

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Standards Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 23 June 2017
Please ask for : Rob Hooper 01392 382300

Email: rob.hooper@devon.gov.uk

STANDARDS COMMITTEE

Monday, 3rd July, 2017

A meeting of the Standards Committee is to be held on the above date at 2.15 pm in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

- 1 Apologies for absence
- 2 Minutes (Pages 1 - 2)
Minutes of the meeting of the Committee held on 27 March 2017, attached.
- 3 Items Requiring Urgent Attention
Items which in the opinion of the Chairman should be considered at the meeting as a matter of urgency.

STANDING ITEMS

- 4 Customer Feedback Monitoring Report (Pages 3 - 24)
Report of the Head of Digital Transformation and Business Support (BSS/176) on feedback, compliments, representations and complaints received and handled by the County Council during 2016/17, attached.
Electoral Divisions(s): All Divisions
- 5 Ethical Governance Framework: Monitoring (Pages 25 - 28)
Report of the County Solicitor ([CSO/17/20](#)) on co-opted members' attendance at meetings of the Council, Cabinet and Committee meetings, monitoring compliance with the Council's ethical governance framework, attached.
Electoral Divisions(s): All Divisions

MATTERS FOR INFORMATION

6 Membership

County Solicitor to report.

7 Annual Report (Pages 29 - 30)

A copy of the Standards Committee's Annual Report for 2016/17 is attached for the benefit of new members of Committee, illustrating and commenting upon its work and developments during the previous year and on any issues for consideration or development in the future.


8 Local Determination of Complaints

County Solicitor to report on complaints or allegations of a breach of the Council's Members' Code of Conduct received since the last meeting, if any.

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED

Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).

Members are also reminded of the need to dispose of such reports carefully and are therefore urged to return them to the Committee Secretary at the conclusion of the meeting for disposal

Membership
<p>County Councillors Councillors R Radford (Chairman), M Asvachin, R Bloxham, P Colthorpe, B Greenslade, G Gribble and J Mathews</p> <p>Co-opted Members Sir Simon Day, R Hodgins, A Mayes and R Saltmarsh</p>
Declaration of Interests
Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.
Access to Information
<p>Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Rob Hooper 01392 382300.</p> <p>Agenda and minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores..</p>
Webcasting, Recording or Reporting of Meetings and Proceedings
<p>The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: http://www.devoncc.public-i.tv/core/</p> <p>In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.</p> <p>Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.</p>
Public Participation
Any member of the public resident in the administrative area of the County of Devon may ask the Chairman a question upon a matter which, in every case, relates to the functions of the Council. Questions must be sent to the Democratic Services and Scrutiny Secretariat (committee@devon.gov.uk) by 12 noon on the fourth working day before the date of the meeting. For further information please contact Rob Hooper 01392 382300.
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<p>If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.</p>
 <p>Induction loop system available</p>

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There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



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First Aid

Contact Main Reception (extension 2504) for a trained first aider.

STANDARDS COMMITTEE

27 March 2017

Present:-

Councillors A Moulding (Chairman), G Gribble, R Hill, Sir Simon Day, A Mayes and R Saltmarsh

Apologies:-

Councillors C Chugg, A Connett and J Mathews

Mr R Hodgins

15 ***Minutes**

RESOLVED that the Minutes of the meeting held on 7 November 2016 be signed as a correct record.

16 ***Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

17 ***Standards Committee Annual Report 2016/17**

The Committee considered the draft of the Standards Committee Annual Report for 2016/17 prepared in line with best practice commenting on its work and developments during the year and on any issues for consideration or development in the future. The draft Annual Report had again been prepared in an easy to read, accessible format.

The Committee acknowledged that the publication, independently, of an Annual Report by the Committee complemented and give rigour to the Council's Annual Governance Statement which it was required to publish on an annual basis.

It was **MOVED** by Councillor Gribble, **SECONDED** by Councillor Hill, and

RESOLVED that the Annual Report for 2016/17 be approved and published on the Council's website [<http://democracy.devon.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13628&path=13626>].

18 ***Ethical Governance Framework: Monitoring**

The Committee received the report of the County Solicitor ([CS/17/9](#)) summarising feedback received from Co-opted Members of this Committee on their attendance at meetings of the Council, Cabinet and Committees since the previous meeting (and since publication of the above also at the Health & Wellbeing Scrutiny Committee and Cabinet on 7 and 8 March 2017 respectively) monitoring compliance by Members and Officers with the Council's ethical governance framework.

The Committee were pleased to note that there had been no areas of significant concern or any indication of actions or behaviours that might be felt to have resulted in a potential breach of the Code, acknowledging also that steps would continue to be taken to address practical and procedural matters in light of Member's comments arising from both this and the previous monitoring reports in future training sessions and the forthcoming Induction of Members for the new Council.

Agenda Item 2

STANDARDS COMMITTEE
27/03/17

19 ***County Council Elections: Member Induction and Training**

The Committee noted that the County Council prided itself on delivering quality induction programmes and on-going training, for both new and returning members, as demonstrated by its having twice obtained Charter Plus Designation for Member Development. Members noted that, for 2017, an induction programme was being developed based on the previous experiences of Members and Officers and best practice across the County, while reflecting the changes to the organisational structure and operating principles of the Council.

The proposed induction programme was considered key in ensuring that both new and returning Members were provided with the skills and knowledge they needed to quickly settle into their roles in an ever changing environment. The programme of events encompassed a range of activities and learning needs at both strategic and practical level and would provide an overview of the Council's activities and how that sat with the Council's Strategic Plan, giving an insight into the various roles of a councillor and guidance and advice on the specific knowledge required to enable them to carry out their duties.

Members commented upon and welcomed the proposed programme noting that co-opted members were free to attend any of the induction sessions consistent with their monitoring role.

Specifically and in relation to the role of this Committee, the induction/training would provide a wide range of advice on ethical governance and standards issues, including the Principles of Public Life, Codes of Conduct, Registers of Interests, Dispensations, Complaints, Procedural and Financial Rules and Equality Matters.

The programme would, in the main, be delivered in house with minimal direct costs, with input from officers at all levels although joint training would be provided with or by partners where appropriate. A provisional Induction Programme was already available on the Council's 'election' webpages to allow potential candidates to see for themselves the range of skills and knowledge required, at <https://new.devon.gov.uk/democracy/elections-and-voting/elections-2017/member-induction-2017/>, a copy of which had been circulated to Committee Members separately.

20 ***Local Determination of Complaints**

The County Solicitor reported that, since the last meeting, three complaints concerning alleged breaches of the Members Code of Conduct had been received two of which related to Councillors failing to treat others with courtesy and respect and a third relating to a Councillor failing to act in the public interest and fairly representing their constituents and the wider community.

Following an initial assessment of each of the complaints and consultation with an Independent Person appointed by the Council on further action, as appropriate, one complainant had subsequently withdrawn the complaint and in the other two instances no further action was taken on the basis that there was no evidence to support any allegation that there had been a breach of the Code of Conduct that might require or warrant a formal investigation.

The Monitoring Officer advised that nonetheless and in each case the Councillor concerned had been given guidance on how to avoid a recurrence of any such allegations in the future.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 2.45 pm

Customer Feedback Monitoring Report for Quarter 4 & Year End 2016/2017
Report of the Head of Digital Transformation & Business Support

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**1.1 Recommendation:** that Members note the levels of customer feedback received regarding all service areas of Devon County Council and the Council's performance in responding to this feedback.

**2. Purpose**

**2.1** This report provides a quarterly update on the volumes and themes for all types of customer feedback (Compliments, Comments and Complaints), Letters from Members of Parliament and Complaints being dealt with by the Local Government Ombudsman about the County Council. In addition it provides information in regard to the Council's performance in responding to and learning from the outcomes of complaints.

**3. Key Messages**

**3.1** Overall Customer Feedback statistics for Quarter 4 2016-2017 (1<sup>st</sup> January – 31<sup>st</sup> March 2017) and 2016-2017 Reporting Year Totals:

|                                                                                                           | <b>Q4</b>   | <b>Year Totals</b> |
|-----------------------------------------------------------------------------------------------------------|-------------|--------------------|
| <ul style="list-style-type: none"> <li>*Number of non statutory complaints all stages</li> </ul>          | 315         | 1120               |
| <ul style="list-style-type: none"> <li>*Number of statutory Adult Care &amp; Health Complaints</li> </ul> | 67          | 250                |
| <ul style="list-style-type: none"> <li>*Number of statutory Children's Social Care Complaints</li> </ul>  | 83          | 374                |
| <b>*Total complaints received</b>                                                                         | <b>465</b>  | <b>1744</b>        |
| <ul style="list-style-type: none"> <li>Number of non social care (corporate) compliments</li> </ul>       | 144         | 710                |
| <ul style="list-style-type: none"> <li>Number of Adult Care &amp; Health compliments</li> </ul>           | 175         | 587                |
| <ul style="list-style-type: none"> <li>Number of Children's Social Care compliments</li> </ul>            | 23          | 155                |
| <b>Total compliments received</b>                                                                         | <b>342</b>  | <b>1452</b>        |
| <ul style="list-style-type: none"> <li>Number of non social care (corporate) MP letters</li> </ul>        | 97          | 497                |
| <ul style="list-style-type: none"> <li>Number of Adult Care &amp; Health MP letters</li> </ul>            | 16          | 57                 |
| <ul style="list-style-type: none"> <li>Number of children's Social Care MP Letters</li> </ul>             | 8           | 56                 |
| <b>Total MP Letters received</b>                                                                          | <b>121</b>  | <b>610</b>         |
| <ul style="list-style-type: none"> <li>Number of other non social care representations</li> </ul>         | 59          | 545                |
| <ul style="list-style-type: none"> <li>Number of Adult Care &amp; Health representations</li> </ul>       | 27          | 67                 |
| <ul style="list-style-type: none"> <li>Number of Children's Social Care representations</li> </ul>        | 9           | 42                 |
| <b>Total Representations received</b>                                                                     | <b>95</b>   | <b>654</b>         |
| <ul style="list-style-type: none"> <li>Number of Councillor Enquiries (non social care)</li> </ul>        | 4           | 11                 |
| <ul style="list-style-type: none"> <li>Number of Councillor enquiries (social Care)</li> </ul>            | 7           | 25                 |
| <b>Total Councillor Enquiries</b>                                                                         | <b>11</b>   | <b>36</b>          |
| <b>Total number of individual items of feedback</b>                                                       | <b>1034</b> | <b>4496</b>        |

*\*The numbers for all complaints received is number at all stages including the LGO & those that end up being No Further Action (NFA).*

**3.2** Throughout Q4 the Council has received 1034 items of feedback which is a decrease of 75 items on Q3 (1109 items) and throughout the reporting year the numbers have decreased quarter on quarter with a total of 4496 individual items of feedback being received. In 2015-2016 the total was 5501 and in 2014-2015 the total was 7477 so in the last 3 years there has been a reduction in individual items of customer feedback of 2981 items (a fall of 40% over 3 years).

# Agenda Item 4

3.3 There have been 79 more complaints received across the Council in Q4 (465 compared to 386) Complaints about Children's Social Care increased from 77 to 83 received at all stages, complaints in the non social care areas increased from 234 to 315 but in Adult Care & Health they decreased from 75 to 67. Across the reporting year there were a total of 1744 complaints received from all sources which is 527 fewer than in the previous year (2015-2016 2271 complaints received) and represents a 23% fall in complaints received.

Of the 1533 complaints that were received direct to the council at all stages 106 required no further action after triage by the customer relations team and the remaining 1427 moved to full investigation (this number was 2015 in 15-16).

The number of complaints received via the Local Government Ombudsman in 2016-2017 was 105 which is a decrease of 25 complaints compared to the previous year.

3.4 The total number of compliments received has decreased in this quarter by 129 (from 471 to 342). There has been a decrease in statutory social care and corporate areas; Children's Social Care Compliments fell from 57 in Q3 to 23 in Q4, Adult Social Care & Health fell from 195 in Q3 to 175 in Q4 and all other service areas from 219 in Q3 to 144 in Q4. Across all areas this represents a 34% decrease in compliments received.

Across the reporting year the council has received 1452 compliments which is 129 fewer than in the previous year (15-16 1359 compliments).

3.5 The number of MP Letters received in Q4 has fallen again compared to previous quarters the council received 121 in Q4 compared to 139 in Q3 and 173 in Q2. Non social care MP letters fell by 10 to 97 in Q4 compared to 107 in Q3, Adult Care & Health MP letters rose by 4 to 16 received in this quarter compared to 12 in Q3 and MP Letters received in regard to Children's Social Care fell from 20 in Q3 to 8 in Q4.

In the reporting year the council has received 610 letters from MPs compared to 801 in the previous year, a fall of 191 letters (24%)

3.6 There have been 95 Representations received in Q4 which is a decrease of 22 on the Q3 figure of 117. In Adult Care & Health there was an increase of 12 Representations from 15 in Q3 to 27 in Q4 and a slight increase of 4 in Childrens Social Care to 9 in Q4 compared to 5 in Q3 but this was offset by a significant decrease in all other areas where there were 59 Representations received in Q4 compared to 97 in Q3. In the reporting year there have been a total of 654 Representations received compared to 1009 in the previous year a 35% fall in numbers received (355 fewer representations received).

3.7 In Q4 the Council received a total of 11 enquiries from Councillors which was just 2 less than in Q3. 7 of these were regarding health & social care services and 4 non social care services.

In the reporting year there were 36 enquiries from Councillors of which 25 were regarding Health & Social Care Services and 11 non social care services. In the previous year there were 59 enquiries from Councillors.

## 4. Stage One Complaints

### 4.1 Stage 1 Acknowledgements

4.1.1 All complaints that are received by Devon County Council should be forwarded immediately to the Customer Relations Team to acknowledge and manage.

4.1.2 The Council's aim is to acknowledge all stage 1 complaints within three working days of receipt by the Authority. This is in line with the statutory timescale within the Social Care Complaint Regulations and provides for a consistency of performance across all service areas.

4.1.3 In Q4 97% of complaints received were acknowledged within time by the Customer Relations team, which meets the target KPI (95%).

4.1.4 It is not possible to achieve a 100% acknowledgement rate, as some complainants write direct to services and the three days have elapsed before the complaint reaches the Customer Relations Team.

### 4.2 Complaints received

4.2.1 **Table 1** on the next page provides a breakdown of all complaints received and looked into at Stage 1 across all areas of the Council in Q4. It does not include those that were NFA for various legitimate reasons.



