

## Report to Scrutiny Board

<b>Name of Scrutiny Board</b>	<b>Strategy and Performance</b>
<b>Meeting Date</b>	25 October 2023
<b>Subject</b>	Annual Complaints and Compliments Briefing Note (Inc LGO update).
<b>Wards Affected</b>	All wards
<b>Report of</b>	Director, Public Services

### Why is it coming here?

The purpose of this report is to provide Members with information regarding complaints and compliments received for Calderdale Council. The reporting period covered by the report is from the 1 April 2022 to 31 March 2023 and supplements the data provided on the Council's website. [Council complaints \(calderdale.gov.uk\)](https://www.calderdale.gov.uk/council-complaints)

It should be noted that Adult Health & Social Care and Children's Social Care complaints and compliments are reported separately as these are managed through separate statutory complaints procedures.

### What are the key points?

During this reporting period the Council received 471 representations, 210 formal complaints and 261 compliments.

The following report provides an outline and analysis of the nature and type of complaints and compliments that were received. The report also outlines complaints received by the Local Government and Social Care Ombudsman.

Calderdale Council welcomes customer feedback, to help us to identify and address problems for customers, and to improve our services.

### Possible courses of action

Members are asked to consider and comment on this report.

### Contact Officer

Faye Hamer, Customer First Operational Lead

### Should this report be exempt?

No

## Background

Good complaint handling requires effective procedures and well-trained staff alongside a positive complaints culture that enables those procedures to achieve maximum impact.

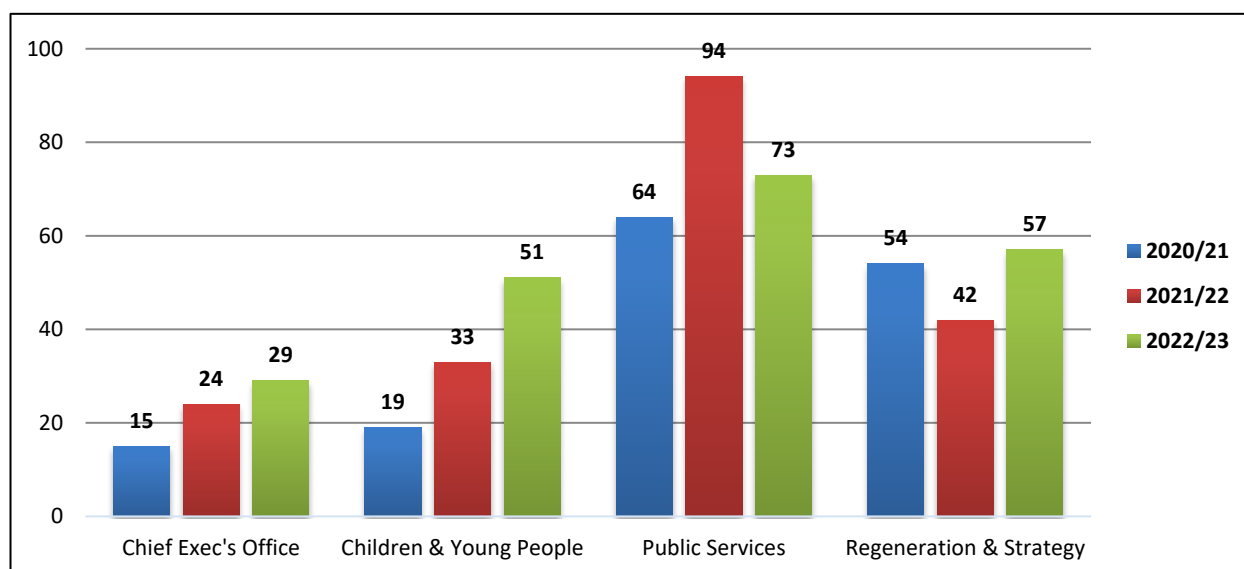
Organisations must embrace complaints through increased transparency, accessibility, and complaint handling governance.

The Council produces a qualitative and quantitative analysis of the organisation's complaint handling performance and compares it with previous years.

## Main Issues for Scrutiny

### 1. CORPORATE COMPLAINTS

During the period 1 April 2022 to 31 March 2023, the Council received 210 complaints. The graph below highlights the number of complaints per directorate, with a year-on-year comparison, inclusive of complaints that were subsequently withdrawn.



