

TELFORD & WREKIN COUNCIL

AUDIT COMMITTEE – 15 SEPTEMBER 2015

Customer Feedback Performance 1st April 2014 to 31st March 2015 (12 Month Monitoring Report)

REPORT OF Angie Astley, Assistant Director: Neighbourhood & Customer Services

PART A) – SUMMARY REPORT

1. SUMMARY

- 1.1 Detailed below are the main areas of customer compliments and complaints for this period. It should be acknowledged that there are relatively small numbers of complaints registered when compared to the number of services provided by the Council on a daily basis and against a backdrop of having delivered £70m in savings over the last 6 years. Given these circumstances, it is really pleasing to note that the number of complaints received in 2014/15 has reduced by 22%, with only 30% (54%) having elements fully or partly upheld. Complaints continue to be viewed as a good form of customer feedback and the council already has a culture of embracing and learning from complaints over a number of years and this will continue in order to help continually improve service delivery.
- 1.2 For this period we received **558** (592) compliments a slight decrease of 6% from this time last year. The majority of the compliments were addressed to our front line services, particularly those in Neighbourhood and Leisure Services 214, Customer Services 82, Family, Cohesion & Commissioning 68, Development, Business & Housing 59 and Adults Services 51.
- 1.3 We have received **787** (1018) corporate complaints, a decrease of 22% over the same period last year, which is excellent news. There has also been a decrease in the numbers of complaints partly or fully upheld, 30% down from 54% for the same period last year.
- 1.4 It's also pleasing to note that 85% of Stage 1 complaints were responded to within 15 working days, which meets the Council's target of 83% (full details for each service area in Appendix A).
- 1.5 Of the 787 customer complaints received, only 38 requests were made for an independent Stage 2 investigation. Further details are shown in 4.2 below.

- 1.6 Whilst there has been a 16% increase in the number of Statutory Complaints about Adult's & Children's services, it should be noted that percentage of those complaints that had elements upheld has reduced to 36% from 48% in the previous year.
- 1.7 We received a total of 254 MP enquiries and we responded to 79% within 10 working days.
- 1.8 The Local Government Ombudsman received 28 in 2014/15. Of these, they decided to investigate 16 complaints. Of these, there are 4 cases where the Council was found to be at fault, with one of these resulting in an injustice to the customer.
- 1.9 The Council received 1126 (1076) Freedom Of Information requests, an increase of 5% over the previous year, and responded to 93% within the statutory deadline. In addition we received an additional 57 Subject Access Requests to information and 48 requests for information under the Environmental Information Regulations. Further information is shown in s4.7 and Appendix C.

2. RECOMMENDATIONS

- 2.1 That Audit Committee note the information within the report, particularly the decrease in complaints received and the reduction in the percentage of those complaints that have been fully or partly upheld.

