

**Manchester City Council
Report for Information**

Report to: Audit Committee – 6 October 2016
Subject: Corporate Complaints Process and Reporting
Report of: City Treasurer

Summary

This report presents the 2015/16 Annual complaints and enquiries dashboard, which sets out the Council's annual performance in the management of corporate and social care complaints, Councillor and MP enquiries, as well as information on how the Council has used this information to influence service improvements. This was referenced at the Audit Committee on 9 June, where it was requested that this information be presented to Members annually, for scrutiny. Also included is a brief summary of the complaints process and the role of the Corporate Complaints Team (CCT).

Recommendations

Audit Committee Members are asked to note the report and approve the distribution of an annual report to this Committee which summarises the performance of the Council in the management of complaints.

Wards Affected

All

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1.0 Introduction

The Corporate Complaints Team

- 1.1 Whilst all managers are responsible for responding to complaints, the Council's process is overseen and coordinated by the Corporate Complaints Team (CCT), based within the Performance, Research and Intelligence (PRI) service of the Corporate Core. This team came together in PRI in 2011 and provides a centralised support function to all directorates, including leading on the management of social care complaints under statutory social care procedures for Children's and Adults. The rationale for aligning complaints to PRI was to ensure complaints were seen as an important insight that would support performance improvement in a corporate and transparent way.
- 1.2 This team is responsible for working with service managers to:
- quality assure responses
 - monitor and influence response timescales
 - ensure engagement with the complaints learning process
 - provide general advice and guidance on complaints policy and procedure and ensure compliance with it.
 - Prepare performance management information to ensure scrutiny and challenge in meeting complaints and enquiry performance indicators.
- 1.3 The team also manages the complaint responses at the final stage of the complaints process, and offers a review of the service's actions in the corporate complaints process on behalf of the Chief Executive. The Team manage the relationship with, and responses to, the Local Government Ombudsman as well as MP enquiries made directly to the Chief Executive.

The Current Complaints Process

- 1.4 During the 12 month period to 31 March 2016 covered in this report, the Council operated its complaints process in three stages¹, with each stage offering an escalated review of the complaint and decisions made. Responses must be made to corporate complaints within ten working days.
- 1.5 Issues raised by MPs and Councillors are handled under a similar framework, but these are recorded as "*enquiries*" rather than complaints; the response target is also ten working days. If the issue raised relates to a specific service user who remains dissatisfied with the Council's response, then the service user may be encouraged to enter into the complaints process via the MP, in order to secure an independent review of the issue by the Corporate Complaints Team, and if they then deem appropriate, the Local Government Ombudsman.

¹ This has now been reviewed, and from January 2017, the complaints process will be reduced to only two stages. See section 4 for more details.

- 1.6 Social Care complaints are handled separately to the corporate process, as they are covered by statutory legislation. Complaints which relate to statutory social care services for Adults are covered by *The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009* and those relating to Children's Services statutory procedures are set out under the *Children's Act 1989: Representations Procedure (England) regulations 2006*. For Adults social care, there is a one staged complaints process, after which the complaint is referred to the Ombudsman. Children's Services social care complaints follow three stages, with defined procedures for independent people to be appointed to manage the investigation at the second stage; the third stage stipulates the appointment of an independent panel to review the outcome before referral to the Ombudsman.
- 1.7 Although legislation sets timescales for Children's Social care complaints (Stage one, maximum of 20 working days, Stage two, maximum of 65 working days and Stage three Review Panel, must be organised within 30 working days), Adult social care legislation does not, but states timescales must be negotiated with the customer. That said, the Council aims to complete Adults complaint responses within 20 working days, in line with the process for Children's Services complaints.
- 1.8 Once the Council's corporate or social care complaints process has been exhausted, the complainant has the right to refer their complaint to the independent Local Government Ombudsman, who then makes enquiries of the Council; a response to which must be provided within 28 calendar days. Following their enquiry, the Ombudsman will make a decision and issue recommendations which the Council is required to follow.

