

Customer Feedback Monitoring Report for Quarter 4 (January – March 2019)

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

- 2.1 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. Feedback to Leadership Group/Cabinet

- 3.1 Following a report of customer feedback (quarter 3) being presented to Standards Committee on 4 April 2019, the following request was made: *'That the issues of high levels of perceived staff rudeness and timeliness in responding to stage 2 complaints be considered in more detail by the Leadership Group as part of their management oversight of the process'*.
- 3.2 The feedback was provided to Cabinet/Leadership Group and discussed at a meeting on 24 June 2019.
- 3.3 The issue of staff rudeness being raised by complainants was discussed and Cabinet/Leadership Group were reassured that whilst difficult messages being delivered by staff may be perceived as rude by customers, the level of issues which were upheld or partially upheld over the reporting year was relatively low (appendix 2 – table 6) and that appropriate training and guidance (3.5 below) is in place and being developed by the Customer Relations Team in conjunction with the services.
- 3.4 A discussion was also held about Stage 2 response timescales. It was suggested that consideration be given to extending Stage 2 timescales where possible, which the Customer Relations Manager agreed to review.
- 3.5 The following actions are being taken by Customer Relations 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
 - Where rudeness/attitude of staff has been cited by complainants, the CRT highlight this with the relevant service manager to identify learning points and any training requirements
 - Plans to create staff guidance and e-learning
 - Further consideration of providing more meaningful information to services regarding the root causes of complaints

4. Stage 1 complaints

- 4.1 We have seen a continuous reduction in the number of Stage 1 complaints received quarter on quarter this reporting year until quarter 3; there has however been an increase in Adult Social Care complaints between quarters 3 and 4, although this does not appear to be attributable to any particular service or activity (Appendix 2 – table 3).
- 4.2 There has been a slight increase in overall performance in quarter 4 compared to quarter 3. It should 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 66% of responses in time (Appendix 2 – table 4).
- 4.3 In quarter 4 services upheld or partially upheld 35% 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).
- 4.4 Appendix 2 – table 6 shows the most prevalent issues raised within complaints across all services, the percentage upheld or partially upheld in each quarter, and an overall summary across the reporting year. It remains a concern that the perceived attitude or rudeness of staff continues to feature in the top 3 issues, particularly as 39% of complaints where this issue was raised were upheld in quarter 4.
- 4.5 The quality of service provided features highly in the top issues. This may be to be expected in times where services are experiencing cuts and public expectation remains higher than services are able to deliver.

5. Stage 2 Complaints

- 5.1 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 were the exception until quarter 3, experiencing increases in numbers received throughout the reporting year until that time, however there have been significantly lower numbers of Stage 2 complaints received in relation to Children's Services in quarter 4. It is hoped that this is a direct result of improved Stage 1 responses and earlier intervention by managers. The comparative increase across all services between 2017-18 and 2018-19 is not necessarily an indicator of poor service. Alternatively, it may suggest increased access to or awareness of the complaints procedure (Appendix 2 – table 7).
- 5.2 There were 35 Stage 2 complaints closed in quarter 4, however only 57% of the responses were sent in time (Appendix 2 – table 8). Whilst this is an improvement on quarter 3, additional work is required. The delays largely relate to difficulty in obtaining relevant information from services within the investigation. Customer Relations escalate this where necessary in order to progress investigations in a more timely manner.
- 5.3 As in quarters 2 and 3, in quarter 4 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).

6. Local Government and Social Care Ombudsman Complaints

- 6.1 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.

- 6.2 Whilst there was a gradual decline in numbers of LGSCO complaints received in 2017-18, the numbers received increased between quarters 1 and 3 of 2018-19. We have however seen a reduction of numbers received in quarter 4. (Appendix 2 – table 10).
- 6.3 There has also been a decrease in maladministration and injustice findings within 2018-19 compared to 2017-18; this is positive although there was a significant drop in any findings being made by the LGSCO in quarters 2 and 4. Only 18% of the complaints were upheld over the previous reporting year; this compares to 30% across 2018-19 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 continue to be closed with no further action required (Appendix 2 – table 11).
- 6.4 In quarters 1 and 2, the Council mostly maintained an excellent response rate to the LGSCO. In quarter 3 this dropped significantly and was mainly attributable to delays in services providing the relevant information. Following mitigating action being taken, such as ensuring that wherever possible deadlines are extended and services reminded of the need to provide information in a timely manner, performance in quarter 4 has seen an improvement to 81% in time (Appendix 2 – table 12).
- 6.5 All LGSCO final decisions can be viewed on the LGSCO website – www.lgo.org.uk
- 6.6 The Council has been required to pay financial remedies totalling £4,100 to complainants as a result of recommendations made by the Ombudsman in quarter 4 (Appendix 3).

