



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

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1 Introduction

Complaints and feedback are managed for all council areas through the Corporate Governance Team (CGT) to ensure that comments, complaints, concerns, and compliments are dealt with in an independent and consistent way across the council.

Complaints about adult and children's social care services are dealt with under two separate pieces of legislation:

- The Children Act 1989 Representations Procedure (England) Regulations 2006
- The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

Complaints about other council services are dealt with under the council's 4cs procedure for Complaints, Concerns, Comments and Compliments which can be found at [Raise a comment, compliment, complaint or concern – City of York Council](#). This procedure was designed using the guidance and good practice specified in the statutory procedures and by the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman Service (HOS).

It is essential that all teams delivering services (including contractors or providers of services on our behalf) formally capture and record complaints. It is only by doing so that complaints can be tracked and where things have gone wrong, managers can ensure that matters are put right. Senior managers and the CGT therefore regularly encourage teams to recognise complaints and report these to the CGT.

Members of the CGT are hybrid workers and attend appropriate venues as needed such as deliver training sessions, conduct investigations, meet with customers etc. The hybrid working arrangements have a positive impact on the CGT's service provision as it provides the flexibility to speak to customers, key staff, and managers, at a time and in a manner convenient to all, and appropriate for the circumstances of the contact. This flexibility supports the provision of timely and thorough responses to complainants regardless of whether the complaint is upheld or not.

2 Ombudsmen investigations and annual performance

The Local Government and Social Care Ombudsman (LGSCO) can investigate complaints about council services following the conclusion of the relevant council complaints procedure. The exceptions to this are

- the Housing Ombudsman Service (HOS) is the regulator for most housing related services
- the Information Commissioner’s Office (ICO) is the regulator for all information governance complaints, including complaints about data breaches, and responses to requests under the Data Protection Act 2018, UK General Data Protection Regulation, Freedom of Information Act and Environmental Information Regulations.

The Local Government and Social Care Ombudsman

The LGSCO provides and publishes annual performance data and their annual letter to the council covering April to March, on their website at [Annual reviews of complaints - Local Government and Social Care Ombudsman](#)

In this reporting period, the LGSCO did not comment on or identify issues or areas of concern for the council in their annual letter, as they have done in previous years.

The LGSCO received 49 cases about the council in April 2023 to March 2024 with 41 cases being concluded within this time period. This includes cases which may have been received but not concluded in the previous reporting period. Of the 41 cases, 9 were considered as a detailed investigation and of these 7 were upheld. Details for the 7 upheld cases are shown at Annex 1.

LGSCO decided cases	2021 - 2022		2022 - 2023		2023- 2024	
	How many	% Rounded down to whole number	How many	% Rounded down to whole number	How many	% Rounded down to whole number
Closed after initial enquiries	29	40%	38	51%	17	41%
Referred for local resolution	14	19%	6	8%	11	26%
Advice given	4	5%	7	9%	3	7%
Incomplete/invalid	2	2%	1	1%	1	2%
Not upheld – detailed investigations	3	4%	3	4%	2	4%
Upheld – detailed investigations	19	26%	19	25%	7	17%
Total	71	--	74	--	41	--

Remedies from the LGSCO's 7 upheld decisions	How many
Apology, Financial redress: Avoidable distress/time and trouble, New appeal/review or reconsidered decision, Provide training and/or guidance, Procedure or policy change/review	1
Apology, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review	2
Apology, Financial redress: Avoidable distress/time and trouble, Provide services to person affected, Procedure or policy change/review	1
Apology, Financial redress: Avoidable distress/time and trouble, Provide training and/or guidance	1
Financial redress: Avoidable distress/time and trouble, New appeal/review or reconsidered decision, Provide training and/or guidance	1
New appeal/review or reconsidered decision, Apology, Financial redress: Avoidable distress/time and trouble	1
Total	7

Further details from the LGSCO's annual performance data report are provided at Annex 1 and additional highlights are shown below, as the data calculations the LGSCO chooses to publish, do not tell the full performance narrative.

