

CUSTOMER FEEDBACK MONITORING REPORT FOR QUARTER FOUR 2013/14

Report of the Head of Business Strategy and Support

1. Recommendations

1.1 It is recommended that Members

- note performance in respect of feedback received by Devon County Council

2. Key messages

- 81% of stage 1 complaints were responded to within timescale which is a much improved performance compared to the last quarter.
- Highways have shown a marked improvement in their response times from 64% last quarter to 83% this quarter. The corporate Customer Relations team has been working closely with the Highway service to support officers with their response times and the improved performance and commitment from the Head of Service is welcomed.
- It was reported last quarter that Children's social care stage 1 complaint response times had fallen again to 41% within timescale. There is a slight improvement this quarter to 48% responded to within time. The current challenges facing children's services are well known and this is affecting their ability to provide timely responses to complaints and MP letters.
- 51% of complaints were upheld or partially upheld.
- Basic Statistics for Quarter 2:

○ Number of corporate complaints:	484
○ Number of social care Adult Services complaints:	55
○ Number of social care Children's Services complaints:	74
○ Number of corporate compliments:	245
○ Number of social care Adult Services compliments:	168
○ Number of social care Children's Services compliments:	3
○ Number of corporate MP letters:	167
○ Number of social care MP letters:	64

3. Purpose

3.1 This report provides an update on the performance of Devon County Council and themes in respect of customer feedback including representations from Members of Parliament received for both corporate and social care services.

4. Introduction

4.1 This report is a regular feedback report for consideration.

5. Stage One Complaints

5.1 The following table (Table 1) shows that in quarter 4; Highways, rejection of Blue Badge applications and School Transport are causing the most concern to our customers. However there has been a decrease in the volume of all three compared to last quarter. It is a year since the introduction of the changes to the Blue Badge application process and the number of complaints appears to be settling.

Table 1

Service	2012/13 (historic)				2013/14 (current)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
CORPORATE								
Adult & Comm Learning		5	12	10	10	10	18	10
Blue Badge Appeals		0	3	27	96	107	88	75
Bus. Strategy & Support		20	21	38	34	31	33	38
Cap Dev & Waste		50	27	38	69	44	46	43
Children's		0	1	0	2	2	2	4
Communities		0	0	0	0	0	1	2
Economy and Enterprise		0	1	1	1	1	0	0
Education & Schools		24	14	9	19	26	18	17
Finance		0	1	1	4	0	2	4
Health & Wellbeing		0	3	0	0	0	0	0
Highways		152	191	220	203	203	183	178
Human Resources		1	2	1	2	01	1	3
Legal Services		1	2	2	5	0	1	3
Libraries		43	22	26	21	44	27	29
Passenger Transport		3	6	37	15	15	24	14
Planning & Environment		10	10	7	5	9	10	3
Registration		7	5	9	7	5	6	4
School Transport		70	62	61	64	85	57	60
Trading Standards		2	5	3	9	3	2	2
TOTAL		414	388	490	566	625	519	489
ADULT SOCIAL CARE								
Care Management	38	37	40	34	27	25	37	36
Independent Providers	11	8	9	10	9	7	6	10
In House Provision	11	6	8	5	2	15	5	8
Adult Protection	1	2	4	1	2	1	0	1
Commissioning	1	1	0	3	0	0	0	0
TOTAL	62	54	61	53	40	48	48	55
CHILDREN'S S-CARE								
Child Protection	29	50	50	39	29	52	61	59
In House Provision	8	4	6	8	1	5	2	7
Care Management	3	4	6	4	2	11	3	8
TOTAL	40	58	62	51	32	68	66	74

5.2 Stage 1 Acknowledgements

All complaints that are received by Devon County Council should be forwarded immediately to the relevant Customer Relations team to acknowledge and manage. The Council's aim is to acknowledge all stage 1 complaints within three working days. In quarter 4 this year 90% of complaints were acknowledged within time by the Customer Relations teams.

5.3 Stage 1 Responses

At stage 1 of the Corporate and Children's social care complaint procedure Devon County Council aims to respond to complaints within twenty working days. Adult services do not have a stated timescale but timescales are agreed in advance on a case by case basis.