**Table 1 – Stage 1 Complaints by Direct Report**

| Children's Services                                                   |                                                                    |            |            |            |            |             |
|-----------------------------------------------------------------------|--------------------------------------------------------------------|------------|------------|------------|------------|-------------|
| Service Area                                                          | Team                                                               | Q1 16-17   | Q2 16-17   | Q3 16-17   | Q4 16-17   | Total 16-17 |
| Children's Social Care - Vivien Lines                                 | Children's Social Work (North/Mid & ICS) - Marian Martin           | 40         | 33         | 24         | 27         | 124         |
|                                                                       | Children's Social Work (Exeter/South) - Karen Morris               | 27         | 32         | 18         | 28         | 105         |
|                                                                       | Specialist Services - Rachel Gillott                               | 5          | 4          | 2          | 3          | 14          |
|                                                                       | Early Help - Philippa Court                                        | 1          | 0          | 3          | 0          | 4           |
|                                                                       | Commissioning - Fiona Fleming                                      | 0          | 0          | 0          | 4          | 4           |
|                                                                       | Safeguarding Children - Jean Kelly                                 | 2          | 5          | 3          | 1          | 11          |
|                                                                       | MASH and EDT - Andrea Morris                                       | 5          | 1          | 7          | 4          | 17          |
|                                                                       | <b>Total Children's Social Care</b>                                | <b>80</b>  | <b>75</b>  | <b>57</b>  | <b>67</b>  | <b>279</b>  |
| Education & Learning - Dawn Stabb                                     | Strategic Commissioning (Education) - Julia Foster                 | 11         | 11         | 4          | 5          | 31          |
|                                                                       | Contract Performance - Educational Commissioning - Alison Withnell | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Admissions - Simon Niles                                           | 2          | 8          | 1          | 1          | 12          |
|                                                                       | Early Years and Childcare - Claire Rockcliffe                      | 0          | 2          | 0          | 0          | 2           |
|                                                                       | School Improvement - Dawn Stabb                                    | 2          | 2          | 0          | 1          | 5           |
|                                                                       | <b>Total Education and Learning</b>                                | <b>15</b>  | <b>23</b>  | <b>5</b>   | <b>7</b>   | <b>50</b>   |
| <b>Total Children's Services</b>                                      |                                                                    | <b>95</b>  | <b>98</b>  | <b>62</b>  | <b>74</b>  | <b>329</b>  |
| Adult Care & Health                                                   |                                                                    |            |            |            |            |             |
| Service Area                                                          | Team                                                               | Q1 16-17   | Q2 16-17   | Q3 16-17   | Q4 16-17   | Total 16-17 |
| Adult Care Operations & Health - Keri Storey                          | North Community Health & Social Care Teams - Stella Doble          | 6          | 4          | 8          | 10         | 28          |
|                                                                       | East Community Health & Social Care Teams - Gary Patch             | 22         | 20         | 17         | 29         | 88          |
|                                                                       | South Community Health & Social Care Teams - Lee Baxter            | 14         | 7          | 17         | 8          | 46          |
|                                                                       | Social Care Provision - Keri Storey                                | 2          | 3          | 3          | 3          | 11          |
|                                                                       | Adult Mental Health - Sherrie Hitchin                              | 1          | 0          | 0          | 0          | 1           |
|                                                                       | <b>Total Adult Care &amp; Health</b>                               | <b>45</b>  | <b>34</b>  | <b>45</b>  | <b>50</b>  | <b>174</b>  |
| Adult Commissioning & Health - Tim Golby                              | Strategy, Policy & Performance - Damian Furniss                    | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Strategic Planning and Commissioning - Ian Hobbs                   | 1          | 2          | 0          | 1          | 4           |
|                                                                       | Change Delivery - Giles Colton                                     | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Safeguarding Adult Board - Geraldine Benson                        | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Commissioned services                                              | 6          | 5          | 1          | 2          | 14          |
|                                                                       | <b>Total Adult Commissioning &amp; Health</b>                      | <b>7</b>   | <b>7</b>   | <b>1</b>   | <b>3</b>   | <b>18</b>   |
| <b>Total Adult Care &amp; Health</b>                                  |                                                                    | <b>52</b>  | <b>41</b>  | <b>46</b>  | <b>53</b>  | <b>192</b>  |
| Community Health, Environment & Prosperity                            |                                                                    |            |            |            |            |             |
| Service Area                                                          | Team                                                               | Q1 16-17   | Q2 16-17   | Q3 16-17   | Q4 16-17   | Total 16-17 |
| Public Health - Dr Virginia Pearson                                   | Public Health                                                      | 0          | 0          | 1          | 0          | 1           |
|                                                                       | <b>Total Public Health</b>                                         | <b>0</b>   | <b>0</b>   | <b>1</b>   | <b>0</b>   | <b>1</b>    |
| Planning, Transportation and Environment - Dave Black                 | Transportation Planning and Road Safety - Jamie Hulland            | 1          | 2          | 2          | 2          | 7           |
|                                                                       | Development Management Highways- Brian Hensley                     | 2          | 3          | 2          | 6          | 13          |
|                                                                       | Chief Planner - Joe Keech                                          | 4          | 0          | 1          | 1          | 6           |
|                                                                       | Environment - Peter Chamberlain                                    | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Transport Coordination Services (TCS) - Damien Jones               | 9          | 12         | 10         | 6          | 37          |
|                                                                       | <b>Total Planning, Transportation and Environment</b>              | <b>16</b>  | <b>17</b>  | <b>15</b>  | <b>15</b>  | <b>63</b>   |
| Economy, Enterprise & Skills - Keri Denton                            | Business Support - Vacant                                          | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Development & Infrastructure - Melanie Sealey                      | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Partnerships, Policy & Funding - Sofie Francis                     | 0          | 1          | 0          | 0          | 1           |
|                                                                       | Skills & Employment - Jamie Evans                                  | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Trading Standards - Paul Thomas                                    | 4          | 1          | 0          | 1          | 6           |
|                                                                       | Learn Devon - Paul Thomas                                          | 5          | 5          | 8          | 4          | 22          |
|                                                                       | Post 16 Strategy & Commissioning - John Peart                      | 0          | 0          | 0          | 0          | 0           |
|                                                                       | <b>Total Economy, Enterprise &amp; Skills</b>                      | <b>9</b>   | <b>7</b>   | <b>8</b>   | <b>5</b>   | <b>29</b>   |
| Communities - Simon Kitchen                                           | Communities                                                        | 0          | 1          | 1          | 4          | 6           |
|                                                                       | <b>Total Communities</b>                                           | <b>0</b>   | <b>1</b>   | <b>1</b>   | <b>4</b>   | <b>6</b>    |
| <b>Total Communities, Public Health, Environment &amp; Prosperity</b> |                                                                    | <b>25</b>  | <b>25</b>  | <b>25</b>  | <b>24</b>  | <b>99</b>   |
| Highways, Infrastructure Development and Waste                        |                                                                    |            |            |            |            |             |
| Service Area                                                          | Team                                                               | Q1 16-17   | Q2 16-17   | Q3 16-17   | Q4 16-17   | Total 16-17 |
| Highways, Infrastructure Development and Waste - David Whitton        | Infrastructure Development - Rob Richards                          | 0          | 0          | 1          | 1          | 2           |
|                                                                       | Highways - Meg Booth                                               | 151        | 140        | 107        | 195        | 593         |
|                                                                       | Bridges and Structures - Kevin Dentith                             | 0          | 3          | 1          | 0          | 4           |
|                                                                       | Waste - Wendy Barratt                                              | 37         | 27         | 13         | 12         | 89          |
|                                                                       | Built Environments - Chris Dyer                                    | 0          | 0          | 0          | 0          | 0           |
|                                                                       | <b>Total Highways, Infrastructure Development and Waste</b>        | <b>188</b> | <b>170</b> | <b>122</b> | <b>208</b> | <b>688</b>  |
| Corporate Services                                                    |                                                                    |            |            |            |            |             |
| Organisational Development - John Smith                               | Organisational Development - John Smith                            | 1          | 0          | 0          | 1          | 2           |
|                                                                       | <b>Total Organisational Development</b>                            | <b>1</b>   | <b>0</b>   | <b>0</b>   | <b>1</b>   | <b>2</b>    |
| Digital Transformation & Business Support - Rob Parkhouse             | Business Infrastructures - Colin Mackenzie                         | 26         | 12         | 11         | 8          | 57          |
|                                                                       | Strategic Procurement - Justin Bennetts                            | 1          | 0          | 0          | 0          | 1           |
|                                                                       | Strategic Property - Matthews Jones                                | 0          | 0          | 1          | 0          | 1           |
|                                                                       | IT Strategic Commissioning - Gary Dempster                         | 0          | 0          | 0          | 0          | 0           |
|                                                                       | <b>Total Digital Transformation &amp; Business Support</b>         | <b>27</b>  | <b>12</b>  | <b>12</b>  | <b>8</b>   | <b>59</b>   |
| Legal Services & Communications - Jan Shadbolt                        | Legal Services - Simon Clarey                                      | 2          | 0          | 2          | 0          | 4           |
|                                                                       | Registration - Trish Harrogate                                     | 3          | 2          | 4          | 4          | 13          |
|                                                                       | Communications & Media - Tony Parker                               | 0          | 0          | 0          | 0          | 0           |
|                                                                       | <b>Total Legal Services &amp; Communications</b>                   | <b>5</b>   | <b>2</b>   | <b>6</b>   | <b>4</b>   | <b>17</b>   |
| Devon Finance Services - Mary Davies                                  | Accounting Services - Nicola Allen                                 | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Financial Systems and Processes - Martin Oram                      | 1          | 3          | 5          | 6          | 15          |
|                                                                       | Investment and Treasury - Mark Gayler                              | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Strategy & Compliance - Angie Sinclair                             | 0          | 0          | 0          | 0          | 0           |
|                                                                       | Devon Audit Partnership - Robert Hutchings                         | 0          | 0          | 0          | 0          | 0           |
|                                                                       | <b>Total Devon Finance Services</b>                                | <b>1</b>   | <b>3</b>   | <b>5</b>   | <b>6</b>   | <b>15</b>   |
| <b>Total Corporate Services</b>                                       |                                                                    | <b>34</b>  | <b>17</b>  | <b>23</b>  | <b>19</b>  | <b>93</b>   |
| <b>Total All Services</b>                                             |                                                                    | <b>394</b> | <b>351</b> | <b>278</b> | <b>378</b> | <b>1401</b> |

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4.2.2 Across the whole Council there were 378 complaints investigated in Q4; which is an increase of 100 on the 278 investigated in Q3.

4.2.3 Individual service areas saw increases and decreases as follows:

- Adult Care Operations & Health 50 complaints in Q4 compared to 45 in Q3 (an 11% increase)
- Adult Commissioning 3 complaints in Q4 compared to 1 in Q3 (an 66% increase)
- Children's Social Care Services 67 complaints in Q4 compared to 57 in Q3 (a 17% increase)
- Education & Learning 7 complaints in Q4 compared to 5 in Q3 (an increase of 40%)
- Highways, Infrastructure Development & Waste 208 complaints in Q4 compared to 122 in Q3 (an increase of 41%)
- Economy, Enterprise & Skills 5 complaints in Q4 compared to 8 in Q3 (a decrease of 37%)
- Legal Services & Communications 4 complaints in Q4 compared to 6 in Q3 (a decrease of 33%)
- Digital Transformation & business Support 8 complaints in Q4 compared to 12 in Q3 (a decrease of 33%)
- All other services maintained a level comparable to the previous quarter.

4.2.4 Throughout the reporting year 1401 Stage 1 complaints were received and passed for investigation and Table 1 provides the detail of how many complaints each individual service area received. The three services that received the most complaints accounted for 81% of the total number received; they were 688 received by Highways, Infrastructure Development & Waste (49% of total received), 279 received by Children's Social Care Services (20% of total received) and 174 received by Adult Care Operations & Health (12% of total received)

## 4.3 Stage 1 Responses

4.3.1 At Stage 1 of the Corporate and Children's Social Care complaint procedures, Devon County Council aims to respond to complaints within 20 working days. The NHS & Adult Social Care (England) Statutory regulations do not prescribe a set timescale for responses, rather that the complainant and council agree a timescale for responses on a case by case basis. However, for the purposes of this report, where Stage 1 is referred to this does include Adult Care Operations & Health and Adult Commissioning.

4.3.2 In Q4 346 stage 1 complaints were responded to of which 302 (87%) responses were within defined timescales and this represented the best performance achieved throughout the year with improvements being made across all service areas compared to Q3. **Table 2 on the next page** provides a breakdown in responses within and outside defined timescales by Head of Service direct report areas

4.3.3 In Q4 Children's Services have made significant improvements to their response times for complaints achieving 82% on time (37 out of 45 complaints responded to), which is the highest level throughout the year. Children's Social responded to 63 complaints of which 70% were within the statutory timescale and Education & Learning responded to 7 complaints of which only 57% were within the timescales prescribed in the council's complaints procedures.

4.3.4 Adult Care and Health Services responded to 46 complaints in Q4 of which 83% were within timescale (38 complaints) this was a significant improvement from Q3 when only 63% responses were sent out on time. Adult Care Operations & Health responded to 45 complaints of which 37 were within timescales (82%) and there was 1 complaint responded to regarding commissioned services which was within timescales.

4.3.5 Community Health, Environment & Prosperity responded to 20 complaints in Q4 of which 95% (19 complaints) responses were within prescribed timescales. Planning, Transportation & Environment were responsible for 14 of these responses and all of them were within timescale (100%). 3 were regarding Economy, Enterprise & Skills and 100% of these were responded to within prescribed timescales and 3 were regarding Communities of which 2 (67%) were responded to within timescales.

4.3.6 Highways, Infrastructure Development & waste responded to 195 complaints in Q4 of which 93% were within timescale (182 responses). Highways were responsible for 184 of these responses of which 93% (171) responses were within time and Waste were responsible for the remaining 11 of which all 11 (100%) were responded to within timescales.

4.3.7 Corporate Services responded to 15 complaints in Q4 of which 100% were within timescale. 7 responses were in relation to complaints to Digital Transformation & Business Support, Finance Services responded to 6 complaints and Legal Services responded to 2 complaints.

4.3.8 The Customer Relations Team monitors the progress of services and provides fortnightly complaint status reports to all services in order that individuals with complaints assigned to them and managers are aware of deadlines and complaint responses that are overdue.

**4.3.9** Throughout the reporting year there were 1398 stage 1 complaints responded to and 1055 (75%) of these were responded to within the defined timescales. These response rates varied across services but the services with the lowest percentage of their responses going out on time were: Children's Social Care 51%, Education & Learning 55%, Adult Care Operations Commissioned Services (external providers) 38% and Communities 50%. 4 service areas responded to over 93% of complaints on time, but it should be noted that all 3 of these services had relatively low numbers of complaints to respond to; Adult Commissioning & Health (100% - responded to 3 complaints), Planning, transportation & environment (93% - responded to 76 complaints), Infrastructure Development (100% responded to 1 complaint), Bridges & Structures (100% - responded to 4 complaints) and Organisational Development (100% - responded to 1 complaint)

**Table 2 – Stage 1 complaint responses – timescales by Head of Service direct reports**

|                                                                    |                                                             | Quarter 1 16-17  |                   |                    |                    | Quarter 2 16-17  |                   |                    |                    | Quarter 3 16-17  |                   |                    |                    | Quarter 4 16-17  |                   |                    |                    | Total YTD 16-17  |                   |                    |                    |
|--------------------------------------------------------------------|-------------------------------------------------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|
| All Services                                                       |                                                             | Within timescale | Outside timescale | Total responded to | % within timescale | Within timescale | Outside timescale | Total responded to | % within timescale | Within timescale | Outside timescale | Total responded to | % within timescale | Within timescale | Outside timescale | Total responded to | % within timescale | Within timescale | Outside timescale | Total responded to | % within timescale |
| Realm                                                              | Service Area                                                |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |
| Children's Services<br>Jo Olsson                                   | Children's Social Care - Vivien Lines                       | 47               | 65                | 112                | 42%                | 40               | 43                | 83                 | 48%                | 33               | 30                | 63                 | 52%                | 44               | 19                | 63                 | 70%                | 164              | 157               | 321                | 51%                |
|                                                                    | Education & Learning - Dawn Stabb                           | 7                | 5                 | 12                 | 58%                | 9                | 5                 | 14                 | 64%                | 3                | 6                 | 9                  | 33%                | 4                | 3                 | 7                  | 57%                | 23               | 19                | 42                 | 55%                |
|                                                                    | <b>Total Children's Services</b>                            | 54               | 70                | 124                | 44%                | 49               | 48                | 97                 | 51%                | 36               | 36                | 72                 | 50%                | 48               | 22                | 70                 | 69%                | 187              | 176               | 363                | 52%                |
| Adult Care & Health<br>Jennie Stephens                             | Adult Care Operations & Health - Keri Storey                | 25               | 12                | 37                 | 68%                | 32               | 11                | 44                 | 73%                | 25               | 13                | 38                 | 66%                | 37               | 8                 | 45                 | 82%                | 119              | 44                | 164                | 73%                |
|                                                                    | Adult Commissioning & Health - Tim Golby                    | 0                | 0                 | 0                  | n/a                | 2                | 0                 | 2                  | 100%               | 0                | 0                 | 0                  | n/a                | 1                | 0                 | 1                  | n/a                | 3                | 0                 | 3                  | 100%               |
|                                                                    | Commissioned Services (External Providers)                  | 0                | 0                 | 0                  | n/a                | 3                | 3                 | 6                  | 50%                | 0                | 2                 | 2                  | 0%                 | 0                | 0                 | 0                  | n/a                | 3                | 5                 | 8                  | 38%                |
|                                                                    | <b>Total Adult Care &amp; Health</b>                        | 25               | 12                | 37                 | 68%                | 37               | 14                | 52                 | 71%                | 25               | 15                | 40                 | 63%                | 38               | 8                 | 46                 | 83%                | 125              | 49                | 175                | 71%                |
| Community Health, Environment<br>& Prosperity<br>Virginia Pearson  | Public Health - Dr Virginia Pearson                         | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                |
|                                                                    | Planning, Transportation and Environment - Dave Black       | 17               | 3                 | 20                 | 85%                | 19               | 0                 | 19                 | 100%               | 21               | 2                 | 23                 | 91%                | 14               | 0                 | 14                 | 100%               | 71               | 5                 | 76                 | 93%                |
|                                                                    | Economy, Enterprise & Skills - Keri Denton                  | 3                | 3                 | 6                  | 50%                | 8                | 1                 | 9                  | 89%                | 6                | 4                 | 10                 | 60%                | 3                | 0                 | 3                  | 100%               | 20               | 8                 | 28                 | 71%                |
|                                                                    | Communities - Simon Kitchen                                 | 0                | 0                 | 0                  | n/a                | 0                | 1                 | 1                  | 0%                 | 1                | 1                 | 2                  | n/a                | 2                | 1                 | 3                  | 67%                | 3                | 3                 | 6                  | 50%                |
|                                                                    | <b>Total Community Health, Environment &amp; Prosperity</b> | 20               | 6                 | 26                 | 77%                | 27               | 2                 | 29                 | 93%                | 28               | 7                 | 35                 | 80%                | 19               | 1                 | 20                 | 95%                | 94               | 16                | 110                | 85%                |
| Highways, Infrastructure<br>Development and Waste<br>David Whitton | Infrastructure Development - Rob Richards                   | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 1                | 0                 | 1                  | 100%               | 0                | 0                 | 0                  | n/a                | 1                | 0                 | 1                  | 100%               |
|                                                                    | Highways - Meg Booth                                        | 122              | 14                | 136                | 90%                | 118              | 21                | 139                | 85%                | 99               | 13                | 112                | 88%                | 171              | 13                | 184                | 93%                | 510              | 61                | 571                | 89%                |
|                                                                    | Bridges and Structures - Kevin Dentith                      | 0                | 0                 | 0                  | n/a                | 2                | 0                 | 2                  | 100%               | 2                | 0                 | 2                  | 100%               | 0                | 0                 | 0                  | n/a                | 4                | 0                 | 4                  | 100%               |
|                                                                    | Waste - Wendy Barratt                                       | 33               | 7                 | 40                 | 83%                | 14               | 5                 | 19                 | 74%                | 11               | 10                | 21                 | 52%                | 11               | 0                 | 11                 | 100%               | 69               | 22                | 91                 | 76%                |
|                                                                    | Built Environments - Chris Dyer                             | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                |
|                                                                    | <b>Total Highways, Infrastructure Development and Waste</b> | 155              | 21                | 176                | 88%                | 134              | 26                | 160                | 84%                | 113              | 23                | 136                | 83%                | 182              | 13                | 195                | 93%                | 584              | 83                | 667                | 88%                |
| Corporate Services<br>Phil Norrey                                  | Organisational Development + HR - John Smith                | 1                | 0                 | 1                  | 100%               | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 1                | 0                 | 1                  | 100%               |
|                                                                    | Digital Transformation & Business Support - Rob Parkhouse   | 20               | 4                 | 24                 | 83%                | 6                | 5                 | 11                 | 55%                | 13               | 3                 | 16                 | 81%                | 7                | 0                 | 7                  | 100%               | 46               | 12                | 58                 | 79%                |
|                                                                    | Legal Services & Communications - Jan Shadbolt              | 3                | 3                 | 6                  | 50%                | 0                | 0                 | 0                  | n/a                | 2                | 0                 | 2                  | n/a                | 2                | 0                 | 2                  | 100%               | 7                | 3                 | 10                 | 70%                |
|                                                                    | Devon Finance Services - Mary Davis                         | 1                | 0                 | 1                  | 100%               | 1                | 1                 | 2                  | 50%                | 3                | 2                 | 5                  | 60%                | 6                | 0                 | 6                  | 100%               | 11               | 3                 | 14                 | 79%                |
|                                                                    | <b>Total Corporate Services</b>                             | 25               | 7                 | 32                 | 78%                | 7                | 6                 | 13                 | 54%                | 18               | 5                 | 23                 | 78%                | 15               | 0                 | 15                 | 100%               | 65               | 18                | 83                 | 78%                |
| <b>Total All Services</b>                                          |                                                             | 279              | 116               | 395                | 71%                | 254              | 96                | 351                | 72%                | 220              | 86                | 306                | 72%                | 302              | 44                | 346                | 87%                | 1055             | 342               | 1398               | 75%                |