2.0 Performance Management of Complaints

- 2.1 As part of the governance arrangements for the complaints process, a performance management framework exists, whereby a complaints and enquiry dashboard is prepared and presented by the Corporate Complaints Team to each Directorate Management Team every quarter. This enables the scrutiny of complaint and enquiry performance in several areas:
- meeting the service standards for responding to corporate complaints within the locally agreed standard of ten working days or responding to social care complaints within the statutory timescale of 20 working days;
 - the percentage of complaints being upheld;
 - response times to, and findings from, the Local Government Ombudsman, and;
 - the key learning outcomes as a result of complaints.

It also covers the performance of MP and Councillor enquiries.

- 2.2 This process is then replicated at the Strategic Management Team meetings, where a combined Directorate dashboard is presented for Strategic Directors to peer assess and scrutinise performance; enabling them to take action to address issues.

2.3 Attached to this report is the full annual complaints dashboard for the financial year 2015/16, along with a summary of key performance highlights and areas of concern for the year. Performance in responding to complaints is published regularly on the Council's website. However, it is acknowledged that introducing annual reporting to Audit Committee will strengthen transparency in this area and ensure members have oversight of how the Council is responding to the complaints and concerns of the public. Strategic Directors are also encouraged to share their Directorate complaints reports with their associated Executive Members on a quarterly basis. Performance information and general complaints information on processes, and support for the public can be viewed online at:
http://www.manchester.gov.uk/info/200025/complaints_comments_and_questions/4218/complaints_performance

2.4 Whilst the accompanying complaints dashboard highlights performance for each measurable indicator in more detail, in summary, the table below shows the annual performance for 2015/16, when compared with the previous year:

Period	Stage 1 and 2 complaints	Performance target 96% within 10 working days	Social Care	Performance target 96% within 20 working days	MP Enquiries	Performance target 96% within 10 working days	Ombudsman Enquiries	Performance target average response within 28 calendar days)
2014/15	1864	89%	314	55%	1321	82%	39	28 (26% upheld)
2015/16	1841	85%	220	70%	1331	80%	27	28 (42% upheld)

- Performance in responding to Corporate Complaints within target has declined, but only slightly, when compared with last year. Numbers dealt with have been largely consistent (1,841 in 2015/16 compared with 1,864 in 2014/15), with 85% handled within the ten day target compared with 89% in 2014/15. The percentage of complaints escalating through the stages of the process is only just above the annual 10% target at 12%, which is encouraging as it shows the majority of cases are being handled to the complainant's satisfaction early on.
- The percentage of Social Care complaints responded to within target has increased quarter on quarter in 2015/16. Outturn for 2014/15 was 55%, up to 70% at the end of 2015/16, showing a significant improvement, although numbers received have also significantly reduced (down from 314 to 220 in 2015/16). A new process has now been implemented which provides social care managers with only ten working days to respond to these complaints, and requires them to seek an extension from a senior manager to extend this to the 20 working days set out in legislation. This has been successful in improving performance in this area, as managers are now focussing on cases much earlier on, assessing the complexity, which focuses them on seeking an

extension only where this is needed. This, in turn, means that more cases are being resolved within ten working days.

- The number of MP enquiries handled by the Council stands at 1,331 for 2015/16, a slight increase on the number handled in the previous year (1321). The annual performance for those responded to within ten working days is 80%, a slight decrease on the previous year where performance stood at 82%.
- Performance for responding to the Ombudsman is on target at an average of 28 calendar days. The volume received has reduced from 39 to 27. The percentage of upheld complaints from the Ombudsman in 2015/16 is a concern, as this has increased from 26% in 2014/15 to 42% in 2015/16. It should be noted that the Ombudsman still records a complaint as upheld even where the Council has already acknowledged the fault and upheld it through our own procedures. In response to this, a new policy has been developed to deal with remedying complaints, which provides guidance on appropriate redress and resolution of cases with the aim of reducing Ombudsman involvement. Whilst the Council must accept that complaints may still be pursued with the Ombudsman, it is anticipated that this new policy will assist in reducing the number of cases where the Ombudsman remains dissatisfied with the remedy the Council has already proposed where fault has been found. In addition, a briefing session is being delivered for staff which will cover the key messages around this priority and the need to focus on reducing the number of cases the Ombudsman upholds. These are being delivered throughout October, November and December 2016.