Overall, there was an increase in the number of complaints received during 2022/23. Increases notably being seen within Children & Young People services and Regeneration & Strategy. Public Services saw a decrease in the number of complaints received for the financial year.

Focusing on the Children & Young People services complaints, 16 of the complaints related to Special Educational Needs (SEND), with 1 being withdrawn prior to the completion of the investigation.

Of the 15 investigated complaints for SEND:

- 1 related to staff conduct,
- 2 were for the level of service received by the service,
- 4 were for delays experienced in the provision of the service,
- 8 were for decisions made by the service regarding the provision of support.

### 2. COMPLAINT OUTCOMES

## 2.1

Of the 210 complaints that were received:

- 103 (49.05%) were upheld or partly upheld,
- 87 (41.43%) were not upheld,
- 20 ( 9.52%) were withdrawn.

	Upheld			Partially upheld			Not upheld			Withdrawn		
	20/21	21/22	22/23	20/21	21/22	22/23	20/21	21/22	22/23	20/21	21/22	22/23
Chief Exec's	1	2	6	5	7	6	6	13	14	3	2	3
CYPS	3	4	9	5	12	23	8	12	16	3	5	3
Public Services	4	14	16	10	17	17	34	34	31	16	29	9
Regen & Strategy	0	7	7	10	8	19	31	23	26	13	4	5
Total	8	27	38	30	44	65	79	82	87	35	40	20

## 2.2

The 190 complaints that were investigated (20 were withdrawn) have been categorised as follows:

- 70 Policy / Service decision.
- 44 Service delay.
- 28 Service level / quality.
- 24 Staff conduct / attitude.
- 9 Financial.
- 4 Enforcement Action.
- 3 Communication.
- 3 Other.
- 2 Service change.
- 2 Hybrid / Insurance.
- 1 Confidentiality.

The Complaints and Compliments team use this information to identify which service areas may require additional training or support. The Complaints and Compliments Officer regularly reviews themes and trends identified from the periodic reports and works closely with services to ensure complaints are concluded in a timely, professional and customer focussed manner.

Complaints for policy / service decisions were the highest received this year at 70 and this shows an increase from 2021/22 when 54 were received.

Extracts of complaints received:

- Decision by the Allotments department to offer a plot to a member of the public who had been on the waiting list for two years, the plot was accepted after 12 days, however the offer had been allocated to someone else at this point. The complaint was upheld because the letter had been issued including a longer timescale to accept the offer due to the Christmas period, the systems had not been changed to reflect the revised timescales. The customer was allocated as a priority for when a plot became available and offered to remove fees for a year.
- Decision by Highways to decline the approval of a dropped kerb application. The application was appealed via the complaints procedure, where a review took place and provided clear rational behind the decision to refuse the application. The complaint was not upheld.

Other areas of concern related to service delay where 44 complaints were received, this is a year-on-year increase from 2021/2022 when 38 complaints were received.

Primary reasons for this category of complaint:

- Delays in Planning decisions.
- Missed Waste and Recycling collections.