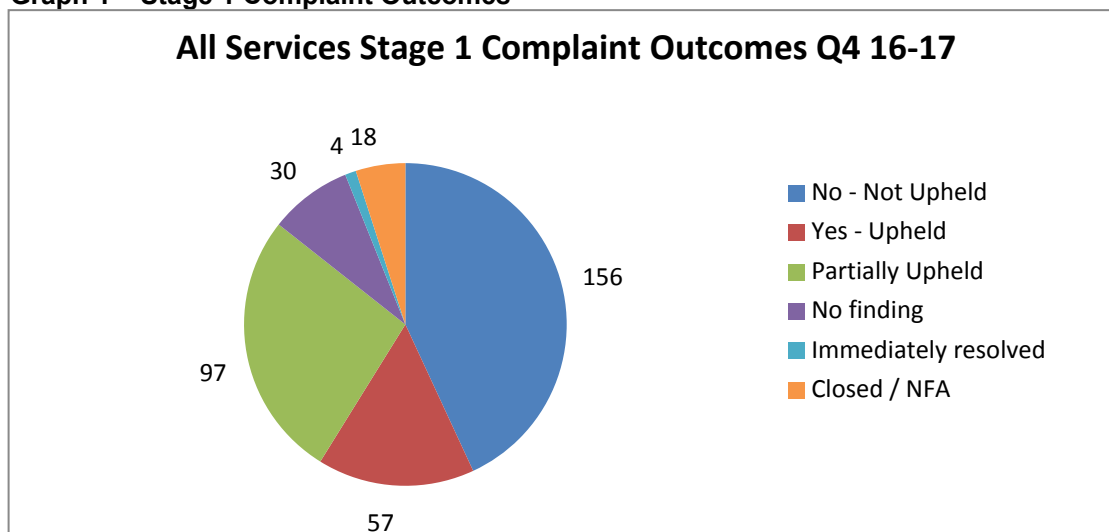
## 4.4 Stage 1 Outcomes

**4.4.1** The outcomes of complaints are important for the Council as they give information regarding the justification of customer concerns, i.e. whether the Council is at fault and could do things better / different. In these circumstances it is important to ensure that the Council does whatever it can to rectify what has gone wrong, apply appropriate redress and implement measures to instigate improvements and disseminate learning.

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4.4.2 The percentage of complaints investigated and responded to at stage 1 in Q4 that were either upheld or partially upheld was 42.5% (154 complaints out of 362 responded to) compared to 45.5% (149 complaints) in Q3. A further 43.5% were Not upheld. (See Graph 1 below)

**Graph 1 – Stage 1 Complaint Outcomes**



4.4.3 In the reporting year across all services 635 of the 1477 complaints responded to have been either fully or partially upheld, this represents 43%. In addition a further 565 complaints have not been upheld, this represents 38% of the total complaints responded to this year to date. Details can be viewed in **Table 3 below**

4.4.4 The outcome of complaints varies quite considerably across the different service areas within the council in respect of the numbers that are Upheld / Partially Upheld and Not Upheld with the percentages ranging from 23% to 55% Upheld and 22% to 69% Not Upheld. Details by service are in table 3 and also here.

- Within Children's Social Care 356 complaints were responded to of which 35% were Not Upheld (125 complaints) and 48% were either Fully or Partially Upheld (169 complaints)
- Within Education & Learning 45 complaints were responded to of which 35.5% were Not upheld (16 complaints) and 38% were either Fully or Partially Upheld (17 complaints)
- Within Adult Care Operations & Health 193 complaints were responded to of which 24% were Not upheld (47 complaints) and 52% were either Fully or Partially Upheld (101 complaints)
- Within Adult Services Commissioning & Health 16 complaints were responded to of which 25% were Not upheld (4 complaints) and 44% were either Fully or Partially Upheld (7 complaints)
- Within Planning, Transportation & Environment 82 complaints were responded to of which 47.5% were Not upheld (39 complaints) and 33% were either Fully or Partially Upheld (27 complaints)
- Within Economy, Enterprise & Skills 29 complaints were responded to of which 35% were Not upheld (10 complaints) and 55% were either Fully or Partially Upheld (16 complaints)
- Within Communities 7 complaints were responded to of which 43% were Not upheld (3 complaints) and 29% were either Fully or Partially Upheld (2 complaints)
- Within Highways, Infrastructure development & Waste 675 complaints were responded to of which 44.5% were Not upheld (299 complaints) and 39% were either Fully or Partially Upheld (261 complaints)
- Within Digital Transformation & Business Support 40 complaints were responded to of which 22.5% were Not upheld (9 complaints) and 55% were either Fully or Partially Upheld (22 complaints)
- Within Legal Services & Communications 13 complaints were responded to of which 69% were Not upheld (9 complaints) and 23% were either Fully or Partially Upheld (3 complaints)
- Within Devon finance Services 18 complaints were responded to of which 22% were Not upheld (4 complaints) and 55.5% were either Fully or Partially Upheld (10 complaints)

4.4.5 Sometimes it is not possible to come to a conclusion one way or another following an investigation and in these cases there has to be an outcome of No Finding and this occurred in 127 of the 1477 complaint responses in this reporting year. This usually occurs where the issue involves one person's view against another and there were no other witnesses.

Table 3 – Stage 1 Complaint Outcomes

| Service                                        |                             | Q1  | Q2  | Q3  | Q4  | YTD  |
|------------------------------------------------|-----------------------------|-----|-----|-----|-----|------|
| Children's Social Care (stat & non stat)       | No - Not Upheld             | 50  | 40  | 17  | 18  | 125  |
|                                                | Yes - Upheld                | 12  | 7   | 10  | 15  | 44   |
|                                                | Partially Upheld            | 39  | 30  | 30  | 26  | 125  |
|                                                | No finding                  | 4   | 2   | 3   | 2   | 11   |
|                                                | Immediately resolved        | 2   | 2   | 3   | 2   | 9    |
|                                                | Not responded to at Stage 1 | 2   | 1   | 0   | 0   | 3    |
|                                                | Closed / NFA                | 12  | 10  | 10  | 7   | 39   |
|                                                | Total                       | 121 | 92  | 73  | 70  | 356  |
| Education and Learning                         | No - Not Upheld             | 5   | 7   | 1   | 3   | 16   |
|                                                | Yes - Upheld                | 2   | 1   | 2   | 1   | 6    |
|                                                | Partially Upheld            | 2   | 3   | 4   | 2   | 11   |
|                                                | No finding                  | 1   | 3   | 2   | 1   | 7    |
|                                                | Immediately resolved        | 1   | 0   | 0   | 0   | 1    |
|                                                | Closed / NFA                | 1   | 2   | 1   | 0   | 4    |
|                                                | Total                       | 12  | 16  | 10  | 7   | 45   |
| Adult Care Operations & Health                 | No - Not Upheld             | 10  | 10  | 13  | 14  | 47   |
|                                                | Yes - Upheld                | 10  | 9   | 9   | 9   | 37   |
|                                                | Partially Upheld            | 12  | 18  | 14  | 20  | 64   |
|                                                | No finding                  | 0   | 0   | 0   | 1   | 1    |
|                                                | Immediately resolved        | 5   | 6   | 2   | 1   | 14   |
|                                                | Closed / NFA                | 9   | 8   | 7   | 6   | 30   |
| Total                                          | 46                          | 51  | 45  | 51  | 193 |      |
| Adult Commissioning & Health                   | No - Not Upheld             | 0   | 2   | 1   | 1   | 4    |
|                                                | Yes - Upheld                | 1   | 0   | 0   | 0   | 1    |
|                                                | Partially Upheld            | 1   | 4   | 1   | 0   | 6    |
|                                                | No finding                  | 0   | 0   | 0   | 0   | 0    |
|                                                | Immediately resolved        | 0   | 2   | 0   | 0   | 2    |
|                                                | Closed / NFA                | 2   | 1   | 1   | 0   | 4    |
|                                                | Total                       | 4   | 9   | 3   | 0   | 16   |
| Public Health                                  | No - Not Upheld             | 0   | 0   | 0   | 0   | 0    |
|                                                | Yes - Upheld                | 0   | 0   | 0   | 0   | 0    |
|                                                | Partially Upheld            | 0   | 0   | 0   | 0   | 0    |
|                                                | No finding                  | 0   | 0   | 0   | 0   | 0    |
|                                                | Immediately resolved        | 0   | 0   | 0   | 0   | 0    |
|                                                | Closed / NFA                | 0   | 0   | 0   | 0   | 0    |
|                                                | Total                       | 0   | 0   | 0   | 0   | 0    |
| Planning, Transportation and Environment       | No - Not Upheld             | 8   | 10  | 12  | 9   | 39   |
|                                                | Yes - Upheld                | 4   | 4   | 4   | 1   | 13   |
|                                                | Partially Upheld            | 5   | 4   | 2   | 3   | 14   |
|                                                | No finding                  | 2   | 2   | 5   | 0   | 9    |
|                                                | Immediately resolved        | 1   | 0   | 0   | 0   | 1    |
|                                                | Closed / NFA                | 0   | 4   | 1   | 1   | 6    |
|                                                | Total                       | 20  | 24  | 24  | 14  | 82   |
| Economy and Enterprise                         | No - Not Upheld             | 1   | 5   | 3   | 1   | 10   |
|                                                | Yes - Upheld                | 3   | 0   | 2   | 1   | 6    |
|                                                | Partially Upheld            | 2   | 3   | 4   | 1   | 10   |
|                                                | No finding                  | 0   | 0   | 1   | 0   | 1    |
|                                                | Immediately resolved        | 0   | 1   | 0   | 0   | 1    |
|                                                | Closed / NFA                | 0   | 0   | 1   | 0   | 1    |
| Total                                          | 6                           | 9   | 11  | 3   | 29  |      |
| Communities                                    | No - Not Upheld             | 0   | 0   | 1   | 2   | 3    |
|                                                | Yes - Upheld                | 0   | 0   | 1   | 0   | 1    |
|                                                | Partially Upheld            | 0   | 1   | 0   | 0   | 1    |
|                                                | No finding                  | 0   | 0   | 0   | 1   | 1    |
|                                                | Immediately resolved        | 0   | 0   | 0   | 1   | 1    |
|                                                | Closed / NFA                | 0   | 0   | 0   | 0   | 0    |
| Total                                          | 0                           | 1   | 2   | 4   | 7   |      |
| Highways, Infrastructure Development and Waste | No - Not Upheld             | 72  | 77  | 47  | 103 | 299  |
|                                                | Yes - Upheld                | 40  | 30  | 37  | 26  | 133  |
|                                                | Partially Upheld            | 40  | 27  | 21  | 40  | 128  |
|                                                | No finding                  | 13  | 24  | 30  | 24  | 91   |
|                                                | Immediately resolved        | 10  | 2   | 0   | 0   | 12   |
|                                                | Closed / NFA                | 1   | 2   | 7   | 2   | 12   |
|                                                | Total                       | 176 | 162 | 142 | 195 | 675  |
| Organisational Change                          | No - Not Upheld             | 0   | 0   | 0   | 0   | 0    |
|                                                | Yes - Upheld                | 0   | 0   | 0   | 0   | 0    |
|                                                | Partially Upheld            | 0   | 0   | 0   | 0   | 0    |
|                                                | No finding                  | 1   | 0   | 0   | 0   | 1    |
|                                                | Immediately resolved        | 0   | 0   | 0   | 0   | 0    |
|                                                | Closed / NFA                | 0   | 0   | 0   | 1   | 1    |
| Total                                          | 1                           | 0   | 0   | 1   | 2   |      |
| Digital Transformation & Business Support      | No - Not Upheld             | 4   | 2   | 0   | 3   | 9    |
|                                                | Yes - Upheld                | 6   | 4   | 3   | 1   | 14   |
|                                                | Partially Upheld            | 6   | 0   | 0   | 2   | 8    |
|                                                | No finding                  | 1   | 2   | 1   | 1   | 5    |
|                                                | Immediately resolved        | 0   | 0   | 1   | 0   | 1    |
|                                                | Closed / NFA                | 2   | 0   | 1   | 0   | 3    |
| Total                                          | 19                          | 8   | 6   | 7   | 40  |      |
| Legal Services & Communications                | No - Not Upheld             | 5   | 0   | 3   | 1   | 9    |
|                                                | Yes - Upheld                | 0   | 0   | 2   | 1   | 3    |
|                                                | Partially Upheld            | 0   | 0   | 0   | 0   | 0    |
|                                                | No finding                  | 0   | 0   | 0   | 0   | 0    |
|                                                | Immediately resolved        | 1   | 0   | 0   | 0   | 1    |
|                                                | Closed / NFA                | 0   | 0   | 0   | 0   | 0    |
| Total                                          | 6                           | 0   | 5   | 2   | 13  |      |
| Devon Finance Services                         | No - Not Upheld             | 0   | 1   | 2   | 1   | 4    |
|                                                | Yes - Upheld                | 0   | 0   | 2   | 2   | 4    |
|                                                | Partially Upheld            | 1   | 1   | 1   | 3   | 6    |
|                                                | No finding                  | 0   | 0   | 0   | 0   | 0    |
|                                                | Immediately resolved        | 0   | 0   | 0   | 0   | 0    |
|                                                | Closed / NFA                | 0   | 1   | 2   | 1   | 4    |
| Total                                          | 1                           | 3   | 7   | 7   | 18  |      |
| Total all areas                                | No - Not Upheld             | 155 | 154 | 100 | 156 | 565  |
|                                                | Yes - Upheld                | 78  | 55  | 72  | 57  | 262  |
|                                                | Partially Upheld            | 108 | 91  | 77  | 97  | 373  |
|                                                | No finding                  | 22  | 33  | 42  | 30  | 127  |
|                                                | Immediately resolved        | 20  | 13  | 6   | 4   | 43   |
|                                                | Closed / NFA                | 29  | 29  | 31  | 18  | 107  |
| All Services TOTAL                             |                             | 412 | 375 | 328 | 362 | 1477 |



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## 4.5 Themes & Root Causes of Complaints at Stage 1

- 4.5.1** There are many different reasons why our customers make complaints and in many cases a customer raises more than one issue within a complaint. All complaints and the individual complaint issues within each complaint are logged onto the Council's Complaints Management System, iCasework.
- 4.5.2** The details below in **Table 4** reflect the most common complaint issues in the year. It should be noted that these are recorded by individual issue within a complaint and there are often more than one issue within a complaint.

