

Phil Norrey  
Chief Executive

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To: The Chairman and Members of  
the Standards Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

(See below)

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Your ref :  
Our ref :

Date : 24 June 2016  
Please ask for : Rob Hooper 01392 382300

Email: [rob.hooper@devon.gov.uk](mailto:rob.hooper@devon.gov.uk)

## **STANDARDS COMMITTEE**

Monday, 4th July, 2016

A meeting of the Standards Committee is to be held on the above date at 2.15 pm in the Committee Suite, County Hall, Exeter 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 14 March 2016, 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 - 22)

Report of the Head of Business Strategy and Support Services (BSS/16/8) on feedback, compliments, representations and complaints received and handled by the County Council during 2015/16, attached.

5 Ethical Governance Framework: Monitoring (Pages 23 - 24)

Report of the County Solicitor ([CS/16/23](#)) on co-opted members' attendance at meetings of the Council, Cabinet and Committee meetings, monitoring compliance with the Council's ethical governance framework, attached.

**MATTERS FOR INFORMATION**

6 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**

None

*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*

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| <b>Membership</b>  |
| <p>County Councillors<br/>Councillors A Moulding (Chairman), C Chugg, P Colthorpe, A Connett, G Gribble, R Hill and J Mathews<br/>Co-opted Member<br/>S Day, R Hodgins, A Mayes, R Saltmarsh and V Sullivan</p>  |
| <b>Declaration of Interests</b>  |
| 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.  |
| <b>Access to Information</b>   |
| <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.<br/>Agenda and minutes of the Committee are published on the Council's Website.</p>  |
| <b>Webcasting, Recording or Reporting of Meetings and Proceedings</b>  |
| <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: <a href="http://www.devoncc.public-i.tv/core/">http://www.devoncc.public-i.tv/core/</a></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> |
| <b>Public Participation</b>  |
| <p>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 (<a href="mailto:committee@devon.gov.uk">committee@devon.gov.uk</a>) by 12 noon on the fourth working day before the date of the meeting. For further information please contact Rob Hooper 01392 382300.</p>   |
| <b>Emergencies</b>   |
| In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.   |
| <b>Mobile Phones</b>   |
| Please switch off all mobile phones before entering the Committee Room or Council Chamber  |
| <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: <a href="mailto:centre@devon.gov.uk">centre@devon.gov.uk</a> or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.</p>  |
|  <p>Induction loop system available</p>   |

- (a)
- (b)



## STANDARDS COMMITTEE

14 March 2016

Present:-

Councillors Channon (Chairman), Colthorpe, Connett, Gribble and Hill

Alderman Sir Simon Day, Mrs Saltmarsh and Mr Sullivan

Apologies:-

Councillors Chugg and Moulding and Mr Hodgins and Mrs Mayes,

### \*31 Minutes

**RESOLVED** that the minutes of the meeting held on 2 November 2015 be signed as a correct record.

### \*32 Standards Committee Annual Report 2015/16

The Committee considered the draft of the Standards Committee Annual Report for 2015/16 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 this year been presented in a more concise, accessible format, for consideration.

The Committee acknowledged that the publication, independently, of an Annual Report by the Committee would complement 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 Channon, **SECONDED** by Councillor Colthorpe, and

**RESOLVED** that, subject to amendments discussed, the Annual Report for 2015/16 be approved and published on the Council's website at:  
<https://new.devon.gov.uk/democracy/councillor/committee/standards/>

### \*33 Ethical Governance Framework - Independent Monitoring

The Committee received the report of the County Solicitor ([CS/16/8](#)) summarising feedback from Co-opted Members of this Committee on their attendance at meetings of the Council, Cabinet and Committees since the previous meeting 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.

### \*34 Local Determination of Complaints: Case Handling Information

The County Solicitor reported that, since the last meeting, one complaint concerning an alleged breach of the Members Code of Conduct had been received relating to meeting allegedly organised and attended by a Councillor and failing to treat others with courtesy and respect during a consultation exercise.

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STANDARDS COMMITTEE

14/3/16

Following an initial assessment of the complaint and consultation with an Independent Person appointed by the Council it had been agreed that no further action should be taken on the complaint on the basis that either there had been no material breach of the code to warrant further investigation or that the allegations would not be a breach of the Code of Conduct and, accordingly, could not therefore be investigated.

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

The meeting started at 2.15pm and finished at 2.31pm.

*The Minutes of this Committee are published on the County Council's Website at:-*  
<http://www.devon.gov.uk/dcc/committee/minutes.html>

## CUSTOMER FEEDBACK MONITORING REPORT FOR QUARTER 4 2015/2016

### Report of the Head of Business Strategy and Support

**Recommendation:** that the Committee 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.

#### 1. 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 Devon County Council. In addition it provides information in regard to the Council's performance in responding to and learning from the outcomes of complaints.

#### 2. Key Messages

- 2.1 Overall Customer Feedback statistics for Quarter 4 2015-2016 (1<sup>st</sup> January – 31<sup>st</sup> March 2016):

|   |            |                 |
|---|------------|-----------------|
| • *Number of non statutory complaints (corporate) complaints      | 337        | (Q3 303)        |
| • *Number of statutory social care Adult Services Complaints      | 73         | (Q3 39)         |
| • *Number of statutory social care Children's Services complaints | 130        | (Q3 130)        |
| <b>*Total complaints received in Q4</b>                           | <b>540</b> | <b>(Q3 472)</b> |

\* This is the figure for all complaints received from all sources & at all stages including the LGO

|   |            |                 |
|---|------------|-----------------|
| • Number of non social care (corporate) compliments     | 228        | (Q3 191)        |
| • Number of social care Adult Services compliments      | 110        | (Q3 81)         |
| • Number of social care Children's Services compliments | 20         | (Q3 16)         |
| <b>Total compliments received in Q4</b>                 | <b>358</b> | <b>(Q3 288)</b> |

|  |            |                 |
|--|------------|-----------------|
| • Number of non social care (corporate) MP letters | 186        | (Q3 134)        |
| • Number of social care adult services MP letters  | 21         | (Q3 22)         |
| • Number of social care children's MP Letters      | 20         | (Q3 15)         |
| <b>Total MP Letters received in Q4</b>             | <b>227</b> | <b>(Q3 171)</b> |

|   |            |                 |
|---|------------|-----------------|
| • Number of other non social care representations           | 264        | (Q3 213)        |
| • Number of social care adult representations               | 19         | (Q3 24)         |
| • Number of social care children's services representations | 8          | (Q3 7)          |
| <b>Total Representations received in Q4</b>                 | <b>291</b> | <b>(Q3 244)</b> |

|  |           |                |
|--|-----------|----------------|
| • Number of Councillor Enquiries (non social care) | 5         | (Q3 7)         |
| • Number of Councillor enquiries (social Care)     | 8         | (Q3 8)         |
| <b>Total Councillor Enquiries received in Q4</b>   | <b>13</b> | <b>(Q3 15)</b> |

- **Total number of individual items of feedback in Q4 15-16**    **1429**    (Q3 1190)

- 3.2 Throughout Q4 the Council has received 1429 items of feedback which is an increase of 239 items on Q3 (a 20% increase).

- 3.3 There have been 68 more complaints received across the Council in Q4 than in Q3 (540 compared to 472) which is a 14.5% increase. Complaints remained the same across Children's Social Care (130) however, in Adult Social Care there was a rise of 34 complaints (from 39 to 73 representing an 87% increase) and a rise of 34 complaints in the non social care areas (from 303 to 337 representing an 11% increase)

- 3.4 The total number of compliments has also increased in this quarter by 70 (from 288 to 358) which is a 24% increase. There has been an increase in each of the 3 areas; Children's Social Care Compliments rising by 4 to 20 in Q4, Adult Social Care compliments rising by 29 to 110 in Q4 and the non social care services rising by 37 to 228 in Q4.

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- 3.5 The number of MP Letters received in Q4 has increased by 56 (33% increase) compared to Q3 (227 compared to 171). This was almost entirely accounted for by an increase in MP letters regarding non social care services, rising from 213 in Q3 to 264 in Q4 (24% increase). Adult Social Care MP Letters decreased from 24 in Q3 to 19 in Q4 and Children's Social Care saw an increase of just 1 additional MP Letter from 7 in Q3 to 8 in Q4. It is to be expected that the majority of MP letters are about non social care services as the public are more reluctant to share details of their own and their families social care needs with an MP than they are to share concerns about less personal aspects that affect their lives.
- 3.6 In addition there were 291 other representations to the Council in Q4 which is an increase of 47 representations compared to Q3. The increase was 51 additional Representations in the non social care services and 1 in Children's Social Care which were offset by a small decrease of 5 less Representations in Q4 for Adult Social Care Services.
- 3.7 In Q4 the Council received a total of 13 enquiries from Councillors which was just 2 fewer than in Q3. 8 of these were regarding social care services and 5 non social care services.
- 3.8 During the 2015-2016 reporting year the Council received a total of 5501 items of feedback. This is 1976 (26.5%) fewer items than in the previous year. There was a decrease in the number of compliments by 637 (1359 compared to 1996), MP Letters by 299 (801 compared to 1100), Other Representations by 871 (1009 compared to 1880) and there were 218 fewer complaints received (2271 compared to 2489). With regard to complaints we received 2141 direct to the Council in 2015-16 but after triage by the Customer Relations Team only 2015 were actually progressed to investigations and 126 were NFA (in 2014-15 these figures were 2412 and 88 respectively), however 2015-16 saw an increase in the number of complaints received from the LGO, 130 compared to 77 in the previous year.
- 3.9 The most notable increase in feedback in this last year was from Councillors, there were 59 enquiries compared to only 12 in the previous year.

## 3. Stage One Complaints

### 4.1 Stage 1 Acknowledgements

- 3.1.1 All complaints that are received by Devon County Council should be forwarded immediately to the Customer Relations Team to acknowledge and manage.
- 3.1.2 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.
- 3.1.3 In Q4 95% of complaints received were acknowledged within time by the Customer Relations team, which is an improvement on the previous three quarters and meets the target KPI.
- 3.1.4 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.

### 3.2 Complaints received during Quarter 4

- 3.2.1 **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. Across the whole Council there were 401 complaints investigated in Q4 which is an increase of 32 on the 369 investigated in Q3 (8.5% increase)
- 4.2.2 Individual service areas saw increases and decreases as follows:
- Adult Social Care 52 complaints in Q4 compared to 36 in Q3 a 44% increase
  - Education & Learning 14 complaints in Q4 compared to 5 in Q3, almost 3 times as many but Q3 was significantly fewer than any other quarter in the year.
  - Planning, transportation & environment 14 complaints in Q4 compared to 4 in Q3, an increase of more than 3 times as many, but also more in line with the other quarters in the year.
  - Services for Communities (Place) received 21 complaints compared to 35 in Q3, a 66% decrease and the lowest number received in a quarter across the year.
  - Children's Social Care Services 94 complaints in Q4 compared to 107 in Q3, a 12% decrease
  - All other services maintained a level comparable to previous quarters.



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4.2.3 Across the 2015-16 reporting year the council has registered and investigated 1808 stage 1 complaints, split across the four quarters as follows; Q1 521, Q2 517, Q3 369 and Q4 401. Unusually the quarter with the lowest number of complaints was the autumn/winter quarter.

