

CUSTOMER FEEDBACK Q1 2022-23 (APRIL TO JUNE 2022)

Report of the Head of Digital Transformation and Business Support

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: that the Committee note the content of the Report and provide comment on the level of feedback.

1. Customers are right at the heart of everything we do, and we welcome their feedback. This helps us to improve our services and to make sure we treat everyone fairly. Sometimes things do go wrong. If this happens, we invite customers to tell us so that we can try and put it right and stop it happening to others.

2. The Customer Relations Team is a central function that handles all formal customer feedback to ensure complaints, MP and Councillor enquiries, representations (a comment or concern that is not a complaint) and compliments are dealt with appropriately. The Local Government Act 1972 requires Local Authorities to have a mechanism for dealing with complaints that fall outside those covered by statutory legislation. To enable us to do this effectively the Council runs a Corporate complaint procedure and this, alongside details of the Statutory complaint procedures, can be found here: [complaint and other feedback procedures](#).

3. Any complainant that has exhausted the Council's complaint procedures has the right to approach the Local Government and Social Care Ombudsman (LGSCO) who may choose to investigate their complaint.

Support from the LGSCO to help councillors ask questions to scrutinise their local services is available [here](#).

Key Messages

- The majority of complaints received were about Climate Change, Environment, Connectivity and Growth and the main teams complained about were the Neighbourhood and Traffic Management Groups. The main activities complained about in relation to those teams were a member of staff's action or behaviour, and the road condition in relation to potholes and road surfaces.
- The second highest number of complaints received were about Children & Young People's Futures and the main teams complained about were Children & Families and SEN 0-25. The main activities complained about in relation to those teams were the quality of or delays in providing education provision for children with SEN and the quality or appropriateness of child in need plans.
- The most prevalent root causes across all services in Q1 of 2022-23 were the quality of service provided (uphold rate 37%), an inappropriate action or service (uphold rate 46%), and a delay in providing a service (uphold rate 33%).
- Overall, response rates for Stage 1 complaints require significant improvement, with only 26% responded to in time throughout the quarter.
- The number of Stage 2 complaint requests for Children's Social Care has increased this quarter; on average there were 10 Stage 2 requests received each quarter through 2021-22, with a total of 38

received for the whole year), however there have already been 16 Stage 2 requests received in Q1 of 22-23, and this is only set to increase. As a result, the number of Stage 3 Review Panel Hearings is likely to also increase.

- 11 of the 33 complaints investigated by the LGSCO during Q1 of 22-23 were upheld (33%), most with maladministration and injustice, one with maladministration but no injustice, and one with maladministration and injustice but no further action required as a satisfactory remedy was already provided by the service. This compares to 24 of 40 complaints investigated by the LGSCO during Q4 of 2021-22 being upheld (60%), so it is reassuring that the uphold rate is beginning to lower.
- The LGSCO complaints that were upheld were mainly in relation to SEND; the complaint summaries, findings and agreed recommendations are included in the appendices of this report. The council has complied with the recommendations and findings for all complaints. The Council has paid out £7,163 in financial remedies as a result of LGSCO complaint investigations concluded in Q1 2022-23, and waived a bill for care of £7,651.77. Please note that all LGSCO decisions can be located on their website www.lgo.org.uk/decisions by entering the LGSCO reference number from the appendix; alternatively you can review the interactive map for Devon County Council here: <https://www.lgo.org.uk/your-councils-performance/devon-county-council/statistics>

Matthew Jones
Head of Service

[Electoral Divisions: All]

Cabinet Member for Organisational Development, Workforce & Digital Transformation, Councillor
Andrew Saywell

Matthew Jones, Head of Service

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

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BACKGROUND PAPER	DATE	FILE REFERENCE
<i>Nil</i>		

Appendix 1 – Customer Feedback trend data and complaint themes.