**Table 4 – Summary of Themes / Root Causes across the Council**

| THEMES ALL SERVICE AREAS YEAR 16-17             |                             |                            |                            |                                               |                                     |                                              |                                 |                               |                                              |                                    |                                          |                        |                    |                                  |                                         |                               |              |                                  |                                |                       |                            |                          |                              |                             |  |
|-------------------------------------------------|-----------------------------|----------------------------|----------------------------|-----------------------------------------------|-------------------------------------|----------------------------------------------|---------------------------------|-------------------------------|----------------------------------------------|------------------------------------|------------------------------------------|------------------------|--------------------|----------------------------------|-----------------------------------------|-------------------------------|--------------|----------------------------------|--------------------------------|-----------------------|----------------------------|--------------------------|------------------------------|-----------------------------|--|
| Category                                        | Delivery                    |                            |                            |                                               |                                     |                                              |                                 |                               |                                              | Staff                              |                                          |                        |                    |                                  |                                         | Documents                     |              |                                  | Other                          |                       |                            | Finance                  |                              |                             |  |
|                                                 | Quality of service provided | Delay in providing service | Timings of service offered | Refusal to provide service/eligibility issues | Failure or delay in referring issue | Cancellation or withdrawal of agreed service | Inappropriate action or service | Policy/Procedure not followed | Objecting to intended/future service offered | Lack of response from staff member | Attitude/rudeness/inappropriate comments | Inappropriate activity | Missed appointment | Poor communication (to customer) | Poor communication (internal processes) | Written communication unclear | Egress issue | Dispute of records/documentation | Health and safety issue report | Discrimination report | Information Security alert | Prices/charges objection | Funding not approved/reduced | Agreed funding not provided |  |
| Total Children's Social Care                    | 88                          | 28                         | 20                         | 15                                            | 17                                  | 8                                            | 76                              | 11                            | 12                                           | 45                                 | 108                                      | 82                     | 8                  | 132                              | 8                                       | 6                             | 0            | 40                               | 0                              | 1                     | 4                          | 3                        | 8                            | 8                           |  |
| Total Adult Care Operations & Health            | 59                          | 35                         | 7                          | 10                                            | 4                                   | 12                                           | 33                              | 5                             | 19                                           | 27                                 | 35                                       | 21                     | 3                  | 35                               | 1                                       | 2                             | 0            | 8                                | 1                              | 0                     | 0                          | 8                        | 7                            | 5                           |  |
| Total Adult Commissioning & Health              | 7                           | 0                          | 0                          | 0                                             | 0                                   | 0                                            | 1                               | 4                             | 0                                            | 0                                  | 2                                        | 5                      | 1                  | 4                                | 0                                       | 0                             | 0            | 2                                | 0                              | 0                     | 0                          | 0                        | 0                            | 0                           |  |
| Total Education and Learning                    | 11                          | 1                          | 0                          | 1                                             | 1                                   | 0                                            | 2                               | 5                             | 2                                            | 2                                  | 0                                        | 2                      | 0                  | 3                                | 0                                       | 0                             | 0            | 5                                | 0                              | 0                     | 1                          | 1                        | 1                            | 0                           |  |
| TotalPublic Health                              | 0                           | 0                          | 0                          | 0                                             | 0                                   | 0                                            | 0                               | 0                             | 0                                            | 0                                  | 0                                        | 0                      | 0                  | 0                                | 0                                       | 0                             | 0            | 0                                | 0                              | 0                     | 0                          | 0                        | 0                            | 0                           |  |
| Total Planning, Transportation and Environment  | 18                          | 12                         | 4                          | 8                                             | 1                                   | 0                                            | 6                               | 1                             | 4                                            | 3                                  | 8                                        | 8                      | 0                  | 13                               | 0                                       | 1                             | 0            | 3                                | 1                              | 0                     | 0                          | 3                        | 1                            | 0                           |  |
| Total Economy Enterprise & Skills               | 9                           | 4                          | 1                          | 2                                             | 0                                   | 2                                            | 1                               | 1                             | 1                                            | 3                                  | 1                                        | 0                      | 0                  | 5                                | 0                                       | 0                             | 0            | 0                                | 1                              | 0                     | 0                          | 4                        | 3                            | 0                           |  |
| Total Services for Communities                  | 2                           | 0                          | 0                          | 0                                             | 0                                   | 0                                            | 0                               | 0                             | 0                                            | 0                                  | 4                                        | 0                      | 0                  | 0                                | 0                                       | 0                             | 0            | 0                                | 1                              | 0                     | 0                          | 0                        | 0                            | 0                           |  |
| Total Highways, Capital Development and Waste   | 152                         | 163                        | 32                         | 43                                            | 16                                  | 3                                            | 36                              | 9                             | 26                                           | 77                                 | 119                                      | 16                     | 3                  | 67                               | 1                                       | 3                             | 0            | 7                                | 6                              | 0                     | 0                          | 16                       | 0                            | 0                           |  |
| Total Organisational Development                | 0                           | 0                          | 0                          | 0                                             | 0                                   | 0                                            | 0                               | 0                             | 0                                            | 0                                  | 0                                        | 1                      | 0                  | 0                                | 0                                       | 1                             | 0            | 0                                | 0                              | 0                     | 0                          | 0                        | 0                            | 0                           |  |
| Total Digital Transformation & Business Support | 25                          | 3                          | 5                          | 4                                             | 4                                   | 0                                            | 3                               | 3                             | 1                                            | 1                                  | 7                                        | 2                      | 0                  | 9                                | 0                                       | 0                             | 0            | 6                                | 0                              | 0                     | 0                          | 0                        | 0                            | 0                           |  |
| Total Legal Services                            | 4                           | 2                          | 2                          | 0                                             | 0                                   | 0                                            | 3                               | 0                             | 1                                            | 1                                  | 2                                        | 1                      | 0                  | 1                                | 0                                       | 0                             | 0            | 2                                | 0                              | 0                     | 0                          | 2                        | 0                            | 0                           |  |
| Total Finance                                   | 7                           | 1                          | 0                          | 0                                             | 1                                   | 0                                            | 5                               | 0                             | 0                                            | 0                                  | 2                                        | 0                      | 0                  | 4                                | 1                                       | 0                             | 0            | 0                                | 0                              | 0                     | 0                          | 3                        | 0                            | 0                           |  |
| Total All Services                              | 382                         | 249                        | 71                         | 83                                            | 44                                  | 25                                           | 166                             | 39                            | 66                                           | 159                                | 288                                      | 138                    | 15                 | 273                              | 11                                      | 13                            | 0            | 73                               | 10                             | 1                     | 5                          | 40                       | 20                           | 13                          |  |
| Ranking Position end Year                       | 1                           | 4                          | 10                         | 8                                             | 12                                  | 15                                           | 5                               | 14                            | 11                                           | 6                                  | 2                                        | 7                      | 17                 | 3                                | 20                                      | 18=                           | 24           | 9                                | 21                             | 23                    | 22                         | 13                       | 16                           | 18=                         |  |

- 4.5.3** From **Table 4** it can be concluded that the quality of services provided by the Council is the most frequently complained about issue (382 incidences logged across the year), followed by Attitude / rudeness/ inappropriate comments made by our staff (288 incidences logged in the year), the third most common theme is poor communication with our customers (273 incidences logged in the year) and the 4<sup>th</sup> is Delays in providing services (249 incidences logged in the year).
- 4.5.4** The next two most commonly complained about themes are an inappropriate action or service delivered (166 incidences logged in the year) and a lack of response from a staff member (159 incidences logged in a year) which is a further theme relating to poor communication with our customers.
- 4.5.5** This part of our reports is being further developed and at year end it is hoped to be able to include analysis of what percentage of these issues for the top themes are upheld, partially upheld or not upheld.

## 5 Stage 2 and Stage 3 Complaints

### 5.1 Stage 2 Complaints Received

- 5.1.1** At Stage 2 within Children's Social Care most investigations are being undertaken by managers from within a different team to the one being complained about together with an externally commissioned Independent Person, which is a requirement of the statutory regulations. This is in order to mitigate for the overspend in the budget that came about due to the spike there was in Stage 2 complaints in previous quarters. Normally they would be undertaken by externally commissioned investigating officers and externally appointed Independent Persons in line with the requirements of the Statutory Complaints Regulations. All other Non Statutory Stage 2 investigations are undertaken by senior staff within the Customer Relations Team.
- 5.1.2** In Q4 there has been 1 complaint escalated to Stage 2 under the Children's Social Care Statutory Procedures.

- 5.1.4** There have been 33 stage 2 complaints under the Corporate Complaints Procedure in Q4 (there were 32 in Q3), 4 in Children's Social Care, 1 in Education & Learning, 3 in Planning, Transportation & Environment, 2 in Economy, Enterprise & Skills and 23 in Highways, Infrastructure Development & Waste.
- 5.1.5** Throughout the year there have been 21 Statutory Children's Social Care Stage 2 Complaints and 109 non statutory Stage 2 complaints. This represents an escalation rate of 9.5%, (6.5% in the statutory Children's Social Care and 10% in all other areas).
- 5.1.6** **Table 5 below** gives breakdown of the Stage 2 complaints received by senior leadership team areas

| All Services                                                    |                                                             |           |           |           |           |             |
|-----------------------------------------------------------------|-------------------------------------------------------------|-----------|-----------|-----------|-----------|-------------|
| Realm                                                           | Service Area                                                | Q1 16-17  | Q2 16-17  | Q3 16-17  | Q4 16-17  | Total 16-17 |
| Children's Services<br>Jo Olsson                                | Children's Social Care - Vivien Lines                       | 17        | 5         | 6         | 5         | 33          |
|                                                                 | Education & Learning - Dawn Stabb                           | 0         | 5         | 2         | 1         | 8           |
|                                                                 | <b>Total Children's Services</b>                            | <b>17</b> | <b>10</b> | <b>8</b>  | <b>6</b>  | <b>41</b>   |
| Adult Care & Health<br>Jennie Stephens                          | Adult Care Operations & Health - Keri Storey                | 0         | 0         | 0         | 0         | 0           |
|                                                                 | Adult Commissioning & Health - Tim Golby                    | 0         | 0         | 0         | 0         | 0           |
|                                                                 | Commissioned Services                                       | 0         | 0         | 0         | 0         | 0           |
|                                                                 | <b>Total Adult Care &amp; Health</b>                        | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>0</b>    |
| Community Health, Environment & Prosperity<br>Virginia Pearson  | Public Health                                               | 0         | 0         | 1         | 0         | 1           |
|                                                                 | Planning, Transportation and Environment                    | 2         | 3         | 3         | 3         | 11          |
|                                                                 | Economy, Enterprise & Skills                                | 1         | 0         | 0         | 2         | 3           |
|                                                                 | Communities                                                 | 0         | 0         | 0         | 0         | 0           |
|                                                                 | <b>Total Community Health, Environment &amp; Prosperity</b> | <b>3</b>  | <b>3</b>  | <b>4</b>  | <b>5</b>  | <b>15</b>   |
| Highways, Infrastructure Development and Waste<br>David Whitton | Infrastructure Development - Rob Richards                   | 0         | 0         | 1         | 0         | 1           |
|                                                                 | Highways - Meg Booth                                        | 20        | 6         | 17        | 23        | 66          |
|                                                                 | Bridges and Structures - Kevin Dentith                      | 0         | 0         | 1         | 0         | 1           |
|                                                                 | Waste - Wendy Barratt                                       | 0         | 0         | 1         | 0         | 1           |
|                                                                 | Built Environments - Chris Dyer                             | 0         | 0         | 0         | 0         | 0           |
|                                                                 | <b>Total Highways, Infrastructure Development and Waste</b> | <b>20</b> | <b>6</b>  | <b>20</b> | <b>23</b> | <b>69</b>   |
| Corporate Services<br>Phil Norrey                               | Organisational Development                                  | 0         | 0         | 0         | 0         | 0           |
|                                                                 | Digital Transformation & Business Support                   | 1         | 1         | 2         | 0         | 4           |
|                                                                 | Legal Services & Communications                             | 0         | 1         | 0         | 0         | 1           |
|                                                                 | Devon Finance Services                                      | 0         | 0         | 0         | 0         | 0           |
|                                                                 | <b>Total Corporate Services</b>                             | <b>1</b>  | <b>2</b>  | <b>2</b>  | <b>0</b>  | <b>5</b>    |
| <b>Total All Services</b>                                       |                                                             | <b>41</b> | <b>21</b> | <b>34</b> | <b>34</b> | <b>130</b>  |

## 5.2 Stage 2 Complaint Responses and Outcomes

- 5.2.1** In Q4 there were 2 Statutory Children's Social Care Stage 2 complaints concluded 1 was withdrawn and 1 was partially upheld
- 5.2.2** 21 Non Statutory Stage 2 complaints were completed in Q4; 13 were not upheld, 1 was fully upheld, 6 were partially upheld and 1 was resolved & withdrawn
- 5.2.3** Throughout the reporting year there were 45 Statutory Children's Social Care Stage 2 Complaints concluded of these 22 were withdrawn by the complainant following further work by the service to resolve the outstanding issues post Stage 1, 1 was completely upheld, 1 was not upheld and 21 were partially upheld. The 103 non statutory Stage 2 complaints concluded resulted in 27 of them being closed with no further action following a review, 36 being not upheld, 12 being upheld, 26 being partially upheld and 2 being immediately resolved.
- 5.2.4** In cases whereby services are not providing provision in line with their published procedure the Non Statutory Stage 2 investigation process is particularly useful in that it challenges services to realign or reassess their published procedures in line with what can reasonably be delivered. In cases whereby legislative requirements are not fulfilled, the Council is required to uphold the complaint.
- 5.2.5** Where the complaint is upheld or partially upheld the CRT will pull together an action plan with the Head of Service and individuals will be assigned actions to undertake and evidence of completion should be provided to the CRT as proof of learning and service improvement.
- 5.2.6** **Table 6 below** provides a breakdown of the Stage 2 complaint outcomes for all complaints responded to in Q4 and throughout the reporting year.

