

Item

# ANNUAL COMPLAINTS AND FEEDBACK REPORT 2018-19



**To:**

Civic Affairs Committee

**Report by:**

Customer Services

**Wards affected:**

None directly affected

## 1. Introduction / Executive Summary

- 1.1 This report introduces the Annual Complaints Report 2018-19, which provides an analysis of the complaints and compliments received by the Council during 2018-19 under the Corporate Complaints, Compliments and Comments procedure.
- 1.2 The purpose of the Annual Report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend data to improve services.
- 1.3 The Annual Report also highlights those areas of good practice within the Council and seeks to identify themes and trends in relation to comments made by members of the public so that the Council can also take action where appropriate to improve services
- 1.4 This report also proposes changes to the complaints process to improve the efficiency and effectiveness of the overall process by

removing the third stage. Analysis of the impact of the third stage, and comparison with similar councils has suggested that this stage is not adding sufficient value to justify its cost, and is at times creating a lack of clarity, as well as a further demand on officer capacity which the outcomes do not seem to merit.

- 1.5 This report also recommends amending the Committee's Terms of Reference so that the Annual Complaints Report can be brought to the same committee for scrutiny (Strategy & Resources scrutiny committee) as the Council's Annual performance report and financial reports, giving a fully rounded view of the council's performance in each year to councilors and the public in one place at one time.

## **2. Recommendations**

### **2.1 Civic Affairs to:**

- i. Consider the draft Annual Complaints Report for 2018-19, and approve for publication on the Council's website.
- ii. Agree to amend the Civic Affairs Committee's Terms of Reference as explained in paras 3.6 – 3.12 below and set out in Appendix C.
- iii. Agree to remove Stage 3 from the Council's complaints procedure from 1 April 2020 as explained in paras 3.13 – 3.23 below.

## **3. Background**

### **Annual Complaints Report**

- 3.1 The City Council has been recording information about complaints for the last 14 years and trend data is included in the report from 2016 onwards. In 2018-19 we received 1161 complaints compared with 698 in the previous year. There were various reasons for the increase, and each Head of Service provides a commentary explaining what steps are being taken to address complaints and improve complaint handling, as well as providing context on the volumes of customer interactions and other factors, in the service-by-service section of the Annual Complaints Report.
- 3.2 Three complaints were upheld by the Local Government Ombudsman from a total of 13 enquiries. The number upheld, and the number of enquiries to the Ombudsman is comparable to other similar local authorities.

### 3.3 The report includes:

- A summary of complaints received, their trends and action taken
- Details of compliments and comments
- Details of complaints investigated by the Independent Complaints Investigator
- Details of complaints escalated to the Local Government Ombudsman
- Details of complaints relating to conduct of councillors

3.4 As well as complaints we also receive many positive comments about the Council's services and staff. A section on compliments is included in the report because knowing where things are working well and are appreciated is as important as knowing where things are not working well. We also monitor performance against the objectives and indicators in the Council's corporate plan. This performance data is summarised in the Council's [Annual Report](#).

3.5 Subject to approval by Civic Affairs on the 9<sup>th</sup> October, officers will finalise and publish the report on the Council's website with hard copies being made available on request.

### **Streamlining reporting on Council performance & complaints**

3.6 In recent years, the Annual Complaints Report has come to Civic Affairs Committee in October, whilst the Council's Annual Report against its Corporate Plan, and the annual Financial Outturn reports are reported to the Strategy & Resources Scrutiny Committee in the June/July cycle.

3.7 This approach does not allow a coherent/holistic scrutiny or understanding of the Council's overall performance. The interplay between achievement of objectives, financial spend, and complaints has not been brought together in one place for councillors, public or press to see in the round.

3.8 Officers recommend that in future all three reports are brought to the same committee at the same time. This would allow a more holistic approach to scrutiny of the council's overall performance in any given year, and remove the current practice of that review being carried out over a number of months, across different committees.

3.9 The principle of this streamlining was agreed by the Strategy & Resources Scrutiny Committee, and by the Leader, at that committee's meeting on 1 July 2019.

- 3.10 This report proposes that all three reports be brought to Strategy & Resources scrutiny committee (or its successor) in future years.
- 3.11 The Annual Complaints Report (and any subsequent supplementary update required following publication of the LGO's annual letter each summer) would still be shared with members of Civic Affairs Committee each year to ensure they retain oversight in particular of complaints referred to the Local Government Ombudsman.
- 3.12 The Terms of Reference for Civic Affairs Committee include reference to the Annual Complaints Report. Therefore, CAC is recommended to amend its Terms of Reference to reflect the proposed change. [see appendix C for detail of the wording to be deleted].