Customer feedback received 2022-23	Q1	Q2	Q3	Q4	YTD
Complaints - local	353				353
Complaints - escalated	32				32
Complaints - Ombudsman	22				22
MP Enquiries	132				132
Representations	25				25
Total	564	0	0	0	564

Stage 1 complaints received 2022-23	Q1	Q2	Q3	Q4	YTD
Children and Young People's Futures	123				123
Integrated Adult Social Care	47				47
Climate Change, Environment, Connectivity and Growth	165				165
Legal and Democratic Services	5				5
Finance and Public Value	1				1
Public Health, Communities & Citizen Engagement	8				8
Digital Transformation & Business Support	4				4
Grand Total	353	0	0	0	353

Stage 1 complaint outcomes 2022-23	Q1	
	No. responded to	% Upheld
Children and Young People's Futures	111	50%
Integrated Adult Social Care	35	34%
Climate Change, Environment, Connectivity and Growth	176	12%
Legal and Democratic Services	5	60%
Finance and Public Value	0	n/a
Public Health, Communities & Citizen Engagement	7	71%
Digital Transformation & Business Support	5	80%
Grand Total	339	29%

Stage 1 complaint response times 2022-23	Q1	
	No. responded to	% in time
Children and Young People's Futures	111	53%
Integrated Adult Social Care	35	51%
Climate Change, Environment, Connectivity and Growth	176	85%
Legal and Democratic Services	5	20%
Finance and Public Value	0	n/a
Public Health, Communities & Citizen Engagement	7	100%
Digital Transformation & Business Support	5	60%
Grand Total	339	26%

Most common complaint issues & % upheld 2022-23

	No. of issues	% Upheld
Children and Young People's Futures		
Inappropriate action or service	63	54%
Quality of service provided	49	63%
Poor communication (to customer)	25	72%
Climate Change, Environment, Connectivity and Growth		
Quality of service provided	64	16%
Delay in providing service	31	6%
Attitude/rudeness/inappropriate comments	28	11%
Digital Transformation & Business Support		
Quality of service provided	2	100%
Information Security alert	1	100%
Dispute of records/documentation	1	0%
Inappropriate action or service	1	0%
Integrated Adult Social Care		
Quality of service provided	16	25%
Poor communication (to customer)	6	17%
Inappropriate activity	5	20%
Legal and Democratic Services		
Quality of service provided	3	100%
Inappropriate action or service	2	50%
Poor communication (with customer)	2	50%
Public Health, Communities & Citizen Engagement		
Objecting to intended/future service offered	4	100%
Quality of service provided	1	0%
Delay in providing service	1	0%
Inappropriate action or service	1	100%
All Services		
Quality of service provided	135	37%
Inappropriate action or service	82	46%
Delay in providing service	54	33%

LGSCO complaint outcomes Q1 2022-23	Closed after initial enquiries - No further action	Closed after initial enquiries - out of jurisdiction	Not upheld - no maladministration or injustice	Upheld - Maladministration and injustice	Upheld - Maladministration but no injustice	Grand Total
Children and Young People's Futures	4	2		6	1	13
Integrated Adult Social Care	2		2	2		6
Climate Change, Environment, Connectivity and Growth	7	2				9
Legal and Democratic Services						0
Finance and Public Value			1	1		2
Public Health, Communities & Citizen Engagement				1		1
Digital Transformation & Business Support		1	1			2
Grand Total	13	5	4	10	1	33