- 78% of all detailed investigation were upheld. This compares to an average of 79% in similar authorities. However, as the LGSCO calculates this using only the total number of cases where their decision was to either upheld or not upheld, if calculated using the total number of cases where they have made a decision, that figure falls to 17% upheld.
- In 100% of cases the LGSCO was satisfied that the council had successfully implemented their recommendations. This compares to an average of 100% in similar authorities.
- For the *satisfactory remedy provided by the authority quoted for York of 0% with a similar organisation average of 13%*. Again, this measures only the cases with an upheld decision (so for this report, it was 7 cases) where we have not already put in place the remedies their investigation finds. Whilst they do have a recording category of "*Upheld: fault – no further action, organisation already remedied*" and "*Upheld: fault & inj– no further action, organisation already remedied,*" this was not used for any of the 7 upheld cases. However, it is important to note that of the 17 cases "*closed after initial inquiries*" with the reason of "*No worthwhile outcome achievable by investigation*", a number of these will be because the council has already taken appropriate action through our own complaints' investigations,

findings, and remedies. This may also be part of the reasons for the year-on-year decrease in cases being received by the LGSCO.

The opportunities to improve the % for *satisfactory remedy provided by the authority* will be investigated as part of the ongoing work the CGT do with service areas and managers and work will be undertaken through the LGSCO liaison worker and regional complaints group to explore any areas we can learn from to improve this.

Housing Ombudsman Service Decided Cases

There were 4 cases determined by the HOS with 10 different subject areas of complaint (A case can have more than one category).

	2022 - 2023	2023 – 2024
Determinations (cases)	4	3
Findings	6	10
Maladministration Findings	2	7
Orders made	2	12
Recommendations	5	3
CHFOs (Complaint handling failure orders)	0	0
Compensation	£200.00	£5800.00
Maladministration rate	33%	88%

This shows that whilst there was one less case that the HOS made a “determination” on compared to last year 2022- 2023, there were more “findings” which are points of fault and orders made for the council to put right in 2023-2024.

Findings by category	2022 - 2023	2023 – 2024
Severe maladministration	0	2
Maladministration	0	5
Service failure	2	0
Mediation	0	0
Redress	0	0
No maladministration	4	1
Outside jurisdiction	0	2
Withdrawn	0	0
TOTAL	6	10

The subcategory figures for 2023-2024 are

Subcategories	2022 – 2023	2023 - 2024
Delay in escalating or responding to a complaint	0	2
Noise	2	0
Responsive repairs – general	1	0
Responsive repairs – leaks/damp/mould	0	2
Decants (temp or permanent)	0	1
Transfer application	1	0
Information held on file	0	1
Other poor handling of complaint	1	1
Engagement on the complaint	1	0
Reimbursement of costs incurred by resident	0	1

The maladministration rate is calculated by the number of findings of severe maladministration, maladministration and service failure expressed as a percentage of the total number of findings and they do not count the outside of jurisdiction or withdrawn figures. If these were included the council's maladministration rate would be 70% and not 88%.

The HOS published performance highlights that compared to last year, there has been an increase in the maladministration rate nationally between landlords of a similar size and type. It also states that for the council, our maladministration rate in 2023-2024 is similar to other landlords of a similar size and type.

Whilst the increase in the council's maladministration rate is partly due to the number of findings increasing on fewer determinations/cases, we are aware that some of the issues being complained about, date back a number of years, and work has already taken place and is ongoing. This should reduce the likelihood of similar findings of fault and high maladministration rate in the future.

The total compensation paid in 2023-2024 of £5800.00 related to the below categories:

- Property condition - £3400.00
- Moving to a property - £1500.00
- Complaints handling - £900.00

The total compensation paid in 2022 – 2023 was £200.00 related to the below categories:

- Property condition - £150.00
- Complaints handling - £50.00

3 What is a Complaint?

A complaint is an expression of dissatisfaction however made, about the actions, decisions, or apparent failings of a local authority's social services provision, and/or the level or nature of a council service or policy, which requires a response. If it is possible to resolve the complaint immediately this does not need to be logged through the complaint procedure.