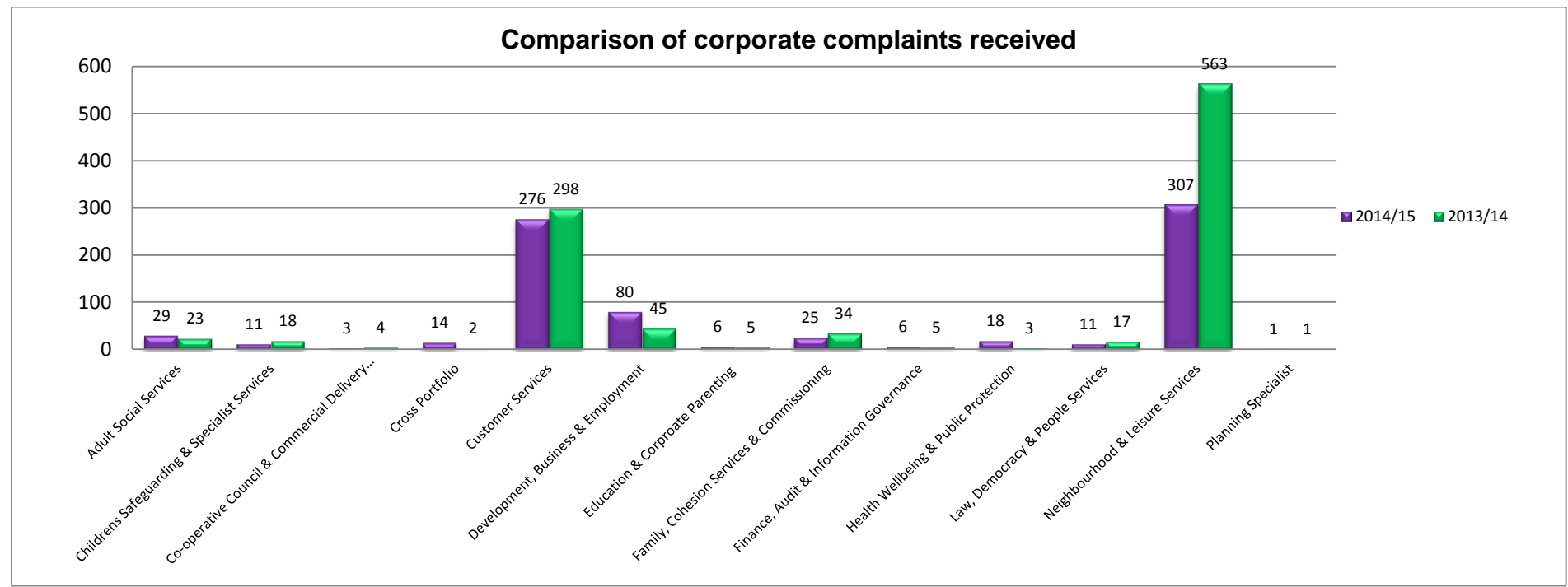
3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	No	
	Will the proposals impact on specific groups of people?	
	No	The Corporate and Statutory feedback procedure is open to all our customers. Appropriate support is available to meet the diverse needs of our customers to enable them to make representation to the council.
TARGET COMPLETION/DELIVERY DATE	Not applicable	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	The costs associated with administering the complaints, compliments, FOI, DP and MP Enquiries process is in the form of officer time. This is met from within existing budgets across the Council. MLB 26.08.15
LEGAL ISSUES	Yes	<p>There is provision in Part III of The Local Government Act 1974 (at section 26) for the Council to investigate complaints prior to investigation by the Local Commissioner (the Local Government Ombudsman).</p> <p>There are also specific statutory requirements for certain types of complaints. Section 26 Children Act 1989 and the Children Act 1989 Representations Procedure (England) Regulations 2006 as amended are to be followed in respect of complaints about children's social services. Section 114 of the Health and Social Care (Community Health and Standards) Act 2003 and the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 are to be followed in respect of complaints about social services for adults.</p> <p>The operation of the Council's corporate complaints process is a matter for the Council to determine within the statutory framework. The complaints process is subject to regular review to ensure that it complies with any new and/or additional statutory requirements.</p> <p>This process does not cover complaints about Councillors which is dealt with separately and monitored by the Council's Standards Committee.</p>
OTHER IMPACTS, RISKS		The council's robust feedback mechanisms support the council to maintain it's

& OPPORTUNITIES		reputation by being responsive to our customers concerns and implementing service improvements as appropriate. It further ensures we meet our legal obligations under Freedom of Information, Data Protection and Statutory complaints legislation.
IMPACT ON SPECIFIC WARDS	No	Borough wide impact

PART B) – ADDITIONAL INFORMATION

4.1 Complaints



4.1.1 Council Tax & Benefits Service received 136 (195) complaints from approximately 135,700 accounts. Of the complaints received 43% (46%) had elements upheld. The number of complaints received and the percentage upheld has decreased compared to

2013/14. Of the 58 complaints with upheld elements 36 were due to processing errors and delays. The majority of complaints relate to the recovery of council tax, which by its very nature will attract a larger volume of complaints.

