

Committee: Standards and General Purposes Committee

Date: 19 July 2023

Wards: All

Subject: Member Complaints

Lead Director: Polly Cziok, Executive Director for Innovation and Change

Lead member: Councillor Billy Christie, Cabinet Member for Finance and Corporate Services

Contact officer: Ruth Hammick, Head of Complaints

Recommendations:

- A. To note the new processes for managing and learning from complaints;
- B. To note the reports on complaints received in 21/22 attached as appendices A to C
- C. To note the high level detail of complaints received in 22/23 set out in the body of the report and to agree to receive a more detailed report for 22/23 at the meeting in November.

1.1. This Committee has traditionally received reports on complaints made to the Council. Those reports include detail of complaints made through its general complaints procedure as well as those dealt with under the statutory provisions governing complaints about adult social services and children's social care. Detailed reports relating to all three for the year 21/22 are attached as appendices A-C.

1.2. It has not yet been possible to collate all the information relating to 22/23 in such a detailed form as appears in appendices A-C but an overview of the latest figures are set out below. The figures are accurate at the time of writing but may fluctuate in the final, full report. It will be noted that they relate to the old directorate structures. Work is being undertaken to realign the systems to the new structures and the complaints report for 23/24 will reflect those new structures.

1.3. A full complaints report covering all complaint channels, to include corporate complaints and the two statutory channels for 22/23 will be provided for the November committee meeting.

2 DETAILS

2.1. The year 2022-2023 has been a busy year for London Borough of Merton's Complaints Team.

2.2. Following a review of the formal complaints service in 2021, which identified several shortfalls in the way complaints were being dealt with, the focus of the past year has been developing and implementing new ways of working to bring the Council in-line with the guidance published by The Local Government and Social Care Ombudsman (LGSCO) in 2020.

2.3. Throughout the year, the team have been working with IT and Microsoft Dynamics Partner, Infosys, to develop a Customer Relations Management system to manage the functions of the Complaints Team which are set out below:

- i) Children's Social Care - complaints submitted under The Children Act 1989
- ii) Adult Social Care – complaints submitted under The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- iii) Corporate Complaints
- iv) Member Enquiries
- v) Compliments
- vi) Comments
- vii) LGSCO complaints

2.4. This process has been ongoing throughout the year and has included process mapping and review of every function. The new system went live on 26 June 2023.

2.5. The LGSCO says that councils should adhere to the following standards and practices to ensure complaints are dealt with effectively.

- i) Getting it right: do simple things well, by complying with the law and following policies.
- ii) Being customer focused: Make the complaints process easy to find and use, and keep complainants informed
- iii) Being open and accountable: Processes should be transparent and be honest when things have gone wrong.
- iv) Acting fairly and proportionately: councils should explain their thinking, base decisions on sound evidence and explain clearly why they were made.
- v) Putting things right: make amends. If something has been done wrong, councils should apologise and take steps to put right any injustice caused.
- vi) Seeking continuous improvement: complaints are a great learning tool. Councils should put systems in place to capture the lessons, which will help improve services.

2.6. The new system has been designed with the above principles in mind. The CRM will:

- i) Enable residents to make complaints easily via a guided web form with immediate confirmation of receipt
- ii) Provide safe and secure storage of complaints in one place
- iii) Enable consistent recording of complaints for accurate reporting
- iv) Automate reminders to keep complaints on track
- v) Track agreed actions and monitoring of lessons learned

Overview of Complaint Volumes

2.7. The Complaints Team has seen an increase of 32% in the number of complaints received in 22/23 year. This is the second year that a significant rise in the number of complaints has been experienced, and numbers of complaints have now risen to levels seen before the pandemic, having dropped quite significantly during the first year of the pandemic.

2.8. The number of complaints received year on year are as follows:.

2019 – 2020 864 complaints received

2020 – 2021 403 complaints received

2021 – 2022 673 complaints received

2022 – 2023 887 complaints received

2.9 With the exception of Children, Schools and Families, all departments saw a significant increase in the number of corporate complaints received in 2022/23.

