

Customer Feedback Monitoring Report for Quarter 3 (October 2018 – December 2018)

1. Purpose

- 1.1 This report provides a quarterly update to Standards Committee 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 and Social Care Ombudsman about Devon County Council. In addition, it provides information regarding the Council's performance in responding to and learning from the outcomes of complaints.

2. Activity overview

- 1.1 Please see appendix 1 for a summary of feedback related activity within the reporting year to date. Please notes that "complaints – local" refers to any complaint dealt with locally e.g. by a service manager. "Complaints – escalated" is any complaint escalated to any stage within the relevant procedure.

3. Stage 1 complaints

- 3.1 We have seen a continuous reduction in the number of Stage 1 complaints received quarter on quarter during this reporting year; the only exception to this is in Children's Services which have seen an increase (Appendix 2 – table 3).
- 3.2 The majority of services have had a significant reduction in performance in quarter 3 compared to previous quarters. Exceptions are in Communities, Public Health, Environment and Planning, and Digital Transformation and Business Support, where performance has improved. It should however be noted that in Adult Care and Health the adult complaint regulations allow for a negotiation to the deadline for response to be made with the customer, and therefore all responses could realistically be made within time. Despite this, the service achieved only 64% of responses in time (Appendix 2 – table 4).
- 3.3 The following actions are being taken to support services to improve their complaint handling:
- Regular complaint handling workshops with staff
 - CRT attendance at service team meetings to discuss learning from complaints.
 - Specific case reminders to staff from the Customer Relations Team
 - Messages about response times are included in quarterly reports where provided
 - Learning events facilitated by the Customer Relations Team for complex complaints
- 3.4 In quarter 3 services upheld or partially upheld 34% of Stage 1 complaints. The percentage of upheld complaints is not in itself an indicator of poor performance however if this increases significantly in future it may suggest that a further review of the activity within that service is required (Appendix 2 – table 5).
- 3.5 Appendix 2 – table 6 shows the most prevalent issues raised within complaints across all services, and the percentage upheld or partially upheld in each quarter, and an overall summary across the reporting year to date. It remains a concern that the perceived attitude or rudeness of staff continues to feature in the top 3 issues, particularly as 38% of complaints where this issue was raised were upheld in quarter 3. The quality of service provided features highly in the top issues however there was a lower percentage upheld in quarter 2 than quarter 1; the percentage upheld has increased again in quarter 3.

4. Stage 2 Complaints

- 4.1 There has been a continual decrease in Stage 2 complaints received quarter on quarter in this reporting year, however the numbers being received per quarter are still higher on average than each quarter in 2017-18. Children's Services are an exception, experiencing increases in numbers received throughout the reporting year. The comparative increase between 2017-18 and 2018-19 is not necessarily an indicator of poor service. Alternatively, it may suggest increased access to the complaints procedure (Appendix 2 – table 7).
- 4.2 There were 29 Stage 2 complaints closed in quarter 3, however only 34% of the responses were sent in time (Appendix 2 – table 8). Some of these delays can be attributed to capacity issues within the Customer Relations Team, however many of the delays relate to difficulty in obtaining relevant information from services within the investigation.
- 4.3 As in quarter 2, in quarter 3 there has continued to be a significant increase in the percentage of complaints upheld compared to those upheld at Stage 1. This is concerning as it demonstrates that independent scrutiny of the complaints at Stage 2 is producing a different outcome than Stage 1 (Appendix 2 – table 9).

5. Local Government and Social Care Ombudsman Complaints

- 5.1 The Local Government and Social Care Ombudsman (LGSCO) investigate complaints about councils, adult social care providers, including care homes and agencies, and some other organisations providing local public services. They assess for fault and make findings in relation to maladministration of process and subsequent injustice to the customer. The Council is required by law to cooperate with the Ombudsman's investigations and provide the requested information within given timeframes. The Customer Relations Manager acts as the LGSCO Link Officer and coordinates all communication between the LGSCO and the Council.
- 5.2 Whilst there was a gradual decline in numbers of LGSCO complaints received in 2017-18, the numbers received are increasing again in 2018-19 (Appendix 2 – table 10).
- 5.3 There has however been a decrease in maladministration and injustice findings within 2018-19 compared to 2017-18, which is positive although there was a significant drop in any findings being made by the LGSCO in quarter 2. Only 18% of the complaints were upheld over the previous reporting year; this compares to 29% across the 2018-19 to date and may suggest an upward trend. This is however not a high number and reflects that while customers do not agree with the Council's decisions, scrutiny by the Ombudsman shows that we are generally following due policy and process as the majority of complaints are closed with no further action required (Appendix 2 – table 11).
- 5.4 In quarters 1 and 2, the Council mostly maintained an excellent response rate to the LGSCO. In quarter 3 this has dropped significantly and in the main is attributable to delays in services providing the relevant information. Mitigating action is being taken to ensure that wherever possible deadlines are extended and services reminded of the need provide information in a timely manner (Appendix 2 – table 12).
- 5.5 All LGSCO final decisions can be viewed on the LGSCO website – www.lgo.org.uk
- 5.6 The Council has been required to pay financial remedies totalling £250 to complainants as a result of recommendations made by the Ombudsman in quarter 3 (Appendix 3).