Appendix 2 – LGSCO complaint summaries, findings and recommendations

Service	LGSCO Ref/DCC Ref	Complaint summary & findings	Recommendations
Client Finance Services/Integrated Adult Social Care	21009828/11554932	Mr X complained about how the Council communicated with him about the costs of care for his late wife Mrs X. Mr X said he received a large, unexpected bill which caused him a great deal of stress and the Council did not answer his questions about this. The LGSCO found fault with how the Council communicated with Mr X and asked the Council to apologise, waive the fees, and review processes.	<ul style="list-style-type: none"> • Apologise for its failure to keep Mr X properly updated about the financial assessments and for the poor communication throughout. • Write to Mr X to confirm it has waived the £7,651.77 outstanding care bill. • Complete its learning event to identify improvements to processes in relation to care home fees and provide the Ombudsman with a written summary of the outcome.
Integrated Adult Social Care – Community Health and Social Care	21007609/12880056	Ms X complained about the care her late mother, Mrs Y, received at the Council commissioned Care Home. The Care Provider was at fault. There were errors in how staff at its Care Home communicated information about Mrs Y's care amongst each other and with other healthcare professionals and with how staff recorded information about her care. A safeguarding investigation identified faults by the Care Home. The Care Provider recognised the faults and put measures in place to improve its service.	<ul style="list-style-type: none"> • Apologise to Ms X for the distress and frustration the matter caused her; • Make a symbolic payment of £150 to Ms X to acknowledge the distress, uncertainty and frustration caused by the faults identified in relation to her mother's care • Ensure that staff at the Care Home will record conversations they have had with healthcare professionals in relation to a resident's care. • Ensure there is good communication amongst staff about the care of the residents and that they are aware of recent changes to their care such as referrals being made to other

			<p>healthcare services.</p> <ul style="list-style-type: none"> • Ensure staff are aware when a follow-up is required with other healthcare services such as the District Nurse Teams and GP's, they raise this with the management team and document the necessary information. • Ensure information staff have recorded on the system is monitored and information in relation to skin tears and wounds is updated regularly.
Integrated Adult Social Care – Social Care Reablement	20014267/12932305	The Council already upheld some of Mr Z's complaints about poor environmental standards at a care home it funded. It took appropriate action to remedy the injustice and so we made no further recommendations. There was no evidence Mr Y was unkempt and no evidence the family were misinformed about care being free. So we did not uphold these complaints.	N/A
Children & Young People's Futures – Children & Families	21004445/11450716	Miss X complained the Council failed to respond to her concerns about the care of her two children, who were in foster care. We found the Council at fault for failing to tell Miss X she could return to the complaints process after concurrent investigations were complete. We recommended the Council provide an apology and payment to Miss X and act to prevent recurrence.	<ul style="list-style-type: none"> • Apologise to Miss X, including a promise to deal with her complaint promptly now the LADO process is complete. • Pay Miss X £150 as a symbolic payment to reflect the uncertainty. • Remind relevant staff of the need to inform complainants of their right to resubmit their complaint after concurrent investigations have ended.
Children & Young People's Futures - Disabled Children's Service	12793744/21005587	The Council is at fault for delaying consideration of this complaint under the children's statutory complaints procedure. The Council has agreed to issue its stage two response and make a payment to the complainant for the time	<ul style="list-style-type: none"> • Issue its stage two response to Ms X; • Offer to make a payment of £300 to Ms X to remedy the time and

		and trouble its delay has caused.	trouble she has gone to in pursuing her complaint, and to reflect the Council's delay in dealing with it.
Children & Young People's Futures - SEN 0-25	21003770/11072804	Mrs D complained the Council failed to complete her daughter's Education, Health and Care needs assessment as directed by the SEND Tribunal, and within the statutory timescales. As a result, Mrs D said she experienced distress and her daughter did not get the support she needed. We found the Council at fault for causing delays and for seeking an unnecessary assessment. It should apologise to Mrs D and make payment to acknowledge the injustice this caused.	<ul style="list-style-type: none"> • apologise in writing to Mrs D and Child X; • pay Mrs D £400 to acknowledge the distress and uncertainty she and Child X experienced as a result of the Council's failure to follow the statutory process for EHC needs assessment and errors; • pay Mrs D £100, to use as she sees fit for Child X's benefit, to acknowledge Child X's loss of some community support provision; • pay Mrs D a further £100 for the time and trouble she had to bring her concerns to the Council's and Ombudsman's attention. • remind its staff of the importance of adhering to the process and statutory timescales for EHC needs assessments; and • remind its staff to follow the SEND Tribunal Orders, including in cases where the Council has agreed for the Tribunal to provide recommendations in areas outside SEN, unless it can show good reasons for not doing so.
Children & Young People's Futures - SEN 0-25	21006860/11427784	Mr X complained the Council failed to ensure his son (Y) received an adequate fulltime education from September 2020 as set out in his EHC Plan. He also said Y was wrongly excluded from accessing his designated safe space within his school. The Council said some provision was provided, but	<ul style="list-style-type: none"> • apologise in writing to Mr X, and pay him £250 to acknowledge the distress he, and his family, experienced as a result of the Council's failure to ensure his son's