7. Compliments

- 7.1 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.
- 7.2 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 generally remained lower in 2018-19 (Appendix 2 – graph 1).

8. MP Enquiries

- 8.1 The number of MP Enquiries has reduced quarter on quarter throughout 2018-19 (Appendix 2 – graph 2).
- 8.2 All MP Enquiries should be responded to within 20 working days of receipt. MP Enquiry response performance has remained fairly static throughout 2018-19, although both Adults and Children's Social Care require significant improvement (Appendix 2 – table 13).

9. Representations

- 9.1 A representation is a comment or concern that is not intended or eligible to be a formal complaint but requires a formal response.
- 9.2 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 3 years was recorded in quarter 4 2018-19, with only 22 recorded. 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).

- 9.3 All Representations should be responded to within 20 working days of receipt. As with MP Enquiries, response performance has remained fairly static throughout 2018-19, although both Adults and Children's Social Care, and Digital Transformation and Business Support require significant improvement (Appendix 2 – table 14).

Helen Wyatt
Customer Relations Manager

Appendix 1

Table 1

Period	2018 Q1	2018 Q2	2018 Q3	2018 Q4	Total
Complaints - local	444	377	327	364	1512
Complaints - escalated	50	41	47	35	173
Complaints - Ombudsman	13	19	18	13	67
Compliments	260	257	220	241	987
MP Enquiries	196	156	141	112	605
Representations	78	52	60	22	212
Total	1041	902	813	787	3543

Table 2

	Q1				Q2				Q3				Q4				18-19 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	103	34	3	30	417	134	25	148
Adult Care & Health	45	115	39	17	62	103	19	19	39	91	12	19	71	87	13	9	217	396	83	64
Communities, PH, Environment and Prosperity	26	12	10	14	24	6	16	33	33	11	11	21	31	10	0	15	114	39	37	83
Highways, Infrastructure Development and Waste	290	87	10	103	228	85	9	69	195	55	17	51	194	69	0	56	907	296	36	279
Legal, Communications, and Human Resources	5	12	2	2	8	30	1	1	1	13	1	0	6	27	0	0	20	82	4	3
Devon Finance Services	0	0	0	1	0	0	0	0	0	5	0	0	0	3	0	0	0	8	0	1
Digital Transformation & Business Support	18	6	5	10	5	1	1	1	5	5	13	4	7	11	6	2	35	23	25	17
Total	486	260	77	189	420	257	51	153	392	220	60	141	412	241	22	112	1710	978	210	595

Appendix 2

Table 3

Stage 1 complaints received 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	80	73	89	90	332
Adult Care & Health	37	55	36	65	193
Communities, Public Health, Environment and Prosperity	26	20	25	26	97
Highways, Infrastructure Development and Waste	246	194	172	174	786
Legal, Communications, and Human Resources	5	6	1	4	16
Devon Finance Services	0	0	0	0	0
Digital Transformation & Business Support	17	4	4	5	30
All services	411	352	327	364	1454

Table 4

Stage 1 responses - % within 20 working days 2018-19					
Department	Q1	Q2	Q3	Q4	Total
Children's Services	65% (51/79)	64% (47/74)	60% (47/78)	58% (52/89)	62% (197/320)
Adult Social Care	69% (25/36)	72% (28/39)	64% (28/44)	66% (33/50)	67% (114/169)
CoPHEP	100% (24/24)	91% (21/23)	92% (24/26)	95% (21/22)	95% (90/95)
County Solicitors	50% (2/4)	60% (3/5)	50% (1/2)	100% (3/3)	55% (9/14)
Digital Transformation & Business Support	80% (12/15)	82% (9/11)	100% (5/5)	80% (4/5)	83% (30/36)
Highways, Infrastructure Development & Waste	81% (216/266)	82% (166/203)	68% (117/171)	77% (129/168)	78% (628/808)
Finance Services	n/a (0/0)	100% (1/1)	n/a (0/0)	n/a (0/0)	100% (1/1)
Total	78% (330/424)	77% (275/356)	68% (222/326)	72% (242/337)	85% (1069/1261)