### 3. RESPONSE TIMES

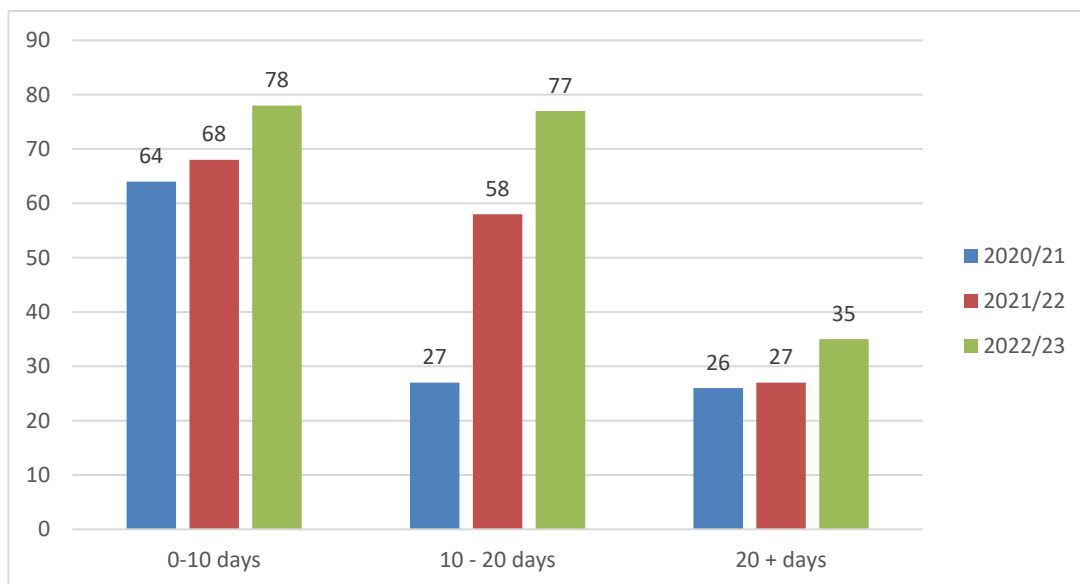
#### 3.1

The Council's process for handling complaints recognizes the importance of addressing concerns promptly. The assigned investigator is expected to provide a detailed response within 10 working days. If a complete response within this timeframe is not feasible, the investigator is instructed to communicate with the complainant and mutually agree on an extended deadline. In the year 2022/23, the average response time was 15 working days, a slight increase from the previous year's 14 working days. Despite this minor uptick, 81.58% of cases were successfully resolved within the specified timeframe.

Out of the 190 complaints under investigation:

- 78 (41.05%) were resolved within 10 working days.
- 77 (40.53%) were resolved within 20 working days.
- 35 (18.42%) took more than 20 working days to be resolved.

The graph below illustrates a comparison of response times over the past two years of investigations.



#### 3.2

To enhance our efficiency and speed in addressing concerns, the Complaints team consistently tracks the duration taken to conclude investigations. When required, we collaborate with various services, providing performance data, and extending further training or support as needed.

#### 4. COMPLIMENTS

The council values feedback from its customers and whilst its focus is to resolve problems and issues raised as complaints, it is also important to recognise the positive feedback that is received from customers.

261 compliments were received within this period. The table below highlights the number of compliments received by directorate. Compared with two previous years data.

Directorate	Compliments 2020/21	Compliments 2021/22	Compliments 2022/23
Chief Executives Office	6	7	3
Children & Young People Service (Not Social Care)	12	23	14
Public Services	163	179	219
Regeneration & Strategy	16	44	25
<b>Total</b>	<b>197</b>	<b>253</b>	<b>261</b>

Reminders are regularly sent out to teams prompting them to send compliments and positive feedback to the Complaints and Compliments team to be captured. Extracts below indicate the type of compliments received:

- I just want to say thank you for taking the climate emergency seriously, and for taking steps to head in the right direction. It's so refreshing to see that people in charge are acting and making plans to tackle these very real issues. Zero Carbon Calderdale is a great campaign and I'm sure there are many other locals who feel positive and hopeful about it too.
- Just a note of thanks to you and all the team at the library for being such wonderful hosts. We try not to be too demanding at our Crochet Club (often unsuccessfully) but no matter what we ask, this week to house a twin headed Remembrance Day memorial, it's always met with such kindness, professionalism, and positivity. I can't thank everyone enough for helping make the little club just get better and even more happy. Tuesdays are a real highlight of the week these days, you're allowing us the use of the space has been such a blessing and the whole group agree we were very fortunate to have found you. Thank you.
- I would like to send heartfelt gratitude to the advisor (resident parking permit application) who was so very kind and patient and led me through the application while I ranted and raved in frustration. She could not have been more helpful.
- I would like to say a huge thank you for your contribution to make this 22nd Festival des Panards a big success. All our participants were eager to come back to this; our normality and they were not disappointed! They embraced dancing, playing, learning, meeting old friends and making new ones, and the atmosphere kept very convivial as they were very aware of the precious experience brought by all your talents and contribution. The feedback has been fantastic, and it has fired us up to prepare for the next event next year. So once again, un grand merci and we wish you all the best for future ventures.
- Just wanted to express my thanks to the team that came to pick up a very bulky, large fridge freezer for me. I don't know the name of the two men who came to my property but hopefully you can trace them. Having worked for a LA myself, people are very quick to complain but not so

quick to give a compliment. The team who came certainly deserve it! This was the second attempt to have the item removed and the 2 guys that came this time were amazing. Nothing was too much trouble for them even though it was a bit of a challenge. Effective, efficient and such personable, friendly guys who just got on and did the job with a smile on their face. Great service.