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| Stage 2 Complaint Outcomes - responded to in Quarter |                      |    |    |    |    |     |
|------------------------------------------------------|----------------------|----|----|----|----|-----|
| Service                                              |                      | Q1 | Q2 | Q3 | Q4 | YTD |
| Children's Social Care<br>(stat & non stat)          | No - Not Upheld      | 1  | 1  | 2  | 0  | 4   |
|                                                      | Yes - Upheld         | 0  | 0  | 1  | 0  | 1   |
|                                                      | Partially Upheld     | 1  | 13 | 9  | 3  | 26  |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 0  | 0  | 0   |
|                                                      | Closed / NFA         | 3  | 11 | 10 | 1  | 25  |
|                                                      |                      | 5  | 25 | 22 | 4  | 56  |
| Education and Learning                               | No - Not Upheld      | 0  | 0  | 0  | 0  | 0   |
|                                                      | Yes - Upheld         | 0  | 0  | 0  | 0  | 0   |
|                                                      | Partially Upheld     | 0  | 3  | 1  | 0  | 4   |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 0  | 0  | 0   |
|                                                      | Closed / NFA         | 0  | 0  | 1  | 1  | 2   |
|                                                      |                      | 0  | 3  | 2  | 1  | 6   |
| Communities, Public Health, Environment & Prosperity | No - Not Upheld      | 3  | 0  | 1  | 1  | 5   |
|                                                      | Yes - Upheld         | 2  | 0  | 0  | 0  | 2   |
|                                                      | Partially Upheld     | 0  | 1  | 0  | 1  | 2   |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 0  | 0  | 0   |
|                                                      | Closed / NFA         | 0  | 1  | 3  | 0  | 4   |
|                                                      |                      | 5  | 2  | 4  | 2  | 13  |
| Highways, Infrastructure Development and Waste       | No - Not Upheld      | 7  | 5  | 3  | 12 | 27  |
|                                                      | Yes - Upheld         | 3  | 3  | 1  | 1  | 8   |
|                                                      | Partially Upheld     | 3  | 2  | 5  | 3  | 13  |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 2  | 0  | 2   |
|                                                      | Closed / NFA         | 3  | 4  | 11 | 0  | 18  |
|                                                      |                      | 16 | 14 | 22 | 16 | 68  |
| Digital Transformation & Business Support            | No - Not Upheld      | 0  | 0  | 1  | 0  | 1   |
|                                                      | Yes - Upheld         | 0  | 0  | 0  | 0  | 0   |
|                                                      | Partially Upheld     | 0  | 1  | 1  | 0  | 2   |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 0  | 0  | 0   |
|                                                      | Closed / NFA         | 1  | 0  | 0  | 0  | 1   |
|                                                      |                      | 1  | 1  | 2  | 0  | 4   |
| Devon Finance Services                               | No - Not Upheld      | 0  | 0  | 0  | 0  | 0   |
|                                                      | Yes - Upheld         | 0  | 0  | 0  | 0  | 0   |
|                                                      | Partially Upheld     | 0  | 0  | 0  | 0  | 0   |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 0  | 0  | 0   |
|                                                      | Closed / NFA         | 0  | 0  | 0  | 0  | 0   |
|                                                      |                      | 0  | 0  | 0  | 0  | 0   |
| Total all areas                                      | No - Not Upheld      | 11 | 6  | 7  | 13 | 37  |
|                                                      | Yes - Upheld         | 6  | 4  | 2  | 1  | 13  |
|                                                      | Partially Upheld     | 4  | 20 | 16 | 7  | 47  |
|                                                      | No finding           | 0  | 0  | 0  | 0  | 0   |
|                                                      | Immediately resolved | 0  | 0  | 2  | 0  | 2   |
|                                                      | Closed / NFA         | 8  | 14 | 25 | 2  | 49  |
|                                                      | All Services TOTAL   | 29 | 44 | 52 | 23 | 148 |

## 5.3 Stage 2 Complaints Learning

**5.3.1** The main learning points arising from complaints resolved in Q4 are detailed below. All complaints investigated and upheld should have specific actions and learning associated with them and these are drafted as an action plan in conjunction with senior managers and individual actions assigned to an appropriate person to complete and provide evidence of that completion to the Senior Customer Relations Officer who has case managed the complaint. This will ensure a full audit trail and a single point for collation of such actions & learning.

**5.3.2** A statutory complaint concluded related to a father's concern that the Children and Families service had not effectively managed his concerns about the safety and welfare of his children, who were not resident with him.

The Stage 2 complaint investigation fully upheld 3 of the 4 complaints raised, and partially upheld the fourth complaint. As a result, some actions were agreed to be undertaken, although it was recognised this was a difficult situation where information was sought by the complainant from another body that was not forthcoming for legal reasons, and the Local Authority were unable to facilitate this information being provided. With limited information available to the complainant, this led to his belief that the Local Authority were acting inappropriately; whilst the complainant's concerns for his children's welfare were not ignored, the investigation found that further, alternative, information could have been sought which would have assisted in reassuring the complainant that his concerns were being addressed.



In addition the investigation found that there were delays in carrying out agreed actions, and information provided by the complainant was not followed up promptly.

**Actions:**

- It was agreed that the information from CAFCASS would be sought if possible, and that the Local Authority would share it if appropriate; this was followed up, and an excerpt of the information was provided to the complainant.
- In addition, an offer was made to the complainant to provide any additional information to Children's Social Work to be added to the children's files for future reference.
- Regarding requests to other organisations for information where there are safeguarding concerns, it was agreed that formalising the approach needs to be discussed with the Devon Safeguarding Children Board regarding how best to achieve this.

**5.3.3** One of the non statutory Stage 2 complaints regarding Children's services concluded in Q4 resulted in quite a few actions being agreed. The complainant raised 7 complaints at Stage 2 which were directly related to how the Stage 1 complaint was managed; the complainant raised issues such as the Stage 1 response not addressing all issues, the explanation for delay being inadequate, poor communication regarding the complaint, incorrect information being contained within the response, a lack of detail in the response, and a refusal to respond to certain aspects as a staff member had left the authority.

The investigation found that 5 of the 7 complaints raised were upheld, 1 was partially upheld, and 1 was not upheld.

The investigation identified that the handover between a previous Area Manager and new Area Manager was flawed, as the previous Area Manager had indicated that there were no outstanding complaints; this was incorrect, however when the new Area Manager was later made aware of this the complaint was not investigated as thoroughly as it should have been due to wanting to respond quickly and therefore the response was incorrect and inappropriate.

In addition the case management of the complaint within the Customer Relations Team was inadequate; the investigation found that if more proactive work had been undertaken, and appropriate challenges had been made in relation to the draft response by the case manager then it may have been possible to prevent some of the issues.

**Actions:**

- That Senior Children's Services Managers disseminate throughout their teams the importance of:
  - Obtaining necessary agreement before authorising expenditure.
  - Clear communications around financial limits with families and carers when authorising expenditure.
  - Prompt repayments when families and carers use their own funds to make authorised purchases.
  - Responding promptly to queries from families and carers.
- That Senior Children's Services Managers use the learning from this complaint as a discussion point at an Area Managers meeting.
- That Senior Children's Services Managers and the Assistant Customer Relations Manager:
  - Disseminate throughout their teams the importance of making comprehensive and contemporaneous recordings and record keeping.
  - Raise with the appropriate personnel the importance of attempting to discuss the complaint with the complainant either by telephone or in person in order to clarify the complaint.
- That the Assistant Customer Relations Manager:
  - Undertakes an exercise with Case Managers to improve the quality of complaint summaries.
  - Raises with Case Managers the need to issue clear timely reminders to Responding Officers when complaint responses are due.
  - Raises with Case Managers the need to communicate with the complainant in the event of a late response.
  - Undertakes an exercise with Case Managers to improve the quality of checks made to responses before they are sent and to empower Case Managers to challenge decisions.

**5.3.4** A Complaint in regard to decisions made at Stage 1 of a complaint to Highways was investigated at Stage 2: The complainant, who is a full time wheelchair user, requested that bollards be replaced outside his flat to prevent cars parking on the pavement and obstructing his access. There is no budget for replacing bollards and securing funding was not straightforward; the request was refused by several budget holders before a senior manager agreed it could come from the Traffic Sign Maintenance budget. This resulted in an unacceptable delay to the complainant.

**Actions:**

- To raise with the budget holders and other senior managers the importance of prioritising decision making around funding where the outcome impacts on a person's disability.

**5.3.5** A complainant was accused of unacceptable behaviour in a library. It was alleged by a member of staff that the complainant was abusive to staff and customers in the past whilst using the library and that this constituted

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unacceptable behaviour. The complainant had not received any prior information from library staff to indicate that their behaviour was being perceived in this way.

## **Actions;**

- DCC withdrew the claim that the complainant was previously abusive towards staff in the past and again offered sincere apology for the offence this matter caused.
- DCC withdrew the statement used by the staff member in relation to 'unacceptable behaviour' and offered a sincere apology for any undue distress this has caused.

**5.3.6** A Complainant was originally advised under Stage 1 of the complaint process that DCC were going to carry out patching works during year 2016/17 in readiness for surface dressing works due in 2017/18. Unfortunately, when the road was then assessed by the Asset Team it was not considered economical for surface dressing and so no planned patching or surface dressing would be taking place. The complainant was not advised of this and hence requested to go to stage 2 as remedial work promised at stage 1 did not take place.

## **Actions:**

- DCC were able to arrange a number of repairs to be carried out using the revenue patching budget.
- To arrange an onsite meeting with residents to explain DCC's position
- A number of patches were repaired as they met the safety defect criteria

## **5.4 Stage 3 Complaints**

**5.4.1** There is a Stage 3 within the Children's Social Care statutory complaints procedure. This is called a Review Panel Hearing and consists of a panel of 3 people who are independent of DCC hearing evidence from the complainant as to why they feel that the outcome of their stage 2 complaint was not satisfactory together with presentation by the council as to why it believes it was. The Panel makes recommendations to the Chief Officer for Children's Services based on all of the evidence presented to the panel and the Chief Officer writes to the complainants giving the Council's final decision.

**5.4.2** The Council held a Review Panel Hearing (RPH) in Q4 and the details of this are noted below. It should be noted that the complainants have stated that they remain dissatisfied and will be referring their complaint to the Local Government Ombudsman. To date the Council has not been contacted by the Ombudsman.

**5.4.3** The RPH considered 11 of the 14 complaints that constituted the Stage 2 Investigation and the complainant's stated desired outcome from the RPH was that he would like full reimbursement of the Private Law court fees accrued amounting to approximately £7,000.00

The Panel were mainly in agreement with the conclusions of the Stage 2 investigation but added the following recommendations which the Head of Children's Services then considered before a final response was sent to the complainant.

- The Panel has seen the Action Plan produced to respond to the findings from the Stage 1 and Stage 2 complaints process and recommend that all the identified actions are completed and that the complainant is kept appropriately updated.
- As agreed at the Hearing, a meeting between the complainants and the social worker should be arranged at a time convenient to all.  
The local authority should reiterate the apologies already given where the complaints have been upheld by the Panel.
- That Devon Children's Services should consider the reimbursement of the additional financial costs that the complainant incurred as a result of having to return to court to gain a second order instructing Devon to file the Section 7 report. The local authority would need to ask the complainant to submit these details costings before any reimbursement could be considered.

**5.4.4** The final response to the complainants on behalf of the Council included the following in relation to the recommendations of the Panel

- Aside from the suggested meeting with yourselves in Devon, all actions as a result of your complaint have now been completed and a copy of the action was enclosed for their reference.
- If you could let the Area Manager know when you are next planning to travel to Devon we will make arrangements to arrange the agreed meeting.
- Previous apologies were reiterated
- The complaint in relation to the request for reimbursements of costs was carefully considered and whilst the council acknowledged the view of the complainants it is of the opinion that it was ultimately the decision of the judge to order a different Local Authority to complete the Section 7 report. All the parties were present at the time of this direction and could have objected if they wished. It was this decision that caused the delay and therefore the Council cannot accept the responsibility for this. The Council accepts that the delay caused you additional costs, but does not accept that this was the fault of the Council. For these reasons the Council is not satisfied that there is a justifiable reason to reimburse you.

## 6. Compliments Received

- 6.1 Capturing compliments is important for the Council, as they serve to acknowledge provision of excellent service, enable staff to be recognised and the Council to build upon good practice.
- 6.2 In Q4 the council received 342 compliments which is a significant decrease on the 471 received in Q3.
- 6.3 Throughout the reporting year the Council has received a total of 1441 compliments.
- 6.4 The four services that have received the most compliments within the year are Adult Care & Health with 575 most of these (407) were about the Council's provision services, Digital Transformation & Business Support with 275 with most of these about The Customer Service Centre (205), Highways, Capital Development & Waste with 257 most of these were about Highways (180) and Children's Social Care Services with 155 most of these being about the Social Work Teams (116).
- 6.5 It is notable that Highways and Children's Services are not only the services that receive the most compliments but are also the services that are the subject of the most complaints.
- 6.6 **Table 8** details the number of compliments received by Head of Service direct report areas cross the Council.

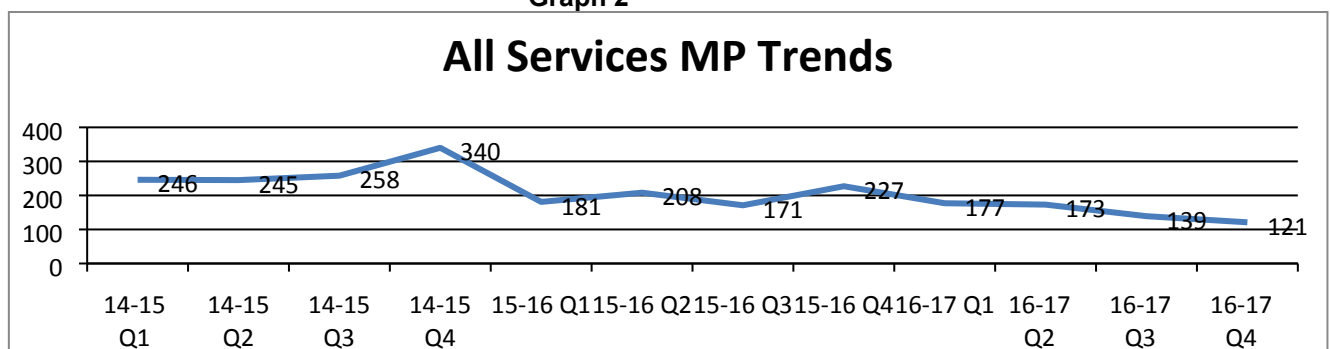
**Compliments by Head of Service direct reports.**

| All Services                                                    |                                                      |          |          |          |          |             |
|-----------------------------------------------------------------|------------------------------------------------------|----------|----------|----------|----------|-------------|
| Realm                                                           | Service Area                                         | Q1 16-17 | Q2 16-17 | Q3 16-17 | Q4 16-17 | Total 16-17 |
| Children's Services<br>Jo Olsson                                | Children's Social Care - Vivien Lines                | 35       | 40       | 57       | 23       | 155         |
|                                                                 | Education & Learning - Dawn Stabb                    | 10       | 2        | 0        | 0        | 12          |
|                                                                 | Total Children's Services                            | 45       | 42       | 57       | 23       | 167         |
| Adult Care & Health<br>Jennie Stephens                          | Adult Care Operations & Health - Keri Storey         | 95       | 119      | 190      | 171      | 575         |
|                                                                 | Adult Commissioning & Health - Tim Golby             | 0        | 2        | 5        | 2        | 9           |
|                                                                 | Commissioned Services                                | 1        | 0        | 0        | 2        | 3           |
|                                                                 | Total Adult Care & Health                            | 96       | 121      | 195      | 175      | 587         |
| Community Health, Environment & Prosperity<br>Virginia Pearson  | Public Health                                        | 0        | 12       | 14       | 17       | 43          |
|                                                                 | Planning, Transportation and Environment             | 10       | 5        | 8        | 4        | 27          |
|                                                                 | Economy, Enterprise & Skills                         | 4        | 8        | 6        | 12       | 30          |
|                                                                 | Communities                                          | 0        | 0        | 0        | 2        | 2           |
|                                                                 | Total Community Health, Environment & Prosperity     | 14       | 25       | 28       | 35       | 102         |
| Highways, Infrastructure Development and Waste<br>David Whitton | Infrastructure Development - Rob Richards            | 0        | 0        | 0        | 0        | 0           |
|                                                                 | Highways - Meg Booth                                 | 41       | 45       | 40       | 54       | 180         |
|                                                                 | Bridges and Structures - Kevin Dentith               | 0        | 5        | 1        | 2        | 8           |
|                                                                 | Waste - Wendy Barratt                                | 50       | 16       | 0        | 2        | 68          |
|                                                                 | Built Environments - Chris Dyer                      | 0        | 0        | 1        | 0        | 1           |
|                                                                 | Total Highways, Infrastructure Development and Waste | 91       | 66       | 42       | 58       | 257         |
| Corporate Services<br>Phil Norrey                               | Organisational Development                           | 0        | 0        | 0        | 0        | 0           |
|                                                                 | Digital Transformation & Business Support            | 33       | 57       | 143      | 42       | 275         |
|                                                                 | Legal Services & Communications                      | 17       | 15       | 6        | 9        | 47          |
|                                                                 | Devon Finance Services                               | 4        | 2        | 0        | 0        | 6           |
|                                                                 | Total Corporate Services                             | 54       | 74       | 149      | 51       | 328         |
| Total All Services                                              |                                                      | 300      | 328      | 471      | 342      | 1441        |

## 7. MP Letters Received

- 7.1.1 In Q4 the council received 121 letters from MPs which is a further decrease on the previous two quarters. In the year the Council received 610 letters from MPs.
- 7.1.2 **The graph 2** below indicates the trend in numbers of MP Letters received over the last 3 years for the Council

**Graph 2**



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7.1.3 Table 9 below provides detail on the enquiries received from Members of Parliament for each service area.