3.0 Learning from Complaints and Service Improvements

- 3.1 A learning process currently exists to ensure that when something goes wrong in service delivery, and a complaint is made, the Council can use this intelligence to feed back into its service planning and share with officers where they need to improve practice and performance.
- 3.2 There are examples of where the learning process has resulted in changes to services, for instance, the Travel to School policy, whereby as a result of a number of complaints, the procedure for assessing applications was changed and the appeals process was reviewed and strengthened. Another example from a Planning enforcement complaint exposed that proposed planning conditions attached to an approval were unenforceable; a new process was therefore established to ensure all conditions proposed are assessed and verified by the Enforcement Section to ensure that they do not limit enforcement action in future. In social care, a review of the Family and Friend's Carer Policy and Guidance was initiated, following a number of complaints about lack of clarity and entitlements for carers in this position. This led to a clearer and more robust policy that provided template correspondence letters and information to carers to inform them of their rights at the point of agreeing to provide care.
- 3.3 A further selection of these examples are highlighted on the Council's website at:

http://www.manchester.gov.uk/info/200025/complaints_comments_and_questions/67/complaints_comments_and_questions/5

- 3.4 Whilst there are a number of examples to show that complaints are making a difference, the learning process is being strengthened so that those complaints that are a concern in terms of risk and impact on the complainant will now have a *Learning Action Plan*, which will be developed and monitored by the Corporate Complaints Team, working with the service manager, to secure ownership and commitment to the actions and timescales. In addition, once the plan is signed off as completed, the key actions and learning outcomes will be shared in a communication bulletin across the service, and beyond if necessary, to ensure that the impact of the learning improves practice and performance in the future.

4.0 Changes to the Complaints Process from 1 January 2017

From 1 January 2017, all corporate complaints will be handled through a two stage process, with the Corporate Complaints Team responsible for reviewing the case at stage two, with the third stage removed from the procedure. This will bring the following key benefits:

- Reduce bureaucracy and time spent on navigating the complaints process will be reduced for both officers and complainants.
- Reduce the number of officers the complainant needs to deal with, and make it easier for them to express their views, without having to repeat their dissatisfaction up to three times before the process concludes.
- Provide more opportunity for the complainant to get involved in how their complaint might be resolved at the second stage, with greater consideration built in for meeting their desired outcomes, as the Corporate Complaints Team will now make contact with them to discuss their complaint at the second stage.
- Opportunity for independent review earlier – often complainants express dissatisfaction that the current procedure permits services to investigate their own complaints. With this revision, the Corporate Complaints Team will be involved sooner, and be able to provide their independent view of the issues, and influence the remedy and resolution earlier on.
- Speed up their access to the Local Government Ombudsman by making referrals earlier.
- The process will be more closely aligned to good practice advice from the Local Government Ombudsman, who recommends only two stages.

The process revision will also build in:

- The option to extend the timescale to 15 working days in the most complex of cases at stage two, providing this has been negotiated with

the complainant. This will mean that quality of responses in complex investigations is not compromised.

- A discretionary element on whether or not to pursue further investigation at stage two. In some cases there may be nothing further to be achieved from further investigation, for example where the desired outcomes are unachievable, there is clearly no fault because the decision is in line with policy, or the case has been well handled, and fault acknowledged and suitable remedy offered at the first stage. In these cases, the complainant will be notified of the decision not to investigate further. This will reduce the duplication within the current process, whereby the complaint response is effectively repeated throughout the stages, and will expedite access to the Ombudsman for an independent review, to the complainant's overall advantage.

5.0 Conclusion

- 5.1 Members are asked to note the Council's performance in managing complaints and enquiries in 2015/16, along with the positive contribution that complaints information is making to service improvement and the actions to improve this further.
- 5.2 Strategic Directors are to take responsibility for sharing their own performance dashboards with their associated Executive Member on a quarterly basis.

6.0 Recommendations

- 6.1 The recommendations appear at the front of this report.



Manchester City Council Complaints & Enquiries Annual performance Financial Year 2015/16

Produced by Corporate Complaints, Performance and Intelligence

Performance Management Framework

Annual Complaints & Enquiry Report

2015/16

The complaints and enquiries dashboard has been developed to provide ongoing monitoring and assurance against the Council's complaints management performance.