## 4.2.4 Table 1 – Stage 1 Complaints by Direct Report

| Stage 1 Complaints by Direct Report                   |   |            |            |            |            |             |
|---|---|------------|------------|------------|------------|-------------|
| Service Area  | Team  | Q1 15-16   | Q2 15-16   | Q3 15-16   | Q4 15-16   | Total 15-16 |
| Children's Social Care                                | Children's Social Work (North/Mid & ICS) - Marian Martin      | 51         | 53         | 43         | 41         | 188         |
|   | Children's Social Work (Exeter/South) - Karen Morris          | 40         | 35         | 54         | 41         | 170         |
|   | Looked After Children - Rachel Gillott                        | 1          | 2          | 1          | 5          | 9           |
|   | Early Help Provision - Philippa Court                         | 1          | 0          | 2          | 0          | 3           |
|   | Commissioning - Fiona Fleming                                 | 0          | 0          | 0          | 0          | 0           |
|   | Safeguarding Children - Nicky Scutt                           | 4          | 2          | 2          | 1          | 9           |
|   | MASH and Early Help & Access - Felicity Baldwin               | 7          | 8          | 5          | 6          | 26          |
| <b>Total Children's Social Care</b>                   |   | <b>104</b> | <b>100</b> | <b>107</b> | <b>94</b>  | <b>405</b>  |
| Adult Social Care                                     | Older People's/Disability Services North & East - Keri Storey | 23         | 29         |            |            | 52          |
|   | Older People's/Disability Services South - Gary Patch         | 13         | 12         |            |            | 25          |
|   | Adult Social Care (inc Provision) - Jan Ingram                | 3          | 6          |            |            | 9           |
|   | Safeguarding Adults - Paul Grimsey                            | 3          | 1          |            |            | 4           |
|   | Learning Disabilities - Liz Wood/Mark Gierke                  | 4          | 9          |            |            | 13          |
|   | Adult Mental Health - Sherrie Hitchin                         | 0          | 0          |            |            | 0           |
| <b>Total Adult Social Care</b>                        |   | <b>46</b>  | <b>57</b>  |            |            | <b>103</b>  |
| Adult Social Care <b>NEW STRUCTURE FROM Q3</b>        | North Community Health & Social Care Teams - Stella Doble     |            |            | 9          | 10         | 19          |
|   | East Community Health & Social Care Teams - Keri Storey       |            |            | 6          | 21         | 27          |
|   | South Community Health & Social Care Teams - Lee Baxter       |            |            | 9          | 14         | 23          |
|   | Social Care Provision   |            |            | 1          | 3          | 4           |
|   | Adult Mental Health - Sherrie Hitchin                         |            |            | 0          | 1          | 1           |
|   | External Providers  |            |            | 6          | 3          | 9           |
| <b>Total Adult Social Care</b>                        |   |            |            | <b>31</b>  | <b>52</b>  | <b>83</b>   |
| Social Care Commissioning (Adults)                    | Quality Assurance - Damian Furniss                            | 0          | 0          | 0          | 0          | 0           |
|   | Strategic Planning and Commissioning - Ian Hobbs              | 1          | 4          | 5          | 0          | 10          |
|   | Change Delivery - Giles Colton                                | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Social Care Commissioning</b>                        | <b>1</b>   | <b>4</b>   | <b>5</b>   | <b>0</b>   | <b>10</b>   |
| Education & Learning                                  | Strategic Commissioning (Education) - John Peart              | 6          | 6          | 4          | 8          | 24          |
|   | School Transport - John Peart                                 | 2          | 4          | 0          | 1          | 7           |
|   | Contract Performance (Education) - Richard Belcher            | 0          | 0          | 0          | 0          | 0           |
|   | Admissions - Simon Niles                                      | 3          | 3          | 0          | 2          | 8           |
|   | Early Years and Childcare - Claire Rockcliffe                 | 1          | 1          | 0          | 1          | 3           |
|   | School Improvement - Dawn Stabb                               | 1          | 4          | 1          | 2          | 8           |
| <b>Total Education and Learning</b>                   | <b>13</b>   | <b>18</b>  | <b>5</b>   | <b>14</b>  | <b>50</b>  |             |
| Highways, Capital Development and Waste               | Capital Development - Rob Richards                            | 0          | 2          | 1          | 1          | 4           |
|   | Highways - Meg Booth  | 228        | 209        | 134        | 150        | 721         |
|   | Bridges and Structures - Kevin Dentith                        | 0          | 3          | 2          | 6          | 11          |
|   | Waste - Wendy Barratt   | 55         | 44         | 14         | 19         | 132         |
|   | Built Environments - Chris Dyer                               | 0          | 0          | 0          | 0          | 0           |
| <b>Total Highways, Capital Development and Waste</b>  | <b>283</b>  | <b>258</b> | <b>151</b> | <b>176</b> | <b>868</b> |             |
| Planning, Transportation and Environment              | Transportation Planning and Road Safety - Jamie Hulland       | 1          | 2          | 0          | 1          | 4           |
|   | Development Management - Brian Hensley                        | 3          | 3          | 3          | 5          | 14          |
|   | Chief Planner - Joe Keech                                     | 2          | 4          | 1          | 8          | 15          |
|   | Environment - Peter Chamberlain                               | 0          | 1          | 0          | 0          | 1           |
| <b>Total Planning, Transportation and Environment</b> | <b>6</b>  | <b>10</b>  | <b>4</b>   | <b>14</b>  | <b>34</b>  |             |
| Services for Communities (Place)                      | Adult & Community Learning - Paul Thomas                      | 11         | 2          | 6          | 8          | 27          |
|   | Trading Standards - Paul Thomas                               | 2          | 1          | 4          | 0          | 7           |
|   | Active Devon - Matt Evans                                     | 0          | 0          | 0          | 0          | 0           |
|   | Communities - Simon Kitchen                                   | 1          | 0          | 2          | 0          | 3           |
|   | Libraries, Culture and Heritage - Ciara Eastell               | 15         | 19         | 8          | 5          | 47          |
|   | Transport Coordination Services (TCS) - Damien Jones          | 14         | 15         | 15         | 8          | 52          |
| <b>Total Services for Communities (Place)</b>         | <b>43</b>   | <b>37</b>  | <b>35</b>  | <b>21</b>  | <b>136</b> |             |
| Services for Communities (Corporate)                  | Human Resources - Sue Edwards                                 | 0          | 0          | 0          | 1          | 1           |
| <b>Total Services for Communities (Corp)</b>          |   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>1</b>   | <b>1</b>    |
| Business Strategy & Support                           | Business Infrastructures - Colin Mackenzie                    | 20         | 24         | 20         | 19         | 83          |
|   | Corporate Assets - Matthew Jones                              | 1          | 1          | 1          | 0          | 3           |
|   | IT Strategic Commissioning - Gary Dempster                    | 1          | 0          | 0          | 0          | 1           |
|   | Strategic Procurement - Justin Bennett                        | 0          | 0          | 0          | 1          | 1           |
| <b>Total Business Strategy &amp; Support</b>          |   | <b>22</b>  | <b>25</b>  | <b>21</b>  | <b>20</b>  | <b>88</b>   |
| County Solicitors                                     | Legal Services - Simon Clarey                                 | 0          | 1          | 2          | 2          | 5           |
|   | Registration - Trish Harrogate                                | 2          | 6          | 4          | 2          | 14          |
|   | Communications & Media - Tony Parker                          | 0          | 0          | 0          | 0          | 0           |
| <b>Total County Solicitors</b>                        |   | <b>2</b>   | <b>7</b>   | <b>6</b>   | <b>4</b>   | <b>19</b>   |
| County Treasurer                                      | People Finance - John Holme                                   | 0          | 1          | 3          | 5          | 9           |
|   | Place Finance - Nicky Allen                                   | 0          | 0          | 0          | 0          | 0           |
|   | Corporate Finance - Martin Oram                               | 0          | 0          | 0          | 0          | 0           |
|   | Investment & Treasury - Mark Gayler                           | 0          | 0          | 1          | 0          | 1           |
|   | Devon Audit Partnership - Robert Hutchings                    | 0          | 0          | 0          | 0          | 0           |
|   | Systems and Change - Chris Phillips                           | 1          | 0          | 0          | 0          | 1           |
| Strategy & Compliance - Angie Sinclair                | 0   | 0          | 0          | 0          | 0          |             |
| <b>Total County Treasurers</b>                        |   | <b>1</b>   | <b>1</b>   | <b>4</b>   | <b>5</b>   | <b>11</b>   |

# Agenda Item 4

## 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. Adult Social Care 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 Social Care complaints.
- 4.3.2 In Q4 351 stage 1 complaints were responded to of which 234 (67%) responses were within defined timescales. This is a further 6% decline in performance compared to Q3 as well as there being 19 fewer complaints responded to.
- 4.3.3 Across the reporting year the performance in regards to Stage 1 complaint responses being made within timescale has declined quarter by quarter, from 86% in Q1( 424 complaints responded to), 82% in Q2 (501 complaints responded to), 73% in Q3 (351 complaints responded to)and now 67% in Q4 (351 complaints responded to).
- 4.3.3 **Table 2** provides a breakdown in responses within and outside defined timescales by Head of Service direct report areas.

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

| CLT  | Quarter 1 15-16  |                   |                    |                    | Quarter 2 15-16  |                   |                    |                    | Quarter 3 15-16  |                   |                    |                    | Quarter 4 15-16  |                   |                    |                    | Total YTD 15-16  |                   |                    |                    |
|--|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|------------------|-------------------|--------------------|--------------------|
|  | 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 |
| <b>Stage 1 Complaint Response times - all Services</b> |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |
| <b>Service Area</b>                                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |
| <b>People Services</b>                                 |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |
| Children’s Social Care                                 | 44               | 13                | 57                 | 77%                | 54               | 37                | 91                 | 59%                | 33               | 40                | 73                 | 45%                | 29               | 63                | 92                 | 32%                | 160              | 153               | 313                | 51%                |
| Adult Social Care                                      | 21               | 3                 | 24                 | 88%                | 40               | 8                 | 48                 | 83%                | 26               | 8                 | 34                 | 76%                | 29               | 19                | 48                 | 60%                | 61               | 11                | 72                 | 85%                |
| Social Care Commissioning                              | 1                | 0                 | 1                  | 100%               | 2                | 0                 | 2                  | 100%               | 3                | 1                 | 4                  | 75%                | 0                | 0                 | 0                  | n/a                | 6                | 1                 | 7                  | 86%                |
| Education and Learning                                 | 8                | 2                 | 10                 | 80%                | 12               | 4                 | 16                 | 75%                | 5                | 2                 | 7                  | 71%                | 7                | 3                 | 10                 | 70%                | 32               | 11                | 43                 | 74%                |
| <b>Place Services</b>                                  |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |
| Highways, Capital Development and Waste                | 229              | 31                | 259                | 88%                | 235              | 32                | 267                | 88%                | 142              | 30                | 172                | 83%                | 133              | 20                | 153                | 87%                | 739              | 113               | 851                | 87%                |
| Planning, Transportation and Environment               | 5                | 0                 | 5                  | 100%               | 7                | 1                 | 8                  | 88%                | 4                | 0                 | 4                  | 100%               | 3                | 5                 | 8                  | 38%                | 19               | 6                 | 25                 | 76%                |
| Economy and Enterprise                                 | 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                |
| Services for Communities - Place                       | 38               | 8                 | 46                 | 83%                | 32               | 2                 | 34                 | 94%                | 32               | 9                 | 41                 | 78%                | 18               | 4                 | 22                 | 82%                | 120              | 23                | 143                | 84%                |
| <b>Corporate Services</b>                              |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |                  |                   |                    |                    |
| Services for Communities - Corporate                   | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 0                | 0                 | 0                  | n/a                | 1                | 0                 | 1                  | 100%               | 1                | 0                 | 1                  | 100%               |
| Business Strategy and Support                          | 14               | 2                 | 16                 | 88%                | 23               | 5                 | 28                 | 82%                | 18               | 9                 | 27                 | 67%                | 9                | 3                 | 12                 | 75%                | 64               | 19                | 83                 | 77%                |
| Legal Services   | 1                | 1                 | 2                  | 50%                | 6                | 1                 | 7                  | 86%                | 3                | 0                 | 3                  | 100%               | 3                | 0                 | 3                  | 100%               | 13               | 2                 | 15                 | 87%                |
| Finance  | 3                | 1                 | 4                  | 75%                | 0                | 0                 | 0                  | n/a                | 4                | 1                 | 5                  | 80%                | 2                | 0                 | 2                  | 100%               | 9                | 2                 | 11                 | 82%                |
| <b>Total All Services Stage 1 Response Times</b>       | <b>364</b>       | <b>61</b>         | <b>424</b>         | <b>86%</b>         | <b>411</b>       | <b>90</b>         | <b>501</b>         | <b>82%</b>         | <b>270</b>       | <b>100</b>        | <b>370</b>         | <b>73%</b>         | <b>234</b>       | <b>117</b>        | <b>351</b>         | <b>67%</b>         | <b>1224</b>      | <b>341</b>        | <b>1564</b>        | <b>78%</b>         |

- 4.3.4 The service areas with a response rate in Q4 lower than 75% are: Children’s Social Care Teams 32% overall (92 complaints responded to), Adult Social Care Teams 60% (48 complaints responded to), Education & Learning 70% (10 complaints responded to), Planning, Transportation & Environment 38% (8 complaints responded to).
- 4.3.5 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.
- 4.3.6 Across the reporting year the Council responded to 1564 stage 1 complaints and 1224 of these were within timescale, this equates to 78% on time. All services apart from Children’s Social Care (51%) and Services for Communities – corporate (100%) performed at between 87% and 74%.
- 4.3.7 It is particularly concerning that Children’s Social Care Services are not performing to target as it is a statutory procedure and complainants have the right to progress their complaint to stage 2 of this statutory procedure if a stage 1 response is not received within the statutory timescale. To date the Customer Relations Team have been pro-active in trying to help avoid this by asking complainants to wait for a stage 1 response as this should ultimately be quicker than an independently investigated stage 2 complaint but also less stressful; as well as trying to encourage the manager within Children’s Services to speak to or meet with the complainant to personally try to resolve the complaint. The LGO has recently criticised the council for this as it interprets this as delaying the complainant’s right to a stage 2 and as such this approach has been stopped. We have immediately seen an increase in the number of complaints which in turn has resulted in problems

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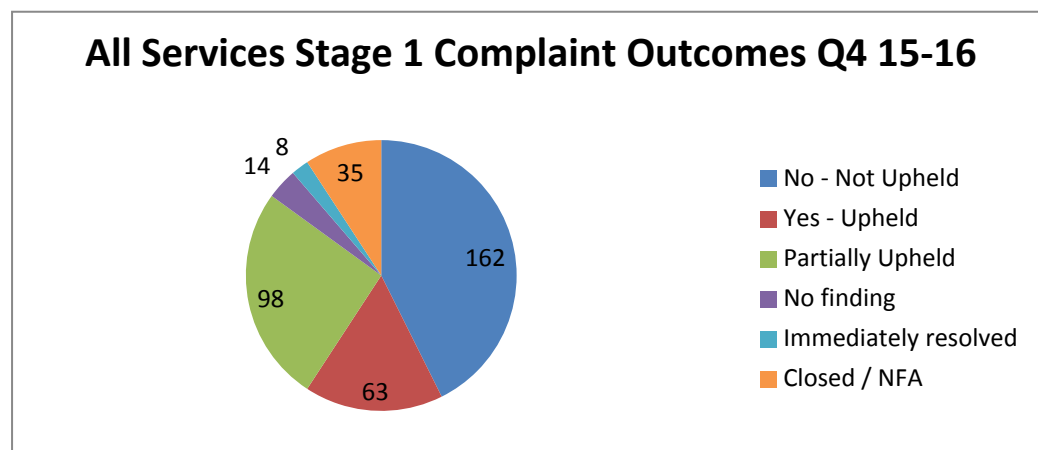
being able to commission enough independent investigators and has also had a financial cost as the average stage 2 investigation costs £4k

## 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.

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% compared to 43.5% in Q3. This equates to 161 of the 380 complaints responded to in Q4 being either fully or partially upheld.