**Table 9 – MP Letters by Head of Service / Direct Report**

| All Services                                                    |                                                             |            |            |            |            |             |
|-----------------------------------------------------------------|-------------------------------------------------------------|------------|------------|------------|------------|-------------|
| Realm                                                           | Service Area                                                | Q1 16-17   | Q2 16-17   | Q3 16-17   | Q4 16-17   | Total 16-17 |
| Children's Services<br>Jo Olsson                                | Children's Social Care - Vivien Lines                       | 18         | 10         | 20         | 8          | 56          |
|                                                                 | Education & Learning - Dawn Stabb                           | 20         | 19         | 15         | 15         | 69          |
|                                                                 | <b>Total Children's Services</b>                            | <b>38</b>  | <b>29</b>  | <b>35</b>  | <b>23</b>  | <b>125</b>  |
| Adult Care & Health<br>Jennie Stephens                          | Adult Care Operations & Health - Keri Storey                | 11         | 12         | 12         | 12         | 47          |
|                                                                 | Adult Commissioning & Health - Tim Golby                    | 3          | 3          | 0          | 4          | 10          |
|                                                                 | Commissioned Services                                       | 0          | 0          | 0          | 0          | 0           |
|                                                                 | <b>Total Adult Care &amp; Health</b>                        | <b>14</b>  | <b>15</b>  | <b>12</b>  | <b>16</b>  | <b>57</b>   |
| Community Health, Environment & Prosperity<br>Virginia Pearson  | Public Health                                               | 0          | 3          | 0          | 1          | 4           |
|                                                                 | Planning, Transportation and Environment                    | 23         | 20         | 22         | 10         | 75          |
|                                                                 | Economy, Enterprise & Skills                                | 7          | 7          | 1          | 6          | 21          |
|                                                                 | Communities                                                 | 0          | 0          | 0          | 0          | 0           |
|                                                                 | <b>Total Community Health, Environment &amp; Prosperity</b> | <b>30</b>  | <b>30</b>  | <b>23</b>  | <b>17</b>  | <b>100</b>  |
| Highways, Infrastructure Development and Waste<br>David Whitton | Infrastructure Development - Rob Richards                   | 1          | 0          | 0          | 1          | 2           |
|                                                                 | Highways - Meg Booth                                        | 86         | 85         | 64         | 56         | 291         |
|                                                                 | Bridges and Structures - Kevin Dentith                      | 1          | 2          | 1          | 0          | 4           |
|                                                                 | Waste - Wendy Barratt                                       | 0          | 3          | 0          | 3          | 6           |
|                                                                 | Built Environments - Chris Dyer                             | 0          | 0          | 0          | 0          | 0           |
|                                                                 | <b>Total Highways, Infrastructure Development and Waste</b> | <b>88</b>  | <b>90</b>  | <b>65</b>  | <b>60</b>  | <b>303</b>  |
| Corporate Services<br>Phil Norrey                               | Organisational Development                                  | 1          | 2          | 1          | 0          | 4           |
|                                                                 | Digital Transformation & Business Support                   | 4          | 5          | 3          | 3          | 15          |
|                                                                 | Legal Services & Communications                             | 2          | 2          | 0          | 0          | 4           |
|                                                                 | Devon Finance Services                                      | 0          | 0          | 0          | 2          | 2           |
|                                                                 | <b>Total Corporate Services</b>                             | <b>7</b>   | <b>9</b>   | <b>4</b>   | <b>5</b>   | <b>25</b>   |
| <b>Total All Services</b>                                       |                                                             | <b>177</b> | <b>173</b> | <b>139</b> | <b>121</b> | <b>610</b>  |

7.1.4 Highway issues continue to dominate communication from MPs with 291 letters received in the reporting year (48% of all letters received). Planning, Transportation & Environment received 75 MP Letters in the reporting year (12% of total received), Education received 69 MP Letters in the year (11% of the total letters received) and Children's Social Care received 56 MP Letters in the year (9% of total received).

## 7.2 MP Letter Responses

7.2.1 The number of letters from MPs that were closed following a response within 20 working days was 87% in Q4 which is slight fall in performance from Q3 and falls just short of the targets set for response times. This represents 111 of the 127 MP letters responded to in the quarter.

7.2.2 Across the reporting year 85% of MP Letters were responded to within the target of 20 working days. This represents 591 of the 698 MP Letters responded to being within target timescale.

7.2.3 In the year the service areas responded within time as follows: Children's Social Care 71% (49 out of 69 responses on time), Education & Learning 93% (64 out of 69 responses on time), Adult Care Operations & Health 85% (41 out of 48 responses on time), Adult Care Commissioning 83% (10 out of 12 responses in time), Planning 90% (71 out of 79 responses on time), Economy & Enterprise 86% (19 out of 22 responses on time), Services for Communities 96% (48 out of 50 responses on time), Highways 82% (281 out of 341 on time), Digital Transformation & Business Support 76% (13 out of 17 responses in time), Legal Services 100% (4 out of 4 responded to), Devon Finance Services 100% (2 out of 2 responded to) and Public Health 100% (2 letters responded to).

7.2.4 As well as MP Letters the council also receives enquiries from Councillors and others from our customers, these are all logged as Representations and treated in exactly the same way as MP Letters. **Table 10 below** provides details of all types of Representations received across the years and the response times to these by each service area.

Table 10 – All Representations responded to by service area

|                                                |                       | 2016-17 Representation Response times |           |           |           |           |
|------------------------------------------------|-----------------------|---------------------------------------|-----------|-----------|-----------|-----------|
|                                                |                       | Quarter 1                             | Quarter 2 | Quarter 3 | Quarter 4 | Total YTD |
| Children's Social Care                         | MP Letters            | 67%                                   | 73%       | 70%       | 82%       | 71%       |
|                                                | Cllr Enquiries        | n/a                                   | 67%       | 100%      | 100%      | 83%       |
|                                                | Others                | 57%                                   | 58%       | 30%       | 75%       | 55%       |
|                                                | <b>Total</b>          | 65%                                   | 64%       | 58%       | 81%       | 66%       |
| Education and Learning                         | MP Letters            | 86%                                   | 100%      | 100%      | 88%       | 93%       |
|                                                | Cllr Enquiries        | 100%                                  | n/a       | n/a       | 100%      | 100%      |
|                                                | Others                | 69%                                   | 83%       | 100%      | n/a       | 79%       |
|                                                | <b>Total</b>          | 80%                                   | 89%       | 100%      | 89%       | 88%       |
| Adult Care Operations & Health                 | MP Letters            | 69%                                   | 90%       | 92%       | 92%       | 85%       |
|                                                | Cllr Enquiries        | 100%                                  | 100%      | 100%      | 80%       | 93%       |
|                                                | Others                | 82%                                   | 83%       | 82%       | 89%       | 85%       |
|                                                | <b>Total</b>          | 77%                                   | 88%       | 88%       | 89%       | 86%       |
| Adult Commissioning & Health                   | MP Letters            | 100%                                  | 50%       | 100%      | 83%       | 83%       |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | 0%        | 86%       | 75%       |
|                                                | Others                | 67%                                   | 83%       | n/a       | 92%       | 86%       |
|                                                | <b>Total</b>          | 83%                                   | 75%       | 50%       | 88%       | 83%       |
| Public Health                                  | MP Letters            | n/a                                   | 100%      | n/a       | 100%      | 100%      |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | 100%      | n/a       | 100%      |
|                                                | Others                | n/a                                   | 100%      | 100%      | 100%      | 100%      |
|                                                | <b>Total</b>          | n/a                                   | 100%      | 100%      | 100%      | 100%      |
| Planning, Transportation and Environment       | MP Letters            | 85%                                   | 94%       | 95%       | 86%       | 90%       |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | 100%      | n/a       | 100%      |
|                                                | Others                | 69%                                   | 81%       | 100%      | 75%       | 81%       |
|                                                | <b>Total</b>          | 81%                                   | 88%       | 97%       | 82%       | 87%       |
| Economy and Enterprise                         | MP Letters            | 70%                                   | 100%      | 100%      | 100%      | 86%       |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | n/a       | n/a       | n/a       |
|                                                | Others                | n/a                                   | n/a       | 100%      | 75%       | 64%       |
|                                                | <b>Total</b>          | 53%                                   | 100%      | 100%      | 88%       | 78%       |
| Highways, Infrastructure Development and Waste | MP Letters            | 79%                                   | 75%       | 91%       | 85%       | 82%       |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | n/a       | 100%      | 100%      |
|                                                | Others                | 85%                                   | 89%       | 100%      | 62%       | 86%       |
|                                                | <b>Total</b>          | 82%                                   | 83%       | 93%       | 82%       | 84%       |
| Services for Communities (Place)               | MP Letters            | 94%                                   | 93%       | 100%      | 100%      | 96%       |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | n/a       | n/a       | n/a       |
|                                                | Others                | 63%                                   | 69%       | 100%      | 89%       | 80%       |
|                                                | <b>Total</b>          | 85%                                   | 81%       | 100%      | 93%       | 88%       |
| Digital Transformation & Business Support      | MP Letters            | 57%                                   | 75%       | 100%      | 100%      | 76%       |
|                                                | Cllr Enquiries        | n/a                                   | 100%      | n/a       | 100%      | 100%      |
|                                                | Others                | 70%                                   | 64%       | 93%       | 70%       | 73%       |
|                                                | <b>Total</b>          | 65%                                   | 67%       | 94%       | 75%       | 74%       |
| Legal Services & Communications                | MP Letters            | 100%                                  | 100%      | n/a       | n/a       | 100%      |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | n/a       | n/a       | n/a       |
|                                                | Others                | 50%                                   | 67%       | n/a       | 100%      | 67%       |
|                                                | <b>Total</b>          | 67%                                   | 80%       | n/a       | 100%      | 77%       |
| Devon Finance Services                         | MP Letters            | n/a                                   | n/a       | n/a       | 100%      | 100%      |
|                                                | Cllr Enquiries        | n/a                                   | n/a       | n/a       | 100%      | n/a       |
|                                                | Others                | 100%                                  | n/a       | 100%      | 67%       | 86%       |
|                                                | <b>Total</b>          | 100%                                  | n/a       | 100%      | 83%       | 90%       |
| <b>Total All Services</b>                      | <b>MP Letters</b>     | 80%                                   | 83%       | 91%       | 87%       | 85%       |
|                                                | <b>Cllr Enquiries</b> | 100%                                  | 89%       | 86%       | 88%       | 89%       |
|                                                | <b>Others</b>         | 79%                                   | 85%       | 91%       | 83%       | 84%       |
|                                                | <b>Total</b>          | 79%                                   | 84%       | 91%       | 86%       | 84%       |

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## 7.3 Letters Received by Individual MP

7.3.1 Table 11 provides details of the volume of communication received from each individual MP.

**Table 11 Letters received by Individual MP**

|               | Service Area | Children's Social Care | Education and Learning | Adult Care Operations & Health | Adult Commissioning & Health | Public Health | Planning, Transportation and Environment | Economy, Enterprise & Skills | Highways, Infrastructure Development and Waste | Organisations Development | Digital Transformation & Business Support | Legal Services & Communications | Devon Finance Services | Total |
|---------------|--------------|------------------------|------------------------|--------------------------------|------------------------------|---------------|------------------------------------------|------------------------------|------------------------------------------------|---------------------------|-------------------------------------------|---------------------------------|------------------------|-------|
| Bradshaw      | Q1           | 5                      | 5                      | 5                              | 0                            | 0             | 6                                        | 0                            | 34                                             | 2                         | 2                                         | 0                               | 0                      | 59    |
|               | Q2           | 2                      | 5                      | 4                              | 0                            | 0             | 1                                        | 0                            | 26                                             | 4                         | 3                                         | 0                               | 0                      | 45    |
|               | Q3           | 11                     | 6                      | 5                              | 0                            |               | 3                                        | 0                            | 18                                             | 3                         | 1                                         | 0                               | 0                      | 47    |
|               | Q4           | 0                      | 4                      | 0                              | 0                            | 0             | 2                                        | 0                            | 20                                             | 0                         | 0                                         | 0                               | 0                      | 26    |
|               | 16-17 YTD    | 18                     | 20                     | 14                             | 0                            | 0             | 12                                       | 0                            | 98                                             | 9                         | 6                                         | 0                               | 0                      | 177   |
| Cox           | Q1           | 5                      | 2                      | 4                              | 0                            | 0             | 0                                        | 0                            | 18                                             | 5                         | 0                                         | 0                               | 0                      | 34    |
|               | Q2           | 0                      | 3                      | 1                              | 0                            | 0             | 0                                        | 0                            | 15                                             | 1                         | 0                                         | 0                               | 0                      | 20    |
|               | Q3           | 0                      | 0                      | 0                              | 3                            | 0             | 1                                        | 0                            | 8                                              | 1                         | 0                                         | 0                               | 0                      | 13    |
|               | Q4           | 0                      | 2                      | 0                              | 0                            | 0             | 3                                        | 0                            | 11                                             | 0                         | 0                                         | 0                               | 0                      | 16    |
|               | 16-17 YTD    | 5                      | 7                      | 5                              | 3                            | 0             | 4                                        | 0                            | 52                                             | 7                         | 0                                         | 0                               | 0                      | 83    |
| Heaton-Jones  | Q1           | 2                      | 1                      | 0                              | 0                            | 0             | 0                                        | 0                            | 10                                             | 0                         | 0                                         | 1                               | 0                      | 14    |
|               | Q2           | 1                      | 1                      | 1                              | 0                            | 0             | 2                                        | 0                            | 7                                              | 1                         | 1                                         | 0                               | 0                      | 14    |
|               | Q3           | 3                      | 1                      | 0                              | 2                            | 0             | 0                                        | 0                            | 8                                              | 1                         | 0                                         | 0                               | 0                      | 15    |
|               | Q4           |                        | 2                      |                                |                              |               |                                          |                              | 4                                              |                           |                                           |                                 |                        | 6     |
|               | 16-17 YTD    | 6                      | 5                      | 1                              | 2                            | 0             | 2                                        | 0                            | 29                                             | 2                         | 1                                         | 1                               | 0                      | 49    |
| Morris        | Q1           | 0                      | 2                      | 0                              | 0                            | 0             | 0                                        | 0                            | 0                                              | 1                         | 0                                         | 0                               | 0                      | 3     |
|               | Q2           | 0                      | 4                      | 2                              | 0                            | 3             | 1                                        | 1                            | 8                                              | 0                         | 0                                         | 0                               | 0                      | 19    |
|               | Q3           | 0                      | 4                      | 0                              | 0                            | 0             | 0                                        | 0                            | 6                                              | 0                         | 0                                         | 0                               | 0                      | 10    |
|               | Q4           | 0                      | 0                      | 0                              | 0                            | 0             | 0                                        | 0                            | 5                                              | 0                         | 0                                         | 0                               | 0                      | 5     |
|               | 16-17 YTD    | 0                      | 10                     | 2                              | 0                            | 3             | 1                                        | 1                            | 19                                             | 1                         | 0                                         | 0                               | 0                      | 37    |
| Parish        | Q1           | 0                      | 2                      | 0                              | 0                            | 0             | 0                                        | 0                            | 4                                              | 2                         | 0                                         | 0                               | 0                      | 8     |
|               | Q2           | 1                      | 5                      | 0                              | 0                            | 0             | 0                                        | 0                            | 8                                              | 0                         | 0                                         | 0                               | 0                      | 14    |
|               | Q3           | 0                      | 3                      | 0                              | 0                            | 0             | 2                                        | 0                            | 4                                              | 1                         | 0                                         | 0                               | 0                      | 10    |
|               | Q4           | 0                      | 3                      | 0                              | 0                            | 0             | 2                                        | 0                            | 6                                              | 0                         | 0                                         | 0                               | 0                      | 11    |
|               | 16-17 YTD    | 1                      | 13                     | 0                              | 0                            | 0             | 4                                        | 0                            | 22                                             | 3                         | 0                                         | 0                               | 0                      | 43    |
| Streeter      | Q1           | 0                      | 1                      | 2                              | 0                            | 0             | 0                                        | 0                            | 0                                              | 3                         | 0                                         | 0                               | 0                      | 6     |
|               | Q2           | 0                      | 3                      | 0                              | 0                            | 0             | 1                                        | 0                            | 1                                              | 0                         | 0                                         | 0                               | 0                      | 5     |
|               | Q3           | 0                      | 0                      | 0                              | 1                            | 0             | 0                                        | 0                            | 2                                              | 0                         | 0                                         | 0                               | 0                      | 3     |
|               | Q4           | 0                      | 1                      | 0                              | 0                            | 0             | 2                                        | 0                            | 0                                              | 0                         | 0                                         | 0                               | 0                      | 3     |
|               | 16-17 YTD    | 0                      | 5                      | 2                              | 1                            | 0             | 3                                        | 0                            | 3                                              | 3                         | 0                                         | 0                               | 0                      | 17    |
| Stride        | Q1           | 3                      | 1                      | 1                              | 0                            | 0             | 3                                        | 0                            | 13                                             | 1                         | 0                                         | 1                               | 0                      | 23    |
|               | Q2           | 3                      | 3                      | 1                              | 0                            | 0             | 2                                        | 0                            | 12                                             | 0                         | 0                                         | 1                               | 0                      | 22    |
|               | Q3           | 2                      | 3                      | 0                              | 0                            | 0             | 0                                        | 0                            | 9                                              | 1                         | 1                                         | 0                               | 0                      | 16    |
|               | Q4           | 0                      | 2                      | 0                              | 0                            | 0             | 0                                        | 0                            | 5                                              | 0                         | 0                                         | 0                               | 1                      | 8     |
|               | 16-17 YTD    | 8                      | 9                      | 2                              | 0                            | 0             | 5                                        | 0                            | 39                                             | 2                         | 1                                         | 2                               | 1                      | 69    |
| Swire         | Q1           | 3                      | 2                      | 2                              | 0                            | 0             | 0                                        | 4                            | 4                                              | 1                         | 1                                         | 0                               | 0                      | 17    |
|               | Q2           | 2                      | 1                      | 4                              | 0                            | 0             | 0                                        | 5                            | 9                                              | 2                         | 0                                         | 1                               | 0                      | 24    |
|               | Q3           | 3                      | 0                      | 1                              | 0                            | 0             | 1                                        | 1                            | 4                                              | 0                         | 0                                         | 0                               | 0                      | 10    |
|               | Q4           | 0                      | 3                      | 0                              | 0                            | 0             | 0                                        | 4                            | 7                                              | 0                         | 0                                         | 0                               | 0                      | 14    |
|               | 16-17 YTD    | 8                      | 6                      | 7                              | 0                            | 0             | 1                                        | 14                           | 24                                             | 3                         | 1                                         | 1                               | 0                      | 65    |
| Wollaston     | Q1           | 0                      | 3                      | 2                              | 0                            | 1             | 0                                        | 0                            | 4                                              | 0                         | 1                                         | 0                               | 0                      | 11    |
|               | Q2           | 0                      | 0                      | 3                              | 0                            | 0             | 1                                        | 0                            | 4                                              | 0                         | 0                                         | 0                               | 0                      | 8     |
|               | Q3           | 0                      | 0                      | 2                              | 0                            | 0             | 0                                        | 0                            | 5                                              | 0                         | 0                                         | 0                               | 0                      | 7     |
|               | Q4           | 0                      | 0                      | 0                              | 0                            | 0             | 0                                        | 0                            | 2                                              | 0                         | 1                                         | 0                               | 0                      | 3     |
|               | 16-17 YTD    | 0                      | 3                      | 7                              | 0                            | 1             | 1                                        | 0                            | 15                                             | 0                         | 2                                         | 0                               | 0                      | 29    |
| Out of County | Q1           | 0                      | 1                      | 0                              | 0                            | 0             | 0                                        | 1                            | 1                                              | 2                         | 0                                         | 0                               | 0                      | 5     |
|               | Q2           | 1                      | 0                      | 0                              | 0                            | 0             | 0                                        | 1                            | 0                                              | 0                         | 0                                         | 0                               | 0                      | 2     |
|               | Q3           | 1                      | 0                      | 0                              | 0                            | 0             | 1                                        | 1                            | 1                                              | 0                         | 0                                         | 0                               | 0                      | 4     |
|               | Q4           | 0                      | 0                      | 0                              | 0                            | 0             | 0                                        | 0                            | 0                                              | 0                         | 0                                         | 0                               | 0                      | 0     |
|               | 16-17 YTD    | 2                      | 1                      | 0                              | 0                            | 0             | 1                                        | 3                            | 2                                              | 2                         | 0                                         | 0                               | 0                      | 11    |
| All MPs       | Q1           | 18                     | 20                     | 16                             | 0                            | 1             | 9                                        | 5                            | 88                                             | 17                        | 4                                         | 2                               | 0                      | 180   |
|               | Q2           | 10                     | 25                     | 16                             | 0                            | 3             | 8                                        | 7                            | 90                                             | 8                         | 4                                         | 2                               | 0                      | 173   |
|               | Q3           | 20                     | 17                     | 8                              | 6                            | 0             | 8                                        | 2                            | 65                                             | 7                         | 2                                         | 0                               | 0                      | 135   |
|               | Q4           | 0                      | 17                     | 0                              | 0                            | 0             | 9                                        | 4                            | 60                                             | 0                         | 1                                         | 0                               | 1                      | 92    |
|               | 16-17 YTD    | 48                     | 79                     | 40                             | 6                            | 4             | 34                                       | 18                           | 303                                            | 32                        | 11                                        | 4                               | 1                      | 580   |