Exception Report

Areas of strength:

Performance for responding to the Ombudsman is on target at 28 calendar days.

The % of complaints escalating through the stages is only just above the annual 10% target, which is encouraging as it shows the majority of cases are being handled to the complainant's satisfaction early on.

The % of Social Care complaints responded to within target has increased quarter on quarter. Last year's outturn was 55%, up to 70% at the end of 2015/16, so this is a significant improvement. New management structures and new processes around managing deadlines in Social Care, supported by senior management, will assist with this further over the next financial year.

Engagement with the complaints learning process has been strengthened, with much more information available to us about how complaints have impacted on the service. However, there is room for further engagement in this process, to make it even more robust and this will be a key priority for the Council during the next financial year.

Areas of concern:

The % of upheld complaints from the Ombudsman in 2015/16 is a concern, as this has increased from 26% in 2014/15 to 42% in 2015/16. Whilst Adults Services continue to receive a high proportion of upheld decisions as last year, there have been a number of negative decisions for Children's Services and Growth and Neighbourhoods which have contributed to this increase. This is a concern and the Council needs to work hard to reduce these proportions over 2016/17.

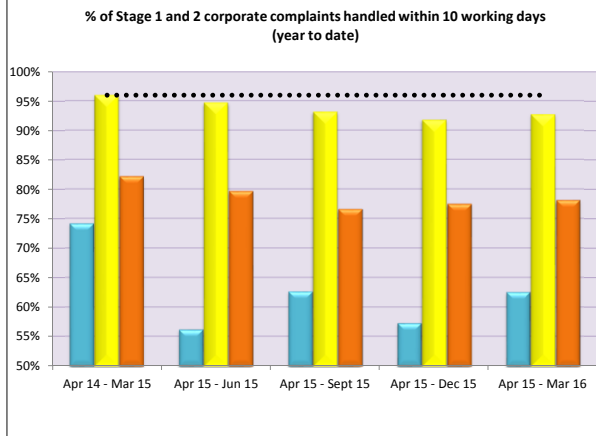
Performance in responding to corporate complaints has declined, but only slightly, when compared with last year. Numbers dealt with have been largely consistent (1841 compared with 1864 last year), response times, 85% compared with 89% in 2014/15.

Performance in responding to Stage 3 complaints on time has also slipped, with the average for the year at 73% compared with 83% in 2014/15

The number of MP enquiries handled by the directorates stands at 1,331 for the financial year, a slight increase on the number handled in the previous financial year. The annual performance for those responded to within 10 working days is 80%, a slight decrease on the previous year where performance stood at 82%.

Complaints and Enquiries Dashboard

Number of combined stage 1 and stage 2 corporate complaints and % handled within 10 working days											Year To Date:		
Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children and Families	70	74%	96%	16	56%	35	66%	31	48%	25	80%	107	63%
Corporate Core	1,010	96%		232	95%	271	92%	248	89%	238	95.8%	989	93%
Growth & N'bourhoods	784	82%		163	80%	168	74%	183	79%	231	80%	745	78%
All Directorates	1,864	89%		411	87%	474	84%	462	82%	494	87%	1,841	85%

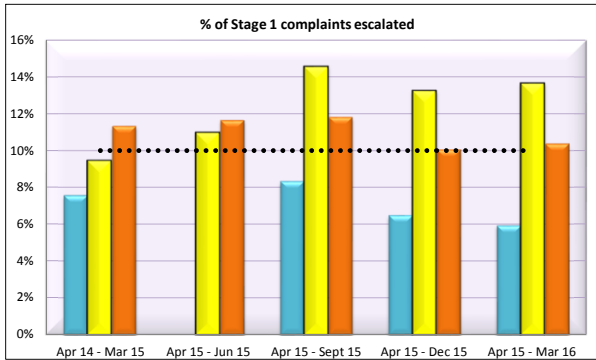


Performance Commentary:

Performance for responding to Stage 1 and 2 complaints has improved in quarter 4, when compared with quarter 2 and 3, although still below the 96% target at 87%.

The year end outturn for 15/16 is 85%, this is below last year's outturn of 89%, despite slightly less corporate complaints being responded to.