A complaint is not a request for a service that is made for the first time. For example, if a customer complains that a streetlight is not working, we will treat it as a service request that we aim to fulfil by repairing it within the service level agreement. If we then fail to repair it within that timescale, and the customer is still unhappy, it should then be defined and treated as a complaint

4 Effectiveness of the Procedures

The CGT offer and proactively encourage all staff and managers to participate in regular training and awareness raising, about the complaints and feedback procedures and learning lessons from complaint themes. There were 31 separate training and awareness sessions for staff covering the adult, children, and corporate procedures during the time period for this report. This also meets an agreed action from the internal audit report from February 2023.

This refresher training is important to ensure that key messages are understood by staff including:

- When and how to make people aware of the complaints and feedback procedure.
- The importance of positive messages being recorded to provide a balanced picture of services.
- Learning from complaints. Some of the key learning points include the need to:
 - Ensure people are asked if there are any support needs, they want us to be aware of and that this is clearly recorded.
 - That procedures include a process for senior managers to be able to consider any exception circumstances, so that decisions are not made in a blanket way.
 - That records are accurate and up to date, including what was considered in the decision-making process, rather than just the outcome of decisions.
 - That people are kept up to date, particularly when there may be unexpected and unavoidable delays.
 - That people are clearly told what can and cannot be achieved, with clear explanations and where relevant sign posting to other sources of support or information.

- The importance of being able to respond in a timely way to complaints and provide proportionate remedies to resolve complaints, without the need for people to escalate this to an Ombudsman.

Whilst this work is ongoing, there is evidence of a number of improvements in service areas where we have been able to deliver refresher training. This has been particularly evident in housing services, where all staff were encouraged to attend training sessions. These sessions could be attended in person or virtually and were provided at times and venues to suit the different working patterns of staff.

In addition to this, guidance is provided to assist managers in adult and children's services with completing thorough investigations and comprehensive responses including on a case-by-case basis. The CGT have continued to work with the providers of independent investigators, who have knowledge and experience of complaints across several authorities to ensure our practice and guidance is effective and appropriate to fulfil our obligations and ensure best practice in complaints handling.

We introduced a process of responding to complaints without the need for an investigation in this reporting period. This is for cases where it is considered an investigation is not necessary to identify the reasonable and proportionate outcome required to resolve the complaint in an effective and proportionate way.

Managers are given a timescale and asked to complete the action required, where this is not achieved, a more detailed investigation will take place. Customers are also invited to contact the CGT, if they do not get a response within the agreed timescale, or if anything remains outstanding.

When managers in adult and children's services provide a response to a complaint, they are asked to record what will be done to resolve it, what lessons have been learnt and what action will be taken to improve services and avoid problems being repeated, which is also in place for corporate complaints. The CGT proactively monitor the completion of both action plans and lessons learned.

A summary of the information received regarding the lessons learnt and action taken is included in this report at sections 23, 39 and 48.

5 Themes

The main themes this year continue to include the quality and timeliness of communication. Several complaints are logged as “lack of action,” which is where information has not been provided, or calls and requests for contact have not been returned.

6 Cost of delivering the complaints procedure including the corporate procedure and total payments:

There are ongoing costs to deliver an efficient and effective complaints service. These costs should be seen against the inherent costs of not providing this service such as

- customer dissatisfaction escalating
- an increase in the number of and amounts awarded as financial remedies being recommended by the Ombudsmen
- increased risk of judicial reviews
- non-compliance with legislation
- increased risk of reputational damage

The total actual spends for the full service including the Information Governance provision, salary and on-costs was £421,717.00 compared to £409,775.95 in the previous year.

The financial remedies payments made as part of the three complaints procedures are provided at sections 21, 36 and 49 in this report.