**7.3.2** From this table it can be seen that Ben Bradshaw MP is the most prolific communicator with the Council writing 177 times in the year. Geoffrey Cox MP is the second and has written 83 times in the year followed by Mel Stride who has written 69 times.

## 8 Local Government Ombudsman

### 8.1 Complaints received about Devon County Council

**8.1.1** In Q4, the council received 32 new cases from the Local Government Ombudsman. This is the same number as in Q3. Considering that the Ombudsman has had a higher profile in the last year we should not be concerned.

**8.1.2** In Q4 these complaints were in regards to the following services: 4 complaints about Blue Badges that were not approved / renewed, 8 about Adult Care & Health, 1 about Education, 13 regarding Highways, 3 regarding Children's Social Care, 2 regarding Planning, Transportation & Environment and 1 about Waste Services

**8.1.3** Of these new complaints from the LGO in Q4 18 were at the assessment stage and 14 were a full investigation.

**8.1.4** Across the reporting year the Council has received 88 complaints from the Local Government Ombudsman. **Table 12** provides detail of cases received by Council Service Area

**Table 12 – Complaints received from LGO**

| All Services                                                   |                                                             |                                               |           |           |           |           |             |
|----------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------|-----------|-----------|-----------|-----------|-------------|
| Realm                                                          | Service Area                                                | LGO SERVICE CATEGORY                          | Q1 16-17  | Q2 16-17  | Q3 16-17  | Q4 16-17  | Total 16-17 |
| Children's Services<br>Jo Olsson                               | Children's Social Care - Jo Olsson                          | Education & Children's Services               | 3         | 11        | 4         | 3         | 18          |
|                                                                | Education & Learning - Dawn Stabb                           | Education & Children's Services               | 2         | 2         | 5         | 1         | 9           |
|                                                                | <b>Total Children's Services</b>                            |                                               | <b>5</b>  | <b>13</b> | <b>9</b>  | <b>4</b>  | <b>27</b>   |
| Adult Care & Health<br>Jennie Stephens                         | Adult Care Operations & Health - Keri Storey                | Adult Care services                           | 4         | 3         | 8         | 8         | 15          |
|                                                                | Adult Commissioning & Health - Tim Golby                    | Adult Care services                           | 0         | 0         | 0         | 0         | 0           |
|                                                                | Commissioned Services                                       | Adult Care services                           | 0         | 1         | 0         | 0         | 1           |
|                                                                | <b>Total Adult Care &amp; Health</b>                        |                                               | <b>4</b>  | <b>4</b>  | <b>8</b>  | <b>8</b>  | <b>16</b>   |
| Community Health, Environment & Prosperity<br>Virginia Pearson | Public Health                                               | Corporate & Other Services                    | 0         | 0         | 0         | 0         | 0           |
|                                                                | Planning, Transportation and Environment                    | Planning & Development / Highways & Transport | 2         | 5         | 1         | 2         | 8           |
|                                                                | Economy, Enterprise & Skills                                | Planning & Development / Corporate Services   | 0         | 0         | 0         | 0         | 0           |
|                                                                | Communities                                                 | Corporate & Other Services                    | 0         | 0         | 0         | 0         | 0           |
|                                                                | <b>Total Community Health, Environment &amp; Prosperity</b> |                                               | <b>2</b>  | <b>5</b>  | <b>1</b>  | <b>2</b>  | <b>8</b>    |
| Highways, Infrastructure Development and Waste                 | Infrastructure Development - Rob Richards                   | Highways and Transport                        | 0         | 0         | 0         | 0         | 0           |
|                                                                | Highways - Meg Booth                                        |                                               | 4         | 4         | 4         | 13        | 25          |
|                                                                | Bridges and Structures - Kevin Dentith                      |                                               | 0         | 0         | 0         | 0         | 0           |
|                                                                | Waste - Wendy Barratt                                       |                                               | 0         | 0         | 0         | 1         | 1           |
|                                                                | Built Environments - Chris Dyer                             |                                               | 0         | 0         | 0         | 0         | 0           |
|                                                                | <b>Total Highways, Infrastructure Development and Waste</b> |                                               | <b>4</b>  | <b>4</b>  | <b>4</b>  | <b>14</b> | <b>26</b>   |
| Corporate Services<br>Phil Norrey                              | Organisational Development                                  | Corporate & Other Services                    | 0         | 0         | 0         | 0         | 0           |
|                                                                | Digital Transformation & Business Support                   | Corporate & Other Services                    | 0         | 0         | 0         | 0         | 0           |
|                                                                | Blue Badge Service                                          | Adult Care services                           | 0         | 1         | 10        | 4         | 11          |
|                                                                | Legal Services & Communications                             | Corporate & Other Services                    | 0         | 0         | 0         | 0         | 0           |
|                                                                | Devon Finance Services                                      | Corporate & Other Services                    | 0         | 0         | 0         | 0         | 0           |
|                                                                | <b>Total Corporate Services</b>                             |                                               | <b>0</b>  | <b>1</b>  | <b>10</b> | <b>4</b>  | <b>11</b>   |
| <b>Total all LGO Complaints Received</b>                       |                                                             |                                               | <b>15</b> | <b>27</b> | <b>32</b> | <b>32</b> | <b>88</b>   |

### 8.2 Decisions on complaints by the LGO

**8.2.1** In Q4 there have been 32 decisions made by the LGO on complaints about the council. The decisions were categorised as follows:

|                                                     |              |
|-----------------------------------------------------|--------------|
| Upheld – maladministration & injustice              | 3 complaints |
| Upheld – maladministration with no injustice        | 6 complaints |
| Not Upheld – no maladministration                   | 4 complaints |
| Premature complaint – DCC complaints process        | 2 complaint  |
| Closed after initial enquiries (Assessment Stage)   | 8 complaints |
| Outside the LGO jurisdiction                        | 2 complaint  |
| Moved to full investigation after assessment stage  | 5 complaints |
| Information requested from DCC for information only | 1 complaint  |
| Resolved by DCC before LGO contacted the Council    | 1 complaint  |
| <b>Total</b>                                        | <b>32</b>    |



# Agenda Item 4

8.2.2 Table 13 below provides details of the 9 complaints that resulted in a final decision of Upheld in Q4

**Table 13 – Local Government Ombudsman Decisions – Quarter 3 16/17**

| LGO reference | LGO Service category            | Summary of complaint & LGO decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 16000457      | Education & Children's Services | <p><b>Complaint:</b> This is a joint complaint, It concerns DCC's handling of its investigation into allegations made against the complainant under the 'Managing allegations against adults who work with children' policy (the 'LADO' investigation) and the consequent intervention with the employer by the Council's Strategic Commissioning Team.</p> <p><b>Outcome:</b> The Council should have shared what information it could with the employer during its investigation into allegations against the complainant. There was no fault in the Council's decision to issue an advisory notice as it had concerns about the employer but there were some problems with its handling of this matter.</p> | <p><b>Decision:</b> Upheld - maladministration &amp; injustice</p> <p><b>Action:</b></p> <ol style="list-style-type: none"> <li>1. Pay a financial remedy of £1000 to Employer to recognise the fault and injustice caused by: Not involving it in the LADO investigation; The lack of clarity surrounding the process of investigation, improvement planning and monitoring following the Advisory Notice; Failing to provide the opportunity for a review; Failing to provide the opportunity for a review;</li> <li>The consequent time and trouble taken by Employer in trying to meet conditions which were vague or not practically possible</li> <li>2. Refund £600 of the legal fees incurred by the Employer, specifically for the advice on recruiting a non-executive director and setting up a board of directors, which, later proved to be unfeasible. It is not required to cover other legal costs.</li> <li>3. Send Employer a letter of apology for the faults identified above. It will also apologise separately to the complainant for the distress experienced as a result of the employer not being able to share any information about the LADO investigation</li> </ol> |
| 16008455      | Education & Children's Services | <p><b>Complaint:</b> complaint about the councils handling of transition to EHCP and delay in issuing final plan missing the deadline</p> <p><b>Outcome:</b> The Council delayed in issuing the EHCP, this is fault but did not cause significant injustice as complainant had right of appeal &amp; did not use it.</p>                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Decision:</b> Upheld maladministration, no injustice</p> <p><b>Action:</b> Council to review its procedures within 6 months of the final decision to ensure the delays identified are not repeated in the future</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 16006996      | Education & Children's Services | <p><b>Complaint:</b> DCC decision not to provide free transport to School for a child, complainant thinks route from home to school is not safe for an unaccompanied child</p> <p><b>Outcome:</b> The council needs to amend its school transport policy to include the process it follows when considering appeals against the safety of a walking route to school. This did not undermine the council's decision in this case. There is no evidence of fault in its decision not to provide the complainants child with free transport to school.</p>                                                                                                                                                        | <p><b>Decision:</b> Upheld - maladministration, no injustice</p> <p><b>Action;</b> change school transport policy to include the details of the process used to consider a parent's appeal against the safety of a walking route to school</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 16017899      | Highways & transport            | <p><b>Complaint:</b> complainant had PCO assigned but</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>Decision:</b> Upheld -</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |



|          |                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |                                  | complainant wanted compensation<br><br><b>Outcome:</b> It was correct that the PCN be rescinded but compensation not warranted                                                                                                                                                                                                                                                                                                                       | maladministration with No Injustice<br><br><b>Action:</b> NFA                                                                                                                                                                                                                                                                                                                                                                                                         |
| 16008905 | Adult Care Services              | <b>Complaint:</b> complaint about care complainant's daughter received at Lynridge Care while a resident at Fishleigh, the Council arranged the care.<br><br><b>Outcome:</b> Council did not set out clear outcomes in the client's care plan. This meant it cannot be sure the client received appropriate care at home for 2 years. The Council has agreed actions to reflect the injustice caused to the client and the complainant by this fault | <b>Decision:</b> Upheld - maladministration & injustice<br><br><b>Action:</b> within 1 month - apologise for the unnecessary uncertainty and distress caused by its fault in commissioning the care and support for 2 years. Within 3 months pay the client £500 to remedy failings in care planning - Pay £250 to the complainant to recognise the uncertainty it caused by not providing daughter with adequate care plans & time & trouble in pursuing this matter |
| 16008307 | Adult Care services              | <b>Complaint:</b> complaint about how care staff at the residential home responded to complainant's mothers fall<br><br><b>Outcome:</b> One aspect of the complaint in relation to night time care was upheld.                                                                                                                                                                                                                                       | <b>Decision:</b> Upheld - maladministration with No Injustice<br><br><b>Action:</b> Council gets home to note the error.                                                                                                                                                                                                                                                                                                                                              |
| 16009043 | Adult Care services (Blue Badge) | <b>Complaint:</b> Blue Badge refused even after Appeal- didn't assess ability to use arms or to operate a parking meter and didn't sufficiently consider medical information at the appeal stage<br><br><b>Outcome:</b> There was fault in the way in which the Council assessed the complainants eligibility for a Blue Badge                                                                                                                       | <b>Decision:</b> Upheld - maladministration & injustice<br><br><b>Action:</b> within 1 month Apologise to complainant for the fault in the assessment & communication and carry out a further physical assessment of the complainant's ability to use a parking meter to determine if eligible for a blue badge                                                                                                                                                       |
| 16010361 | Adult Care services (Blue Badge) | <b>Complaint:</b> refusal to renew Blue Badge<br><br><b>Outcome:</b> remedy agreed during investigation The council has agreed to exercise discretion & award a Blue Badge                                                                                                                                                                                                                                                                           | <b>Decision:</b> Upheld – maladministration with No Injustice<br><br><b>Action:</b> NFA                                                                                                                                                                                                                                                                                                                                                                               |
| 16010064 | Adult Care services (Blue Badge) | <b>Complaint:</b> application refused doesn't feel the assessment was correct - not asked to walk on an incline<br><br><b>Outcome:</b> The complaint is resolved by the Council's offer to carry out a fresh assessment of the complainant's walking ability for application for a Blue Badge                                                                                                                                                        | <b>Decision:</b> Upheld - maladministration & No Injustice<br><br><b>Action:</b> undertake a new face to face mobility assessment                                                                                                                                                                                                                                                                                                                                     |

**8.2.3** All LGO final decisions by can be viewed on the LGO website.

**8.2.4** Across the Reporting year the LGO has made 123 decisions in regards to complaints about Devon County Council. Of these only 30 were Upheld; 17 of these with maladministration on the part of the Council that caused an injustice to the complainant, 8 with maladministration on the part of the Council but this did not cause any injustice to the council and a further 5 which were upheld but there was no maladministration and no further action required as the council agreed a suitable remedy during the LGO investigation.