- I would just like to provide some feedback following a situation I found myself in yesterday, whilst I was attending Brighouse library. Unfortunately, my car received a puncture when leaving the building, so I had to contact my Breakdown company. The 2 men who were covering reception through the 2 1/2 hours I had to wait, were so kind and helpful. They ensured I knew where to get a drink (and even a chocolate biscuit) and kept checking to see if I had managed to sort my recovery pick up out. I was able to stay in the building right up to when they locked up for the day, which was perfect timing as the breakdown pick up arrived at that very moment, meaning I had stayed warm and dry throughout my wait. I also witnessed the time and genuine interest they showed to members of the public coming into the library, whether this was to change their library books or get advice for further support. Your staff should be commended for their dedication and sincere passion they clearly have for their role within the library!
- We had 8 girls who have all either experienced exploitation or are highly vulnerable to do so, a number of these girls have also unfortunately had some sort of interaction with the police and may be pushing boundaries / displaying challenging behaviour that could get them into trouble in the future. You both engaged with the girls throughout and provided a session involving a quiz relating to crime and consequences alongside having conversations and answering any questions the girls had whilst completing some reparation letters. All our girls during feedback, have expressed that they enjoyed this session and had learnt something. One of the girls who initially did not want to engage at all due to the knowledge that you were youth justice workers got involved the most and has now reflected on her initial views. A massive thankyou to you both as it was extremely beneficial for our girls to gain a better understanding around crime / consequences and risk from another agency as well as seeing them build relationships with other professionals, essentially helping to break down those barriers of engagement.

## **5. TRAINING AND DEVELOPMENT**

The Complaints and Compliments Team provide training and support for all colleagues who are responsible for investigating complaints. The aim is to provide training that specifically relates to their individual area and working practices and identifies how to define a complaint, how to complete a robust investigation and how to respond fairly and proportionately.

The latest sessions have been redesigned with an updated PowerPoint presentation and are delivered remotely. Sessions are arranged either when requested, or when identified by the Complaints and Compliments Officer.

It is important to highlight that these training sessions undergo continuous assessment to ensure their relevance and that they follow current guidelines. These sessions are conducted through remote PowerPoint presentations. Encouragingly, there has been a positive response to the training.