- Within People Services 42% of complaints responded to in Q4 were either fully or partially upheld, this equates to 74 complaints
- Within Place Services 42% of complaints responded to in Q4 were either fully or partially upheld, this equates to 77 complaints
- Within Corporate Services 50% of complaints responded to in Q4 were either fully or partially upheld, this equates to 10 complaints



4.4.3 In the reporting year 689 out of 1763 complaints were either fully or partially upheld, this equates to 39%, but does include those complaints that did not actually proceed to investigation (NFA complaints). Both People and Place Services either fully or partially upheld 42% of complaints and Corporate Services 50%. Details can be viewed in **Table 3 below**

| Stage 1 complaint outcomes by Service |                      |            |            |            |             |            |
|---------------------------------------|----------------------|------------|------------|------------|-------------|------------|
| Service                               |                      | Q1         | Q2         | Q3         | Q4          | YTD        |
| People                                | No - Not Upheld      | 37         | 86         | 67         | 62          | 252        |
|                                       | Yes - Upheld         | 11         | 13         | 19         | 21          | 64         |
|                                       | Partially Upheld     | 35         | 45         | 25         | 53          | 158        |
|                                       | No finding           | 8          | 4          | 2          | 6           | 20         |
|                                       | Immediately resolved | 3          | 9          | 4          | 5           | 21         |
|                                       | Closed / NFA         | 25         | 33         | 16         | 31          | 105        |
|                                       | <b>Total</b>         | <b>119</b> | <b>190</b> | <b>133</b> | <b>178</b>  | <b>620</b> |
| Place                                 | No - Not Upheld      | 186        | 163        | 89         | 92          | 530        |
|                                       | Yes - Upheld         | 43         | 59         | 43         | 36          | 181        |
|                                       | Partially Upheld     | 77         | 54         | 42         | 41          | 214        |
|                                       | No finding           | 4          | 21         | 22         | 7           | 54         |
|                                       | Immediately resolved | 0          | 0          | 16         | 2           | 18         |
|                                       | Closed / NFA         | 0          | 12         | 5          | 4           | 21         |
| <b>Total</b>                          | <b>310</b>           | <b>309</b> | <b>217</b> | <b>182</b> | <b>1018</b> |            |
| Corporate                             | No - Not Upheld      | 10         | 12         | 13         | 8           | 43         |
|                                       | Yes - Upheld         | 10         | 16         | 11         | 6           | 43         |
|                                       | Partially Upheld     | 5          | 13         | 7          | 4           | 29         |
|                                       | No finding           | 0          | 0          | 2          | 1           | 3          |
|                                       | Immediately resolved | 1          | 0          | 0          | 1           | 2          |
|                                       | Closed / NFA         | 2          | 1          | 2          | 0           | 5          |
| <b>Total</b>                          | <b>28</b>            | <b>42</b>  | <b>35</b>  | <b>20</b>  | <b>125</b>  |            |

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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 Q4.

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

| Stage 1 root causes (Most frequent each quarter) |   |     |     |     |     |     |
|--|---|-----|-----|-----|-----|-----|
| Service  | Themes / Root Causes (top 3 per service)    | Q1  | Q2  | Q3  | Q4  | YTD |
| People   | Poor communication (to customer)            | 61  | 52  | 62  | 71  | 246 |
|  | Attitude/rudeness/inappropriate comments    | 46  | 37  | 36  | 34  | 153 |
|  | Inappropriate action or service             | 47  | 73  | 72  | 74  | 266 |
| Place  | Attitude/Rudeness/Inappropriate             | 56  | 55  | 28  | 22  | 161 |
|  | Inappropriate action or service             | 52  | 53  | 73  | 27  | 205 |
|  | Poor communication (to customer)            | 21  | 45  | 39  | 39  | 144 |
|  | Quality of service provided                 | 18  | 75  | 68  | 26  | 187 |
| Corporate  | Quality of service provided                 | 14  | 11  | 4   | 7   | 36  |
|  | Dispute over records / information provided | 3   | 6   | 7   | 4   | 20  |
|  | Poor Communication (with Customer)          | 0   | 6   | 3   | 8   | 17  |
| All Services                                     | Attitude/Rudeness/Inappropriate Comments    | 103 | 93  | 64  | 56  | 316 |
|  | Quality of service provided                 | 35  | 93  | 72  | 33  | 233 |
|  | Inappropriate action or service             | 101 | 96  | 145 | 101 | 443 |
|  | Poor Communication (to Customer)            | 82  | 101 | 104 | 118 | 405 |

4.5.3 From **Table 4** it can be concluded that the Council communicating poorly with its customers (118 instances of complaint) was the most common cause of complaint in Q4 followed by providing an inappropriate action or service (101 instances) followed by the Attitude / rudeness / inappropriate comments by staff (56 instances) and quality of service provided (with 33 instances).

4.5.4 It is of particular note that the instances of complaints about Attitude / Rudeness / Inappropriate Comments by staff have been decreasing quarter on quarter across the year (Q1 103, Q2 93, Q3 64 and Q4 56)

4.5.5 the most common themes for complaints by customers across the year are the perceived inappropriate actions or services provided by the council (443 instances) and the council's poor communication (405 instances).

## 5 Stage 2 Complaints

### 5.1 Complaints Received

5.1.1 At Stage 2 within Children's Social Care investigations are 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 have been 12 complaints escalated to Stage 2 under the Children's Social Care Statutory Procedures. This is the highest number in any one quarter for over 12 months (Q1 0, Q2 4, Q3 5). The current low numbers of Stage 1 responses being made within statutory timescales and the changes that have had to be implemented in order for the council to comply with the statutory complaints regulations have had a bearing on this increase (see section 4.3.7).

5.1.3 There have been 44 stage 2 complaints under the Corporate Complaints Procedure (there were 40 in Q3), 2 in Children's Social Care, 3 in Education & Learning, 30 in Highways, 1 in Capital Development, 2 in Planning, Transportation & Environment, 1 in Transport Co-ordination, 3 in Information Governance, 1 in Legal Services and 1 in Registration Services.

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- 5.1.4 Throughout the reporting year there have been 21 Statutory Children’s Social Care Stage 2 Complaints and a further 7 Stage 2 complaints received about this service under the corporate procedure. This represents an escalation rate in Children’s Social Care Services of 7%.
- 5.1.5 There have been a 7 Stage 2 complaints about Education & Learning across the year representing an escalation rate of 14%
- 5.1.6 Within Place Services there have been 121 stage 2 complaints about Highways, Capital Development & Waste (an escalation rate of 14%), 9 about Planning, Transportation & Environment (an escalation rate of 26.5%), 8 about Services for Communities (an escalation rate of 6%)
- 5.1.7 Within Corporate Services there have been 9 stage 2 complaints about Business Strategy & Support (an escalation rate of 10%) and 4 about County Solicitors (an escalation rate of 21%).
- 5.1.8 Overall the average escalation rate across the council for the reporting year was 11%.
- 5.1.9 **Table 5 below** gives further breakdown of the exact teams involved across the whole year

**Note: Only Teams that have received stage 2 complaints are listed in the table**

| Stage 2 Complaints by Team (received)            |   |           |           |           |           |             |
|--|---|-----------|-----------|-----------|-----------|-------------|
| Service Area                                     | Team  | Q1 15-16  | Q2 15-16  | Q3 15-16  | Q4 15-16  | Total 15-16 |
| Children's Social Care (Including non statutory) | Children's Social Work (North/Mid & ICS) - Marian Martin  | 0         | 2         | 1         | 5         | 8           |
|  | Children's Social Work (Exeter/South) - Karen Morris      | 1         | 1         | 3         | 9         | 14          |
|  | Looked After Children - Rachel Gillott                    | 0         | 1         | 1         | 0         | 2           |
|  | Safeguarding Children - Nicky Scutt                       | 2         | 2         | 0         | 0         | 4           |
|  | <b>Total Children's Social Care (Stat &amp; Non Stat)</b> | <b>3</b>  | <b>6</b>  | <b>5</b>  | <b>14</b> | <b>28</b>   |
| Education & Learning                             | Strategic Commissioning (Education) - John Peart          | 0         | 1         | 1         | 3         | 5           |
|  | School Improvement - Dawn Stabb                           | 1         | 1         | 0         | 0         | 2           |
|  | <b>Total Education and Learning</b>                       | <b>1</b>  | <b>2</b>  | <b>1</b>  | <b>3</b>  | <b>7</b>    |
| Highways, Capital Development and Waste          | Capital Development - Rob Richards                        | 0         | 0         | 2         | 1         | 3           |
|  | Highways - Meg Booth                                      | 28        | 28        | 31        | 30        | 117         |
|  | Waste - Wendy Barratt                                     | 0         | 1         | 0         | 0         | 1           |
|  | <b>Total Highways, Capital Development and Waste</b>      | <b>28</b> | <b>29</b> | <b>33</b> | <b>31</b> | <b>121</b>  |
| Planning, Transportation and Environment         | Development Management Highways - Brian Hensley           | 1         | 1         | 2         | 2         | 6           |
|  | Chief Planner - Joe Keech                                 | 3         | 0         | 0         | 0         | 3           |
|  | <b>Total Planning, Transportation and Environment</b>     | <b>4</b>  | <b>1</b>  | <b>2</b>  | <b>2</b>  | <b>9</b>    |
| Services for Communities (Place)                 | Adult & Community Learning - Paul Thomas                  | 0         | 0         | 1         | 0         | 1           |
|  | Trading Standards - Paul Thomas                           | 0         | 1         | 0         | 0         | 1           |
|  | Libraries, Culture and Heritage - Ciara Eastell           | 0         | 1         | 1         | 0         | 2           |
|  | Transport Coordination Services (TCS) - Damien Jones      | 1         | 1         | 1         | 1         | 4           |
|  | <b>Total Services for Communities (Place)</b>             | <b>1</b>  | <b>3</b>  | <b>3</b>  | <b>1</b>  | <b>8</b>    |
| Business Strategy & Support                      | Information Governance - Colin Mackenzie                  | 0         | 3         | 1         | 3         | 7           |
|  | Customer Relations Team - Colin Mackenzie                 | 1         | 1         | 0         | 0         | 2           |
|  | <b>Total Business Strategy &amp; Support</b>              | <b>1</b>  | <b>4</b>  | <b>1</b>  | <b>3</b>  | <b>9</b>    |
| County Solicitors                                | Legal Services - Simon Clarey                             | 0         | 0         | 0         | 1         | 1           |
|  | Registration - Trish Harrogate                            | 2         | 0         | 0         | 1         | 3           |
|  | <b>Total County Solicitors</b>                            | <b>2</b>  | <b>0</b>  | <b>0</b>  | <b>2</b>  | <b>4</b>    |
| <b>All Services Stage 2 Complaints</b>           |   | <b>40</b> | <b>45</b> | <b>45</b> | <b>56</b> | <b>186</b>  |

