

North Tyneside Council

Report to Cabinet

Date: 20 September 2021

Title: Complaints Service Report 2020-21

Portfolio(s): Elected Mayor Deputy Mayor Adult Social Care Children, Young People and Learning	Cabinet Member(s): Norma Redfearn Councillor Carl Johnson Councillor Anthony McMullen Councillor Peter Earley
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Report from Service Area: Law & Governance

Responsible Officer: Bryn Roberts, Head of Law and Governance (Tel: 643 5339)

Wards affected: All

PART 1

1.1 Executive Summary:

The purpose of this report is to provide Cabinet with an overview of the Authority's closed complaints, for the year 1 April 2020 and 31 March 2021, and to ensure compliance with the requirement to publish an annual report on complaints under the relevant statutory complaints legislation. This report covers all complaints made to the Authority, including those made under social services arrangements, and those made to the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO). The LGSCO have recently produced their annual summary of complaints for all local authorities and North Tyneside Council remains the lowest within Tyne and Wear.

The number of complaints continues to be very low compared to the number of transactions the Authority undertakes every year. Overall, the number of formal complaints to the Authority in 2020-21 was lower than 2019-20. This was due to complaints registering being placed on hold at the start of the Covid-19 pandemic between April and June 2021. This action was following guidance from the LGSCO. Of the 519 complaints the Authority received, only 29 were referred to the Ombudsmen for consideration, and of those 29, only 6 complaints were upheld.

Effective complaints handling is very important and learning from the outcomes is an excellent way to improve service delivery.

1.2 Recommendation(s):

It is recommended that Cabinet:

1. notes the complaint related activity during 2020-21 as set out in the Annual Complaints Report (Appendix 1);
2. approves the above Report for publication by the Head of Law and Governance; and
3. receives the Local Government and Social Care Ombudsman's Annual Review of complaints concerning North Tyneside Council for 2020-21 (Appendix 2).

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 19 August 2021.

1.4 Council plan and policy framework

This report relates to the following priorities in the Our North Tyneside Plan "Our People" and "Our Places", as lessons learned from complaints are a key driver in service improvement and ensuring best value for money.

1.5 Information:

1.5.1 Background

The Authority undertakes millions of transactions with its 204,000 residents and 6 million visitors to the Borough, throughout the year. Against that background, the number of complaints received by the Authority remains consistently low, reflecting the excellent services our customers receive and the Authority's ability to resolve swiftly any issues that do arise at the first point of contact.

The number of formal complaints during 2020-21 remained static compared to the previous year as the Authority continues to take a proactive approach to encouraging our residents and service users to provide feedback. The Authority's complaint leaflet entitled "How to complain about Council services" is widely available in the Authority's buildings and to download from the Authority's website. It is also now very easy for our customers to contact us on-line, and Social Care Service users are provided with a complaint leaflet at the first point of contact.

Customer satisfaction with the complaints process remains relatively high and the Authority continues to resolve the vast majority of complaints at Stage One. The Authority welcomes complaints as valuable feedback from its customers and complaint outcomes provide valuable lessons learned to further improve and enhance the Authority's services and procedures.

The Authority operates statutory complaint procedures for Adult Social Care and Children and Young People's Services and Public Health. It also provides a Corporate Complaints Procedure for all other services. The Senior Complaints Officer is the Authority's main contact with the offices of the LGSCO and HO. This involves responding to initial enquiries, gathering information, and arranging access to files and interviews of staff under the instruction of the LGSCO and HO

investigators, and providing advice and assistance to the Authority's Officers who may be the subject of a complaint.

1.5.2 Local Government and Social Care Ombudsman

During 2020-21 the Authority responded to LGSCO enquiries in a timely fashion and was well within the required timescale for response of 28 days. The LGSCO's Annual Review of complaints concerning North Tyneside Council for 2020-21 is at Appendix 2.

1.5.3 Complaints Report

The Authority's Complaints Annual Report for 2020-21 is attached at Appendix 1. Cabinet is invited to note that the overall number of formal complaints to the Authority in 2020-21 was lower in comparison to 2019-20 (519 complaints and 1069 complaints respectively). As detailed in 1.1, this was due to the Covid-19 pandemic.