6. Compliments

- 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 It should be noted that the Customer Relations Team is unable to report on compliments that are not shared with us and therefore this is only likely to be a partial picture. Compliments experienced an increase over the previous reporting year, however this has unfortunately dropped off again in 2018-19 (Appendix 2 – graph 1).

7. MP Enquiries

- 7.1 The number of MP Enquiries received in quarters 2 and 3 2018-19 showed a decrease compared to the quarter 1. The reason for this is not known (Appendix 2 – graph 2).
- 7.2 All MP Enquiries should be responded to within 20 working days of receipt. Several service areas experienced a decrease in their MP Enquiry response performance in quarter 3 compared to quarter 2, although DTBS have maintained a 100% response rate throughout the year to date, and Adult Social Care have shown an improvement between quarters 2 and 3 (Appendix 2 – table 13).
- 7.3 There is however a need for improvement in response times to MP Enquiries for the majority of services, and Children's Services in particular within only 60% of responses made in time in quarter 3.

8. Representations

- 8.1 A representation is a comment or concern that is not intended or eligible to be a formal complaint but requires a formal response.
- 8.2 The Council continues to see a significantly lower number of representations received than in previous years, and the lowest number of representations received in the last 2.5 years was recorded in quarter 2 2018-19; there has been a slight increase in numbers received in quarter 3. The general reduction is likely to be partially attributable to Highways managing their own representations rather than Customer Relations handling or logging them in any way. This information is therefore unlikely to give the full picture of all levels of representations being received within the Council (Appendix 2 – graph 3).
- 8.3 All Representations should be responded to within 20 working days of receipt. Some services achieved a high response rate to Representations in quarter 3, or made improvements from quarter 2. Significant improvements are however required in Children's Services and Adult Social Care, with only 40% and 55% of responses in time respectively in quarter 3 (Appendix 2 – table 14).

Helen Wyatt
Customer Relations Manager

Appendix 1

Table 1

Period	2018 Qtr 1	2018 Qtr 2	2018 Qtr 3	Total
Complaints - local	444	377	327	1148
Complaints - escalated	50	41	47	138
Complaints - Ombudsman	13	19	18	50
Compliments	260	257	220	737
MP Enquiries	196	156	141	493
Representations	78	52	60	190
Total	1041	902	813	2756

Table 2

	Q1				Q2				Q3				Q4				17-18 YTD			
	Complaints	Compliments	Representations	MP Enquiries	Complaints	Compliments	Representations	MP Enquiries	Complaints	Compliments	Representations	MP Enquiries	Complaints	Compliments	Representations	MP Enquiries	Complaints	Compliments	Representations	MP Enquiries
Children's Services	102	28	11	42	93	32	5	30	119	40	6	46					314	100	22	118
Adult Care & Health	45	115	39	17	62	103	19	19	39	91	12	19					146	309	70	55
Communities, PH, Environment and Prosperity	26	12	10	14	24	6	16	33	33	11	11	21					83	29	37	68
Highways, Infrastructure Development and Waste	290	87	10	103	228	85	9	69	195	55	17	51					713	227	36	223
Legal, Communications, and Human Resources	5	12	2	2	8	30	1	1	1	13	1	0					14	55	4	3
Devon Finance Services	0	0	0	1	0	0	0	0	0	5	0	0					0	5	0	1
Digital Transformation & Business Support	18	6	5	10	5	1	1	1	5	5	13	4					28	12	19	15
Total	486	260	77	189	420	257	51	153	392	220	60	141	0	0	0	0	1298	737	188	483

Appendix 2

Table 3

Stage 1 complaints received 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	80	73	89		242
Adult Care & Health	37	55	36		128
Communities, Public Health, Environment and Prosperity	26	20	25		71
Highways, Infrastructure Development and Waste	246	194	172		612
Legal, Communications, and Human Resources	5	6	1		12
Devon Finance Services	0	0	0		0
Digital Transformation & Business Support	17	4	4		25
All services	411	352	327		1090