## 5.2 Stage 2 Complaint Responses

- 5.2.1 39 Non Statutory Stage 2 complaints were responded to within Q4 of which 31 (80%) were within the 25 working day timescale, a 4% improvement on Q3.
- 5.2.2 8 Statutory Children’s Social Care Stage 2 complaints concluded in this quarter. 6 were partially upheld, 1 was not upheld and 1 was withdrawn.
- 5.2.3 Non Statutory Stage 2 investigations include a careful audit of the complaint, paying particular attention to balancing customer expectations against the objectives of the County Council. Frequently at Stage 2, particularly in Place Services, stage 2 escalation requests are made when customers do not agree with the response they are provided at stage 1. In some cases this is due to the response not fully outlining the rationale behind decisions made. Sending customers information, to include the strategies and challenges outlined in Tough Choices, is of the utmost help when attempting to further explain to customers the difficult and varied challenges faced in these austere times

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## 5.3 Stage 2 Complaint Outcomes

5.3.1 Table 6 below provides detail of the outcomes of all Stage 2 complaints responded to within Q4.

**Table 6 – Stage 2 Complaint Outcome**

| Stage 2 Complaint Outcomes - responded to in Quarter |                      |           |           |           |           |            |
|--|----------------------|-----------|-----------|-----------|-----------|------------|
| Service  |                      | Q1        | Q2        | Q3        | Q4        | YTD        |
| People   | No - Not Upheld      | 2         | 0         | 2         | 2         | 6          |
|  | Yes - Upheld         | 0         | 1         | 0         | 2         | 3          |
|  | Partially Upheld     | 3         | 2         | 2         | 8         | 15         |
|  | No finding           | 0         | 0         | 0         | 0         | 0          |
|  | Immediately resolved | 0         | 0         | 0         | 0         | 0          |
|  | Closed / NFA         | 0         | 0         | 0         | 1         | 1          |
|  |                      | <b>5</b>  | <b>3</b>  | <b>4</b>  | <b>13</b> | <b>25</b>  |
| Place  | No - Not Upheld      | 16        | 21        | 16        | 18        | 71         |
|  | Yes - Upheld         | 1         | 2         | 6         | 3         | 12         |
|  | Partially Upheld     | 4         | 10        | 10        | 6         | 30         |
|  | No finding           | 1         | 0         | 1         | 0         | 2          |
|  | Immediately resolved | 0         | 0         | 0         | 0         | 0          |
|  | Closed / NFA         | 8         | 5         | 3         | 6         | 22         |
|  |                      | <b>30</b> | <b>38</b> | <b>36</b> | <b>33</b> | <b>137</b> |
| Corporate  | No - Not Upheld      | 0         | 0         | 1         | 1         | 2          |
|  | Yes - Upheld         | 1         | 1         | 1         | 0         | 3          |
|  | Partially Upheld     | 0         | 1         | 0         | 0         | 1          |
|  | No finding           | 0         | 0         | 0         | 0         | 0          |
|  | Immediately resolved | 0         | 0         | 0         | 0         | 0          |
|  | Closed / NFA         | 0         | 0         | 0         | 0         | 0          |
|  |                      | <b>1</b>  | <b>2</b>  | <b>2</b>  | <b>1</b>  | <b>6</b>   |
| All Services   | No - Not Upheld      | 18        | 21        | 19        | 21        | 79         |
|  | Yes - Upheld         | 2         | 4         | 7         | 5         | 18         |
|  | Partially Upheld     | 7         | 13        | 12        | 14        | 46         |
|  | No finding           | 1         | 0         | 1         | 0         | 2          |
|  | Immediately resolved | 0         | 0         | 0         | 0         | 0          |
|  | Closed / NFA         | 8         | 5         | 3         | 7         | 23         |
|  |                      | <b>36</b> | <b>43</b> | <b>42</b> | <b>47</b> | <b>168</b> |

5.3.2 Of these 47 complaints responded to 21 were not upheld (45%), 5 were fully upheld (11%), 14 were partially upheld (30%) and the remaining 7 were closed NFA prior to full investigation (14%).

5.3.3 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.

5.3.4 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.

5.3.5 Of the 5 stage 2 complaints that were fully upheld 3 were within Highways and 2 were within Education & Learning.

5.3.6 Of the 14 Stage 2 complaints that were partially upheld 6 were regarding Statutory Children's Social Care Complaints, 6 regarding Highways, 2 regarding Education & Learning and 1 regarding Planning.

## 5.4 Stage 2 Complaint Learning

5.4.1 The 2 Education & Learning Stage 2 complaints that were upheld identified actions as follows:

- There was an initial delay in progressing the request for a Special Needs Assessment for which the Council apologises. The Council organised a mediation meeting with the complainant, the school head and the tribunal's officer after which the Council felt it would be appropriate to carry out a Special Needs Assessment, which has been done.

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- There was a failure to deliver special educational provision and as a result of the complaint the council has put in place a personal budget to cover the costs of therapy as outlined in the person's EHC plan. The Council apologised for the delay that occurred prior to this arrangement being set up.

## 5.4.2 The 3 Highways complaints which were upheld identified actions as follows:

- The complainant made repeated reports of poor road condition which were not responded to. The service accepted this error and agreed to correct the road camber. It also apologised for not responding appropriately to the complainant in the first instance.
- The complaint was regarding a significant delay in Access Protection Markings (APM) being installed on Main Road, Pinhoe  
The complainant was reassured that as soon as the weather improved the works would be carried out and received an apology that the timescale was not to his satisfaction. The complainant was also concerned about cars blocking entrances and access. He was advised, that APM's are non-enforceable as they are categorised as advisory. Therefore if the problem continues after the installation in the spring of this year, your recourse would be to the Police. Advice was offered that a solution may be to ask the Police to install Yellow 'No Waiting' Cones. Cones installed by the Police are enforceable. There maybe merit in contacting your Neighbourhood Beat Manager, to discuss what options are available to you in respect of the Police helping with parking enforcement in Retreat Lane
- The complainant escalated his complaint to Stage 2 as follows: Many thanks for your email. I was uncertain whether my reply to the Highways Department (10th Feb) would trigger a Level 2 complaint, so thank you for making that clear and taking up this case. I responded because the investigation he had made simply did not seem to reflect our correspondence and phone calls with the Council. Part of the frustration in cases like this is simply not knowing what anyone has decided and getting either no or contradictory information from several different employees on a daily basis. However, we're much more interested in finding out when the council will be able to clear the drain. We understand that an order has been raised to clear the gullies in Penquit and jet the pipes under the highway, but that this will have to be done on a 'slot in' basis. It makes sense (even to us!) to give priority to main roads, but it makes no sense if that means we will never have the drain cleared. Our property is under constant threat of flooding (as the pictures show) and we are out clearing the drains on a daily basis – including occasionally in the middle of the night - to avert floods

The Council responded as follows: You are correct in much of what you have written. Within the comments of your initial report it does mention flooding of your property. This log was not provided as part of your stage 1 complaint so was not included in that investigation. There is evidence that you repeatedly contacted the council on this matter but on each occasion your concern was logged as a blocked gully and therefore was assigned to the NHO who closed the log having after raising the original report to a safety defect. I can only apologise that at no time did any of these later calls result in the report being escalated to property flooding or a new order raised.

It's clear from trying to review your case that our systems and actions have complicated our response on site. I will bring the case to the attention of the relevant departments so each is aware of the shortcomings/consequences of the decisions made, this also highlights a drawback with an online reporting system. I am aware that this does not satisfy your complaint to date but by doing this it is hoped that DCC will be able to improve our service in the future.

As a response to your final comment, I am aware that the NHO has been through Penquit since the issue and there was no flooding by that time but that he has raised an order for the gullies to be cleared to ensure they are working to capacity. Having spoken to our contractor SWH, they intend for the gully machine to attend on the weekend of the 12<sup>th</sup> of March.

- 5.4.3 With regard to the 14 complaints which were partially upheld; each of these have had an action plan prepared with the required actions required to ensure learning and improvements and these are the responsibility of the services to ensure that they are implemented and evidence of such provided to the Customer Relations Team, details of these are contained within the quarterly reports to Heads of Service.

## 5.5 **Stage 3 Children's Social Care Complaints – Review Panel Hearing**

- 5.5.1 In Q4 the council had the first Stage 3 Review Panel Hearing (RPH) under the Children's Statutory Complaint Regulations for 7 years. It was a joint complaint to Plymouth City and Devon County Councils from Foster Carers who did not agree with the outcome of the Stage 2 investigations and also had issues with the way in which both councils had managed the complaint.
- 5.5.2 The RPH was held in accordance with the Regulations and the Directors of Children's Social Care from both Councils have sent the final response to the complainants and given their assurances that appropriate

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learning has been taken on board and also given assurances that our joint working policies and procedures around Fostering Services are being reviewed and revised as required.

## **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 358 compliments; this is 70 more compliments than in Q3 and the highest number in any quarter in the reporting year.
- 6.3 Compliments within Children's Social Care, increased by 4 in this quarter, Adult Social Care by 29, Highways by 47 and Business Strategy & Support by 4.
- 6.4 In the 2015-2016 reporting year the council has received a total of 1352 compliments, 526 for People Services, 541 for Place Services and 285 for Corporate Services.
- 6.5 The four services that have received the most compliments within the year are Adult Social Care Services with 430 most of these (310) were about residential, Domiciliary and Day Services, Highways, Capital Development & Waste with 419 most of these were about Highways (233) and Waste (177), Business Strategy & Support with 143 most of these about Business Infrastructures (139) and County Solicitors with 138 most of these being about Registration Services (133).
- 6.6 It is notable that Highways, Capital Development & Waste are not only one of the services that receive the most compliments but are also the service that is the subject of the most complaints. The areas that are covered by this service are the ones which the public seem to be most inclined to make their views known.
- 6.7 Although there is a relatively low number of compliments received about Children's Social Care Services this is to be expected as there are not many people who have chosen to be involved with Children's Services and this is not true of any of the other service areas.



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6.7.1 **Table 8** details the number of compliments received by Head of Service direct report areas cross the Council.