The council must provide investigating officers and independent people for social care complaints where required and the costs including the providers core costs, in this reporting period was £34,783.59. This is an increase from last year’s cost of £28,872.96 last year and similar to the costs the year before of £34,622.

Whilst there has been an increase in this reporting period from last year, this is due to the numbers, types of and complexity of complaints received and can fluctuate from year to year. It is important to note that the costs over the last 3 years remain significantly lower than they had been prior, and this is due to

- ongoing work to improve the quality and timeliness of responses in children’s services.
- CGT working with the provider and managers to understand and manage the costs without impacting on the thoroughness or independence of the investigation ensuring the efficiency around provision of information and arrangements for interviews with staff.

The total costs of payments made to individuals to remedy complaints are below and the individual case costs are shown in the later sections of this report. The total is significantly lower than last year which was £27,077.98

Childrens social care complaints	£775.00
Adult social care complaints	£350.00
Corporate complaints	£8638.00
TOTAL	£9763.00

**Children Social Care
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7 Context

The following information relates to complaints made during the twelve months between 1st April 2023 and 31st March 2024 for children under the Children Act 1989 Representations Procedure (England) Regulations 2006.

Ongoing work by the CGT with managers is conducted to ensure the below messages continue to be understood

- the importance of responding appropriately to concerns
- improving customer experience
- reducing the need for avoidable complaints
- ensuring complaints are dealt with fully, without the need for them to be escalated to a higher stage unnecessarily

We are pleased to report that in this reporting period, there were no cases of complaints where a response was not provided.

A number of complaints were responded to outside timescales however this can be due to the complexity of the case and the need to ensure a comprehensive investigation and response and the CGT continues to work with the independent investigators and managers to understand and reduce delays where possible.

All timescales contained within this report are for working days.

In addition, the numbers of compliments are also recorded, and these are:

Compliments received

16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
6	17	22	22	59	21	35	36

The CGT are aware that there will be more compliments received than are shown in the table above. The importance of recognising, recording, and reporting compliments is being emphasised in the awareness training provided so that there is a complete and more balanced picture of customers' experiences of the services they receive.

Examples of some of the compliments received:

- *Because you told me where I'm going I think it's a good move and I can make a go of this.*

- *MASH team work was absolutely exceptional and the child in question is a lot safer.*
- *Thanks for caring so much for foster child. You really are fabulous at your job.*
- *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.*
- *Thanks for support for children.*
- *IRO did an incredible job of chairing lengthy and complex meeting.*
- *Thank you for attending group meeting the support has been great.*
- *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.*
- *Fantastic Social Worker and a credit to the service.*
- *Social worker went above and beyond to ensure a child was placed with family rather than going into care.*
- *Thanks to the Chair of the meeting, it was really refreshing to be in such a focus and purposeful meeting.*
- *Best social worker I have had.*
- *Thanks for hard work and dedication and going the extra mile.*
- *Social worker saw parent as a person, ensuring they listened and responded to the needs of the parent to enable them to rebuild a positive relationship with their child, showing dedication and commitment to the family.*
- *Social worker is lovely and polite, been a massive inspiration to me, it's not like talking to a social worker, more like a friend.*

The legislation makes it clear that people should be able to provide feedback and have this responded to, without this being seen as a complaint and so we also record and report concerns, suggestions, and requests. The figures for this reporting period alongside previous years are shown in the table below.

Numbers of concerns, suggestions, and requests

16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
11	26	20	33	29	19	7	8

8 Who can make a complaint

- Any child or young person (or a parent, or someone who has parental responsibility) who is being looked after by the local authority or is not looked after by them but is in need.
- Any local authority foster carer (including those caring for children placed through independent fostering agencies).
- Children leaving care
- Special Guardians
- A child or young person (or parent) to whom a Special Guardian order is in place.
- Any person who has applied for an assessment under section 14F (3) or (4).
- Any child or young person who may be adopted, their parents and guardians.
- Persons wishing to adopt a child.
- Any other person whom arrangements for the provision of adoption services extend.
- Adopted persons, their parents, natural parents and former guardians and such other person as the local authority consider has sufficient interest in the child or young person's welfare to warrant their representations being considered by them.