In quarter 4 this year 81% of stage 1 complaints received by the Council were responded to within time which is an improvement to performance compared to last quarter. This is largely due to the substantially improved performance of the Highway service. The corporate Customer Relations Manager has been working with the Highway Business and Customer Management staff and more focus has been put on complaint responses, which appears to be working well.

Although children's services performance has slightly improved, response times continue to be fairly low at 48% being responded to within timescale. Managers are aware and have advised that this is due to high volumes of work in operational teams and staff vacancies affecting capacity. Managing the safety of children at risk is given priority over complaint responses. However, it is worth noting that Standards Committee expressed their concern last year that response times were low believing that if customers take the time and effort to formally complain the Council should meet statutory timescales to do so.

All non social care services have achieved a response rate of over 80% except for Education and Schools which appear to have struggled at 65% compliance this quarter.

Both Customer Relations teams actively monitor the progress of services and provide reminders as to what is due and who is responsible for the response. The Customer Relations teams send reminders to officers 5 days prior to a complaint becoming due and provide regular statistical updates to managers on all current complaints, MP letters and other representations.

5.4 Stage 1 Outcomes

The outcome of complaints is important for the Council as this demonstrates when a complaint is justified, ie. the Council was at fault. In these circumstances it is important to ensure that the Council puts right what it has failed to do and implements any learning. The percentage of stage 1 complaints in quarter 4 that were upheld or partially upheld was 51%.

5.5 Stage 1 Themes

The Council's top issues in Quarter 4 are:

- School Transport
- Carriageway
- Drainage
- Customer Service Centre
- Parking
- Road Closures

The Council's top issues for **Adult Services** in Quarter 4 are:

- Decision making/outcome of assessments
- Inaccuracies in records
- Staff conduct issues, such as inappropriate comments, lack of intervention/monitoring of clients.

The Council's top issues for **Children's services** in Quarter 4 are:

- Communication issues – miscommunication with families, and not keeping them informed
- Staff conduct, such as attitude, rudeness and inappropriate comments
- Outcomes of meetings/assessments

6. Stage 2 Complaints

6.1 Stage 2 Complaint Responses

Customers requested that 27 complaints were escalated to stage 2 of the corporate complaint procedure in quarter 4. In line with corporate policy 26 were reviewed by the Customer Relations team and a decision taken not to progress to a full stage 2 investigation. The Customer Relations team responded at an assessment stage and customers were directed to the Local Government Ombudsman where appropriate, alleviating the necessity for front line staff to put in additional resource to stage 2 of the process. 1 complaint was returned to the relevant services where it was felt a full response had not been offered and the service was given the opportunity to review their reply.

3 social care complaints were escalated to stage 2 of the children's statutory procedure in quarter 4 and 1 complaint bypassed Stage 1 going directly to Stage 2. Of the 4 new Stage 2 complaints in Q4, 3 were in the area of Child Protection and 1 was regarding Integrated Children's Services.

The Customer Relations teams undertake stage 2 complaint investigations, except for some children's social care investigations which are carried out by externally commissioned investigators.

6.2 Stage 2 Complaint Outcomes

Of those corporate complaints that were reviewed by the Customer Relations team at stage 2, six were partly upheld, two for the Highway service, two for the Passenger Transport, one for Adult Education and one for Trading Standards.

Three social care complaints at stage 2 were adjudicated on in quarter 4. The total number of issues raised was 30. Of those issues 6 were upheld, 4 partially upheld, 14 not upheld and 6 had no finding.

6.3 Stage 2 Complaint Learning

There needs to be accurate, timely and appropriately sensitive communication with customers, particularly when responding to complaints at stage 1.

Any relief escorts that are used to accompany children with additional needs on home to school transport must be fully briefed on the child's needs to ensure the appropriate support is given.

As a result of complaints received the Council has apologised for inaccuracies and errors in process. Consideration has also been given to developing an information document to be provided to parents who are involved in the Child Protection process.

It has become apparent that social work reports are not being provided to families in good time prior to Child Protection conferences. Additional effort is to be put in place to ensure reports are provided in a timely manner allowing the opportunity for feedback.

Additional support/training is required for foster carers to enable the accurate recording of family contact that they facilitate.

7. Compliments Received

7.1 Capturing compliments is important for the Council, as knowing where we are providing an excellent service enables staff to be recognised and allows us to build on good practice. Table 2 displays the number of compliments received by service.