| Service Area                                | Team   | Q1 15-16   | Q2 15-16   | Q3 15-16   | Q4 15-16   | Total 15-16 |
|---|--|------------|------------|------------|------------|-------------|
| Children's Social Care (Fiona Fitzpatrick)  | Children's Social Work (North/Mid & ICS) - Marian Martin       | 2          | 8          | 9          | 3          | 22          |
|   | Children's Social Work (Exeter/South) - Karen Morris           | 10         | 8          | 3          | 12         | 33          |
|   | Looked After Children - Rachel Gillott                         | 0          | 5          | 0          | 2          | 7           |
|   | Early Help Provision - Philippa Court                          | 0          | 1          | 1          | 2          | 4           |
|   | Commissioning - Fiona Fleming                                  | 0          | 0          | 0          | 0          | 0           |
|   | Safeguarding Children - Nicky Scutt                            | 5          | 1          | 0          | 0          | 6           |
|   | MASH and Early Help & Access - Felicity Baldwin                | 1          | 0          | 3          | 1          | 5           |
|   | <b>Total Children's Social Care</b>                            | <b>18</b>  | <b>23</b>  | <b>16</b>  | <b>20</b>  | <b>77</b>   |
| Adult Social Care (Sally Slade)             | Older People's/Disability Services North & East - Keri Storey  | 22         | 17         |            |            | 39          |
|   | Older People's/Disability Services South - Gary Patch          | 9          | 7          |            |            | 16          |
|   | Adult Social Care (inc Provision) - Jan Ingram                 | 76         | 99         |            |            | 175         |
|   | Safeguarding Adults -  | 0          | 1          |            |            | 1           |
|   | Learning Disabilities - Liz Wood/Mark Gierke                   | 0          | 0          |            |            | 0           |
|   | Adult Mental Health - Sherrie Hitchin                          | 0          | 0          |            |            | 0           |
| <b>Total Adult Social Care</b>              | <b>107</b>   | <b>124</b> |            |            | <b>231</b> |             |
| Adult Social Care NEW STRUCTURE FROM Q3     | North Community Health & Social Care Teams - Stella Doble      |            |            | 4          | 2          | 6           |
|   | East Community Health & Social Care Teams - Keri Storey        |            |            | 13         | 14         | 27          |
|   | South Community Health & Social Care Teams - Lee Baxter        |            |            | 7          | 10         | 17          |
|   | Social Care Provision  |            |            | 57         | 78         | 135         |
|   | Adult Mental Health - Sherrie Hitchin                          |            |            | 0          | 0          | 0           |
| <b>Total Adult Social Care</b>              |  |            | <b>81</b>  | <b>104</b> | <b>185</b> |             |
| Adult Social Care Commissioning (Tim Golby) | Strategy, Policy and Performance - Damian Furniss              | 0          | 2          | 0          | 3          | 5           |
|   | Strategic Planning and Commissioning - Ian Hobbs               | 2          | 4          | 0          | 3          | 9           |
|   | Change Delivery - Giles Colton                                 | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Social Care Commissioning</b>                         | <b>2</b>   | <b>6</b>   | <b>0</b>   | <b>6</b>   | <b>14</b>   |
| Education & Learning (Sue Clarke)           | Strategic Commissioning (Education) - John Peart               | 1          | 0          | 3          | 2          | 6           |
|   | Contract Performance (Education)                               | 0          | 0          | 0          | 0          | 0           |
|   | Admissions - Simon Niles                                       | 2          | 0          | 0          | 0          | 2           |
|   | Early Years and Childcare - Claire Rockcliffe                  | 0          | 0          | 2          | 1          | 3           |
|   | School Improvement - Dawn Stabb                                | 2          | 3          | 0          | 3          | 8           |
|   | <b>Total Education and Learning</b>                            | <b>5</b>   | <b>3</b>   | <b>5</b>   | <b>6</b>   | <b>19</b>   |
| Highways, Capital Development and Waste     | Capital Development - Rob Richards                             | 1          | 0          | 0          | 0          | 1           |
|   | Highways - Meg Booth   | 46         | 64         | 55         | 68         | 233         |
|   | Bridges and Structures - Kevin Dentith                         | 2          | 0          | 1          | 1          | 4           |
|   | Waste - Wendy Barratt  | 39         | 34         | 34         | 70         | 177         |
|   | Built Environments - Chris Dyer                                | 2          | 0          | 2          | 0          | 4           |
|   | <b>Total Highways, Capital Development and Waste</b>           | <b>90</b>  | <b>98</b>  | <b>92</b>  | <b>139</b> | <b>419</b>  |
| Planning, Transportation and Environment    | Transportation Planning and Road Safety - Jamie Hulland        | 5          | 2          | 2          | 0          | 9           |
|   | Development Management Highways- Brian Hensley                 | 0          | 0          | 1          | 0          | 1           |
|   | Chief Planner - Joe Keech                                      | 0          | 0          | 0          | 0          | 0           |
|   | Environment - Peter Chamberlain                                | 2          | 0          | 1          | 2          | 5           |
|   | <b>Total Planning, Transportation and Environment</b>          | <b>7</b>   | <b>2</b>   | <b>4</b>   | <b>2</b>   | <b>15</b>   |
| Economy & Enterprise                        | Business Support and Innovation (Steve Turner)                 | 0          | 0          | 0          | 0          | 0           |
|   | Strategic Development & Infrastructure (Peter Quincey)         | 0          | 0          | 0          | 0          | 0           |
|   | Economic Analysis, Funding and Partnerships (Sophie Francis)   | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Economy and Enterprise</b>                            | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>    |
| Services for Communities (Place)            | Trading Standards and Adult & Community Learning - Paul Thomas | 10         | 8          | 5          | 5          | 28          |
|   | Communities - Simon Kitchen                                    | 0          | 0          | 0          | 0          | 0           |
|   | Libraries, Culture and Heritage - Ciara Eastell                | 11         | 21         | 18         | 19         | 69          |
|   | Transport Coordination Services (TCS) - Damien Jones           | 2          | 2          | 4          | 2          | 10          |
|   | <b>Total Services for Communities (Place)</b>                  | <b>23</b>  | <b>31</b>  | <b>27</b>  | <b>26</b>  | <b>107</b>  |
| Services for Communities (Corp)             | Human Resources - Sue Edwards                                  | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Services for Communities (Corporate)</b>              | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>    |
| Business Strategy & Support                 | Business Infrastructures - Colin Mackenzie                     | 41         | 22         | 37         | 39         | 139         |
|   | Corporate Assets - Matthew Jones                               | 0          | 0          | 0          | 0          | 0           |
|   | IT Strategic Commissioning - Gary Dempster                     | 2          | 0          | 0          | 1          | 3           |
|   | Strategic Procurement - Justin Bennett                         | 0          | 0          | 0          | 1          | 1           |
|   | <b>Total Business Strategy &amp; Support</b>                   | <b>43</b>  | <b>22</b>  | <b>37</b>  | <b>41</b>  | <b>143</b>  |
| County Solicitors                           | Legal Services - Simon Clarey                                  | 0          | 1          | 2          | 0          | 3           |
|   | Registration - Trish Harrogate                                 | 51         | 47         | 23         | 12         | 133         |
|   | Communications & Media - Tony Parker                           | 1          | 0          | 0          | 1          | 2           |
| <b>Total County Solicitors</b>              | <b>52</b>  | <b>48</b>  | <b>25</b>  | <b>13</b>  | <b>138</b> |             |
| County Treasurer                            | People Finance - John Holme                                    | 1          | 0          | 0          | 0          | 1           |
|   | Place Finance - Nicky Allen                                    | 1          | 0          | 1          | 0          | 2           |
|   | Corporate Finance - Martin Oram                                | 0          | 0          | 0          | 0          | 0           |
|   | Investment & Treasury - Mark Gayler                            | 0          | 0          | 0          | 0          | 0           |
|   | Devon Audit Partnership - Robert Hutchings                     | 0          | 0          | 0          | 0          | 0           |
|   | Systems and Change - Chris Phillips                            | 0          | 0          | 0          | 1          | 1           |
|   | Strategy & Compliance - Angie Sinclair                         | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total County Treasurers</b>                                 | <b>2</b>   | <b>0</b>   | <b>1</b>   | <b>1</b>   | <b>4</b>    |
| <b>Total All Services Compliments</b>       |  | <b>349</b> | <b>357</b> | <b>288</b> | <b>358</b> | <b>1352</b> |

## 7. MP Letters Received

7.1.1 In Q4 the council received 227 letters from MPs, which represents an increase of 56 MP Letters compared to Q3. This is the highest number of MP Letters received in a quarter in the reporting year.

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

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| Service Area                                      | Team  | Q1 15-16   | Q2 15-16   | Q3 15-16   | Q4 15-16   | Total 15-16 |
|---|---|------------|------------|------------|------------|-------------|
| Children's Social Care                            | Children's Social Work (North/Mid & ICS) - Marian Martin      | 1          | 6          | 7          | 14         | 28          |
|   | Children's Social Work (Exeter/South) - Karen Morris          | 5          | 9          | 8          | 3          | 25          |
|   | Looked After Children - Rachel Gillott                        | 0          | 0          | 0          | 2          | 2           |
|   | Early Help Provision - Philippa Court                         | 1          | 2          | 0          | 0          | 3           |
|   | Commissioning - Fiona Fleming                                 | 0          | 0          | 0          | 0          | 0           |
|   | Safeguarding Children - Nicky Scutt                           | 0          | 0          | 0          | 1          | 1           |
|   | MASH and Early Help & Access - Felicity Baldwin               | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Children's Social Care</b>                           | <b>7</b>   | <b>17</b>  | <b>15</b>  | <b>20</b>  | <b>59</b>   |
| Adult Social Care                                 | Older People's/Disability Services North & East - Keri Storey | 6          | 9          |            |            | 15          |
|   | Older People's/Disability Services South - Gary Patch         | 2          | 5          |            |            | 7           |
|   | Adult Social Care (inc Provision) - Jan Ingram                | 1          | 2          |            |            | 3           |
|   | Safeguarding Adults - Paul Grimsey                            | 0          | 1          |            |            | 1           |
|   | Learning Disabilities - Liz Wood/Mark Gierke                  | 2          | 2          |            |            | 4           |
|   | Adult Mental Health - Sherrie Hitchin                         | 0          | 0          |            |            | 0           |
|   | <b>Total Adult Social Care</b>                                | <b>11</b>  | <b>19</b>  |            |            | <b>30</b>   |
| Adult Social Care <b>NEW STRUCTURE FROM Q3</b>    | North Community Health & Social Care Teams - Stella Doble     |            |            | 5          | 2          | 7           |
|   | East Community Health & Social Care Teams - Keri Storey       |            |            | 10         | 12         | 22          |
|   | South Community Health & Social Care Teams - Lee Baxter       |            |            | 5          | 4          | 9           |
|   | Social Care Provision   |            |            | 1          | 0          | 1           |
|   | Adult Mental Health - Sherrie Hitchin                         |            |            | 0          | 0          | 0           |
|   | <b>Total Adult Social Care</b>                                |            |            | <b>21</b>  | <b>18</b>  | <b>39</b>   |
| Social Care Commissioning (Adults)                | Quality Assurance - Damian Furniss                            | 0          | 0          | 0          | 1          | 1           |
|   | Strategic Planning and Commissioning - Ian Hobbs              | 3          | 3          | 1          | 2          | 9           |
|   | Change Delivery - Giles Colton                                | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Social Care Commissioning</b>                        | <b>3</b>   | <b>3</b>   | <b>1</b>   | <b>3</b>   | <b>10</b>   |
| Education & Learning                              | Strategic Commissioning (Education) - John Peart              | 3          | 12         | 11         | 8          | 34          |
|   | School Transport - John Peart                                 | 3          | 11         | 6          | 0          | 20          |
|   | Contract Performance (Education) -                            | 0          | 0          | 0          | 0          | 0           |
|   | Admissions - Simon Niles                                      | 5          | 4          | 3          | 0          | 12          |
|   | Early Years and Childcare - Claire Rockcliffe                 | 0          | 2          | 0          | 0          | 2           |
|   | School Improvement - Dawn Stabb                               | 0          | 1          | 3          | 5          | 9           |
|   | <b>Total Education and Learning</b>                           | <b>11</b>  | <b>30</b>  | <b>23</b>  | <b>13</b>  | <b>77</b>   |
| Highways, Capital Development and Waste           | Capital Development - Rob Richards                            | 2          | 1          | 4          | 0          | 7           |
|   | Highways - Meg Booth  | 104        | 88         | 69         | 112        | 373         |
|   | Waste - Wendy Barratt   | 2          | 5          | 0          | 1          | 8           |
|   | Built Environments - Chris Dyer                               | 2          | 2          | 1          | 3          | 8           |
|   | <b>Total Highways, Capital Development and Waste</b>          | <b>110</b> | <b>96</b>  | <b>76</b>  | <b>118</b> | <b>400</b>  |
| Planning, Transportation and Environment          | Transportation Planning and Road Safety - Jamie Hulland       | 5          | 7          | 6          | 17         | 35          |
|   | Development Management Highways- Brian Hensley                | 2          | 5          | 10         | 8          | 25          |
|   | Chief Engineer - Joe Keech                                    | 0          | 0          | 2          | 1          | 3           |
|   | Environment - Peter Chamberlain                               | 0          | 1          | 0          | 3          | 4           |
|   | <b>Total Planning, Transportation and Environment</b>         | <b>7</b>   | <b>13</b>  | <b>18</b>  | <b>29</b>  | <b>67</b>   |
| Economy & Enterprise                              | Employment and Skills   | 0          | 0          | 0          | 0          | 0           |
|   | Business Support and Innvotion                                | 0          | 0          | 0          | 0          | 0           |
|   | Strategic Development & Infrastructure                        | 2          | 0          | 0          | 0          | 2           |
|   | Economic Analysis, Funding and Partnerships                   | 3          | 7          | 4          | 10         | 24          |
|   | <b>Total Economy and Enterprise</b>                           | <b>5</b>   | <b>7</b>   | <b>4</b>   | <b>10</b>  | <b>26</b>   |
| Services for Communities (Place)                  | Adult & Community Learning - Paul Thomas                      | 0          | 0          | 0          | 0          | 0           |
|   | Trading Standards - Paul Thomas                               | 0          | 2          | 0          | 1          | 3           |
|   | Active Devon - Matt Evans                                     | 0          | 0          | 0          | 0          | 0           |
|   | Communities - Simon Kitchen                                   | 1          | 2          | 1          | 1          | 5           |
|   | Libraries, Culture and Heritage - Ciara Eastell               | 0          | 0          | 2          | 0          | 2           |
|   | Transport Coordination Services (TCS) - Damien Jones          | 14         | 10         | 3          | 5          | 32          |
|   | <b>Total Services for Communities (Place)</b>                 | <b>15</b>  | <b>14</b>  | <b>6</b>   | <b>7</b>   | <b>42</b>   |
| Services for Communities (Corporate)              | Human Resources - Sue Edwards                                 | 0          | 0          | 0          | 0          | 0           |
| <b>Total Services for Communities (Corporate)</b> | <b>0</b>  | <b>0</b>   | <b>0</b>   | <b>0</b>   | <b>0</b>   |             |
| Business Strategy & Support                       | Business Infrastructures - Colin Mackenzie                    | 8          | 2          | 4          | 6          | 20          |
|   | Corporate Assets - Matthew Jones                              | 1          | 3          | 1          | 2          | 7           |
|   | IT Strategic Commissioning - Gary Dempster                    | 0          | 0          | 0          | 0          | 0           |
|   | Strategic Procurement - Justin Bennett                        | 0          | 0          | 0          | 0          | 0           |
|   | <b>Total Business Strategy &amp; Support</b>                  | <b>9</b>   | <b>5</b>   | <b>5</b>   | <b>8</b>   | <b>27</b>   |
| County Solicitors                                 | Legal Services - Simon Clarey                                 | 2          | 2          | 0          | 0          | 4           |
|   | Registration - Trish Harrogate                                | 0          | 1          | 0          | 0          | 1           |
|   | Communications & Media - Tony Parker                          | 0          | 0          | 1          | 0          | 1           |
|   | <b>Total County Solicitors</b>                                | <b>2</b>   | <b>3</b>   | <b>1</b>   | <b>0</b>   | <b>6</b>    |
| County Treasurer                                  | People Finance - John Holme                                   | 0          | 1          | 1          | 1          | 3           |
|   | Place Finance - Nicky Allen                                   | 1          | 0          | 0          | 0          | 1           |
|   | Corporate Finance - Martin Oram                               | 0          | 0          | 0          | 0          | 0           |
|   | Investment & Treasury - Mark Gayler                           | 0          | 0          | 0          | 0          | 0           |
|   | Devon Audit Partnership - Robert Hutchings                    | 0          | 0          | 0          | 0          | 0           |
|   | Systems and Change - Chris Phillips                           | 0          | 0          | 0          | 0          | 0           |
|   | Strategy & Compliance - Angie Sinclair                        | 0          | 0          | 0          | 0          | 0           |
| <b>Total County Treasurers</b>                    | <b>1</b>  | <b>1</b>   | <b>1</b>   | <b>1</b>   | <b>4</b>   |             |
| <b>All Services Totals</b>                        | <b>All Services Totals</b>                                    | <b>181</b> | <b>208</b> | <b>171</b> | <b>227</b> | <b>787</b>  |

