The principles and commitment of the Corporate Complaint Procedure, guide the way that all complaints are managed by the Authority, regardless of any supplementary procedures used. The Authority's Corporate Complaint Procedure, defines a complaint as an expression of dissatisfaction, however made, about the services the Authority provides. It can relate to the standard of service, actions or lack of action by the Authority, its own staff, or those acting on its behalf, affecting an individual resident or group of residents and which requires a response.

In addition to complaints, the Authority's Customer First Office manages service requests; a request from a customer which requires action to be taken to put something right, but which is not categorised as a complaint. Service requests provide useful, additional information to the Authority about a customer's experience and help with service improvement.

2.2 Complaint and Service Request Activity 2022/23

Serving over 208,000 residents, North Tyneside Council delivers millions of individual services and transactions each year, including those to businesses and visitors. The number of complaints raised, is a very small proportion of the overall number of services and transactions delivered.

The total number of registered complaints and service requests has decreased from 1,825 in 2021/22 to 1,616 in 2022/23.

The number of all complaints investigated by the Authority, is almost the same in 2022/23 as it was the previous year, with 645 received this year, compared with 647 the year before. However, this was higher in 2019/20 at 1,069 complaints received.

Of the 645 complaints investigated in 2022/23 -

- 50% of all complaints were for housing and property services
- Complaint reasons are broadly in line with those of the previous three years with the most frequent being:

- time taken to receive a service
 - communication, when waiting for a service to be delivered, and
 - disagreement with a decision made by the Authority, such as priority rating for housing or the outcome of an assessment by a service team.
- The proportion of complaints not upheld by the Authority, has increased from 46% in 2021/22 to 55% in 2022/23
 - Fewer complaints were resolved at Stage One in 2022/23 – 76%, compared with the previous year of 81%. More were resolved at Stage Two this year, 24%, compared with 19% in 2021/22.
 - The number of requests for Stage Three requests (excluding social care), has decreased by one in 2022/23 from the previous year. As in the previous three years, there have been no Stage Three complaints (excluding social care) heard by a panel of the Regulation and Review Committee.
 - The number of cases received by the LGSCO has reduced, from 45 in 2021/22, to 38 in 2022/23
 - Of the 38 cases, the Ombudsman carried out 11 investigations.
 - Of the 11 investigations, 10 were upheld by the Ombudsman, an increase of one, from the previous year
 - The 11 investigations were for:
 - Children's social care – one
 - Special Educational Needs and Disability (SEND) – three
 - Adult social care – two
 - Highways – one (Housing options – one)
 - Revenues and benefits – one
 - Planning – one
 - Where complaints were upheld by the Ombudsman, these related to the availability of preferred services (mainly SEND); delays in providing a service and general communication.
 - There has been a slight increase in the number of children's social care complaints, from 19 in 2021/22 to 21 in 2022/23. Other points to note about children's social care complaints include:
 - 2022/23 figures remain almost half of those seen in pre Covid-19 Pandemic levels, of around 40
 - of the 21 complaints received in 2022/23, the proportion that were upheld in full or in part by the Authority, has increased from 10% in 2021/22 to 42% in 2022/23, and
 - the proportion of children's social care complaint investigations that are resolved early continues to increase – with 96% resolved at Stage One - this is an 8% increase from 2019/20.
 - Adult social care complaints have increased from 29 in 2021/22, to 35 in 2022/23, this remains an overall reduction from pre Covid-19 Pandemic levels of around 40.

- There has been a decrease in the proportion of adult social care complaints upheld in full or in part by the Authority, from 52.5% in 2021/22 to 40% in 2022/23.

Learning and Improvement

All completed corporate complaints, should capture any lessons learned. Several changes, generated by complaints, were made to procedures and services during the year. The following highlights some of this work; the Authority has:

- produced new guidance to ensure the views of children and families is better captured in assessments
- enhanced the quality of care to vulnerable young people who may need support out of hours, following an incident of crisis
- increased litter bin provision, adding 100 multipurpose bins across the Borough
- introduced 'tree calling cards', as part of the 'neat streets' campaign which are given to customers to update them following a tree inspection or any works carried out nearby
- worked to enhance biodiversity areas as part of the Estate Management Programme, especially on roundabouts throughout the Borough
- introduced new procedures, to ensure a zero-tolerance approach to damp and mould in council homes and properties,
- complied with new requirements from the Housing Ombudsman and its code of practice, embedding these changes into service delivery, and
- reviewed and refreshed its governance framework for complaints and in early 2024, a new complaints management IT system will be introduced which will provide improved information for service teams.