Table 2

Service	2012/13 (historic)				2013/14 (current)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
CORPORATE								
Adult & Comm Learning		1	0	0	0	1	0	4
Blue Badge		0	6	9	6	5	7	4
Bus. Strategy & Support		8	4	58	90	67	72	90
Cap Dev & Waste		15	15	5	61	64	15	10
Devon Records Office		0	16	50	20	11	6	7
Economy & Enterprise		0	0	0	0	1	0	1
Education & Schools		4	0	3	1	2	1	2
Finance		0	0	0	1	6	4	1
Highways		88	68	98	60	30	57	74
Libraries		50	25	43	28	33	35	28
Passenger Transport		1	0	22	14	7	4	2
Planning & Environment		2	0	0	2	3	6	2
Registration		47	30	27	36	26	28	18
Trading Standards		0	0	1	3	1	2	2
Youth Service		0	0	0	3	1	1	0
TOTAL		216	164	316	325	258	238	245
ADULT SOCIAL CARE								
Care Management	91	128	103	115	100	95	103	82
Independent Providers	1	0	2	1	0	0	0	0
In House Provision	80	56	53	69	97	46	40	84
Adult Protection	2	1	2	1	0	1	0	1
Commissioning	5	5	2	4	5	6	0	1
TOTAL	179	190	162	190	202	148	143	168
CHILDREN'S S-CARE								
Child Protection	29	50	50	39	6	5	3	2
In House Provision	8	4	6	8	5	19	8	1
Care Management	3	4	6	4	2	0	0	0
Commissioning	0	0	0	0	1	0	0	0
TOTAL	40	58	62	51	14	24	11	3

8. Representations from Members of Parliament

8.1 Table 3 identifies the volume of letters received from Members of Parliament. Highway issues continue to dominate communication from MPs and the Head of Highways has

now personally met with all MPs which is useful to aid their understanding of current challenges.

Table 3

Service	2012/13 (historic)				2013/14 (current)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
CORPORATE SERVICES MP LETTERS								
Adult & Comm. Learning		0	0	0	1	0	1	1
Blue Badge		0	4	4	5	6	1	8
Bus. Strategy & Support		3	3	2	3	5	6	0
Cap Dev & Waste		7	10	10	7	15	13	8
Children's		0	1	0	0	0	1	6
Communities		0	0	0	0	0	2	0
Economy & Enterprise		0	2	2	3	6	7	10
Education & Schools		24	15	15	22	23	18	17
Finance		0	0	2	0	0	1	1
Highways		59	58	64	55	87	71	87
Human Resources		0	2	0	0	3	2	0
Legal Services		1	0	0	0	0	1	0
Libraries		1	1	2	0	0	7	1
Passenger Transport		2	2	3	7	8	14	8
Planning & Environment		2	11	9	10	9	6	16
Trading Standards		2	2	4	5	6	7	4
TOTAL		102	111	117	118	168	158	167
SOCIAL CARE SERVICES MP LETTERS								
Care Management	24	19	13	16	16	16	19	25
Adult & Child Protection	11	10	9	10	10	12	13	22
Strategic Commissioning	10	5	5	3	5	3	6	13
In House Provision	4	6	7	5	2	1	1	3
External Providers	0	1	1	0	0	0	0	0
Public Health								1
TOTAL	49	41	35	34	33	32	39	64

8.2 There has been a significant increase in the number of social care MP representations received. Those relating to Strategic Commissioning have more than doubled and it is therefore worth mentioning these are in relation to the ongoing social care provision consultations.

8.3 Letter Responses

The number of representations into the Council from Members of Parliament (non social care) that were responded to within the 20 working day timescale is 86%.

Response times to MP letters within social care services remains similar to the previous quarter with a performance of 63% responded to within time.

8.4 Themes

The top non social care themes that MPs are hearing about are:

- Drainage

- Parking
- Carriageway
- Road Safety
- Broadband
- Special Education Needs

The top issues that MPs are hearing about in terms of social care services are:

- Adult complex care
 - General issues regarding support provided to service users
 - The process of assessment
 - Best Interest process/decision making
- Adult social care commissioning
 - Proposals for service changes
- Child Protection – communication issues with families
 - Decision making and information provided

9. Local Government Ombudsman

9.1 Cases considered by the Local Government Ombudsman in 2013/14 have increased 70% on those received during the previous year. The increase is mainly in the non-social care arena due to the complaints procedure being used positively to save front line staff time. Although there has been a significant increase the numbers overall, the last two quarters appear to have stabilised.

