

North Tyneside Council

Report to Cabinet

Date: 27 November 2023

Title: Annual Corporate Complaints Report 2022/23

Portfolio(s): Deputy Mayor	Cabinet Member(s): Councillor Carl Johnson
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Report from Service Area:	Corporate Strategy and Customer Service	
Responsible Officer:	Jacqueline Laughton, Assistant Chief Executive	Tel: (0191) 643 5724
Wards affected:	All	

PART 1

1.1 Executive Summary:

Serving over 209,000 residents, the Authority delivers individual services and millions of transactions each year, including those to businesses and visitors. Any complaint received, is an opportunity to demonstrate that the Authority listens to its residents and cares about their views and concerns.

The number of complaints raised each year, is a very small proportion of the overall number of services and transactions delivered.

The Authority has reviewed and refreshed its Corporate Complaints Procedure this year so that the Complaints Procedure is made easier and clearer for those customers who wish to raise complaints about the Authority's services.

In its 2023 Annual Report, The Local Government and Social Care Ombudsman (LGSCO) stated that, "evidence points to the importance of attending to the experience of residents and the need to invest in and support their complaint

functions – it is a false economy not to”. It is for that reason that in addition to refreshing the Corporate Complaints Procedure, the Authority has since 2019 regularly invested in the Customer Service Programme as well as investing in the Customer First Team in 2022. These steps have strengthened the focus that the Authority places on improving customer experience, and how it manages and responds to complaints.

The Annual Complaints Report for 2022/23 is attached to this report at Appendix 2 and summarises the closed and registered customer complaints the Authority received between April 2022 and March 2023.

The Local Government Ombudsman’s Annual Review of complaints for North Tyneside Council 2022-23 is attached to this report at Appendix 3. This details the complaints received by the LGSCO from complainants and the outcomes of any investigations carried out.

Since 2019/20 customer complaints received by the Authority have almost halved. The rate of decrease does show signs of levelling, where the number of 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.

1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) agrees the amended Corporate Complaints Procedure attached to this report at Appendix 1;
- (2) agrees the Annual Complaints Report for 2022/23 attached to this report at Appendix 2 and agrees to its publication on the Authority’s website.
- (3) notes and receives the Local Government and Social Care Ombudsman’s Annual Review of complaints concerning North Tyneside Council for 2022/23 attached to this report at Appendix 3; and
- (4) agrees that should the Local Government and Social Care Ombudsman and Housing Ombudsman Joint Complaint Handling Code of 2024 result in the need to review the Authority’s Corporate Complaints Procedure, the Assistant Chief Executive has authority to undertake such a review and make any proposed amendments to the Procedure, and to bring a

further report to Cabinet seeking its agreement to any amended Corporate Complaint's Procedure.

1.3 Forward plan:

28 days' notice of this report has been given and it first appeared on the Forward Plan that was published on 7 September 2023.

1.4 Council plan and policy framework

The Our North Tyneside Plan sets out bold ambitions for ensuring that the Borough's residents, businesses, environment and economy continue to thrive; making North Tyneside an even greater place to live, work and visit by 2025. The plan outlines a vision of building a better North Tyneside, looking to the future, and listening to and working better for residents.

Listening and learning from all customer feedback, including that from complaints, is an integral part of this ambition.

1.5 Information:

1.5.1 Background

The definition of a complaint can be wide-ranging but can be expressed as, dissatisfaction with the service provided, or lack of action by the Authority or its employees. This can include failure to achieve specific standards of service.

The Authority's Corporate Complaint Procedure 2023 covers all services it provides and has a Three-Stage investigation process. Corporate complaints also include statutory social services complaints received through the Local Authority Social Services Complaints (England) Regulations 2006.

Cabinet reviewed the work of the second phase of its Customer Service Programme – 'we listen, and we care' at its meeting of 17 October 2022. That report detailed feedback on customer experiences of Authority services and the improvements the Authority is making in response to this feedback. Cabinet will receive a further update on the work of the Customer Service Programme no later than May 2024.

All customer feedback, including complaints, is an opportunity to demonstrate that the Authority listens to its residents and delivers its services in line with the Authority's customer promise.

Complaint information is an insight into what is working well and what is not and informs future planning and service delivery.