3.0 Decision Options

The following decision options are available for consideration by the Committee:

Committee is not being asked to make a decision in relation to this matter. The Authority's Constitution (May 2023) states that Regulation and Review Committee will 'monitor complaints received by the Authority in respect of the Authority's Corporate Complaints procedures and from the Local Government Ombudsman.'

4.0 Appendices

None

5.0 Contact Officers:

Haley Hudson, Customer Services and Digital Strategy Manager, tel. (0191) 643 7008
Eilidh Cook, Customer First Office Manager, tel. (0191) 643 5363

6.0 Background Information:

6.1 The following background papers have been used in the compilation of this report and are available for inspection at the offices of the author of the report.

- (1) The LGSCO Review of Local Government Complaints July 2023
<https://www.lgo.org.uk/assets/attach/6437/LG-Review-2022-23-F.pdf>
- (2) The LGSCO Annual Review of Adult Social Care Complaints October 2022
<https://www.lgo.org.uk/assets/attach/6312/ASC-Review-2021-22-FINAL.pdf>
- (3) Report to Cabinet - We Listen, We Care - Customer Service Programme End of Phase Two Review 17 October 2022
<https://democracy.northtyneside.gov.uk/documents/s10006/We%20Listen%20We%20Care%20-%20Customer%20Service%20Programme%20End%20of%20Phase%20Two%20Review.pdf>
- (4) The Local Authority Social Services Complaints (England) Regulations 2006 and Guidance (Children)
<http://www.legislation.gov.uk/uksi/2006/1738/contents/made>
- (5) The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 and Guidance (Adults)
http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/DH_120361
- (6) The NHS Bodies and Local Authorities Regulations 2012
<http://www.legislation.gov.uk/uksi/2012/3094/introduction/made>

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and Other Resources:

There are no financial or other resource implications arising directly from this report. The delivery of the service is provided for from existing budget provision. Compensation payments are funded from existing budgets in the relevant service areas.

2.2 Legal:

As a 'responsible body' under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 the Authority must make arrangements for handling and considering complaints concerning the provision of social services in accordance with the 2009 Regulations.

The Regulations specify what should be included in the complaints handling arrangements and also require the Authority to prepare an annual report for each year which must specify the number of complaints which the Authority has received; the number of complaints which the Authority decided were well-founded and the number of complaints which the Authority has been informed have been referred to the LGSCO and HO.

2.3 Consultation/Community Engagement:

The findings from the Authority's 2022/23 Annual Complaints Report, have been shared with the Authority's Senior Leadership Team and Cabinet Members for Housing, Adult Social Care and Supporting and Protecting Children.

Meetings with senior service management teams across the service areas which are those in the top five areas for complaint, have provided feedback on lessons learned, improvements made and priorities for 2023/24.

The Annual Complaints Report 2022/23 will be considered by Cabinet on 27 November 2023.

Satisfaction surveys are sent to all complainants following the closure of their complaint. Feedback from these surveys is valuable in helping the Authority to improve and enhance the complaint management process. A summary of survey responses can be found in the 2022/23 Annual Complaints Report, Appendix 1, of this report.

The 2022/23 Annual Complaint Report will be published on the Authority's website, if approved by Cabinet.

2.4 Human Rights:

The service promotes equal access to complaint services and opportunities to contribute to service improvement.

2.5 Equalities and Diversity:

The Authority promotes equal access to complaint services and opportunities to contribute to service improvement. Material is available in different formats and officers actively help those with individual needs as required.

Equality monitoring is undertaken so that the Authority can ensure it meets the needs of people with protected characteristics across all of the borough's communities.

2.6 Risk Management:

There are no risk implications directly arising from this report.

2.7 Crime and Disorder:

There are no crime and disorder implications arising directly from this report.

2.8 Environment and Sustainability:

There are no environment and sustainability implications arising from this report.