- 4.1.2 **Refuse & Kerbside** received 95 (283) complaints from approximately 3.6m collections per year. Of the 95 complaints, 54% (65%) had elements upheld. The upheld elements were mainly about missed pull outs and collections, bins/boxes not being returned and receptacles being taken or not delivered and items being spilt. Missed collections have been reduced by over 20% compared to same period 2014 and missed assisted collections have been reduced by over 22% and improvements are continuing to be made.
- 4.1.3 **Leisure Centres** received 64 (49) complaints out of 1.2m visitors each year. Of the 64 complaints, 34% were fully upheld and these related to the level of service and facilities available, equipment failure and a further 26% were partly upheld and these were related to the temporary closure of Oakengates Leisure Centre and administrative process errors. It must be noted that the number of complaints for all the Leisure Centres has dropped significantly compared to the 102 received in 2013/14.
- 4.1.4 **Customer Contact Centre** received 62 (47) complaints, from approximately 279,000 customer contacts each year. Of those 49% had elements upheld which related to mainly to the length of time taken for a call to be answered. The Council has now introduced a new Contact Centre phone system which includes a number of improvements, including the ability for customers to request a call back so they don't have to wait during our busy periods. The drive to channel shift has also seen an increase in the number of online forms, including submissions through the Everyday Telford App, used by customers to report issues. Further work will be undertaken to increase the use of online services to reduce the number of calls received by the Contact Centre, which will include an automated telephone service to report straight forward issues e.g. a missed refuse collection.
- 4.1.5 **Planning** received 36 complaints, 30% of which had elements upheld. Of the 11 complaints with elements upheld 7 were around the lack of consultation and response to enquiries and a further 4 regarding administrative processing errors.
- 4.1.6 **Libraries** received 26 complaints out of 580,000 visitors. Of these, 42% of which had elements upheld which were predominately about the performance of computers in June and July when Windows 7 was being installed.
- 4.1.7 **Arts Development, including The Place Theatre**, received 23 complaints, 43% (10) of which had elements upheld. These related to a range of issues and there wasn't a common theme.
- 4.2. **Stage 2 – Independent Investigations Of Corporate Complaints**
- 4.2.1 Only 38 requests were made for an independent 'Stage 2' investigation. There is no common theme to these requests. Further details are shown in the table below.

Service	Requests received	Outcome of request/ investigation
Adult Social Care	1	1 partly upheld & Local settlement made
Cross Portfolio	2	1 not upheld 1 Partly upheld & Time and Trouble payment offered
Customer Services	13	3 refused, nothing further to add to Stage 1 investigation 5 partly upheld, time and trouble payment offered (two of these cases had elements upheld at Stage 1 and no new elements were upheld at Stage 2. A decision was made at AD level to offer a time and trouble payment for both cases) 3 not upheld 2 under investigation
Development, Business & Employment	6	1 refused, nothing further to add to Stage 1 investigation 3 not upheld 1 Partly upheld 1 under investigation
Health, Wellbeing & Public Protection	1	1 not upheld
Neighbourhood & Leisure Services	12	2 refused, nothing further to add to Stage 1 investigation 7 not upheld 1 under investigation 1 Partly upheld 1 upheld
Family Cohesion Services & Commissioning	1	1 not upheld
Planning Specialist	1	1 refused, nothing further to add to Stage 1 investigation
Education & Corporate Parenting	1	1 under investigation

4.3 **Adult's & Children's Statutory Complaints**

4.3.1 For this period we received **140** (120) statutory complaints made up of: **64** (51) Adult Statutory and **76** (69) Child Statutory. Both areas have seen an increase from the previous year.

- 4.3.2 **37.5%** (53%) of Adult statutory complaints had elements upheld, which is a noticeable decrease compared to last year and **40%** (27%) were responded to within the timescale. The average time taken to respond to a complaint was **32.5** (42) days. Further work is needed to improve upon this performance.
- 4.3.3 **35%** (45%) of Child statutory complaints had elements upheld, which is also a noticeable decrease compared to the same period last year and **24%** (27%) were responded to within 10 working days, **52%** (50%) were responded to within 20 working days. The average time taken to respond to a complaint was **19.5** (17) days. Further work is needed to improve upon this performance.
- 4.3.4 Children's Services received 5 requests for Stage 2 investigations during this period, 2 of which are currently still under investigation.