Table 4

Stage 1 responses - % within 20 working days 2018-19				
Department	Q1	Q2	Q3	Total
Children's Services	65% (51/79)	64% (47/74)	60% (47/78)	63% (145/231)
Adult Social Care	69% (25/36)	72% (28/39)	64% (28/44)	68% (81/119)
CoPHEP	100% (24/24)	91% (21/23)	92% (24/26)	95% (69/73)
County Solicitors	50% (2/4)	60% (3/5)	50% (1/2)	55% (6/11)
Digital Transformation & Business Support	80% (12/15)	82% (9/11)	100% (5/5)	84% (26/31)
Highways, Infrastructure Development & Waste	81% (216/266)	82% (166/203)	68% (117/171)	78% (499/640)
Finance Services	n/a (0/0)	100% (1/1)	n/a (0/0)	100% (1/1)
Total	78% (330/424)	77% (275/356)	68% (222/326)	75% (827/1106)

Table 5

Stage 1 Outcome 2018-19	Q1	Q2	Q3	Total
No Finding	94	70	29	193
No response at Stage 1	3	7	1	11
Not upheld	208	188	160	556
Partly upheld	84	66	65	215
Resolved upon receipt	3	2	4	9
Upheld	32	23	33	88
Total	424	356	292	1072

Table 6

Most common complaint issues & % upheld 2018-19		
Q1	Delay in providing service	16%
	Attitude/rudeness/inappropriate comments	39%
	Quality of service provided	44%
Q2	Delay in providing service	19%
	Inappropriate action or service	31%
	Quality of service provided	24%
Q3	Quality of service provided	38%
	Inappropriate action or service by team	44%
	Attitude/rudeness/inappropriate comments	38%
YTD	Inappropriate action or service by team	41%
	Quality of service provided	37%
	Delay in providing service	22%

Table 7

Stage 2 complaints received 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	14	19	20		53
Adult Care & Health	0	0	0		0
Communities, Public Health, Environment and Prosperity	0	0	7		7
Highways, Infrastructure Development and Waste	42	30	20		92
Legal, Communications, and Human Resources	0	2	0		2
Devon Finance Services	0	0	0		0
Digital Transformation & Business Support	1	1	0		2
All services	57	52	47		156

Table 8

Stage 2 complaint responses - % in time 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	0%	33%	0%		10%
Adult Care & Health	n/a	n/a	n/a		n/a
Communities, Public Health, Environment and Prosperity	n/a	n/a	50%		50%
Highways, Infrastructure Development and Waste	60%	83%	41%		65%
Legal, Communications, and Human Resources	n/a	n/a	100%		100%
Devon Finance Services	n/a	n/a	n/a		n/a
Digital Transformation & Business Support	n/a	n/a	n/a		n/a
Total	40%	71%	34%		51%

Table 9

Stage 2 complaint outcomes - % upheld or partially upheld 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	20%	80%	90%		70%
Adult Care & Health	n/a	n/a	n/a		n/a
Communities, PH, Environment and Prosperity	n/a	n/a	0%		0%
Highways, Infrastructure Development and Waste	13%	42%	35%		35%
Legal, Communications, and Human Resources	n/a	n/a	100%		100%
Devon Finance Services	n/a	n/a	n/a		n/a
Digital Transformation & Business Support	n/a	100%	n/a		100%
Total	15%	50%	54%		46%

Table 10

LGSCO complaints received 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	6	5	10		21
Adult Care & Health	8	7	3		18
Communities, Public Health, Environment and Prosperity	0	2	1		3
Highways, Infrastructure Development and Waste	2	6	3		11
Legal, Communications, and Human Resources	0	0	0		0
Devon Finance Services	0	0	0		0
Digital Transformation & Business Support	0	0	1		1
All services	16	20	18		54

Table 11

LGSCO outcome 2018-19	Q1	Q2	Q3	Q4	YTD
Upheld - maladministration & injustice	3	2	4		9
Upheld - maladministration No Injustice	1	0	0		1
Not Upheld - No Further Action	2	1	0		3
Not Upheld - No Maladministration	3	1	2		6
Closed after initial enquiries - no further action	3	1	4		8
Closed after initial enquiries - out of jurisdiction	0	0	2		2
Premature	0	1	5		6
Total	12	6	17	0	35