Table 5

Stage 1 Outcome 2018-19	Q1	Q2	Q3	Q4	Total
No Finding	94	70	29	39	232
No response at Stage 1	3	7	1	1	12
Not upheld	208	188	160	173	729
Partly upheld	84	66	65	91	306
Resolved upon receipt	3	2	4	2	11
Upheld	32	23	33	27	115
Total	424	356	292	333	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%
Q4	Quality of service provided	40%
	Inappropriate action or service by team	44%
	Attitude/rudeness/inappropriate comments	39%
YTD	Quality of service provided	38%
	Attitude/rudeness/inappropriate comments	37%
	Inappropriate action or service by team	41%

Table 7

Stage 2 complaints received 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	14	19	20	8	61
Adult Care & Health	0	0	0	0	0
Communities, Public Health, Environment and Prosperity	0	0	7	5	12
Highways, Infrastructure Development and Waste	42	30	20	18	110
Legal, Communications, and Human Resources	0	2	0	2	4
Devon Finance Services	0	0	0	0	0
Digital Transformation & Business Support	1	1	0	0	2
All services	57	52	47	33	189

Table 8

Stage 2 complaint responses - % in time 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	0%	33%	0%	25%	14%
Adult Care & Health	n/a	n/a	n/a	n/a	n/a
Communities, Public Health, Environment and Prosperity	n/a	n/a	50%	100%	88%
Highways, Infrastructure Development and Waste	60%	83%	41%	55%	62%
Legal, Communications, and Human Resources	n/a	n/a	100%	100%	100%
Devon Finance Services	n/a	n/a	n/a	n/a	n/a
Digital Transformation & Business Support	n/a	n/a	n/a	n/a	n/a
Total	40%	71%	34%	57%	53%

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%	75%	71%
Adult Care & Health	n/a	n/a	n/a	n/a	n/a
Communities, PH, Environment and Prosperity	n/a	n/a	0%	33%	25%
Highways, Infrastructure Development and Waste	13%	42%	35%	30%	33%
Legal, Communications, and Human Resources	n/a	n/a	100%	100%	100%
Devon Finance Services	n/a	n/a	n/a	n/a	n/a
Digital Transformation & Business Support	n/a	100%	n/a	n/a	100%
Total	15%	50%	54%	43%	45%

Table 10

LGSCO complaints received 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	6	5	10	3	24
Adult Care & Health	8	7	3	6	24
Communities, Public Health, Environment and Prosperity	0	2	1	0	3
Highways, Infrastructure Development and Waste	2	6	3	2	13
Legal, Communications, and Human Resources	0	0	0	0	0
Devon Finance Services	0	0	0	0	0
Digital Transformation & Business Support	0	0	1	2	3
All services	16	20	18	13	67

Table 11

LGSCO outcome 2018-19	Q1	Q2	Q3	Q4	YTD
Upheld - maladministration & injustice	3	2	4	3	12
Upheld - maladministration No Injustice	1	0	0	0	1
Not Upheld - No Further Action	2	1	0	0	3
Not Upheld - No Maladministration	3	1	2	1	7
Closed after initial enquiries - no further action	3	1	4	3	11
Closed after initial enquiries - out of jurisdiction	0	0	2	0	2
Premature	0	1	5	1	7
Total	12	6	17	8	43

Table 12

LGSCO complaint responses - % in time 2018-19					
Service Area	Q1	Q2	Q3	Q4	YTD
Children's Services	100%	88%	42%	100%	70%
Adult Care & Health	100%	100%	50%	67%	81%
Communities, Public Health, Environment and Prosperity	n/a	100%	n/a	n/a	100%
Highways, Infrastructure Development and Waste	100%	67%	100%	100%	86%
Legal, Communications, and Human Resources	n/a	n/a	n/a	n/a	n/a
Devon Finance Services	n/a	n/a	n/a	n/a	n/a
Digital Transformation & Business Support	100%	100%	100%	100%	100%
Total	100%	91%	50%	81%	79%