Service	Requests received	Outcome of request/ investigation
Childrens Safeguarding & Specialist Services	5	3 Partly upheld 2 Under Investigation

4.4 **MP Enquiries**

- 4.4.1 For this reporting period we have received a total of 254 (200) MP enquiries; David Wright, MP had submitted 185 (152) enquiries and Mark Pritchard, MP had submitted 60 (35). There were 9 (13) enquiries submitted by other MP's.
- 4.4.2 Of the 254 enquiries we have responded to 79% (67%) within the target of 10 working days, which is an improvement on the response rate of 71% reported for the first six months of 2014/15.
- 4.4.3 The table in Appendix B shows the distribution of enquiries across the Service Area's and the levels of performance.

4.5 **Member & Parish Council Enquiries**

For this period we received:-

848 (1037) Member enquiries, with 99% (98%) responded to in target

717 (1538) Parish enquiries, with 99% (96%) responded to in target

4.6 **Ombudsman Enquiries**

4.6.1 The Local Government Ombudsman received a total of 28 (27) new enquiries in 2014/15 with a further 5 awaiting a decision from 2013/14. Of the 28 new enquiries the Ombudsman has decided to investigate 16 of these complaints. Figures below include the 5 awaiting decisions from 2013/14

4.6.2 Performance for each service area for fault identified from the LGO is detailed in Appendix D

Service	Number of enquiries received	Number formally investigated by the LGO	Outcome of LGO enquiry/ investigation
Adult Social Services	6	6	Still under investigation (3) Council not at fault (2) Council at fault, injustice found (1)
Children's Safeguarding & Specialist Services	3	3	Council not at fault (1) Local Settlement (1) Premature complaint (1)
Customer Services	5	3	Premature complaint (1) Not investigating (1) Local Settlement (2) Still under investigation (1)
Development, Business & Employment	12	5	Council at fault, but no injustice (1) Not investigating (6) Council not at fault (2) Still under investigation (1) Council at fault, injustice found (1) Premature complaint (1)
Education and Corporate Parenting	2	1	Council not at fault (1) Not investigating (1)
Neighbourhood and Leisure	2	1	Not investigating (1) Council not at fault (1)
Family, Cohesion Services & Commissioning	2	2	Still under investigation (1) Council at fault, but no injustice (1)
Planning Specialist	1	0	Premature complaint (1)

4.7 Requests For Information

4.7.1 See table below for figures relating to FOI performance for the year 1 April 2014 to end of March 2015 compared with the same period for the previous year:

	14/15	13/14	% Increase / Decrease
Number of FOI requests received	1126	1076	+5%
Average number of FOI requests received per month	94	90	+4%
% of FOI requests responded to within statutory deadline	93	95	-2%
Average time taken (days) to respond to each request	10	10	-

4.7.2 As can be seen from the figures in the table above, the Council's performance in responding to FOI requests within statutory deadlines has slightly reduced (down by 2%) from 2013/14 however there were 5% more requests received in the year. This still compares favourably with the ICO benchmark of responding to 80% of FOI requests received with 20 working days.

4.7.3 Between 1 April 2014 and 31 March 2015 the Council received 57 Subject Access Requests (SAR's), this compares to 65 requests for the same period in 2013/14. 94% of SAR's received have been processed within the 40 calendar day deadline (95% of SAR's processed within deadline for 2013/14). This is a slight reduction in performance however still compares favourably with the Information Commissioner's benchmark of responding to 80% of SAR's within 40 calendar days

4.7.4 In addition to the above the Council received 48 requests that were processed under the Environmental Information Regulations (EIR) 2004. 89% of these requests were responded to within the 20 day deadline.