		<p>agreed it failed to ensure Y received all the agreed provision. It apologised and made payment to Mr X. It did not agree Y had been discriminated against. We found the Council had considered its equality duty, but its faults also caused Mr X and his family distress. The Council agreed to apologise and make payment to acknowledge the injustice caused.</p>	<p>special educational needs were delivered as set out in his EHC Plan;</p> <ul style="list-style-type: none"> • pay Mr X a further £150 to acknowledge the unnecessary time and trouble he had to bring his concerns to the Council's attention. • Remind its staff to work jointly with parents, schools, and other professionals to ensure children's EHC Plan provision is delivered as set out in the statutory guidance and its internal procedures. In particular, when it receives concerns about a school's failure to provide the special educational needs provision of a child's EHC Plan.
<p>Public Health, Communities & Citizen Engagement - Trading Standards</p>	<p>21010444/ 11467448</p>	<p>Mrs B says the Council wrongly reinstated a company on its Buying with Confidence scheme when it had not completed any remedial works to her property or dealt with her complaint. The Council's communications with Mrs B were not clear about what it would take into account when carrying out a re-audit and the re-audit paperwork was not completed properly. That did not affect the decision to reinstate the company on the scheme. An apology, payment to Mrs B and procedural changes are a satisfactory remedy.</p>	<ul style="list-style-type: none"> • Apologise to Mrs B; • Pay Mrs B £250. • Draw up guidance for officers completing re-audits triggered by negative customer reviews or complaints which should include matters which should be taken into account during a re-audit, specifically referring to any issues identified as part of the consumer review/complaint, clear communications with consumers about the re-audit process, and completion of paperwork.
<p>Children & Young People's Futures –</p>	<p>21006646/11505308</p>	<p>Ms B and Mr C complained the Council failed to adequately assess and then meet their son's special</p>	<p>Within a month of the final decision the Council will reimburse Ms B and Mr C for</p>

SEN 0-25		educational needs and as a result he missed out on appropriate education in a school for almost two years. There was fault which caused injustice. We make recommendations at the end of this statement for how the Council can remedy this injustice.	five weeks of the fees they paid for X attending school G for three days a week. And for the period after the Council had agreed X should attend school G before it took over the fees. It will also make a payment to reflect the transport costs for the same period. And it should pay an additional £400 as explained in paragraph 24. It will also apologise to Ms B and Mr C for the faults found. The Council should also provide evidence to us to show what action it has taken to ensure that its complaint process is not wrongly constrained in its application (A total payment of £4,613).
Children & Young People's Futures - Admissions and Transport	21011732/12792644	Ms C complained the Council wrongly decided not to fund transport to school for her children. She said that as a result she had to walk them to school which had an adverse impact on her health. And when that was no longer possible the children were unable to attend school. There was fault by the Council which caused injustice to Ms C. The Council will make a payment to her in recognition of the fault and impact on her and her children.	Pay Ms C £500.
Children & Young People's Futures – SEN 0-25	20009828/9589748	The Council was at fault when it failed to consult Mr and Mrs X or Miss Y about the changes it was planning to make to her Education, Health and Care Plan. This caused Mr and Mrs X avoidable distress and frustration. The Council agreed to make the recommendations we set out to remedy the injustice its actions caused to Mr and Mrs X.	Pay Mr and Mrs X £200 to recognise the distress the Council's fault has caused the family