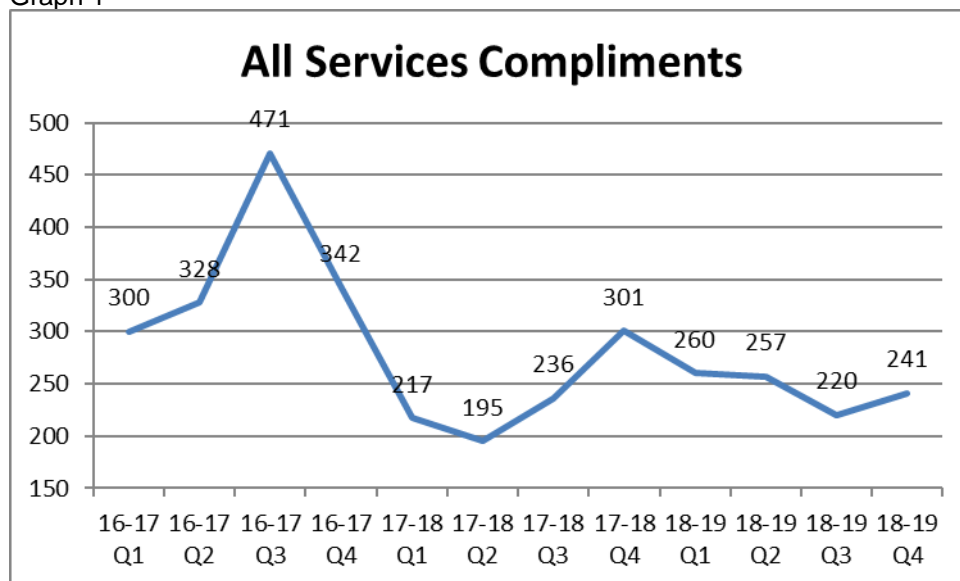
Table 13

MP Enquiry responses - % within 20 working days 2018-19					
Department	Q1	Q2	Q3	Q4	Total
Children's Services	84% (36/43)	74% (25/34)	63% (25/40)	56% (18/32)	70% (104/149)
Adult Social Care	90% (19/21)	92% (12/13)	74% (14/19)	62% (8/13)	80% (53/66)
CoPHEP	89% (17/19)	96% (26/27)	91% (21/23)	87% (13/15)	92% (77/84)
County Solicitors	100% (1/1)	0% (0/2)	n/a (0/0)	n/a (0/0)	33% (1/3)
Digital Transformation & Business Support	100% (11/11)	100% (2/2)	75% (3/4)	100% (2/2)	95% (18/19)
Highways, Infrastructure Development & Waste	79% (85/108)	82% (70/85)	71% (39/55)	88% (42/48)	80% (236/296)
Finance Services	100% (1/1)	n/a (0/0)	n/a (0/0)	n/a (0/0)	100% (1/1)
Total	83% (170/204)	83% (135/163)	72% (102/141)	75% (83/110)	79% (490/618)

Table 14

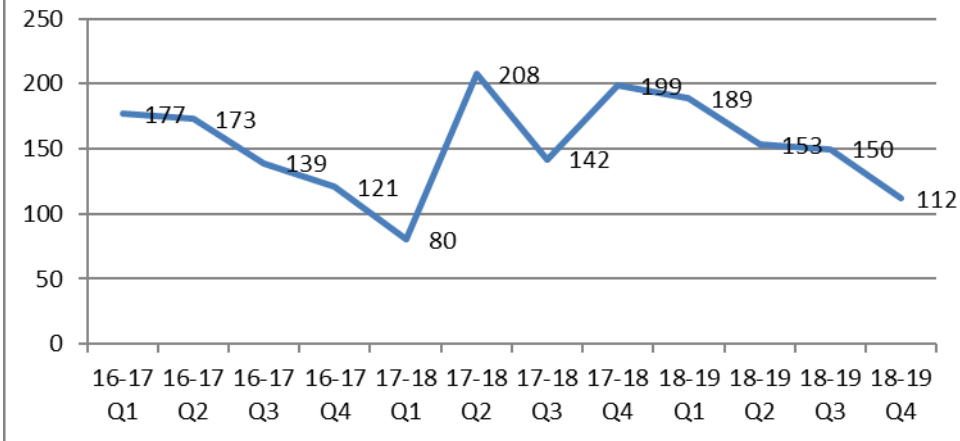
Representation responses - % within 20 working days 2018-19					
Department	Q1	Q2	Q3	Q4	Total
Children's Services	64% (7/11)	67% (6/9)	50% (2/4)	33% (2/6)	57% (17/30)
Adult Social Care	64% (9/14)	45% (5/11)	55% (6/11)	69% (9/13)	59% (29/49)
CoPHEP	88% (7/8)	94% (15/16)	92% (11/12)	100% (12/12)	94% (45/48)
County Solicitors	n/a (0/0)	50% (1/2)	n/a (0/0)	100% (1/1)	67% (2/3)
Digital Transformation & Business Support	80% (4/5)	86% (12/14)	100% (2/2)	63% (5/8)	79% (23/29)
Highways, Infrastructure Development & Waste	80% (4/5)	100% (9/9)	93% (14/15)	81% (17/21)	88% (44/50)
Finance Services	n/a (0/0)	n/a (0/0)	n/a (0/0)	n/a (0/0)	n/a (0/0)
Total	72% (31/43)	79% (48/61)	80% (35/44)	75% (46/61)	77% (160/209)