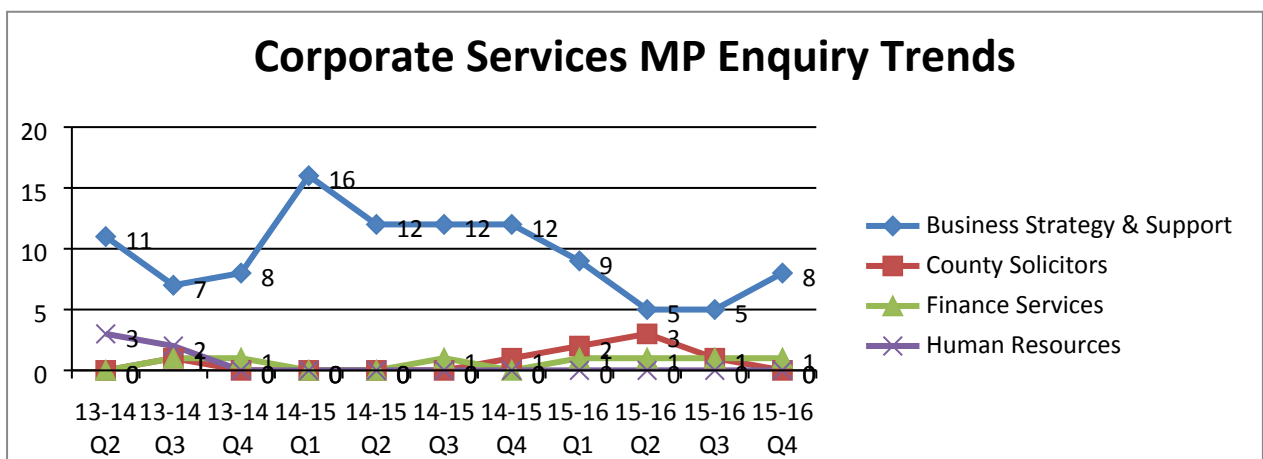
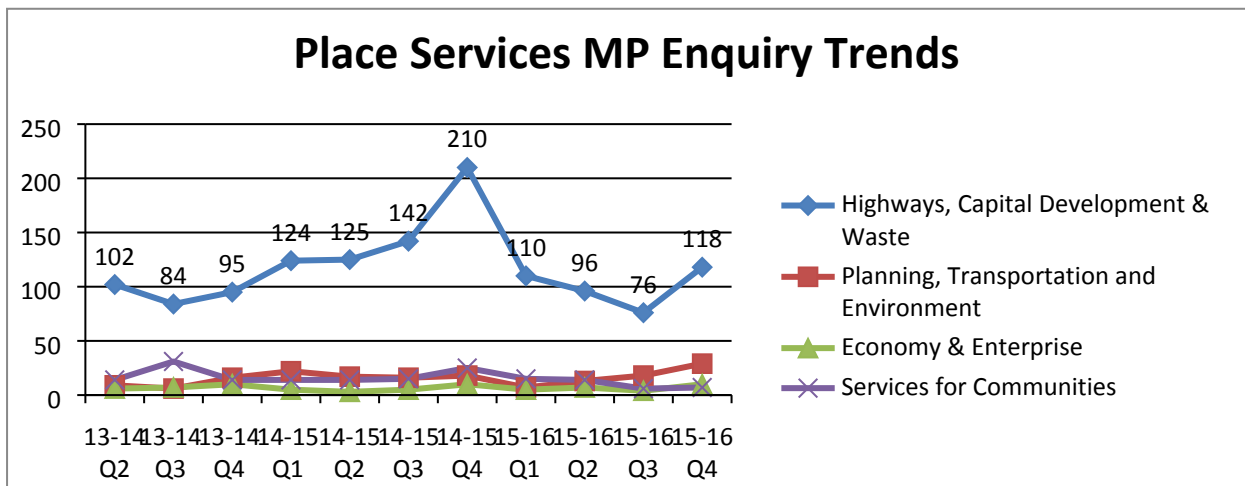
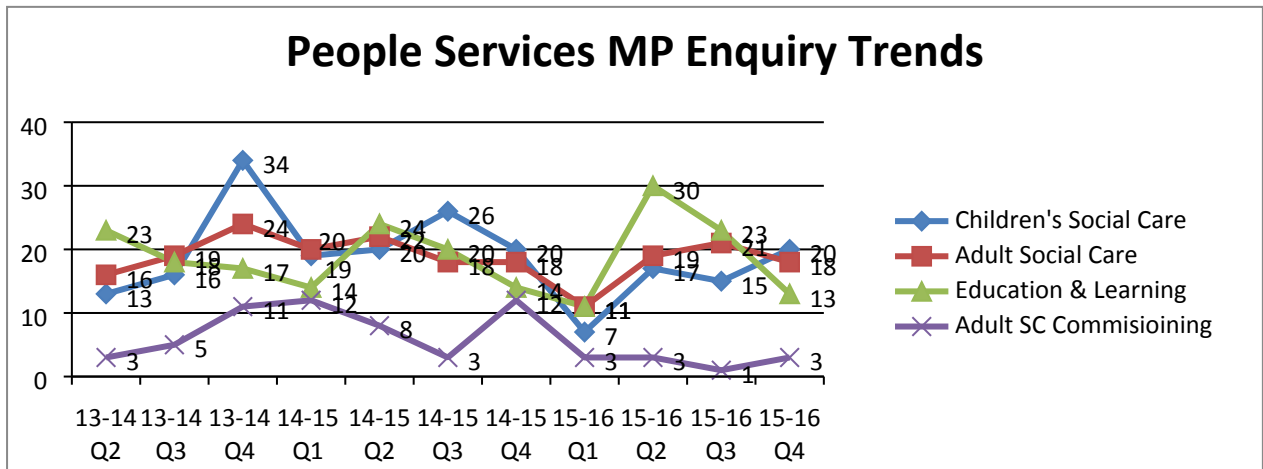
7.1.3 Highway issues continue to dominate communication from MPs and there has been a significant increase in the number of letters received in Q4 at 112, an increase of 43 letters on the previous quarter. IN Q4 they account for 49% of all MP Letters received.

7.1.4 There have been noticeable decreases in the number of MP letters received in Q4 compared to Q3 in Education & Learning (23 in Q3 and 13 in Q4 mainly accounted for by a drop in School Transport letters

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7.1.5 Throughout the reporting year there have been a total of 748 letters from MPs. Of which 400 are about Highways, Capital Development & Waste (54% of the total number received). The services receiving the next highest number are Education & Learning receiving 77 MP Letters, Planning Transportation & Environment receiving 67 letters and Children's Social Care receiving 59 letters.

7.1.6 The **three graphs below** give a more detailed position in regard to the trend in numbers of MP Letters received over the last 3 years for each of People, Place and Corporate Services.



## 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 72% in Q4. This is a decline in performance of 12% compared to Q3 (84%). There were 209 MP Letters responded to and 151 were within 20 working days.

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- 7.2.2 The service areas responded within time as follows: Children’s Social Care 56% (9 out of 16 responses on time), Adult Social Care 88% (14 out of 18 responses on time), Social Care Commissioning 67 (2 out of 3 responses in time), Education & Learning 80% (12 out of 15 responses on time), Highways 70% (81 out of 115 on time), Planning 92% (22 out of 24 responses on time), Economy & Enterprise 40% (4 out of 10 responses on time), Communities Place 88% (7 out of 8 responses on time), Business Strategy & Support 100% (2 out of 2 responses in time), neither Legal Services or Finance Services had any MP Letters responded to in the Quarter.
- 7.2.3 Across the reporting year (April 2015 – March 2016) the council has responded to 947 MP Letters of which 70% have been within the timescale of 20 working days (665 responses). Legal Services had the best performance responding to all 7 of their MP Letters in time (100%) and at the other end of the scale Economy & Europe only responded to 36% of their MP Letters on time (10 out of 28 responses on time)
- 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.

|  |                       | 2015- 16 Representation Response times |             |             |             |             |
|--|-----------------------|--|-------------|-------------|-------------|-------------|
|  |                       | Quarter 1                              | Quarter 2   | Quarter 3   | Quarter 4   | Total YTD   |
| Children's Social Care                   | MP Letters            | 50%                                    | 33%         | 50%         | 56%         | 45%         |
|  | Cllr Enquiries        | 50%                                    | 50%         | 100%        | 100%        | 75%         |
|  | Others                | 90%                                    | 67%         | 20%         | 50%         | 70%         |
|  | <b>Total</b>          | <b>85%</b>                             | <b>53%</b>  | <b>50%</b>  | <b>56%</b>  | <b>62%</b>  |
| Adult Social Care                        | MP Letters            | 67%                                    | 77%         | 58%         | 78%         | 68%         |
|  | Cllr Enquiries        | 100%                                   | 100%        | 100%        | 100%        | 100%        |
|  | Others                | 93%                                    | 67%         | 71%         | 40%         | 67%         |
|  | <b>Total</b>          | <b>85%</b>                             | <b>77%</b>  | <b>65%</b>  | <b>68%</b>  | <b>72%</b>  |
| Social Care Commissioning                | MP Letters            | 100%                                   | 50%         | 100%        | 67%         | 73%         |
|  | Cllr Enquiries        | n/a                                    | n/a         | n/a         | n/a         | n/a         |
|  | Others                | 100%                                   | 75%         | 100%        | 80%         | 85%         |
|  | <b>Total</b>          | <b>100%</b>                            | <b>63%</b>  | <b>100%</b> | <b>75%</b>  | <b>79%</b>  |
| Education and Learning                   | MP Letters            | 78%                                    | 66%         | 70%         | 80%         | 71%         |
|  | Cllr Enquiries        | n/a                                    | n/a         | 80%         | n/a         | 80%         |
|  | Others                | 100%                                   | 100%        | 67%         | 78%         | 85%         |
|  | <b>Total</b>          | <b>83%</b>                             | <b>72%</b>  | <b>71%</b>  | <b>79%</b>  | <b>74%</b>  |
| Highways, Capital Development and Waste  | MP Letters            | 51%                                    | 57%         | 89%         | 70%         | 70%         |
|  | Cllr Enquiries        | 100%                                   | 100%        | n/a         | 50%         | 86%         |
|  | Others                | 100%                                   | 89%         | 96%         | 91%         | 92%         |
|  | <b>Total</b>          | <b>60%</b>                             | <b>75%</b>  | <b>92%</b>  | <b>83%</b>  | <b>81%</b>  |
| Planning, Transportation and Environment | MP Letters            | 82%                                    | 75%         | 89%         | 92%         | 86%         |
|  | Cllr Enquiries        | n/a                                    | n/a         | n/a         | n/a         | n/a         |
|  | Others                | 80%                                    | 67%         | 82%         | 100%        | 81%         |
|  | <b>Total</b>          | <b>81%</b>                             | <b>72%</b>  | <b>86%</b>  | <b>93%</b>  | <b>85%</b>  |
| Economy and Enterprise                   | MP Letters            | 20%                                    | 22%         | 75%         | 40%         | 36%         |
|  | Cllr Enquiries        | n/a                                    | n/a         | 100%        | 100%        | 100%        |
|  | Others                | n/a                                    | n/a         | n/a         | 100%        | 100%        |
|  | <b>Total</b>          | <b>20%</b>                             | <b>22%</b>  | <b>80%</b>  | <b>50%</b>  | <b>42%</b>  |
| Services for Communities (Place)         | MP Letters            | 94%                                    | 86%         | 83%         | 88%         | 89%         |
|  | Cllr Enquiries        | n/a                                    | n/a         | n/a         | 0%          | 0%          |
|  | Others                | 92%                                    | 91%         | 88%         | 88%         | 90%         |
|  | <b>Total</b>          | <b>93%</b>                             | <b>90%</b>  | <b>88%</b>  | <b>85%</b>  | <b>89%</b>  |
| Business Strategy & Support              | MP Letters            | 57%                                    | 67%         | 0%          | 100%        | 57%         |
|  | Cllr Enquiries        | n/a                                    | 100%        | 100%        | n/a         | 100%        |
|  | Others                | 80%                                    | 100%        | 89%         | 100%        | 91%         |
|  | <b>Total</b>          | <b>67%</b>                             | <b>88%</b>  | <b>75%</b>  | <b>100%</b> | <b>79%</b>  |
| Legal Services                           | MP Letters            | 100%                                   | 100%        | 100%        | n/a         | 100%        |
|  | Cllr Enquiries        | n/a                                    | n/a         | n/a         | n/a         | n/a         |
|  | Others                | 100%                                   | 100%        | 100%        | 100%        | 100%        |
|  | <b>Total</b>          | <b>100%</b>                            | <b>100%</b> | <b>100%</b> | <b>100%</b> | <b>100%</b> |
| Finance                                  | MP Letters            | n/a                                    | 100%        | 0%          | n/a         | 67%         |
|  | Cllr Enquiries        | n/a                                    | n/a         | n/a         | n/a         | n/a         |
|  | Others                | n/a                                    | n/a         | n/a         | n/a         | n/a         |
|  | <b>Total</b>          | <b>n/a</b>                             | <b>100%</b> | <b>0%</b>   | <b>n/a</b>  | <b>67%</b>  |
| <b>Total All Services</b>                | <b>MP Letters</b>     | <b>60%</b>                             | <b>60%</b>  | <b>84%</b>  | <b>72%</b>  | <b>70%</b>  |
|  | <b>Cllr Enquiries</b> | <b>86%</b>                             | <b>90%</b>  | <b>92%</b>  | <b>83%</b>  | <b>88%</b>  |
|  | <b>Others</b>         | <b>94%</b>                             | <b>86%</b>  | <b>90%</b>  | <b>86%</b>  | <b>88%</b>  |
|  | <b>Total</b>          | <b>72%</b>                             | <b>74%</b>  | <b>86%</b>  | <b>80%</b>  | <b>79%</b>  |