Department	Number of Stage 1 complaints logged in 2021 - 2022	Number of stage 1 complaints logged in 2022 - 2023	Percentage change from 2021/22 to 2022/23
Environment & Regeneration	471	648	38% (increase)
Corporate Services	112	131	17% (increase)
Community & Housing	34	63	85% (increase)
Children, Schools & Families	51	45	-12% (decrease)

Response Times

2.10 It is recognised that the 2022-2023 auditing year was not without its challenges. The borough faced two major incidents which meant officer resource had to be re-directed. This has had an impact on the number of complaints responded to in time. In quarter 2, there was a noticeable drop in the number of complaints responded to in time to 51%. For the other quarters, 65% of complaints were responded to in time. Over the year, 60% of complaints submitted were responded to in time.

Department	Number of Stage 1 complaints responded to in time in 2021/22	Number of stage 1 complaints responded to in time in 2022/23

Environment & Regeneration	318 (68%)	409 (63%)
Corporate Services	90 (80%)	83 (63%)
Community & Housing	18 (53%)	26 (41%)
Children, Schools & Families	27 (53%)	17 38%

Instances of service failure

2.11 Of the 887 complaints received, 595 (67%) were upheld or partially upheld at stage 1 indicating a degree of service failure.

Department	Number of stage 1 complaints upheld or partially upheld in 2021/22	Number of stage 1 complaints upheld or partially upheld in 2022/23	Percentage change in complaints upheld or partially upheld from 2021/22 to 2022/23
Environment & Regeneration	340 (72%)	438 (68%)	29%
Corporate Services	49 (44%)	90 (69%)	84%
Community & Housing	17 (50%)	34 (54%)	100%
Children, Schools & Families	25 (49%)	33 (73%)	32%

Resolving complaints

2.12 103 complaints were escalated to stage 2 of the formal complaint process, that is 12% of the complaints received. Escalations to stage 2 can be caused by insufficient explanation in a stage 1 response, or because a promised action has not been carried out.

Department	Number of escalations to stage 2 in 2021/22	Number of escalations to stage 2 in 2022/23	Percentage change in complaints escalating from 2021/22 to 2022/23
Environment & Regeneration	52 (11%)	75 (12%)	44%
Corporate Services	7 (6%)	13 (10%)	86%
Community & Housing	5 (15%)	7 (11%)	40%

Children, Schools & Families	10 (20%)	11 (24%)	10%
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LGSCO Referrals

2.13 If dissatisfied, having exhausted the council's complaints procedure, residents may refer their complaints to Local Government and Social Care Ombudsman (LGSCO) for assessment. Not all referrals are investigated. In 2022-23 the LGSCO issued 44 final decisions – fault was found in 12 cases.

	LGSCO Final Decisions issued 2022/23	Final decisions stating fault/maladministration
Environment & Regeneration	19	1
Corporate Services	10	5
Community & Housing	7	5
Children, Schools & Families	8	1

Compliments

2.14 .Another form of spontaneous feedback received from residents is compliments. In 2022 – 2023 some 286 compliments were received, where residents praised individuals or services.

Department	Stage 1 Complaints received 2022 - 2023	Compliments received 2022 - 2023
Environment & Regeneration	648	103
Corporate Services	131	22
Community & Housing	63	133
Children, Schools & Families	45	28

2.15 Community & Housing received more than twice the number of compliments than complaints. Notably:

- i) The libraries team received 31 compliments in the month of August, following the Heritage Day event. They received 42 compliments overall.
- ii) The MASCOT team received 31 compliments over the year

iii) The older persons team received 21 compliments

3 ALTERNATIVE OPTIONS

The Committee could decide not to consider reports on complaints but it is good practice to understand where things may have gone wrong and to learn from any mistakes that have been made. The new CRM system referred to above will provide useful data to allow a much more systematic approach to this.

4 CONSULTATION UNDERTAKEN OR PROPOSED

Not applicable

5 TIMETABLE

Not applicable

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.15.1 There are no financial implications arising from this report.

7 LEGAL AND STATUTORY IMPLICATIONS

Not applicable

7.15 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

7.15.1 None

7.16 CRIME AND DISORDER IMPLICATIONS

7.16.1 None

7.17 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

None

11. APPENDICES

Appendix A – Corporate complaints report 2021 - 2022

Appendix B – Adult Social Care complaints report 2021 – 2022

Appendix C – Children’s Social Care complaints report 2021 - 2022