Graph 1



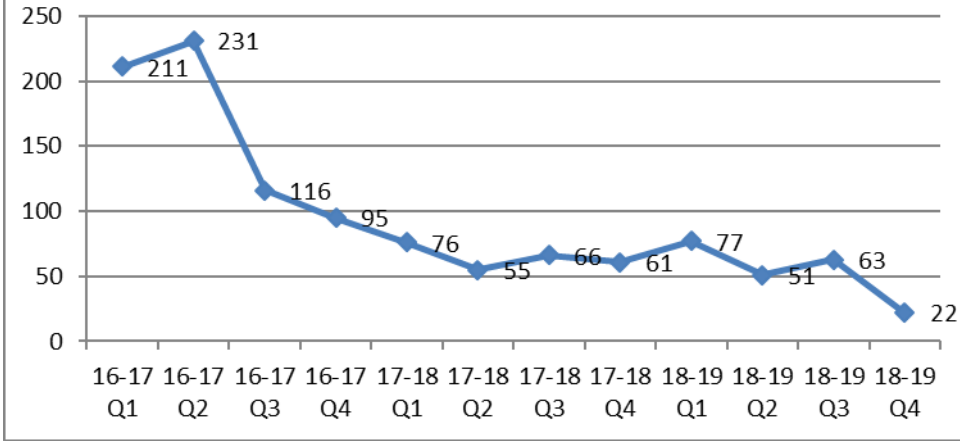
Graph 2

All Services MP Trends



Graph 3

All Services Representation Trends



Appendix 3

Local Government and Social Care Ombudsman Recommendations – Q4 2018-19

Adult Care and Health:

Complaint 1:

- The Council should offer and carry out a functional assessment to review Ms X's needs and depending on the outcome should update her care and support plan, and consider whether there is any need to backdate any increased personal budget.

Complaint 2:

- The Council should write to Mr X, via his representative Ms Z, to apologise for the fault identified in how it handled his transition arrangements, not putting in place a formal staying put agreement and in the allocation of personal advisers.
- The Council should pay Mr X £250 in recognition of the uncertainty caused to him and those caring from him by that fault.
- The Council has agreed to remind relevant social workers and managers in the children's services department of the need to invite adult social care to meetings and involve them at the earliest possible opportunity when it starts considering transition arrangements for young people.

Complaint 3:

- The Council has offered to waive the outstanding charges and apologise to Miss W.

Children's Services:

Complaint 1:

- The Council has offered to pay Mr B £1800 towards Mr B's counselling.
- The Council has offered to pay Mr B £500 in recognition of the distress caused by SW1's actions.
- The Council has offered to pay Mr B £200 to reflect the time and trouble taken to pursue his complaint.
- The Council has offered to pay Mr B £1000 to reflect that Child C was put at risk of harm."
- "Pay Mr B an additional £150 in recognition of the distress caused by the Council's failure to properly manage SW1.
- Pay Mr B an additional £100 to reflect the time and trouble taken to pursue his entire complaint including the repeated stage 2 investigations and the failure of both stage 2 and stage 3 to fully consider his complaint.

Complaint 2:

- The Council has agreed to hold a Review Panel Hearing (Stage 3)
- The Council has agreed to offer Ms X a £100 time and trouble payment

Complaint 3:

- The Council has agreed to consider what steps it can take to speed up its complaints procedure.