Number of Corporate Stage 1 complaints % escalated											Year To Date:		
Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children and Families	66	8%	10%	16	0%	32	13%	29	7%	24	4.2%	101	7%
Corporate Core	917	9%		209	11%	230	18%	224	11%	207	15.0%	870	14%
Growth & N'bourhoods	706	11%		146	12%	150	12%	171	7%	208	11.1%	675	10%
All Directorates	1,689	10%		371	11%	412	15%	424	9%	439	12.5%	1,646	12%

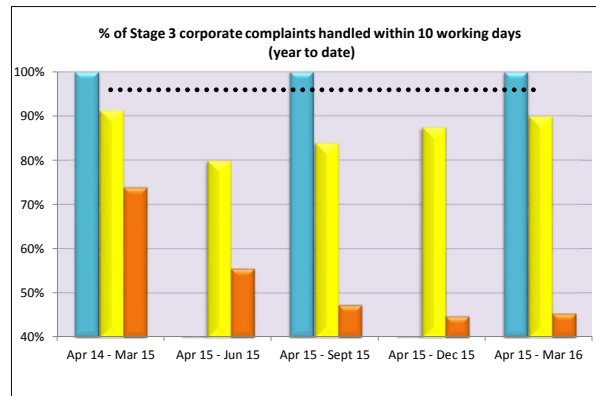


Performance Commentary:

The % escalated through the complaints stages has increased in the final quarter of the year, and is above the 10% target at 12.5%.

For the full year, this indicator is slightly above target at 12%.

Number of stage 3 corporate complaint responses and % handled within 10 working days											Year To Date:		
Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children and Families	2	100%	96%	0	-	1	100%	-	-	1	100%	2	100%
Corporate Core	46	91%		15	80%	10	90%	15	93%	10	100%	50	90%
Growth & N'bourhoods	46	74%		9	56%	10	40%	10	40%	4	50%	33	45%
All Directorates	94	83%		24	71%	21	67%	25	72%	15	87%	85	73%



Performance Commentary:

Performance has increased in the final quarter of the year up to 87% of Stage 3 complaints answered within 10 working days.

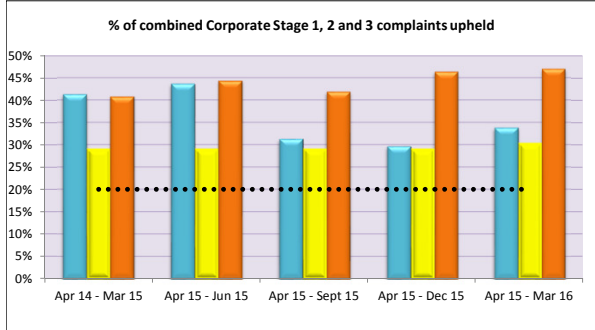
However, the full year's performance is below the 96% target at 73%.

The most dramatic decline in performance has been with Growth & Neighbourhoods who have gone from 74% (2014/15) to 45% (2015/16), although there have been a number of complex Stage 3 complaints managed in this financial year.

The Corporate Complaints Team will ensure that they are proactive in reducing these timescales over the next year.

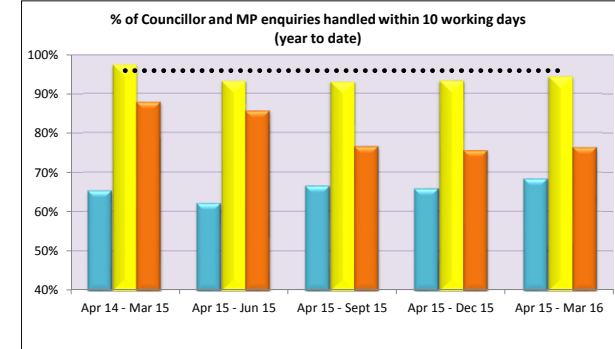
Complaints and Enquiries Dashboard

Number of Corporate Stage 1, 2 and 3 decisions and % upheld											Year To Date:		
Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children and Families	70	41%	20%	16	44%	35	26%	33	27%	25	48%	109	34%
Corporate Core	1034	29%		246	29%	264	29%	250	29%	243	35%	1003	31%
Growth & N'bourhoods	721	41%		162	44%	155	39%	170	55%	223	48%	710	47%
All Directorates	1825	34%		424	36%	454	32%	453	39%	491	42%	1822	37%