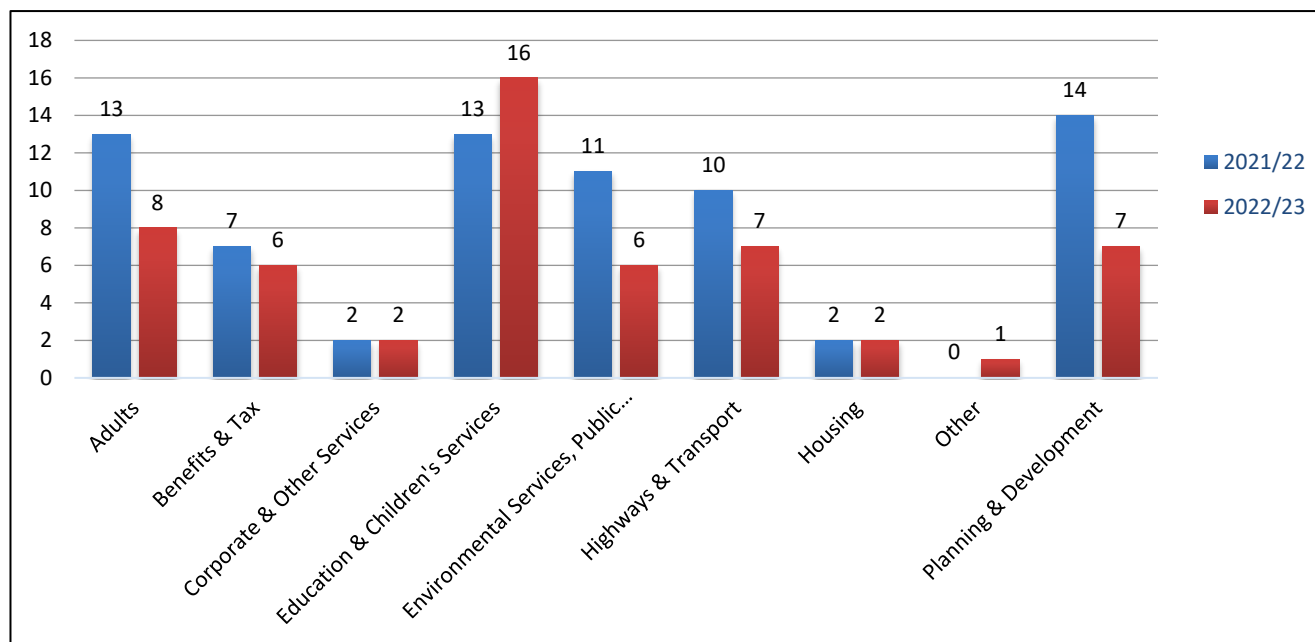
## **6. LGO UPDATE**

The complaints that the Local Government and Social Care Ombudsman (LGO) addresses here were previously handled and investigated by our Council through our internal complaint procedures. The

data is sourced from the Ombudsman's annual report, comparing the reporting periods of 2021/22 and 2022/23.

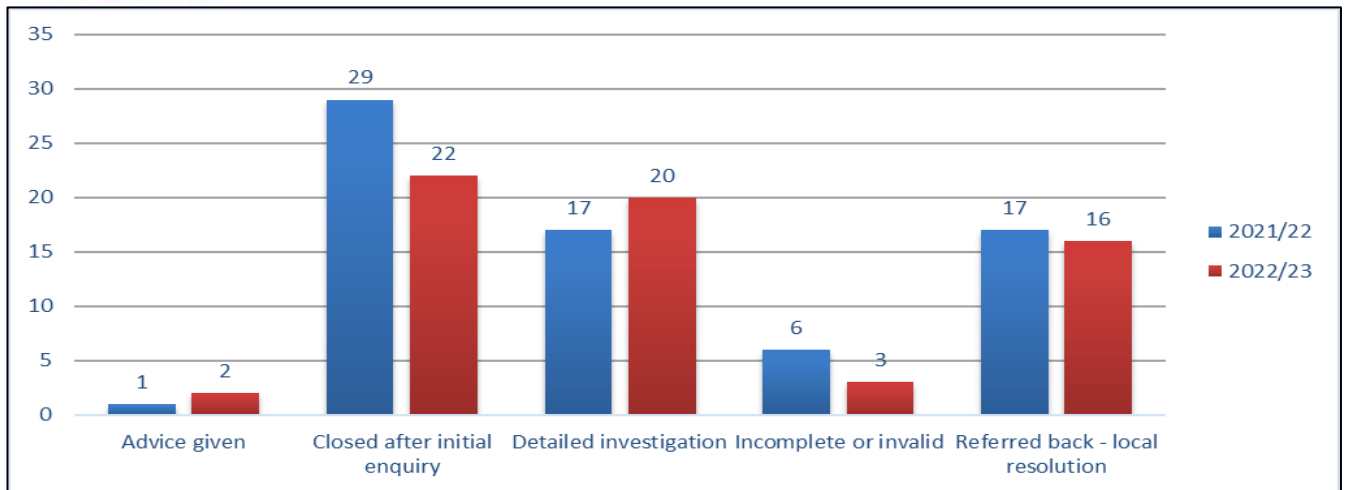
## 6.1 Overview of Ombudsman Complaints:

The total number of complaints and inquiries received by the Ombudsman decreased from 72 in 2021/22 to 55 in 2022/23. The graph below breaks down these complaints by service type. It's important to note that due to the complexity of some complaints and the time needed for external stakeholder input and LGO assessment, not all complaints are closed within the same reporting period, potentially leading to final decisions in different years.