Table 12

LGSCO complaint responses - % in time 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	100%	88%	42%		65%
Adult Care & Health	100%	100%	50%		87%
Communities, Public Health, Environment and Prosperity	n/a	100%	n/a		100%
Highways, Infrastructure Development and Waste	100%	67%	100%		80%
Legal, Communications, and Human Resources	n/a	n/a	n/a		n/a
Devon Finance Services	n/a	n/a	n/a		n/a
Digital Transformation & Business Support	100%	100%	100%		100%
Total	100%	91%	50%		79%

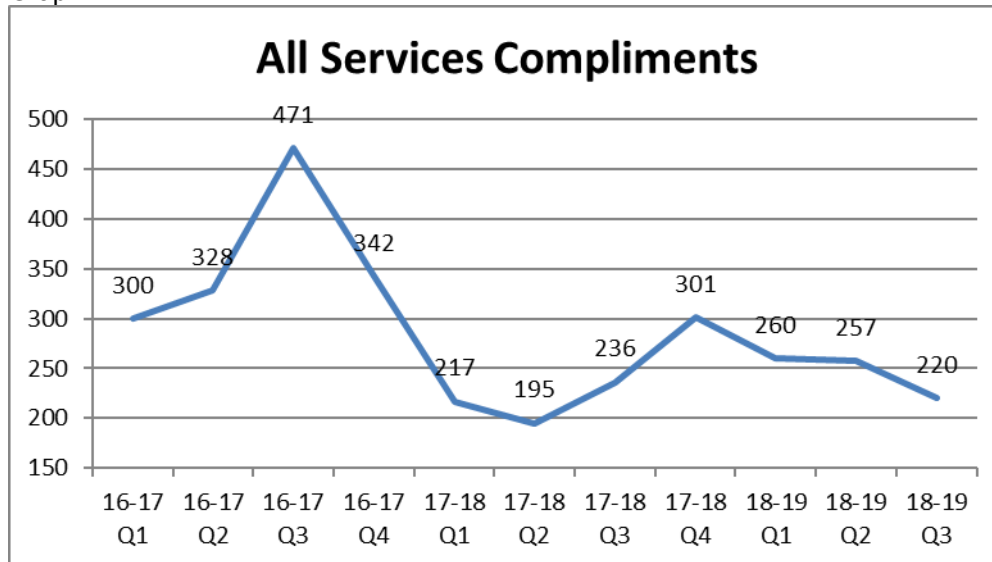
Table 13

MP Enquiry responses - % within 20 working days 2018-19				
Department	Q1	Q2	Q3	Total
Children's Services	84% (32/38)	75% (33/44)	60% (25/42)	73% (90/124)
Adult Social Care	93% (27/29)	75% (15/20)	82% (18/22)	85% (60/71)
CoPHEP	96% (23/24)	87% (20/23)	84% (26/31)	88% (69/78)
County Solicitors	100% (2/2)	0% (0/2)	n/a (0/0)	50% (2/4)
Digital Transformation & Business Support	100% (10/10)	100% (3/3)	100% (1/1)	100% (14/14)
Highways, Infrastructure Development & Waste	81% (87/108)	88% (68/77)	72% (43/60)	81% (198/245)
Finance Services	100% (1/1)	n/a (0/0)	n/a (0/0)	100% (1/1)
Total	86% (182/212)	82% (139/169)	72% (113/156)	80% (434/537)