Where a complaint is received from a representative on behalf of a child or young person, we will, where appropriate, confirm the child or young person is happy for this to happen, and that the complaint received reflects their views.

The CGOM in consultation with relevant operational managers will decide whether the representative is suitable to act in this capacity and has sufficient interest in the child's welfare. If it is decided that a person is not suitable to act as a representative for a child or young person, they will be informed of the decision in writing by the CGOM. The complaint will then fall outside the statutory procedure however they will be able to raise the complaint through the 4Cs corporate complaints procedure.

Complaints may also be made by adults relating to a child or young person but are not being made on the child or young person's behalf. The CGOM in consultation with operational managers will decide whether the person has sufficient interest in the child or young person's welfare for the complaint to be considered. The child or young person may also be consulted as part of this decision.

9 Grading of complaints

Complaints are graded following an assessment of issues including severity, complexity, risk to the customer and other customers, risk to the authority, history of similar complaints and likelihood of future similar complaints. 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.

Stage one is dealt with by line managers of the service area the complaint is about. This includes where the service is being provided on behalf of the council by an external contractor. The expectation is that the managers will have the knowledge and understanding of the issues and delegated responsibility to be able to resolve complaints at this stage quickly, without the need for an in-depth formal investigation.

The legislation requires stage one complaints to be responded to within 10 working days. This can be extended for a further 10 working days in some circumstances, for example where further time is needed to arrange an advocate, or where staff may be away from work. This can only be extended with the agreement of the complainant.

Stage two is implemented where the complainant is dissatisfied with the findings of stage one, or where it is assessed as being appropriate to be considered and responded to at this stage, due to issues including the severity, complexity, or risk.

Stage two requires an investigation is conducted by either an internal manager who has not had any previous involvement in the complaint and has no line management responsibility for the area being complained about, or an external investigating officer. The Director of Children's Safeguarding adjudicates on the findings of the investigation.

The council must offer an advocate to assist children and young people in making a complaint and appoint an Independent Person to oversee the investigation process at this stage. Stage two complaints falling within the social services statutory complaints procedures should be dealt with in 25 days, although in certain cases this can be extended to 65 days.

Stage Three of the complaints process is the review panel. Where complainants wish to proceed with complaints about statutory social service functions, the council is required to establish a complaints review panel. The panel makes recommendations to the Corporate Director of Children and Education, who then decides and provides a written response on the complaint and any action to be taken.

Complaints review panels must be made up of three independent panellists. There are various timescales relating to stage three complaints. These are:

- setting up the panel within 30 working days.
- producing the panel's report within 5 working days of the panel; and
- producing the local authority's response within 15 days following receipt of the report.

A further option for complainants is the LGSCO who is empowered to investigate where it appears that a council's own investigations have not resolved the complaint. Whilst complainants can refer their complaint to the LGSCO at any time, the LGSCO normally refers the complaint back to the council, unless the council has been given sufficient opportunity to consider and respond to the complaint.

10 Activity

The CGT recorded 40 complaints under the children's social care procedure during this reporting period, compared with a total of 46 in the preceding year.

11 Total complaints made:

Of the 40 complaints dealt with:

- 30 were investigated at stage one of the social care procedures
- 8 complaints in total heard at stage two with 5 of these being moved straight to stage 2, due to their complexity and or severity
- 2 complaints were raised at stage 3

12 Comparison with the preceding year

The numbers of complaints being received are small and typically fluctuate each year and this is typical of social care complaints received across Yorkshire and Humberside. The figures show a decrease of 13% for this reporting period. The reasons for this are highlighted in the following tables.