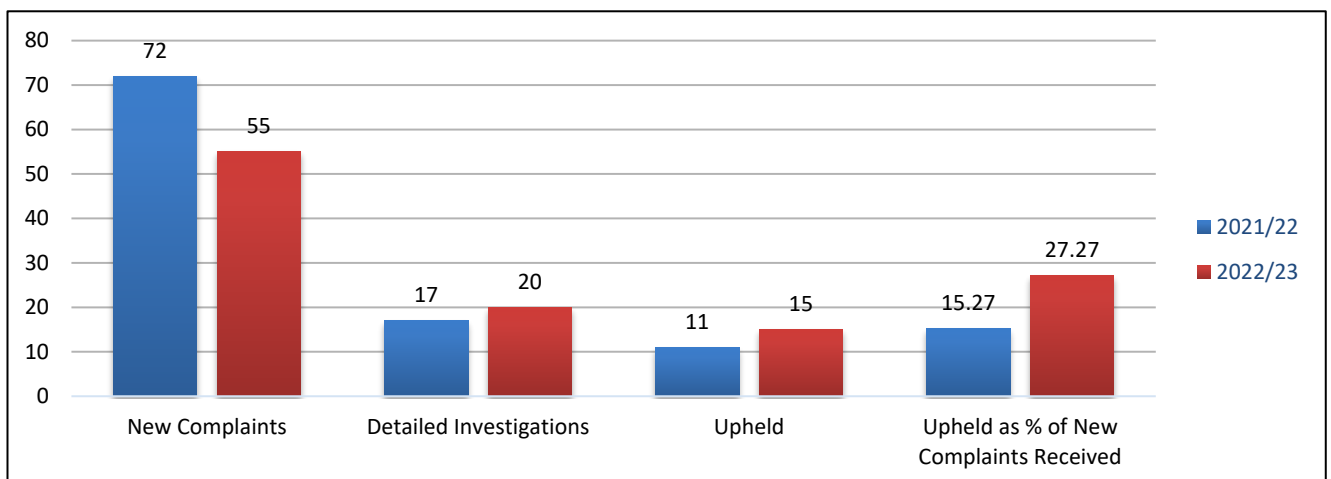


The Ombudsman conducted 20 detailed investigations in 2022/23, compared to 17 in 2021/22, with 75% upheld, an increase from 65% in the previous year. The Ombudsman, after a review, has become more selective about the complaints they delve into, prioritizing those in the public interest. Changes in uphold rates are not solely due to the nature of cases but also the Ombudsman's increased selectivity.

Calderdale's uphold rate of 75% is slightly below the national average of 77% for similar authorities (refer to 6.4 for details). The graph shows a year-on-year comparison, including the percentage of upheld complaints against the number of new complaints received.



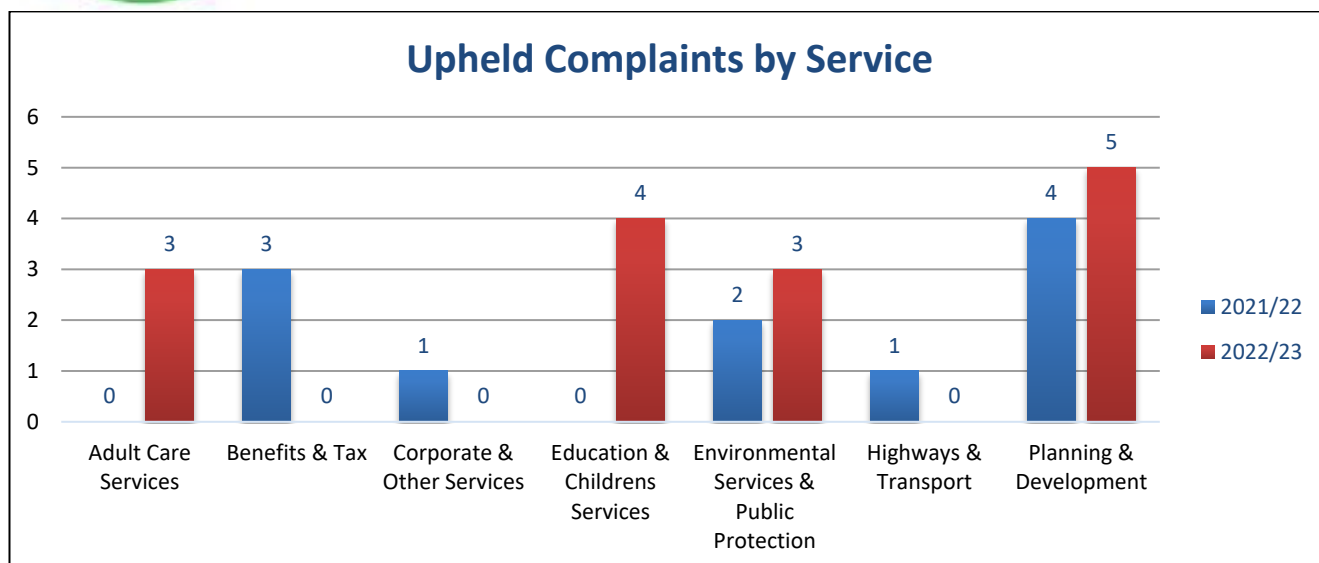
Calderdale's uphold rate of 75% is slightly below the national average of 77% for similar authorities (refer to 6.4 for details). The graph shows a year-on-year comparison, including the percentage of upheld complaints against the number of new complaints received.