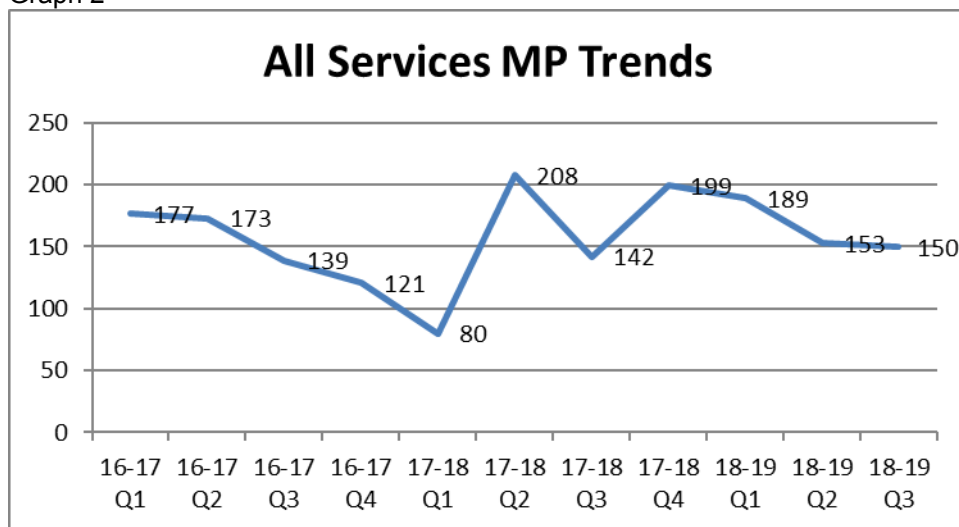
Table 14

Representation responses - % within 20 working days 2018-19				
Department	Q1	Q2	Q3	Total
Children's Services	80% (8/10)	70% (7/10)	40% (2/5)	68% (17/25)
Adult Social Care	81% (34/42)	68% (17/25)	55% (12/22)	71% (63/89)
CoPHEP	100% (8/8)	93% (13/14)	92% (11/12)	94% (32/34)
County Solicitors	0% (0/1)	50% (1/2)	n/a (0/0)	33% (1/3)
Digital Transformation & Business Support	80% (4/5)	100% (1/1)	100% (2/2)	88% (7/8)
Highways, Infrastructure Development & Waste	78% (7/9)	83% (10/12)	92% (12/13)	85% (29/34)
Finance Services	n/a (0/0)	n/a (0/0)	n/a (0/0)	n/a (0/0)
Total	81% (61/75)	77% (49/64)	72% (39/54)	77% (149/193)

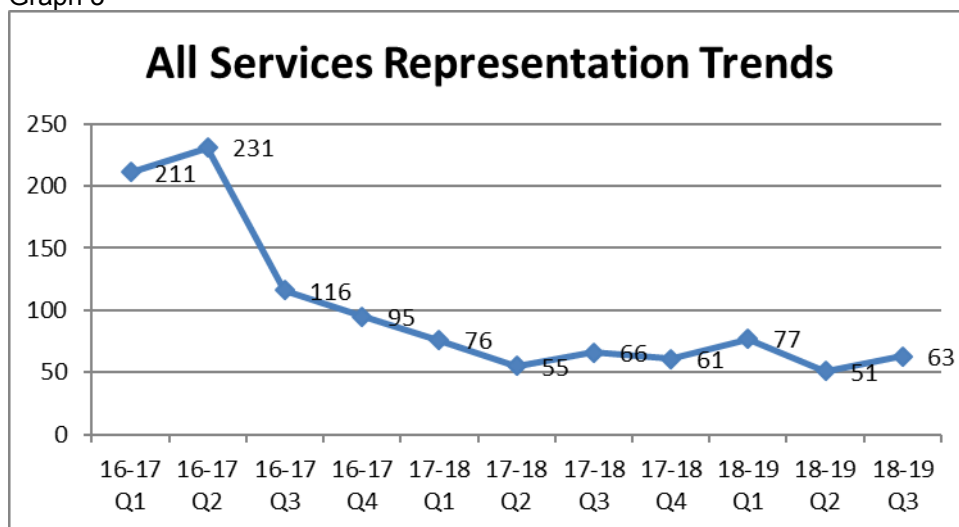
Graph 1



Graph 2



Graph 3



Appendix 3

Local Government and Social Care Ombudsman Recommendations – Q3 2018-19

Adult Care and Health:

- Carry out a thorough review and, if needed, revise the complainant's care plan.
- Remind staff that they must not be changing support without carrying out a thorough review and revision of the care plan;
- Identify any cases where the Council has not carried out a review in the last 12 months and put together an action plan to address this.
- Send a written apology to the complainants for the distress caused to them by failing to provide sufficient information for them to be fully aware of the potential costs of residential care before their mother was admitted to the care home
- Make a payment of **£150** to the complainant to acknowledge the distress and avoidable time and trouble caused to her; make a payment of **£100** to the other complainant for the distress caused to her.
- Review procedures to ensure service users and their families/appointees are provided with the Council's factsheets on charging for residential care and other relevant information to ensure they are fully aware of the potential costs of residential care when looking for a care home and before accepting a place.
- Consider how the option of a draft report can be included within the complaints process where appropriate
- Consider how the Council can address the complainant's concerns about comments attributed to her, whether by meeting with the complainant or adding an addendum to the report.

Children's Services:

- Send a written apology to the complainants as they were not afforded the opportunity to have their complaint dealt with through the statutory 3 stage process.
- Provide training for relevant employees about the Council's complaints process and eligibility for each process.