### **Rationalising the Complaints Process – removing stage 3**

- 3.13 The Council currently has a three stage complaints process:
- **Stage 1 – Complaints being made for the first time** - if a member of the public makes a complaint about a Council service, it will be investigated and responded to in the first instance by a service expert or manager within 10 days.
  - **Stage 2 – Internal Review** - if the complainant is dissatisfied with the response to their complaint or the way in which the complaint has been handled, and they want their complaint to be considered further, the Head of the relevant Council service will investigate and respond to the complaint.
  - **Stage 3 – Independent Investigation** – if the complainant is unsatisfied with the outcome of Stage Two and wishes to take their complaint further, they can request that the complaint is investigated by the Council's Independent Complaints Investigator (ICI). For a number of years the Council has had a contract with an external contractor to fulfil the role of the ICI.
- 3.14 In recent years it has become increasingly difficult to find providers willing and able to deliver the ICI service. This is in part due to it being a novel role, which almost no other council has.
- 3.15 This has prompted officers to review the effectiveness of this stage of our process. This third stage is intended to resolve complaints cases and obviate the need for complainants to take their complaint to the Local Government Ombudsman (LGO).

- 3.16 However, the evidence that officers have gathered, including analysis of a number of case studies of Cambridge City Council complaints in recent years, suggests that Stage 3 does not appear to fulfil this intended function consistently. Rather, it can sometimes add a time-consuming stage which can repeat or duplicate work required at earlier stages and/or once the LGO takes up a case.
- 3.17 To test our thinking, officers have also held discussions with counterparts in councils serving four comparable cities (Oxford, Norwich, Ipswich & Exeter). The data and feedback gathered further suggested that the third stage does not reduce the number of complaints made to the LGO; nor does it significantly reduce the number of complaints that are upheld by the LGO.
- 3.18 One council used to have a 3 stage process, but moved to a 2-stage process following a LEAN review in 2012/13. Subsequent LGO reports on complaints have not made any specific recommendations to improve that council's complaints process.
- 3.19 Officers therefore believe that stage 3 is not currently achieving the intended purpose of reducing the number of complaints being escalated to the LGO, and are recommending that the stage be discontinued from the City Council's complaints process.
- 3.20 To ensure that complainants did not lose any benefit from removing stage three (and noting that the ICI has on occasion recommended further remedy), we would seek to ensure that more complaints were resolved more satisfactorily at stage one and two.
- 3.21 This would be achieved through a programme of training in complaints handling for officers dealing with complaints in those services that tend to receive most complaints. We would plan to take up the LGO's offer of training, as well as using peer learning between services (some of which have invested significant time and resource in improving their complaint handling in recent years).
- 3.22 Heads of Service will be accountable for the quality of responses to complaints, including signing off stage two responses. We will consider whether additional quality assurance steps need to be put in place to ensure that complainants receive a response which appropriately addresses their complaint.

3.23 Officers propose to introduce this change from the start of the new financial & reporting year, on 1 April 2020. This would allow time to revise the internal guidance and external communications, to carry out a programme of training and to ensure that the data for whole years reflected consistent processes.

## **4. Implications**

### **(a) Financial Implications**

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The time and resources spent on responding to complaints is a not insignificant cost to the Council. Our aim is to get things right first time as often as we can, for the good of residents and for the Council.

Removing Stage 3 will save the Council the money that has been spent on the Independents Complaints Investigator (approx. £15,000 pa), although this has not been the primary consideration in the officer recommendation.

### **(b) Staffing Implications**

Staff who deal with customer complaints will be provided with additional training as a result of the issues raised in this report, to help ensure that they are equipped to give customers a more satisfactory response more frequently at an earlier stage in the complaints process.

Removing Stage 3 should reduce the total amount of senior officer time spent in the review process, whilst the training that will be provided should ensure that the overall experience for customers is improved.

### **(c) Equality and Poverty Implications**

Analysis and action taken as a result of complaints has an important role to play in ensuring that our services are accessible to all those who wish or need to use them and, that as far as possible, we are able to respond flexibly to the differing needs of our citizens and visitors. An updated EQIA assessment was completed in August 2019, and is attached at Appendix D.

### **(d) Environmental Implications**

None

### **(e) Procurement Implications**

None. Removing Stage 3 of the complaints process will remove the need to procure Independent Complaints Investigator services.

#### **(f) Community Safety Implications**

None

### **5. Consultation and communication considerations**

None

### **6. Background papers**

Background papers used in the preparation of this report:

- (a) Departmental Quarterly Monitoring Reports 2018-19
- (b) Annual Complaints Report 2017-18
- (c) Annual Complaints Report 2016-17

### **7. Appendices**

- (a) Draft Annual Complaints Report 2018/19
- (b) Number of complaints by service in last three years
- (c) Proposed change to the Terms of Reference to Civic Affairs Committee as described in the Council's constitution
- (d) Equalities Impact Assessment

### **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Tony Stead, Business and Development Manager, tel: 01223 - 457501, email: [Tony.Stead@cambridge.gov.uk](mailto:Tony.Stead@cambridge.gov.uk).