### Complaints Upheld by Service Area:

- Not every complaint is suitable for the Ombudsman to investigate, reasons being:
- The Ombudsman may decide against investigation if it falls outside their remit or existing governance/legislation.
- Complaints may be referred back to the authority for investigation if the complainant didn't follow the Council's complaint process initially.

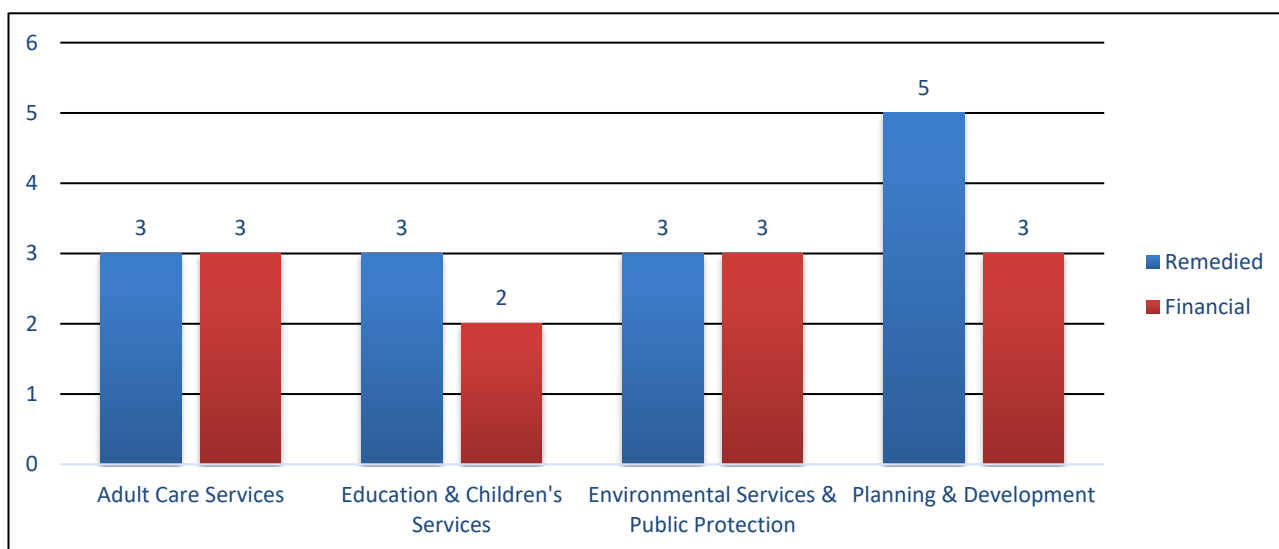




## 6.2 Remedies for Upheld Complaints:

Out of the 15 upheld complaints, the Ombudsman recommended remedies in 14, while the remaining complaints were appropriately resolved during the Council's initial complaint investigation. If the Ombudsman finds fault in the way the authority carried out its duties, they consider whether this caused an injustice, making recommendations for the Council to implement. Recommendations serve as remedies and don't necessarily imply a direct injustice to the complainant.

The graph illustrates the number of remedies per service area, indicating a rise in financial remedies from 54.5% (2021/22) to 73.3% (2022/23).