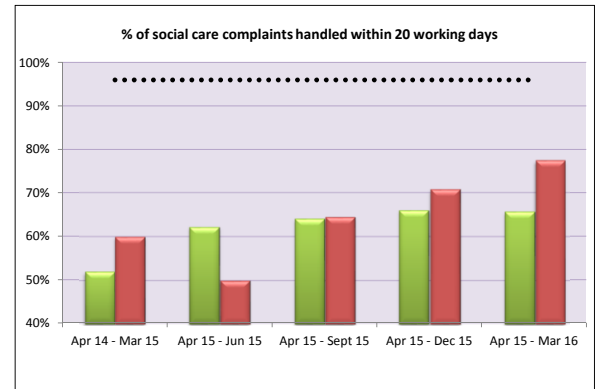
Performance Commentary:
The % of complaints that were upheld increased throughout the year. For Qtr. 4 42% of complaints were upheld, with a full year outturn of 37%.
However of the 204 upheld decisions, 83 of them were only partially upheld. This means there may have been only a very small proportion of the complaint where fault was found, but due to the way the Council records outcomes, these are still classed as upheld.

Number of Councillor and MP enquiries and % handled within 10 working days											Year To Date:		
Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children and Families	594	65%	96%	151	62%	128	72%	194	65%	133	77%	606	68%
Corporate Core	537	97%		133	93%	125	93%	130	94%	163	97%	551	94%
Growth & N'bourhoods	190	88%		56	86%	51	67%	41	73%	26	81%	174	76%
All Directorates	1,321	82%		340	78%	304	80%	365	76%	322	88%	1,331	80%



Performance Commentary:
The number of MP enquiries handled by the directorates stands at 1,331 for the financial year, a slight increase on the number handled in the previous financial year. The annual performance for those responded to within 10 working days is 80%, again a slight decrease on the previous year.
In addition the Corporate Complaints Team managed 77 MP enquiries on behalf of the Chief Executive across all directorates (23 Children's and Families, 10 Core and 44 Growth and Neighbourhoods) 75% of these were handled within 10 working days.

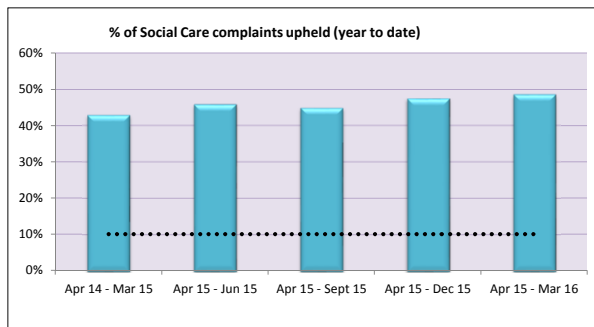
Number of Social Care Complaints and % handled within target											Year To Date:		
Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children	194	52%	96%	45	62%	33	67%	34	71%	37	65%	149	66%
Adults	120	60%		16	50%	15	80%	17	82%	23	91%	71	77%
Total Social Care	314	55%		61	59%	48	71%	51	75%	60	75%	220	70%



Performance Commentary:
Children's - Annual Performance remains well below target, it has improved by 14% from last year's performance, (52% to 66%). Additionally the number of cases has declined from 194 to 149. Performance in this area remains a concern, although new management structures are contributing to improvements and this should be realised more fully in quarter 1 of the next year. The statutory process for managing children's social care complaints stipulates complaints should be responded to within a maximum of 20 working days. From April 2016 there is a new process in place whereby Managers are required to aim for a response within 10 working days, and any need for an extension to 20 needs to be authorised by the Deputy Director of Children's Services. It is anticipated this should bring about an improvement in timescales over the coming year.
Adults - The annual performance has increased from 60% in 2014/15 to 77%. In addition there has been a significant decrease in the number of complaints responded to in the social care process (2014/15 - 120 2015/16 - 69). However, there is still room for improvement and this is being monitored by the Adults Performance Board on a quarterly basis.