13 Outcomes of complaints – total

	2020 - 2021	2021-2022	2022-2023	2023-2024
Upheld	8	3	7	8
Partly upheld	17	11	15	16
Not upheld	16	12	17	7
Not proved	0	0	0	1
Not pursued	9	5	4	5
No response	2	9	0	0
Resolved without investigation	0	0	0	1
Ongoing	3	2	3	2
Total	55	42	46	40

14 Response times

A key requirement of complaints procedures is to ensure that individuals are informed of the outcome of their complaints, in an appropriate time frame.

The timescales in working days for children’s social care complaints as set out in the regulation are:

- 10 days at Stage 1 (with a further 10 days for more complex complaints or additional time if an advocate is required).
- 25 days at Stage 2 (with maximum extension to 65 days).
- 20 days for the complainant to request a Review Panel.
- 30 days to convene and hold the Review Panel at Stage 3.
- 5 days for the Panel to issue its findings: and
- 15 days for the local authority to respond to the findings.

Details of complaints by stage

15 Stage one complaints

There were 30 stage one complaints compared to 36 last year.

We are pleased to note that as expected, the numbers during this reporting period are slightly less than those in the preceding year.

Whilst it is not always a negative to receive larger numbers of complaints, as this can show the procedure is accessible, customers are supported to make complaints and provides invaluable feedback, this does indicate that service areas are able to resolve concerns effectively without the need for them to progress to complaints.

Stage one - theme of complaint

	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024
Attitude of staff	-	1	-	0
Disagree with Policy	1	1	1	0
Disagree with Assessment	7	5	3	4
Discrimination	-	-		0
Inappropriate Action	10	5	8	8
Lack of Action	9	11	19	7
Quality of Advice/ Communication	14	8	5	11
TOTAL	41	31	36	30

You will note the highest theme this year as in previous years is about the quality of communication and this is being addressed in the training sessions to staff.

Stage one - responding in time performance

	2020 - 2021	%*	2021 - 2022	%*	2022 - 2023	%*	2023 - 2024	%*
Within 10 days	20	49%	11	35%	22	61%	13	43%
Within 20 days	6	15%	1	3%	8	22%	11	37%
Over 20 days	7	17%	16	52%	2	6%	2	7%
Not Pursued	8	19%	3	10%	4	11%	4	13% ^o
TOTAL	41		31		36		30	

*% figures are rounded to the nearest whole number

We are pleased that complaints continue to be responded to within appropriate timescales and the percentage of complaints responded to within 20 working days remains similar to the improved numbers from last year.

Stage one – outcomes

	2020 - 2021	%*	2021 - 2022	%*	2022 - 2023	%*	2023 - 2024	%*
Upheld	8	19%	3	10%	7	19%	8	27%
Partially Upheld	7	17%	7	22%	10	28%	11	37%
Not Upheld	16	39%	9	29%	14	39%	5	17%
Not Proven	0	--	0	--	0	0	1	3%
Not Pursued	8	19%	3	10%	4	11%	4	13%
Resolved without investigation	--	--	--	--	--	--	1	3%
No response	2	5 %	9	29%	0	-	0	--
Ongoing	--	--	--	--	1	3%	0	--
TOTAL	41	--	31	--	36	--	30	--

*% figures are rounded to the nearest whole number

16 Stage two complaints

There were 8 stage two complaints received and concluded in this reporting period compared to 7 last year.

It is important to remember, complaints at stage two are often complex, with several elements and there may also be the need to arrange advocates and appointments with both staff and complainants, particularly at adjudication.

Stage two - theme of Complaint

	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024
Attitude of staff		-	-	-
Disagree with Policy	-	-	-	-
Disagree with Assessment	1	-	1	1
Discrimination	-	-	-	-
Inappropriate Action	6	4	2	3
Lack of Action	2	3	3	2
Quality of Advice/ Communication	-	3	1	2
TOTAL	9	10	7	8