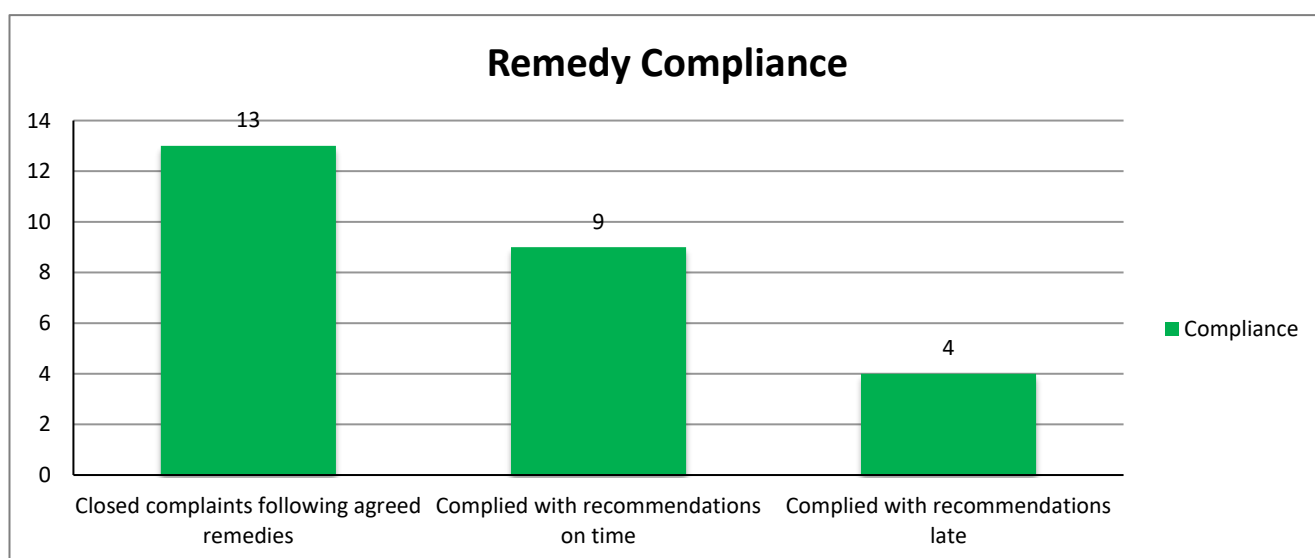
Extracts of some of the final decisions where financial redress were requested are as follows:-

- The Ombudsman found fault by the Council, NHS Trust and Integrated Care Board in terms of the care and support provided to a man with complex needs. It is recommended that these organisations carry out a thorough reassessment of his needs and put in place a comprehensive care plan that sets out how they will meet his needs.

- The Council failed to support the special educational needs. There was a delay in the process, poor communication, and a lack of oversight when problems arose at one setting.
- The Council didn't fully respond to complaints of anti-social behaviour. While the Council did not follow the correct procedures, it did act, but has not gathered sufficient evidence to enable it to take action against any perpetrators. There is also fault in how it responded to a community trigger request.
- The Council did not fully consider concerns raised about alleged planning breaches regarding a Grade 2 listed building near a property. The Council failed to take sufficient enforcement action and delayed acting on concerns raised. Fault was identified by the Council.

### 6.3 Late Compliance

The Ombudsman closed 9 complaints during this period with a 100% compliance rate. Nine were completed on time, while four were closed outside agreed timescales. Late compliance instances have been evaluated, and an action plan has been developed to prevent delays based on the LGO Annual Review.



### 6.4 Performance Comparison:

A table compares Calderdale's performance with neighbouring West Yorkshire authorities in terms of detailed investigations, investigations upheld, and the percentage upheld.

Local Authority	Detailed Investigations	Investigations Upheld	% Upheld
Leeds	54	37	69%
Bradford	34	26	76%

<b>Calderdale</b>	<b>20</b>	<b>15</b>	<b>75%</b>
Kirklees	16	11	69%
Wakefield	14	10	71%

FOR FURTHER INFORMATION ON THIS REPORT CONTACT:

Faye Hamer

Customer First Operations Lead

[faye.hamer@calderdale.gov.uk](mailto:faye.hamer@calderdale.gov.uk)