NOTE: SERVICE FOR COMMUNITIES (CORPORATE) not included as nothing received

## 7.3 Letters Received by 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

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|               | Service Area | Children's Social Care | Adult Social Care | Social Care Commissioning | Education and Learning | Highways, Capital Development and Waste | Planning, Transportation and Environment | Economy and Enterprise | Services for Communities | Business Strategy and Support | Legal Services | Finance | Total |
|---------------|--------------|------------------------|-------------------|---------------------------|------------------------|---|--|------------------------|--------------------------|-------------------------------|----------------|---------|-------|
| Bradshaw      | Q1           | 3                      | 0                 | 1                         | 3                      | 16                                      | 2  | 0                      | 2                        | 2                             | 1              | 0       | 30    |
|               | Q2           | 5                      | 11                | 0                         | 8                      | 28                                      | 5  | 1                      | 3                        | 3                             | 2              | 0       | 66    |
|               | Q3           | 2                      | 6                 | 1                         | 0                      | 15                                      | 2  | 0                      | 0                        | 1                             | 0              | 2       | 29    |
|               | Q4           | 9                      | 11                | 1                         | 4                      | 37                                      | 7  | 2                      | 2                        | 4                             | 0              | 0       | 77    |
|               | YTD          | 19                     | 28                | 3                         | 15                     | 96                                      | 16                                       | 3                      | 7                        | 10                            | 3              | 2       | 202   |
| Cox           | Q1           | 0                      | 3                 | 0                         | 0                      | 13                                      | 1  | 0                      | 3                        | 0                             | 0              | 1       | 21    |
|               | Q2           | 2                      | 0                 | 1                         | 5                      | 12                                      | 2  | 0                      | 3                        | 0                             | 0              | 0       | 25    |
|               | Q3           | 4                      | 4                 | 0                         | 6                      | 12                                      | 0  | 1                      | 1                        | 0                             | 0              | 0       | 28    |
|               | Q4           | 0                      | 2                 | 0                         | 2                      | 21                                      | 2  | 0                      | 0                        | 1                             | 0              | 0       | 28    |
|               | YTD          | 6                      | 9                 | 1                         | 13                     | 58                                      | 5  | 1                      | 7                        | 1                             | 0              | 1       | 102   |
| Heaton-Jones  | Q1           | 1                      | 1                 | 0                         | 10                     | 2                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 14    |
|               | Q2           | 2                      | 0                 | 0                         | 3                      | 17                                      | 2  | 0                      | 0                        | 0                             | 0              | 0       | 24    |
|               | Q3           | 1                      | 3                 | 0                         | 4                      | 13                                      | 1  | 0                      | 0                        | 0                             | 1              | 0       | 23    |
|               | Q4           | 6                      | 1                 | 0                         | 0                      | 18                                      | 2  | 0                      | 1                        | 0                             | 0              | 0       | 28    |
|               | YTD          | 10                     | 5                 | 0                         | 17                     | 50                                      | 5  | 0                      | 1                        | 0                             | 1              | 0       | 89    |
| Morris        | Q1           | 0                      | 0                 | 0                         | 0                      | 16                                      | 0  | 0                      | 2                        | 0                             | 0              | 0       | 18    |
|               | Q2           | 2                      | 2                 | 0                         | 1                      | 9                                       | 2  | 0                      | 2                        | 0                             | 0              | 0       | 18    |
|               | Q3           | 0                      | 2                 | 0                         | 1                      | 3                                       | 1  | 0                      | 0                        | 2                             | 0              | 0       | 9     |
|               | Q4           | 0                      | 0                 | 0                         | 0                      | 3                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 3     |
|               | YTD          | 2                      | 4                 | 0                         | 2                      | 31                                      | 3  | 0                      | 4                        | 2                             | 0              | 0       | 48    |
| Parish        | Q1           | 1                      | 2                 | 0                         | 2                      | 11                                      | 1  | 2                      | 3                        | 4                             | 0              | 0       | 26    |
|               | Q2           | 2                      | 1                 | 2                         | 3                      | 4                                       | 1  | 1                      | 2                        | 2                             | 1              | 0       | 19    |
|               | Q3           | 3                      | 2                 | 0                         | 0                      | 9                                       | 2  | 1                      | 1                        | 1                             | 0              | 1       | 20    |
|               | Q4           | 1                      | 1                 | 1                         | 2                      | 5                                       | 0  | 1                      | 3                        | 1                             | 0              | 0       | 15    |
|               | YTD          | 6                      | 6                 | 3                         | 7                      | 29                                      | 4  | 5                      | 9                        | 8                             | 1              | 1       | 80    |
| Streeter      | Q1           | 1                      | 0                 | 0                         | 2                      | 4                                       | 0  | 0                      | 1                        | 1                             | 0              | 0       | 9     |
|               | Q2           | 2                      | 0                 | 0                         | 1                      | 2                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 5     |
|               | Q3           | 1                      | 1                 | 0                         | 5                      | 0                                       | 1  | 0                      | 0                        | 0                             | 0              | 0       | 8     |
|               | Q4           | 0                      | 2                 | 0                         | 0                      | 2                                       | 2  | 1                      | 0                        | 1                             | 0              | 0       | 8     |
|               | YTD          | 1                      | 3                 | 0                         | 8                      | 8                                       | 3  | 1                      | 1                        | 2                             | 0              | 0       | 30    |
| Stride        | Q1           | 0                      | 0                 | 0                         | 2                      | 10                                      | 1  | 1                      | 1                        | 0                             | 1              | 0       | 16    |
|               | Q2           | 1                      | 1                 | 0                         | 7                      | 8                                       | 1  | 0                      | 4                        | 0                             | 0              | 1       | 23    |
|               | Q3           | 2                      | 0                 | 0                         | 3                      | 14                                      | 5  | 0                      | 3                        | 0                             | 0              | 0       | 27    |
|               | Q4           | 0                      | 0                 | 1                         | 2                      | 17                                      | 7  | 1                      | 0                        | 1                             | 0              | 0       | 29    |
|               | YTD          | 3                      | 1                 | 1                         | 14                     | 49                                      | 14                                       | 2                      | 8                        | 1                             | 1              | 1       | 95    |
| Swire         | Q1           | 1                      | 0                 | 0                         | 0                      | 4                                       | 0  | 2                      | 0                        | 0                             | 0              | 0       | 7     |
|               | Q2           | 1                      | 2                 | 0                         | 2                      | 11                                      | 0  | 5                      | 0                        | 0                             | 0              | 0       | 21    |
|               | Q3           | 1                      | 2                 | 0                         | 4                      | 3                                       | 4  | 1                      | 0                        | 1                             | 0              | 0       | 16    |
|               | Q4           | 2                      | 0                 | 0                         | 2                      | 10                                      | 7  | 4                      | 1                        | 0                             | 0              | 0       | 26    |
|               | YTD          | 5                      | 4                 | 0                         | 8                      | 28                                      | 11                                       | 12                     | 1                        | 1                             | 0              | 0       | 70    |
| Wollaston     | Q1           | 0                      | 1                 | 0                         | 1                      | 2                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 4     |
|               | Q2           | 0                      | 2                 | 0                         | 0                      | 4                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 6     |
|               | Q3           | 0                      | 1                 | 0                         | 0                      | 7                                       | 1  | 0                      | 1                        | 0                             | 0              | 0       | 10    |
|               | Q4           | 0                      | 1                 | 0                         | 0                      | 5                                       | 2  | 0                      | 0                        | 0                             | 0              | 1       | 9     |
|               | YTD          | 0                      | 5                 | 0                         | 1                      | 18                                      | 3  | 0                      | 1                        | 0                             | 0              | 1       | 29    |
| Out of County | Q1           | 0                      | 0                 | 0                         | 0                      | 0                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 0     |
|               | Q2           | 0                      | 0                 | 0                         | 0                      | 1                                       | 0  | 0                      | 0                        | 0                             | 0              | 0       | 1     |
|               | Q3           | 1                      | 0                 | 0                         | 0                      | 0                                       | 1  | 1                      | 0                        | 0                             | 0              | 0       | 3     |
|               | Q4           | 3                      | 0                 | 0                         | 1                      | 0                                       | 0  | 1                      | 0                        | 0                             | 0              | 0       | 5     |
|               | YTD          | 4                      | 0                 | 0                         | 1                      | 1                                       | 1  | 2                      | 0                        | 0                             | 0              | 0       | 9     |
| All MPs       | Q1           | 7                      | 11                | 3                         | 21                     | 102                                     | 5  | 5                      | 15                       | 9                             | 2              | 1       | 181   |
|               | Q2           | 17                     | 19                | 3                         | 30                     | 96                                      | 13                                       | 7                      | 14                       | 5                             | 3              | 1       | 208   |
|               | Q3           | 15                     | 21                | 1                         | 23                     | 76                                      | 18                                       | 4                      | 6                        | 5                             | 1              | 3       | 173   |
|               | Q4           | 21                     | 18                | 3                         | 13                     | 118                                     | 29                                       | 10                     | 7                        | 8                             | 0              | 1       | 228   |
|               | YTD          | 60                     | 69                | 10                        | 87                     | 392                                     | 65                                       | 26                     | 42                       | 27                            | 6              | 6       | 790   |

7.3.2 From this table it can be seen that Ben Bradshaw MP is the most prolific communicator with the Council writing 202 times in the reporting year, there has been a significant increase in the number of letters he wrote in Q4 at 77 compared to 29 in Q3. Geoffrey Cox MP is the second and has written 102 times in the year.