A new Customer First Team was established by the Authority in July 2022. This team continues to administer the Authority's corporate complaints in line with its Corporate Complaint Procedure but is now also delivering the work using 'lessons learned' from the Customer Service Programme.

In addition to complaints, the Customer First Team 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 additional information to the Authority about a customer's experience and drives service improvement.

1.5.2 Corporate Complaints in 2022/23

The Annual Complaint Report at Appendix 2 of this report, details further activity from complaints in 2022/23, with data shown in Section 10 of that report.

Whilst complaints have remained almost static from the previous year, service requests administered by the Customer First Team, have decreased. This may be due to the improvements made to the Authority's website which better explains the range of ways in which customers can raise complaints, report issues, and have them resolved quickly on line. In addition, there has been an increase in the number of Elected Member enquiries received in the year, that may be helping to positively address resident issues, before they escalate to a complaint.

The data in the 2022/23 Annual Complaints Report indicates that whilst over 75% of complaints are successfully resolved at Stage One, this percentage has decreased over the previous three years.

The Local Government Ombudsman (LGSCO) has said in his national Annual Report for 2022/23, his office is less likely to carry out investigations into 'borderline' issues and are therefore finding a higher proportion at fault.

Section 12 of the Annual Corporate Complaints Report, details how the Authority has listened to customer complaints and made changes as a result. 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 to sites 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, and
- complied with new requirements from the Housing Ombudsman and its code of practice, embedding these changes into service delivery.

The Authority has 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.

The LGSCO and Housing Ombudsman have communicated their intention to implement a Joint Complaint Handling Code in 2024. The Authority will need to consider any new guidance in the Joint Complaint Handling Code, and if applicable, make changes to its Corporate Complaints Procedure. If such a review is necessary, then subject to Cabinet's approval, the Assistant Chief Executive will undertake such a review and bring a further report to Cabinet highlighting any proposed amendments to the Complaints Procedure

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Cabinet agrees the recommendations set out in paragraph 1.2 of this report.

Option 2

Cabinet notes does not agree with the recommendations set out in paragraph 1.2 of this report.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reason:

All Local Authorities providing social service functions are legally required to publish an annual report on complaints received and the Local Government and Social Care Ombudsman's Annual Review of its complaints.

The recommendations ensure that the Authority has an amended Corporate Complaints Procedure as well as making provision for a potential review of the Authority's Corporate Complaints Procedure should any Joint Complaint Handling Code be issued by the LGSCO and Housing Ombudsman that requires a review and any subsequent amendment to the Complaints Procedure.

1.8 Appendices:

Appendix 1: The Corporate Complaints Procedure.

Appendix 2: North Tyneside Council Annual Corporate Complaint Report 2022-23.

Appendix 3: The Local Government Ombudsman's Annual Review of complaints about North Tyneside Council 2022-23.

1.9 Contact officers:

Haley Hudson, Customer Services and Digital Strategy Manager,-
tel. (0191) 643 7008

Eilidh Cook, Customer First Office Manager, - tel. (0191) 643 5363

David Dunford, Senior Business Partner, - tel. (0191) 643 7027

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) North Tyneside Council Corporate Complaints Procedure October 2023
<https://my.northtyneside.gov.uk/sites/default/files/web-page-related-files/Complaint%20Procedure.pdf>
- (2) The LGSCO Review of Local Government Complaints July 2023
<https://www.lgo.org.uk/assets/attach/6437/LG-Review-2022-23-F.pdf>
- (3) 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>
- (4) 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>
- (5) The Local Authority Social Services Complaints (England) Regulations 2006 and Guidance (Children)
<http://www.legislation.gov.uk/uksi/2006/1738/contents/made>
- (6) 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
- (7) 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

2.3.1 Internal Consultation

The findings from the Authority's 2022/23 Annual Complaint 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 top five complaint areas, have provided feedback on lessons learned, improvements made and priorities for 2023/24.

A summary of the 2022/23 Annual Complaint Report, was received by the Authority's Regulation and Review Committee on 19 October 2023.

2.3.2 Community engagement

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.

PART 3 - SIGN OFF

- Chief Executive X
- Director(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Assistant Chief Executive X