4.7.5 Detailed performance for each service area is detailed in Appendix C

4.7.6 Of the 1132 applications that were processed, we received 21 appeals. 1 is still active of the 20 remaining : 6 were not upheld, 10 were partly upheld, 4 were upheld (5)

4.7.7 In addition we received 4 appeals from the ICO (from two customers) and the ICO ruled in the Councils favour in all 4 cases

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Complaints Response Performance for Each Service Area - Corporate Stage 1 Complaints

Appendix A

Service	% responded to within deadline	No Responded to In 15 days	No Responded To After 15 days	Total Complaints	% Upheld/ Partly Upheld
Adult Social Services	52	15	14	29	55
Children's Safeguarding & Specialist Services	40	4	6	11*	36
Co-operative Council & Commercial Delivery Unit	100	3	0	3	67
Corporate Core	100	1	0	1	0
Cross Portfolio	57	8	6	14	57
Customer Services	93	257	19	276	43
Development Business & Employment	71	56	23	79	15
Education & Corporate Parenting	83	5	1	6	17
Family & Cohesion Services & Commissioning	88	22	3	25	24
Finance, Audit & Information Governance	83	5	1	6	83
Health, Wellbeing & Public Protection	83	15	3	18	17
Law, Democracy & People Services	82	9	2	11	36
Neighbourhood & Leisure Services	88	270	36	306	45
Planning Specialist	100	1	10	1	100
Overall Total	85	670	117	787*	39

*includes complaints which are still under investigation

MP Enquiries

Appendix B

Service	Number Received due for Response				Number Responded to in 10 Days				% Responded to in 10 Days			
	Mark P	David W	Other MP	Total	Mark P	David W	Other MP	Total	Mark P	David W	Other MP	Total
Adult Social Services	4	22	1	27	2	19	-	21	50	86	-	78
Children's Safeguarding & Specialist Services	3	7	2	12	2	6	1	9	67	86	50	75
Co-operative Council & Commercial Delivery Unit	1	0	0	1	0	-	-	0	0	-	-	0
Cross Portfolio	1	6	0	7	0	5	-	5	0	83	-	71
Customer Services	6	18	0	24	6	16	-	22	100	89	-	92
Development, Business & Employment	14	28	1	43	8	24	1	33	57	85	100	77
Education & Corporate Parenting	1	9	0	10	1	6	-	7	100	67	-	70
Family, Cohesion Services & Commissioning	5	19	1	25	3	17	1	21	60	89	100	84
Health, Wellbeing and Public Protection	5	17	2	24	5	15	2	22	100	88	100	92
Neighbourhood & Leisure Services	19	56	2	77	16	39	2	57	84	70	100	74
Law Democracy & Peoples Services	-	1	0	1	-	1	-	1	100	-	-	100
Planning Specialist	1	1	0	2	1	1	-	2	100	100	-	100
Overall Total	60	184	9	253	44	149	7	200	73	80	78	79

Freedom of Information Requests

Service area	Total	Due For Response	Responded to within 20 days	% Responded to in 20 days
Adult Social Services	46 (63)	43 (630)	33 (58)	76.7% (92.1%)
Children's Safeguarding	85 (53)	83 (53)	70 (41)	84.3% (77.4)
Co-operative Council;	20 (10)	20 (10)	20 (10)	100% (100%)
Corporate Council	4 (2)	4 (2)	4 (2)	100% (100%)
Cross Council	61 (38)	58 (38)	47 (36)	81.1% (94.7%)
Customer Services	256 (314)	255 (314)	246 (305)	96.5% (97.1%)
Development Business employment	85 (78)	84 (78)	77 (74)	91.7% (94.9%)
Education & Corporate parenting	35 (37)	35 (37)	32 (35)	91.4% (94.6%)
Economy & Skills	(1)	(1)	(1)	(100%)
Cohesion Services	108 (89)	107 (89)	101 (85)	94.4% (95.5%)
Finance, Audit & IG	84 (131)	84 (131)	81 (128)	96.4% (97.7%)
Health & wellbeing	97 (32)	96 (32)	91 (31)	94.8% (96.9%)
Law and Democracy	108 (80)	106 (80)	100 (76)	94.3% (95%)
Neighbourhood & Leisure Services	137 (138)	137 (138)	132 (130)	96.4% (94.2%)
Planning Specialist	1	1	1	100%
Total	*1126 (1067)	1112 (1067)	1034 (1013)	93% (94.9%)

*Under legislation LA is able to extend to 40 days so this figure is -6 that were extended from the reported 20 days.