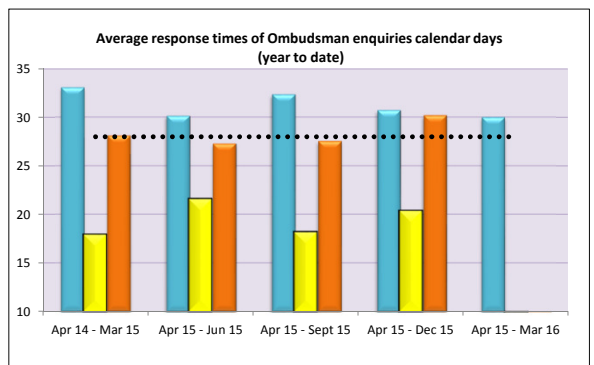
Complaints and Enquiries Dashboard

Directorates	Number of Social Care decisions and % upheld										Year To Date:		
	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Total	314	43%	20%	61	46%	48	44%	51	53%	60	52%	220	49%



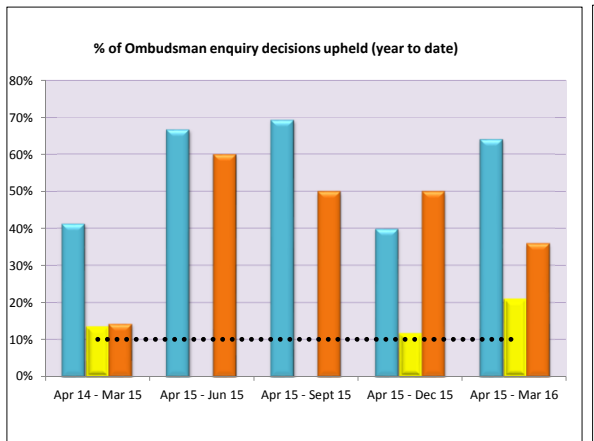
Performance Commentary:
The % of social care decisions upheld for the financial year is above the 20% target at 49%.
This identifies a need to focus on service improvement and delivery, and it is anticipated that the Council's learning process will feed into this, with a view to preventing a recurrence of those issues that have caused concern to social care complainants.

Directorates	Number and average response times of Ombudsman enquiries (in calendar days)										Year To Date:		
	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	Avg Days		No.	Avg Days	No.	Avg Days	No.	Avg Days	No.	Avg Days	No.	%
Children and Families	23	33	28	5	30	2	38	3	27	2	26.5	12	30
Corporate Core	3	18		3	22	1	8	3	23	0	-	7	20
Growth & N'bourhoods	6	28		3	27	2	28	3	35	0	-	8	30
All Directorates	39	28		11	27	5	28	9	28.3	2	26.5	27	28



Performance Commentary:
The average response rate to the Ombudsman in 15/16 was on target at 28 calendar days. It should be noted that it has been excellent performance by services within the Corporate Core that have brought the average response rate within target, as both Children & Families and Growth & Neighbourhoods were outside target at 30 days.
There was 30% less formal enquiries from the Ombudsman this year when compared to 2014/15. However the Council has also responded to 60 informal enquiries from the LGO:
Children and Families - 24
Core - 20
Growth and Neighbourhoods - 16
Although Informal enquiries have deadlines set by the LGO they are not measured in performance terms by the Ombudsman, so the Council does not report on them. This additional workload should still be recognised however, as they are often as complex as full enquiries.

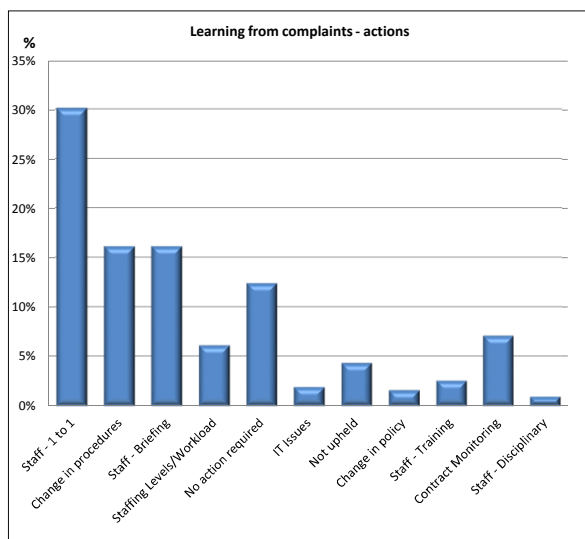
Directorates	Number of Ombudsman enquiry decisions and % upheld										Year To Date:		
	1 Apr 14 - 31 Mar 15		Target 15/16	1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		1 Apr 15 - 31 Mar 16	
	No.	%		No.	%	No.	%	No.	%	No.	%	No.	%
Children and Families	29	41%	10%	6	67%	7	71%	2	50%	10	60%	25	64%
Corporate Core	22	14%		2	0%	9	0%	6	33%	2	100%	19	21%
Growth & N'bourhoods	14	14%		5	60%	3	33%	6	50%	11	18%	25	36%
All Directorates	65	26%		13	54%	19	32%	14	43%	23	43%	69	42%



