

Report of the Director of Governance

**City of York Council Annual Complaints Performance and Service
Improvements Report April 2023 – March 2024**

Summary

1. This covering report provides Committee with a snapshot of the full Annual Complaints Report April 2023 to March 2024 which is provided in full at Annex 1.

Background

- 2.1 The council produces and publishes the annual report covering
 - complaints about adult (including Public Health) and children social care services which are dealt with under two separate pieces of legislation
 - complaints about other council services dealt with under the council's corporate complaints and feedback procedures
 - Ombudsmen cases – both the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS)
 - other feedback including compliments received.
- 2.2 This annual report will also be shared with the council's Governance Risk and Assurance Group (GRAG) and Council Management Team (CMT) and to the next Audit and Governance Committee.

Children's social care overview

- 2.3 Whilst the council's Corporate Governance Team (CGT) reports on compliments received about these services in the annual report, we know that many more are received that are either not recorded or

passed onto the CGT. However, some examples from page 13 in the annual report are shown below:

- *We couldn't have got to this point without workers patience, kindness and support - what a rollercoaster of a year - but we finally feel we are finally exactly where we are supposed to be.*
- *I am so grateful you've given this opportunity. The change is unreal, adapted his sessions to needs. Given child self confidence, a smile on their face and pride in themselves.*
- *Thank you for all help & support you have given us over the past year while covering the role of supervising social worker when our last one left.*
- *Thank you for calling, I felt more relaxed and all I ever wanted was to be listened to. Thank you for helping.*
- *Staff worked incredibly hard building a trusted relationship quickly and intensely. Thank you.*
- *Thank you for helping us get this far, with your hard work and patience.*
- *Social worker went above and beyond to ensure a child was placed with family rather than going into care.*
- *Thanks for hard work and dedication and going the extra mile.*
- *Thanks to social worker for all their support with the family*

2.4 In Children's social care complaints, the CGT conduct an assessment of the issues raised including severity, complexity, risk to the customer and other customers, risk to the authority, history of similar complaints and likelihood of future similar complaints to grade the complaint into Stage 1, 2 or 3. Other considerations include, the outcomes wanted to resolve the complaint, who is best placed to consider and effectively respond to the complaint and the complainant's views of how the complaint should be dealt with.

2.5 There was a reduction in the total number of complaints under the children's social care procedure during 23/24 compared to the number received the previous year. It fell from 46 to 40.

2.6 It is important to note though numbers of complaints received can fluctuate each year and is typical of social care complaints received across Yorkshire and Humberside.

2.7 From work undertaken to understand this decrease, we determined there were a few factors involved. These include actions taken as a

council and in the service area, following the public maladministration report from the LGSCO a few years ago. Part of this was providing a programme of staff training and awareness sessions to increase their understanding of the procedure and how they can ensure children and young people are aware of and can be supported, to make complaints.

- 2.8 Feedback from complaints especially where there are related themes, provides the service area with invaluable information to review and improve the services they provide. The main theme this year as in previous years is about the quality of communication and work continues to be undertaken with the service area to address and improve these ongoing areas of concern. Details about lessons learned and improvements are set out in section 23 of the report at Annex 1.

Adult social care complaints overview

- 2.9 Whilst the CGT reports on compliments received about these services in the annual report, we know that many more are received that are either not recorded or passed onto the CGT. However, some examples from page 25 and 26 in the annual report are shown below

- *Thank you for the help and support the family has been provided with funding*
- *It's been a big help for us to have access to care, to assess what is needed.*
- *Thank you help and support with direct payment.*
- *Thank you for organising the access step.*
- *Thanks for lifeline install.*
- *Social worker has been really helpful and has made life brighter.*
- *Thank you for all support, hard work, finding information, kindness and understanding.*
- *The care and compassion shown to whole family has been so welcome.*
- *Thanks for all your hard work, professionalism and care. You really have made us feel supported during this emotional process and please don't underestimate the difference you have made.*

- 2.10 In adult's social care complaints, we must use the Department of Health's tool for grading or assessing the seriousness of complaints and to decide the relevant action. This is shown in section 26 of the report at Annex 1.