9.2 The Council received 22 new cases from the Local Government Ombudsman in quarter 4 and 26 cases were completed. Table 4 shows cases broken down by service area.

Table 4

Service (theme)	New	Completed
Blue Badges / Bus Passes	5	2
Education (Other)	1	0
Education (SEN)	0	2
Flooding	0	2
Highways (Maintenance)	3	4
Highways (Drainage)	1	2
Highways (Other)	2	3
Planning	2	1
School Transport	1	0
Social Care (Adults)	3	3
Social Care (Children)	2	4
Social Care (Non Statutory)	1	1
South Devon Link Road		2
Trading Standards	1	0
Totals	22	26

9.3 The Local Government Ombudsman completed 26 cases in quarter 4 and table 5 shows the outcomes and geographical areas.

Table 5

Service (theme)	Location	Outcome
Blue Badges / Bus Passes	Exeter	Local remedy offered
	Seaton	No evidence of fault
Education (SEN)	Barnstaple	At fault – see below
	Exeter	At fault – see below
Flooding	Newton Abbot	At fault – see below
	Newton Abbot	At fault – see below
Highways (Maintenance)	Holsworthy	Legal alternative available
	Umberleigh	No evidence of fault
	Totnes	Outside of jurisdiction
	Ashburton	Legal alternative available
Highways (Drainage)	Okehampton	Legal alternative available
	Newton Abbot	No evidence of fault
Highways (Other)	Dartmouth	No evidence of fault
	Bideford	Outside of jurisdiction
	Dartmouth	At fault – see below
Planning	Tavistock	No evidence of fault
Social Care (Adults)	Tavistock	Insufficient evidence of fault
	Newton Abbot	Outside of jurisdiction
	Ivybridge	Premature complaint
Social Care (Children)	Out of County	Local remedy offered
	Cullompton	Outside of jurisdiction
	Crediton	Outside of jurisdiction
	South Molton	Premature complaint
Social Care (Non Statutory)	Exeter	Premature complaint
South Devon Link Road	Newton Abbot	No evidence of fault
	Newton Abbot	No evidence of fault

9.4 Highways – Dartmouth

DCC were found to be at **fault** for removing a lay-by in a rural location from the public highway without checking its records first. Instead of taking firm action to put its mistake right, it spent months trying to negotiate with a developer who persisted in obstructing the highway.

Current Status

- a) Compensation payment made to neighbour
- b) Service currently negotiating appointment of surveyor with involved parties

9.5 Flooding – Newton Abbot (Two cases)

DCC were found to be at **fault** for not providing updates explaining its actions about unauthorised works to a water course.

Current Status

- a) Apology, update to customers and works carried out - all complete

9.6 Education (SEN) – Barnstaple

DCC were found to have failed to ensure that a student's Learning Disability Assessment was completed in time to inform the local college's assessment of the student and their ability to meet her needs. The Council were also found at fault as there is no evidence to suggest they looked at all relevant information when considering the request for an independent residential placement for the student. LGO's final

decision was one of **limited injustice** as the Council enabled the student to access independent supported living in line with her expressed wishes and the local college she attends is meeting her educational and vocational needs in line with her expressed views.

Current Status

- a) Apology and compensation payments have been made.
- b) evidence and examples of how Education Care and Health plan operates to be supplied to LGO

9.7 Education (SEN) - Exeter

DCC found at **fault causing injustice** for the way in which the Council made a decision about a Post-16 placement an Independent Specialist Provider. The Council were found to have failed to take into account relevant information and also failed to comply with aspects of its own policy as to how the decision was made.

Current Status

- a) Apology and compensation payment sent
- b) Meeting with service for update on remainder of actions taken place
- c) Whilst the LGO has issued a press release to accompany their investigation, there has been no known attention from local or national media (David Hutchings has awareness of this case)

10. Additional Information

- 10.1 If Members have a specific interest in any particular area of customer feedback and would like additional information, please contact the Customer Relations Managers who will be happy to assist:

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