1.5.4 Corporate Complaints

There were 967 Corporate Complaints received during 2019-20, the figure during 2020-21 was 451, it is noted that the registering of complaints was placed on hold in line with the Local Government and Social Care Ombudsman's recommendations during April – June 2020 due to the Covid-19 Pandemic.

The Authority recognises that it is important to deal with complaints well as this is central to providing a good customer service. Services seek to address complaints and learn from these complaints so that the Authority can continually improve services.

The results are set out in detail in Section 3, Table 8 of the Report at Appendix 1.

1.5.5 Social Care Complaints

The number of Social Care complaints (relating to both Adult Social Care and Children and Young People's Services) was 102 in 2019-20 and 68 in 2020-21. This equates to 30 cases in Children's Social Services and 38 cases in Adult Social Care.

The results are set out in Section 2, Tables 2 to 6 of the Report at Appendix 1.

1.5.6 Future Developments

The Authority has established a Customer Services Programme that aims to further improve customer services, and to demonstrate that "we listen; we care". This programme has four parts: Customer Promise, Brilliant Basics, Customer Focussed Services, and Better Never Stops – a continuous improvement culture.

The Better Never Stops theme will, amongst other things, examine how the Authority collects queries, feedback and complaints. It will look at the quality and consistency of the Authority's responses and how the feedback is used to gather and inform ongoing service delivery. The Authority will also develop the way its employees act to drive up the standard the Authority has set itself and how to recognise and celebrate good customer service.

A key aim of the complaint process is 'learning' from complaints and connects with the Better Never Stops programme. There have been several changes to procedures and practice during 2020-21 as a result of resolved complaints, examples of these have been listed on page 10 of the Report.

1.5.7 Conclusion

Complaints are now widely recognised as integral to the provision of quality services at both individual and strategic levels. The Authority's successful history and current good practice in effective complaint handling will be an integral service improvement driver in the current rapidly changing culture. The demands of maintaining, and increasing levels of customer satisfaction, coupled with organisational changes across public and partner sectors, will be well supported by the current robust complaint handling procedures and electronic system in place.

The Report will be published on the Authority's website and will be available on request from the Senior Complaints Officer.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Note the content of the Annual Complaints Report and approve publication of the Report and receive the LGSCO report.

Option 2

Cabinet refers the Annual Complaints Report back to officers and request that further analysis and information is provided.

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' including the Authority are legally required to publish an annual report on complaints received. Publication of a Report also supports community engagement and promotes transparency and opportunities for organisational improvement.

1.8 Appendices:

Appendix 1: North Tyneside Council Complaints Service Report 2019-20.

Appendix 2: The Local Government Ombudsman's Annual Review of complaints about North Tyneside Council 2020-21.

1.9 Contact officers:

Bryn Roberts, Director of Law and Governance, tel 643 5339

Eilidh Cook, Senior Complaints Officer, tel 643 5361

Claire Emmerson, Senior Manager Financial Strategy and Planning, tel 643 8109

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:

- The Local Authority Social Services Complaints (England) Regulations 2006 and Guidance (Children)
<http://www.legislation.gov.uk/uksi/2006/1738/contents/made>
- 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
- North Tyneside Council Corporate Complaints Procedure
<http://my.northtyneside.gov.uk/category/479/complaints-procedure>
- 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; specify the number of complaints which the Authority decided were well-founded and specify the number of complaints which the Authority has been informed have been referred to the LGSCO and HO.

2.3 Consultation/community engagement

Internal Consultation

The Report has been circulated to, the Chief Executive, the Elected Mayor, Deputy Mayor and Cabinet Members for Adult Social Care and Children, Young People and Learning.

No community engagement has taken place.

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 service promotes equal access to complaint services and opportunities to contribute to service improvement. Material is available in different formats and Officers actively provide assistance for people with individual needs as required. Equality monitoring is undertaken so that the service can ensure it meets the needs of people with protected characteristics across all of the borough's communities.

2.6 Risk management

A risk assessment has taken place. All risks identified can be managed through North Tyneside Risk Process and will be added to the Authority's Risk Register.

2.7 Crime and disorder

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

2.8 Environment and sustainability

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

PART 3 - SIGN OFF

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