- 2.11 There was an increase in the total number of complaints in 23/24 compared to the previous year that were dealt with under the legislative adult's social care complaints requirement – it rose from 40 to 44.
- 2.12 It is important to note though that receiving larger numbers of complaints is not always a negative, because it can partly be a reflection that the procedures we have in place, are accessible and customers are supported to make complaints which provide invaluable feedback.
- 2.13 Feedback from complaints especially where there are related themes, provides the service area with invaluable information to ensure any lessons are identified and service improvements made where necessary. In this annual report concerns are identified about the number of complaints which were not responded to in this period and the CGT have been working with managers in adult services to address this. Details about lessons learned and improvements are set out in section 39 of the report at Annex 1.
- 2.14 Complaints about services related to the functions of Public Health also fall under the legislation “Local Authority Social Services and National Health Service Complaints (England) Regulations 2009” and are therefore dealt with in the same way as those for adult social care services. There were no complaints in this area in 23/24.

Corporate Services, including housing services overview

- 2.15 The corporate 4Cs policy and procedure is used for all complaints about council services where there is no statutory procedure or legal/appeal process.
- 2.16 Whilst the CGT reports on compliments received about these services in the annual report, we know that many more are received that are either not recorded or passed onto the CGT. However, some examples from page 37 and 38 in the annual report are shown below
- *The trainer was absolutely wonderful, friendly and professional and I feel thoroughly supported.*
 - *Bin men faced a challenge and I wanted to say how amazing they were on the round today. We had rubbish all over the street and*

they just got on with clearing the best they could along with the residents.

- *Thank you to the bin ben that provided customer son with a bin toy.*
- *Thanks for litter picking the road looks much better.*
- *Joiner fitting some rails to a property - very friendly and clearly knows what they are doing.*
- *Repairs carried out and the contractors was their work was exemplary. They cleared up behind themselves, for which I am very grateful*
- *Just wanted you to pass on our thanks to the two joiners who attended relatives property to replace the bedroom floor. Their professional, tidy, and prompt approach was very much appreciated. Big thank you to them both.*
- *Highways department was absolutely wonderful, listened to my concerns about the disabled bay process, immediately spoke to a manager about it and acted quickly to make changes to the process when he realised it could be improved.*
- *Appreciate guidance, help and support applying for benefit.*
- *I just wanted to say thank you so much for all your help regarding our planning application. You don't realise how much it means to me and my family.*
- *I reported a streetlight, someone came to repair it within a couple of days so I would like to say thank you for the prompt and efficient service which exceeded my expectations.*
- *Customer Services so helpful and went above and beyond when booking my bulky collection.*

2.17 Under the corporate 4Cs procedures for investigating and responding to corporate complaints, the appropriate grade or referral to the relevant Ombudsman is assessed by the CGT taking account of

- the risk to the customer and the authority
- the severity of the risk
- whether the issues in question are a one off, are a reoccurrence and likelihood of reoccurrence.

2.18 The timescales for investigating and responding to corporate complaints are

- Grade One - 20 working days (10 for Housing Complaints in line with the Housing Ombudsman guidance)
- Grade Two - 30 working days (20 for Housing Complaints in line with the Housing Ombudsman guidance)

2.19 It is important to note that where there are large numbers of complaints received for a particular directorate or service area, this is where services are provided weekly to every household in York, and this means they are the most highly visible council services.

2.20 Complaints provide senior managers with useful information in respect of the way that services are delivered, so that improvements can be made. The CGT continues to collaborate with teams across the council to ensure learning from complaints is leading to improvements in services and that evidence of actions being completed are provided. Details about lessons learned and improvements are set out in section 48 of the report at Annex 1

Local Government and Social Care Ombudsman (LGSCO) overview

2.21 The LGSCO provides an annual review letter about the council covering April to March each year which includes tables presenting the number of complaints and enquiries received about the council and the decisions the LGSCO has made during the reporting period. This is to help us assess our performance in handling complaints. It includes the number of cases where the LGSCO's recommendations remedied the fault and the number of cases where they decided we had offered a satisfactory remedy during our local complaints process. In these latter cases the LGSCO provides reassurance that we had satisfactorily attempted to resolve the complaint before the person went to them.