# Agenda Item 4

## 9. Additional Information

### 9.1 Complaints from Children and Young People

**9.1.1** There has been a drive to encourage feedback to the Council from Children and Young People over the last few months, including the introduction of the MOMO (Mind of my Own) application and a renegotiation of our Advocacy Contract.

**9.1.2** In Q4 the Council has received 11 complaints from Children and Young People which equals the number in Q2 and is the highest number in a single quarter for over 2 years. This is encouraging as some further work has been done to engage Young People and ensure they are both aware of how they can make complaints and that they do not fear any reprisals for doing so.

- 3 of these were received via our advocacy contract with NYAS
- 6 came direct from a Child or Young Person (they were then offered an advocate if they wanted one and 1 took up that offer)
- 2 were via MOMO

**9.1.3** In the reporting year there have been a total of 35 complaints received from Young People and these were submitted either via MOMO (10 complaints), Direct by the Young Person to the Customer Relations Team (12 complaints), via an advocate (12 complaints) and via their Social Worker (1 complaint)

**9.1.4** These figures are really positive as they have increased the level of complaints received in 2015/2016 especially as the Council has worked hard on engaging with Young People and encouraging them to feedback their views, both positive and negative.

**9.1.5** Of these 35 complaints 9 are still open at the year end. 4 of those still open are because the Young Person complained direct and has wanted to take up the offer of an advocate funded by the Council and the other 5 are currently being investigated and are still within timescale. 3 complaints were withdrawn by the Young Person following them being able to speak to someone about their issues. The remaining 23 complaints have been investigated and responded to. 5 were fully upheld, 11 were partially upheld, 6 were not upheld and in 1 it resulted in a no finding decision. There have been no complaints from Young People that have escalated to Stage 2 this year.

**9.1.6** The 3 tables below provide details of these complaints.

**Table 14a – Complaints from Young People**

| <b>Complaints from Children and Young People inc. Advocacy</b> |                 |                 |                 |                 |                    |
|----------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|--------------------|
|                                                                | <b>Q1 16-17</b> | <b>Q2 16-17</b> | <b>Q3 16-17</b> | <b>Q4 16-17</b> | <b>Total 16-17</b> |
| No. of complaints direct from children                         | 4               | 8               | 3               | 8               | 23                 |
| No. of those took up offer of advocacy                         | 1               | 2               | 0               | 1               | 4                  |
| No. of NYAS/other advocacy complaints                          | 3               | 3               | 3               | 3               | 12                 |
| <b>Total No. of all complaints from children inc advocacy</b>  | <b>7</b>        | <b>11</b>       | <b>6</b>        | <b>11</b>       | <b>35</b>          |

**Table 14b – Complaints from Young People**

| <b>Route of complaint to CRT</b> | <b>Q1</b> | <b>Q2</b> | <b>Q3</b> | <b>Q4</b> | <b>YTD</b> |
|----------------------------------|-----------|-----------|-----------|-----------|------------|
| Via IRO                          | 0         | 0         | 0         | 0         | <b>0</b>   |
| Via Sworker                      | 0         | 0         | 1         | 0         | <b>1</b>   |
| Atkinson Unit                    | 0         | 0         | 0         | 0         | <b>0</b>   |
| MOMO                             | 1         | 6         | 1         | 2         | <b>10</b>  |
| Direct from YP (not via MOMO)    | 3         | 2         | 1         | 6         | <b>12</b>  |
| Advocate                         | 3         | 3         | 3         | 3         | <b>12</b>  |
| <b>Total</b>                     | <b>7</b>  | <b>11</b> | <b>6</b>  | <b>11</b> | <b>35</b>  |

**Table 14c – Young People Complaint Outcomes**

|                                             | Q1 16-17 | Q2 16-17  | Q3 16-17 | Q4 16-17  | Total 16-17 |
|---------------------------------------------|----------|-----------|----------|-----------|-------------|
| Upheld                                      | 0        | 0         | 2        | 3         | 5           |
| Partially Upheld                            | 3        | 5         | 1        | 2         | 11          |
| Not Upheld                                  | 1        | 2         | 1        | 2         | 6           |
| No Finding                                  | 0        | 0         | 0        | 1         | 1           |
| Withdrawn                                   | 1        | 1         | 0        | 1         | 3           |
| <i>Rejected awaiting advocate complaint</i> | <i>1</i> | <i>2</i>  | <i>0</i> | <i>1</i>  | <i>4</i>    |
| <i>Rejected as not for DCC</i>              | <i>0</i> | <i>0</i>  | <i>0</i> | <i>0</i>  | <i>0</i>    |
| <i>Complaint still open</i>                 | <i>1</i> | <i>1</i>  | <i>2</i> | <i>1</i>  | <i>5</i>    |
| <b>Total</b>                                | <b>7</b> | <b>11</b> | <b>6</b> | <b>11</b> | <b>35</b>   |

Note the process for Yps that accept offer of advocacy is that the original complaint is closed as rejected, then the complaint from the advocate is logged as a new complaint when received

## 10.2 General Information

- 10.2.1 If there is any aspect of customer feedback that CLT / Cabinet feels would be especially useful to be included in the report in future if contact could be made via the Customer Relations Manager all consideration will be given to whether it is possible.

Carol Reece – Customer Relations Manager - [carol.reece@devon.gov.uk](mailto:carol.reece@devon.gov.uk) - Tel: 01392 383624

Rob Parkhouse  
Head of Digital Transformation & Business Support



## ETHICAL GOVERNANCE FRAMEWORK MONITORING

Report of the County Solicitor

**Recommendation:** that the Report be noted.

1. Independent, co-opted, members of the Standards Committee regularly attend meetings of the Council, the Cabinet and Committees on an ad-hoc basis to observe and monitor compliance with the Council's ethical governance framework, in line with the agreed protocol.
2. Since the last Report to the previous meeting the number of meetings attended has necessarily been limited and details of such meetings and the co-opted members' views/feedback is summarised below. The current rota is attached to this Report.

| Meeting        |             | Co-opted Member/Observer |
|----------------|-------------|--------------------------|
| County Council | 25 May 2017 | Mr Hodgson               |

3. The following table summarises the feedback received on a number of general issues common to all meetings

| Observations:                                                                     | 1 = Very Poor and 5 = Very Good |   |   |   |   |
|-----------------------------------------------------------------------------------|---------------------------------|---|---|---|---|
|                                                                                   | 1                               | 2 | 3 | 4 | 5 |
| Punctuality and Attendance of Members                                             |                                 |   |   |   | ✓ |
| Appearance and presentation                                                       |                                 |   |   |   | ✓ |
| Speeches: clear, relevant, understandable, audio levels, use of microphones etc., |                                 |   |   |   | ✓ |
| Use of appropriate language                                                       |                                 |   |   |   | ✓ |
| Members' Conduct & Behaviour                                                      |                                 |   |   |   | ✓ |
| Clear identification and declaration of interests ( <i>where so declared</i> )    |                                 |   |   |   | ✓ |
| Effective Chairmanship/conduct of meeting                                         |                                 |   |   |   | ✓ |
| Adherence to Agenda                                                               |                                 |   |   |   | ✓ |
| Listening and responding to advice (from Officers)                                |                                 |   |   |   | ✓ |

# Agenda Item 5

4. As part of the general induction programme for the new Council, a number of sessions have already been arranged on ethical governance matters and new Members have also been made aware of the monitoring undertaken by co-opted members of this Committee and the importance placed upon conduct and behaviours - perceived and real - and adherence to the Code of Conduct.
5. Refresher training will be provided during the course of the year as necessary but specific training for Members on working with and understanding their communities (including diversity and equality issues) is already planned for later this month.
6. This Report has no specific equality, sustainability, legal or public health implications that have not already been assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements relating to the conduct of meetings, to safeguard the Council's position.

JAN SHADBOLT

[Electoral Divisions: All]

## **Local Government Act 1972: List of Background Papers**

Contact for Enquiries: R Hooper

Tel No: 01392 382300 Room: G31

| <b><u>Background Paper</u></b> | <b><u>Date</u></b> | <b><u>File Reference</u></b> |
|--------------------------------|--------------------|------------------------------|
| Nil                            |                    |                              |

## ATTENDANCE ROTA – 2017

| <i>Date</i>  | <i>Meeting /Committee/Time</i>                                     | <i>Co-opted Member/Observer</i> |
|--------------|--------------------------------------------------------------------|---------------------------------|
| <b>2017</b>  |                                                                    |                                 |
| 25 May       | County Council @ 2.15pm                                            | Mr Hodgins                      |
| 26 June      | Mid Devon Highways @ 10.30am                                       | Mr Hodgins                      |
| 13 July      | Teignbridge Highways @ 10.30am                                     | Mrs Mayes                       |
| 7 September  | Health & Wellbeing Board @ 2.15pm                                  | Mrs Mayes                       |
| 13 September | Cabinet @ 10.30am                                                  | Mrs Saltmarsh                   |
| 26 September | Corporate, Infrastructure & Regulatory Services Scrutiny @ 10.30am | Mrs Mayes                       |
| 3 October    | Personnel Partnership @ 10.00am                                    | Mr Hodgins                      |
| 16 October   | Devon Pension Board @ 10.30am                                      | Mrs Saltmarsh                   |
| 9 November   | Public Rights of Way Committee @ 2.15pm                            | Mrs Mayes                       |
| 30 November  | East Devon Highways @ 10.30am                                      | Mr Hodgins                      |
| 4 December   | Farms Estates Committee @ 2.15pm                                   | Mrs Saltmarsh                   |







## The Standards Committee

2016/17

believes that attainment of high ethical standards is an essential element of the work of any public body and the transparent robust application of those in public service is particularly important. This summary report shows not only how the Committee has undertaken those tasks during the previous 12 months but how it continues to contribute to and offer the necessary direction to shape the governance culture and ethos of the organisation.

The County Council's Standards Committee comprises eleven persons, four of whom are co-opted, with the other seven members being Councillors (but not who represent the membership of the County Council Members of this Committee work together to promote high standards of behaviour and systems of create a climate where complaints or problems rarely Chairmanship of this Committee is held automatically the County Council recognising the traditional role. The County Council has long recognised the by an independent voice on its Standards Committee. about the Committee and its terms of reference, also Council's Constitution, can be seen on the Council's <https://new.devon.gov.uk/democracy/councillor/committee/standards/>

### Standards Committee Members:

#### County Councillors:

Andrew Moulding (Chairman)

Caroline Chugg

Polly Colthorpe

Alan Connett

George Gribble

Roy Hill

John Mathews

#### Co-opted Members:

Anne Mayes

Ruth Saltmarsh

Ray Hodgins

Sir Simon Day

Cabinet Members) as a whole. the importance of governance and to arise. The by the Chairman of impartiality of that added value brought More information set out in the website at:

*The Committee met 3 times in 2016/17 and, in addition, co-opted Members attended a further 18 meetings of the Council, Cabinet or Committees to observe and monitor compliance with the Council's ethical governance framework. While a number of practical observations were made about speaking, use of microphones, identification, use of nameplates and punctuality, no specific actions or behaviours were observed which might have resulted in a breach of the code or might warrant further action but steps were taken to address any practical or procedural matters identified.*

The Standards Committee acts as champion and guardian of the County Council's ethical standards and is responsible for promoting and maintaining high standards of conduct by elected members and co-opted members of the Council. Article 3 of the Council's Constitution makes it clear that any member of the public may complain to the Monitoring Officer about an alleged breach of the Members' Code of Conduct which is

set out in Part 6 of the County Council's Constitution available on the Council's website at: [http://www.devon.gov.uk/index/your\\_council/decision\\_making/constitution.htm](http://www.devon.gov.uk/index/your_council/decision_making/constitution.htm).

The Council has put in place arrangements for dealing with complaints against Members and deal with any allegations that Members may have breached the Code. The Council has also appointed 'Independent Persons' one of whom has to be consulted upon and their views taken into account before reaching a decision about any allegation. More information about the Council's processes, the Code of Conduct and the complaints process can be found on the County Council's website at:

[http://www.devon.gov.uk/index/councildemocracy/county\\_councillors/councillorcomplaints.htm](http://www.devon.gov.uk/index/councildemocracy/county_councillors/councillorcomplaints.htm)

A total of 5 complaints were received under the Members Code of Conduct alleging breaches of the code relating variously to councillors not acting in the public interest, declaring relevant interests, failing to treat others with respect, exercising undue influence, bullying or intimidation, misuse of power or authority and bringing their office or the Council into disrepute.

Following an initial assessment of each complaint\* involving an Independent Person appointed by the Council, as appropriate, no further action was taken on any of the complaints on the basis that either there had been no material breach of the code that would warrant further investigation or the allegations would not constitute a breach of the Code of Conduct and could not therefore be investigated.

[\*One complaint was felt to have warranted further investigation but it was subsequently withdrawn and while the Monitoring Officer may continue with an investigation if it was felt to be in the public interest to do so- that was not deemed necessary in this instance although the subject member was spoken to about the allegations by way of a form of local settlement.]

There were, therefore, no cases where a formal investigation or formal hearing of the Committee was required.

# Agenda Item 7

*No dispensations were granted to any individual Member of the Council to allow him/her to speak and vote on any matter before the Council or a Committee but a general dispensation was issued for all Members in receipt of a state pension to permit them to discuss matters of a general nature relating thereto*

The Committee also monitors the operation of the Council's feedback and complaints processes and continues to receive reports on compliments, representations and complaints received under the revised corporate feedback system. While acknowledging there was always room for improvement, the highly satisfactory results of that monitoring were again commendable. While the general trend for the number of complaints appeared to be inexorably upwards, this was felt to be as much a reflection of general societal attitude and expectations and the positive work

being undertaken by the Council to encourage feedback from members of the public rather than an increase in wrongdoing or failure of performance. It was pleasing to note that, conversely, the number of compliments received across service areas also increase over the previous year.

The Committee acknowledged that no procedural issues had been raised by the Local Government Ombudsman following complaints made to her or of any question of probity by elected members or officers. While the number of complaints to the Ombudsman had increased – partly due to a revised reporting methodology and national awareness campaigns – the percentage of such complaints which had been upheld or which injustice or fault was identified (12%) compared favourably to the previous year (17%)

It was hoped that 2017/18 would see progress within the publication of legislation for the creation of a single Ombudsman for Public Services and greater clarity around how that would work and impact upon Council's in particular.

Looking Ahead: While the work of the Committee is demand led, it will continue to monitor elected members performance at meetings of the Council, Cabinet and Committees and adherence to the Council's ethical governance framework; to monitor and receive reports on compliments, representations and complaints received under the corporate feedback system; to monitor and consider any feedback arising from complaints to the Ombudsman and any issues raised by her about complaints handling and to identify and support provision of regular training and refresher events for elected members of the Council (particularly on the importance of the Code of Conduct and high standards of ethics and probity). The main issue for 2017/18 will be in ensuring that the new Council is conversant with the Council's governance framework, it's interpretation and application of the Code of Conduct and the Council's own working practices to ensure compliance therewith. A [third] ethical governance audit and self-assessment survey of County Councillors and Officers is planned for the end of the first year of office of the new Council – to gauge both the understanding of any newly elected Members and the effectiveness of Induction Training and Member Development provided after the 2017 elections.

*During 2016/17 the Monitoring Officer held a number of 'open house' sessions for Members prior to each County Council meeting to allow Members to raise and discuss issues around ethical governance including:*

- speaking at meetings*
- Members' Interests & Conduct*
- availability of Information to Members*
- representing the Council on other bodies*

Finally, the Committee would wish to record its appreciation to Mr Vincent Sullivan for his contribution to the work of the Committee; Mr Sullivan having stood down in November for personal reasons.

The Agenda and minutes of this Committee together with any Officers' Reports considered at the meeting are published online on the Council's Website at <http://www.devon.gov.uk/cma.htm>

*Prepared by Devon County Council's Monitoring Officer*

*Copies of this Report may be obtained from the Democratic Services & Scrutiny Secretariat at County Hall, Topsham Road, Exeter, Devon, EX2 4QD or by ringing 0845 155 1015 and is also available on the County Council's website at: <https://new.devon.gov.uk/democracy/councillor/committee/standards/>*