## 8. Local Government Ombudsman

### 8.1 Complaints received about Devon County Council

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- 8.1.1 In Q4, the council received 48 new cases from the Local Government Ombudsman this is an increase compared to Q3 when 41 new cases from the LGO were received.
- 8.1.2 The majority of these cases were concerning complaints within Highways, Capital Development & Waste 19 received, children's Social Care 7 received and Adult Social Care received 6 about social care management services and a further 11 about Blue Badges.
- 8.1.3 Of these new complaints from the LGO 22 were being considered at the Assessment Stage by the LGO and the Council asked to provide information as to whether the complaint had been received and concluded by the Council. 16 are being dealt with as full investigations and the remaining 11 are the LGO looking into the Council's rejection of Blue Badge Applications following the applicant going through the appeals process.
- 8.1.5 **Tables 12** provides detail of cases received by Council Service Area

**Table 12 – Complaints received from LGO**

| LGO Complaints Received by Service 2015-16 |                                 |           |           |           |           |             |
|--|---------------------------------|-----------|-----------|-----------|-----------|-------------|
| People LGO Complaints                      | LGO Service Category            | Q1 15-16  | Q2 15-16  | Q3 15-16  | Q4 15-16  | Total 15-16 |
| Children's Social Care                     | Education & Children's Services | 3         | 4         | 10        | 7         | 24          |
| Adult Social Care                          | Adult Care Services             | 5         | 1         | 3         | 6         | 15          |
| Social Care Commissioning                  | Adult Care Services             | 0         | 0         | 0         | 0         | 0           |
| Education and Learning                     | Education & Children's Services | 2         | 2         | 10        | 3         | 17          |
| <b>Total People LGO Complaints</b>         |                                 | <b>10</b> | <b>7</b>  | <b>23</b> | <b>16</b> | <b>56</b>   |
| <b>Place LGO Complaints</b>                |                                 |           |           |           |           |             |
| Highways, Capital Development & Waste      | Highways & Transport            | 7         | 6         | 4         | 19        | 36          |
| Planning Transportation & Environment      | Highways & Transport            | 0         | 0         | 1         | 0         | 1           |
| Economy & Enterprise                       | Planning & Development          | 0         | 0         | 0         | 0         | 0           |
| Services for Communities (Place)           | Corporate & Other Services      | 0         | 0         | 1         | 0         | 1           |
| <b>Total Place LGO Complaints</b>          |                                 | <b>7</b>  | <b>6</b>  | <b>6</b>  | <b>19</b> | <b>38</b>   |
| <b>Corporate LGO Complaints</b>            |                                 |           |           |           |           |             |
| Services for Communities (Corporate)       | Corporate & Other Services      | 0         | 0         | 0         | 0         | 0           |
| Business Strategy and Support              | Corporate & Other Services      | 0         | 0         | 0         | 0         | 0           |
| BSS - Blue Badge                           | Adult Care Services             | 4         | 6         | 10        | 11        | 31          |
| County Solicitor                           | Corporate & Other Services      | 1         | 0         | 2         | 1         | 4           |
| County Treasurer                           | Corporate & Other Services      | 0         | 0         | 0         | 1         | 1           |
| <b>Total Corporate LGO Complaints</b>      |                                 | <b>5</b>  | <b>6</b>  | <b>12</b> | <b>13</b> | <b>36</b>   |
| <b>All LGO Complaints Received</b>         |                                 | <b>22</b> | <b>19</b> | <b>41</b> | <b>48</b> | <b>130</b>  |

- 8.1.6 Across the reporting year the council have had 130 complainants refer their complaint to the LGO. 36 of these were regarding Highways, 24 regarding Children's Social Care, 17 regarding Education, 15 regarding Adult Social Care and 31 regarding Blue Badges (which are categorised as Adult Social Care by the LGO).

## 8.2 Decisions on complaints by the LGO

- 8.2.1 In Q4 there have been 50 decisions made by the LGO on complaints about the council. The decisions were categorised as follows:

|  |               |
|--|---------------|
| Upheld – maladministration & injustice             | 5 complaints  |
| Upheld – maladministration with no injustice       | 2 complaint   |
| Not Upheld – no maladministration                  | 15 complaints |
| Closed after initial enquiries (Assessment Stage)  | 11 complaints |
| Outside the LGO jurisdiction                       | 6 complaints  |
| Premature complaint (DCC to investigate)           | 4 complaints  |
| Moved to full investigation after assessment stage | 7 complaints  |
| <b>Total</b>                                       | <b>50</b>     |

- 8.2.2 **Table 13** below provides details of the 7 complaints that resulted in a final decision of Upheld in Q4

**Table 13 – Local Government Ombudsman Decisions – Quarter 4 15/16**

| LGO reference | LGO Service category | Summary of complaint & LGO decision | Decision |
|---------------|----------------------|-------------------------------------|----------|
|---------------|----------------------|-------------------------------------|----------|

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|          |                                |  |  |
|----------|--------------------------------|--|--|
| 15011406 | Adult Social Care              | <p><b>Complaint:</b><br/>The complainant complains about his former supported living placement.</p> <p><b>Outcome:</b> Council at fault for not adequately reviewing the care package after the complainant moved to supported living accommodation. Council also delayed helping the complainant move to alternative accommodation. Acting on advice from the care provider the complainant purchased a sling for a hoist that the council may have provided for free</p>   | <p><b>Decision:</b> Maladministration &amp; injustice</p> <p><b>Action:</b> Apologise &amp; pay complainant £700 for the injustice. Refund the money spent on the sling. Provide a named point of contact who will make weekly contact with the complainant to ensure better communications moving forward</p>   |
| 14018417 | Adult Social Care              | <p><b>Complaint:</b> The complainant (a provider) complains about a safeguarding investigation the Council carried out at one of its care homes it says the Council's safeguarding investigation was poor and not in line with its procedures and published guidance. says this led to a flawed safeguarding investigation report. The complainant would like the Council to withdraw the report as it feels it could lead to reputational damage. It would also like the Council to apologise and repay its legal fees of over £6,000.</p> <p><b>Outcome:</b> There were faults in the way the Council carried out a safeguarding investigation of allegations made against one of the complainant's care homes. Because of this the complainant has doubt about the accuracy of the report. However, the faults were not significant enough to have affected the safeguarding outcome.</p> | <p><b>Decision:</b> Maladministration &amp; injustice</p> <p><b>Action:</b> 1. Apologise to Provider for not being clear about how it had reached the decision to close the safeguarding investigation before sending a complaint response; 2. review the findings &amp; recommendations of the safeguarding investigation to confirm whether it should amend the report. It will write to the Provider with the outcome; 3. confirm to Provider who will have access to the report, who can request a copy of the report and how the information can be requested. 4. Consider the outcome of the complaint in the review of the council's safeguarding operational guidance that is planned for early 2016. This will then feed in to a planned review of safeguarding training. 5. Take the outcome for discussion to the Leadership Forum which involves all frontline and middle managers</p> |
| 15010814 | Adult Social Care (Blue Badge) | <p><b>Complaint:</b> Mr Cooper complains that the Council has refused his application for a blue badge renewal.</p> <p><b>Outcome:</b> Council to offer the complainant a further face to face Independent Mobility Assessment</p>   | <p><b>Decision:</b> Maladministration &amp; injustice</p> <p><b>Action:</b> Council have arranged for Dependability to carry out a further IMA, with all evidence provided by complainant considered and with a different assessor</p>   |
| 15016170 | Adult Social Care (Blue Badge) | <p><b>Complaint:</b> Failure to renew Blue Badge</p>   | <p><b>Decision:</b> Maladministration &amp; injustice</p>  |

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|          |                                 |  |  |
|----------|---------------------------------|--|--|
|          |                                 | <b>Outcome:</b> LGO concluded the applicant should have a further Independent Mobility Assessment  | <b>Action:</b> Carry out a new Independent Mobility Assessment   |
| 15005231 | Highways & Transport            | <b>Complaint:</b> The Council failed to deal effectively with reports of mud/muck on the road that presented a danger to him and other road users. Dissatisfied with the Council's complaints handling as it failed to comply with its published procedures.<br><br><b>Outcome:</b> Complaints process as published not adhered to   | <b>Decision:</b> Maladministration & injustice<br><br><b>Action:</b> ensure all staff in Customer Relations Team and Service know what the complaints process is and comply with it  |
| 15003619 | Education & Children's Services | <b>Complaint:</b> The complainant complained to the Ombudsman that the Council failed to investigate one of the six parts of the complaint. Also that her children's case records contain inaccurate information and that the Council took too long to investigate her complaint.<br>The LGO only investigated why the Council failed to investigate the first part of her complaint and the Council's delay.<br><br><b>Outcome:</b> the Council was not at fault when it decided not to investigate one part of the complaint about its Children's Services. But it took too long to investigate the other parts of the complaint. This delay caused little injustice. The Council has taken action which should prevent such delays in future. | <b>Decision:</b> Maladministration no injustice<br><br><b>Actions:</b> Council takes steps to ensure it keeps to the timescales set out in the complaint regulations & provides LGO with evidence of how going to ensure this.<br>Actions taken:<br>- restructuring team to include 2 x ACRMs who are responsible for Stage 2 management<br>- ACRMs ensure a meeting is offered with senior management to try and resolve outstanding issues<br>- the appointment of an IO/IP within 10 working days |
| 15012482 | Education & Children's Services | <b>Complaint:</b> Fault in the way the Council conducted the transfer of SEN to EHCP<br><br><b>Outcome:</b> Fault by the Council in its handling of the transfer of the Statement to an Education, Health and Care Plan but has not resulted in injustice to the child. This is because he has continued to receive the provision detailed in his Statement.   | <b>Decision:</b> Maladministration no injustice<br><br><b>Action:</b> offered an apology and small payment to recognise this.  |

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

## 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 6 complaints from Children and Young People. (this is fewer than in the last 2 quarters)

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



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9.1.3 These figures are really positive as throughout the whole of 2014/15 there were only a total of 4 complaints received from Children and Young People and in 2015/16 there have been 40 and most of these have been direct from the Young Person rather than via a 3<sup>rd</sup> party. The Council has worked hard on engaging with Young People and encouraging them to feedback their views, both positive and negative, to the council.

9.1.4 **Table 14** below indicates the routes that are used by Young People to provide their feedback

**Table 14 – Complaints from Young People**

| Route of complaint to CRT     | Q1        | Q2        | Q3        | Q4       | YTD       |
|-------------------------------|-----------|-----------|-----------|----------|-----------|
| Via IRO                       | 1         | 0         | 0         | 0        | 1         |
| Via Sworker                   | 1         | 1         | 0         | 0        | 2         |
| Atkinson Unit                 | 1         | 0         | 0         | 0        | 1         |
| MOMO                          | 2         | 3         | 3         | 2        | 10        |
| Direct from YP (not via MOMO) | 3         | 4         | 5         | 3        | 15        |
| Advocate                      | 6         | 2         | 2         | 1        | 11        |
| <b>Total</b>                  | <b>14</b> | <b>10</b> | <b>10</b> | <b>6</b> | <b>40</b> |

9.1.5 **Table 15** below provides detail of the outcome of the complaints received from Young People

**Table 15 – Young People Complaint Outcomes**

| Outcomes of investigated YP complaints      | Q1 15-16  | Q2 15-16  | Q3 15-16  | Q4 15-16 | Total 15-16 |
|---|-----------|-----------|-----------|----------|-------------|
| Upheld                                      | 1         | 1         | 2         | 1        | 5           |
| Partially Upheld                            | 4         | 2         | 1         | 1        | 8           |
| Not Upheld                                  | 3         | 5         | 1         | 0        | 9           |
| No Finding                                  | 0         | 1         | 0         | 0        | 1           |
| <i>Rejected awaiting advocate complaint</i> | 2         | 1         | 0         | 1        | 4           |
| <i>Rejected as not for DCC</i>              | 1         | 0         | 0         | 0        | 1           |
| <i>Complaint still open</i>                 | 3         | 0         | 6         | 3        | 12          |
| <b>Total</b>                                | <b>14</b> | <b>10</b> | <b>10</b> | <b>6</b> | <b>40</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

## 9.2 General Information

9.3.1 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 Business Strategy and Support

[Electoral Divisions: All]

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

Contact for Enquiries: Carol Reece

Tel No: 01392 383624 email: [carol.reece@devon.gov.uk](mailto:carol.reece@devon.gov.uk) Room: 120

### Background Paper Date File Reference

Nil



# Agenda Item 5

CS/16/23  
Standards Committee  
4 July 2016

## ETHICAL GOVERNANCE FRAMEWORK MONITORING

Report of the County Solicitor

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

1. The Standards Committee agreed previously that the independent, co-opted, members of the Committee should 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. Members have, since the report to the previous meeting, attended the following meetings and their views/feedback are summarised below.

| Meeting              |               | Co-opted Member/Observer |
|----------------------|---------------|--------------------------|
| Public Rights of Way | 17 March 2016 | Mrs Saltmarsh            |
| People's Scrutiny    | 21 March 2016 | Mr Sullivan              |
| Cabinet              | 11 May 2016   | Mrs Mayes                |

3. The following table summarises feedback received from Members 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   |                                 |   |   |   | ✓✓ |

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|  |  |  |   |  |    |
|--|--|--|---|--|----|
| Listening and responding to advice (from Officers) |  |  | ✓ |  | ✓✓ |
|--|--|--|---|--|----|

4. While there were a number of other issues raised by co-opted members in their observations, as set out below, there were no reports of any specific actions or behaviors that might be felt to have resulted in a potential breach of the Code or warranted further action
5. Specific observations by the independent co- opted members were:
  - a 'model' meeting;
  - during a lengthy debate Members need to remain focused on the issue at hand;
  - Members should avoid participating in 'separate conversations' during debates which are not only discourteous to speakers but may reflect poorly on the conduct of the meeting, particularly when meetings are webcast;
  - there had been firm, clear Chairmanship;
  - a positive meeting with a clear shared collective will to act in the best interests of that service area;
  - excellent use of microphones .
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