2.22 The LGSCO received 49 cases about the council in April 2023 to March 2024 with 41 cases being concluded within this time period. Of the 41 cases, 9 were considered as a detailed investigation and of these, 7 were upheld.

2.23 Further details about LGSCO cases are set out in section 2 of the report at Annex 1.

Housing Ombudsman Service (HOS) decided cases overview

- 2.24 The HOS publishes performance information about landlords on their website annually.
- 2.25 Whilst there was one less case in 23/24 that the HOS made a determination on, compared to the previous year 22/23, there were more findings (points of fault) and orders made for the council to put right in 23/24.
- 2.26 Further details about the HOS annual performance information and cases are set out in section 2 of the report at Annex 1.

Consultation

- 3. No consultation was undertaken for the report at Annex 1. However, feedback from regular performance reports to Audit and Governance Committee, Corporate Management Team (CMT) and meetings and discussions with managers, informs the annual report.

Options

- 4. There are no options to consider for the annual report at Annex 1.

Analysis

- 5. The analysis is detailed in the annual report at Annex 1.

Council Plan

- 6. The annual report at Annex 1 does not contain any proposals however compliance with complaints legislation and guidance aligns with the current and draft Council Plan which is part of the council's corporate code of governance. This also then aligns with the 10-year Plan (York 2032) such as performance management and service planning.

Implications

7. As the Annual Complaints Performance and Service Improvements Report April 2023 – March 2024 is for Corporate Services, Climate Change and Scrutiny Management Committee information and awareness, please see below comments regarding implications. However, work will be undertaken on any implications, including those areas where no comments are provided below, following this Committee's comments and feedback.

- **Financial** - There are no financial implications for the purposes of this report.
- **Human Resources (HR)**
- **Equalities** - There are no implications for the purposes of this report.
- **Legal** - The Council must continue to comply with statutory complaints handling procedures where applicable and is working towards implementation of the LGSCO complaint handling code for all other types of complaint. Effective learning from complaints helps the Council to fulfil its duty to continuously improve.
- **Crime and Disorder**
- **Information Technology (IT)** - There are no IT implications for the purposes of this report
- **Property** - There are no property implications for the purposes of this report

Risk Management

8. The council has a duty to comply with the relevant complaint's legislation, regulations, and Ombudsmen guidance. Failing to comply with these can result in Ombudsmen taking actions against the council such as maladministration findings, public reports, payment of recompense and financial remedies for individuals. Often these decisions and actions are published on the Ombudsmen websites, as well as doing press releases and statements. This can lead to reputational damage, reduce the council's overall effectiveness as well as a loss of trust in the council.

Recommendations

8. Members are asked to note the performance details set out in the report at Annex 1 and provide any comments or feedback.

Contact Details

Author:

Author's name Lorraine Lunt
Title Information Governance
& Feedback Team
Manager/DPO
Dept Name Corporate
Governance
Team

Tel No. 01904 554145

Co-Author's Name - for Annex 1
- Cath Murray

Title Corporate Governance
Operational Manager

Dept Name Corporate Governance
Team

Tel No. 01904 554145

Chief Officer Responsible for the report:

Chief Officer's name Bryn Roberts
Title Director of Governance

Report Approved	✓	Date	31 October 2024
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Specialist Implications Officer(s)

Implication Financial and Property

Name Debbie Mitchell

Title Chief Finance Officer

Tel No. 01904551550

Implication Equalities

Name Pauline Stuchfield

Title Director of Housing and Communities

Tel No. 01904551550

Implication Legal

Name Frances Harrison

Title Head of Legal

Tel No. 01904551550

Implication Information Technology (IT)

Name Roy Grant

Title Head of ICT

Tel No. 01904551550

Wards Affected: *List wards or tick box to indicate all*

All



For further information please contact the author of the report

Background Papers:

No background papers but listed below are links to background information in this report

[Councils' performance - Local Government and Social Care Ombudsman](#)

[Landlords Archive - Housing Ombudsman](#)

Annexes

Annex 1 - City of York Council Annual Complaints Performance and Service Improvements Report April 2023 – March 2024

Abbreviations

CMT – Corporate Management Team

CGT – Corporate Governance Team

HOS - Housing Ombudsman Service

LGSCO – Local Government and Social Care Ombudsman