Environmental Information Regulations Requests

Service area	Total	Due for Response	Responded to within 20 days	% Responded to in 20 days
Co-operative Council	1 (1)	1 (1)	1 (1)	100% (100%)
Cross Council	2 (1)	2 (1)	2 (1)	100% (100%)
Customer Services	1	1	1	100%
Development Business & Housing	15 (8)	15 (8)	13 (5)	86.7% (62.5%)
Audit & IG	(2)	(2)	(2)	(100%)
Health Wellbeing & Public Protection	12	12	10	83.3%
Law Democracy & People Services	1 (2)	1 (2)	1 (2)	100% (100%)
Neighbourhood & Leisure Services	13 (15)	13 (15)	10 (14)	76.9% (93.3%)
Planning Specialist	1	1	1	100%
Total	46 (29)	46 (29)	39 (25)	84.8 % (86.2%)

Data Protection Act Requests

Please note data protection requests for Adult Social Services and Children's Safeguarding are time consuming due to the volume of records they relate to and the amount of subsequent time it takes to review and redact these documents prior to their release.

Service area	Total	Due for Response	Responded to within 40 days	% Responded to in 40 days
Adult Social Services	11 (9)	10 (9)	9 (9)	90% (100%)
Children's Safeguarding	17 (24)	16 (24)	14 (22)	87.5% (91.7%)
Cross Council	12 (2)	12 (2)	12 (2)	100% (100%)
Customer Services	4 (7)	4 (7)	4 (7)	100% (100%)
Development Business	(1)	(1)	(1)	(100%)
Education & Corporate Parenting	2 (1)	2 (1)	2 (1)	100% (100%)
Family and Cohesion	2 (11)	2 (11)	2 (10)	100% (90.9)
Finance Audit and IG	3 (4)	1 (4)	1 (4)	100% (100%)
Neighbourhood Leisure	1	1	1	100%
Total	52 (60)	48 (60)	45 (57)	93.8% (95.5%)

LGO Lessons Learnt

Appendix D

Date Received	Respond Ref	Service Area	LGO Final decision date received & finding	Comments by Service Delivery Area of lessons learned
14/05/2014	22682	Planning	11.06.14 Evidence of fault by Council but no significant injustice suffered by complainant.	In this case the complainant did not receive a neighbour notification letter when a planning application was submitted opposite their home. The Council then changed its neighbour notification procedures so that the validation officer produces a screen shot of the properties notified so that this can be checked by the planning case officer. The failure to notify did not result in any significant injustice as on the balance of probabilities the decision to grant planning permission would have been the same even if the complainant had been able to comment.
21/11/2014	35263	Adult Social Care	18.02.15 At fault actions to be carried out and compensation paid of £100 plus reimburse care expenditure.	The need to comply with The Care Act Legislation, ensures the eligibility criteria makes it clear where an assessment should be carried out. Following an assessment, the assessor will send a letter out to the enquirer, with information regarding their assessment criteria. Secondly, we are carrying out a random audit of 10 assessments/contacts carried out following the Care Act implementation, to ensure compliancy. A training session with the present Access team has been organised to learn lessons from this case.
04/12/2014	32803	Revenues	18.02.15 At fault but compensation already paid so no further action	A human error resulted in a council tax discount not being awarded at the correct time, and recovery notices being subsequently issued. The Officer has been spoken to about the importance of checking the work that they undertake. A percentage check of quality checks is already undertaken of Officers work.