Performance Commentary:
The Ombudsman has made 69 formal decisions against the Council in 2015/16; 42% of those have been upheld.
This is clearly well above the target of 10% and significantly higher than the outturn for the last financial year, which stood at 26%.
There is a definite need to work to manage this area of performance; with a greater emphasis on trying to resolve complaints ourselves through our own complaints process, and reducing the number of cases that reach the Ombudsman.

Complaints and Enquiries Dashboard

Directorates	1 Apr 14 - 31 Mar 15		Target 15/16	Learning from complaints								Year To Date:	
	Minor	Critical		1 Apr 15 - 30 Jun 15		1 Jul 15 - 30 Sep 15		1 Oct 15 - 31 Dec 15		1 Jan 16 - 31 Mar 16		Minor	Critical
				Minor	Critical	Minor	Critical	Minor	Critical	Minor	Critical		
Children and Families	127	30	n/a	36	5	26	11	32	4	46	6	140	26
Corporate Core	245	0		27	2	78		46	1	64	3	215	6
Growth & N'bourhoods	255	0		26	1	53		78	2	76	1	233	4
All Directorates	627	32		89	8	157	11	156	7	186	10	588	36



Performance Commentary:

The Council operates a learning process whereby each case is categorised as high or low risk at the point of conclusion and any actions not only to resolve the complaint, but those to learn from are captured on a central database in order to monitor performance in this area. During financial year 2015/16 there have been 36 critical learning actions identified. A selection of the actions are reported below:

Adults - Car Home Fees debts were not chased until an estate had been distributed - Processes are being changed to reduce the risk of charges being overlooked. Responsibilities for recovering debt at the earliest opportunity being reviewed /reinforced.

Children's Services

- Review of the information given to parents of children with a statement who elected to provide home tuition making it clear the Council has a duty to assess whether it meets the special educational needs, as well as review how we deal with statements where the pupil is no longer receiving the provision named in them and inform parents about our decision to maintain the statement (or not) and what that means for the future.
- The Statutory Assessment Team will ensure that in the future the deadline for issuing Education Health Care Plans for secondary transfer will be adhered to even if there are ongoing negotiations and consultations with parents preferred schools.
- Admissions data quality checks will now be carried out more frequently to highlight errors, and the Admissions Team will request reasons for refusals via In Year Fair Access Protocol process immediately one is made.
- Social Workers must explain the details of referrals verbally to the relevant panel, so that any request outside of normal policy or procedure is highlighted and discussed in full. This will also allow each discussion and recommendation to be properly minuted and avoid confusion at a later date.
- Social worker reminded of the importance of uploading key documents onto MiCare, because in the Ombudsman's investigation, there was an element of the transactional process that the Council was unable to evidence.

Corporate Core

- Parking Services - Bailiff did not release a vehicle when identified as being on Hire Purchase. Formal instructions have been given to Bailiff Companies to release vehicles identified as on a hire purchase agreement.
- Parking Services - The Ombudsman found that the Bailiffs managing the case did not fully consider financial circumstances. Bailiff have been instructed to consider payment plans at all stages of recovery should the circumstances dictate.
- Council Tax - The Ombudsman found that here was a significant delay by the bailiff in dealing with the case. The Tribunal, Courts and Enforcement Act brought in a rule that bailiffs must return a case after 52 weeks if they have not been able to recover them.