Stage two - responding in time performance

	2020 - 2021	%*	2021 - 2022	%*	2022 - 2023	%*	2023 - 2024	%*
Within 25days	2	21%	0	-	0	-	-	-
Within 65 days	-	-	0	-	0	-	-	-
Over timescale	4	44%	7	70%	7	100%	5	62%
Not Pursued	-	-	1	10%		-	1	13%
Ongoing	3	33%	2	20%	2	Over time-scale	2	25%
TOTAL	9	--	10	--	9	--	8	--

Stage Two Outcomes

	2020 - 2021	%*	2021 - 2022	%*	2022 - 2023	%*	2023 - 2024	%*
Upheld	-	-	-	-	0	-	-	-
Partially Upheld	6	67%	4	40%	3	43%	3	37%
Not Upheld	-	-	3	30%	2	29%	2	25%
Not Pursued	-	-	1	10%	0	-	1	13%
No response sent	-	-	-	-	0	-	-	-
Ongoing	3	33%	2	20%	2	29%	2	25%
TOTAL	9		10		7		8	

Where there are complaints showing as ongoing work will have been undertaken by the CGT to ensure they are responded to as soon as practicable.

17 Stage three complaints

There were 2 children's stage three complaint, compared with 3 in the previous reporting period.

The process at stage three of the Children's Social Care Complaints Procedure is an independent review panel that will consider whether the investigation, findings, and recommendations at stage two, were thorough, logical, and fair. The Panel then provides a report to the Corporate Director of Children and Education with their conclusions and any recommendations considered appropriate. The Corporate Director would then respond confirming whether they agree with the conclusions and any recommendations made.

Stage three - theme of complaint

	2020 - 2021	2021 -2022	2022 - 2023	2023 - 2024
Attitude of staff	-	-	-	-
Disagree with Policy	-	-	-	-
Disagree with Assessment	-	-	-	-
Discrimination	-	-	-	-
Inappropriate Action	4	1	1	1
Lack of Action	1	-	2	-
Quality of Advice/ Communication	-	-	-	1
TOTAL	5	1	3	2

Stage three - responding in time performance

	2020 - 2021	%*	2021 - 2022	%*	2022 - 2023	%*	2023 - 2024	%*
Within 15 days	3	60%	-	-	0	-	1	50%
Over 15 days	1	20%	-	-	3	100%	1	50%
Not Pursued	1	20%	1	100%	0	-	-	-
TOTAL	5	--	1	--	3	--	2	--

Stage Three Outcomes

	2020 - 2021	%*	2021 - 2022		2022 - 2023	%*	2023 - 2024	%*
Upheld	-	-	-	-	0	-	-	-
Partially Upheld	4	80%	-	-	2	66%	2	100%
Not Upheld	-	-	-	-	1	33%	-	-
Not Pursued	1	20%	1	100%	0	-	-	-
No response sent	-	-	-	-	0	-	-	-
TOTAL	5	--	1	--	3	--	2	--

All complaints received relating to children's social care procedures in this period were dealt with under the children's social care procedures.

18 Percentage escalation

The following table indicates how many complaints in children's services were escalated through the stages. By measuring these figures as a percentage, we can gauge the implied customer satisfaction levels.

Percentage escalation

	Number	% Escalated to next stage	% Implied customer satisfaction
Stage 1 to Stage 2	3 of 30	1%	99%
Stage 2 to Stage 3	2 of 8	25%	75%

It is important to note that whilst only a small number of complaints have escalated in this reporting period, the implied customer satisfaction needs to be considered alongside the next reporting period, particularly as 2 complaints remain ongoing.

19 Equalities monitoring information

Following the guidance produced by the Department of Health and the Department for Education and Skills, we must seek to identify who is making complaints to get a greater understanding of them. The following information was provided:

Gender

	2020 - 2021	2021 - 2022	2022 -2023	2023 - 2024
Male	24	14	16	13
Female	29	27	28	26
Male & Female	2	1	2	1
Total	55	42	46	40

20 Who made the complaints

The majority of complaints continue to be made by parents of children about the service they received from children's services, with only a small number of complaints being raised on behalf of a child, by a parent, representative or advocate.

To ensure that children are aware of and are supported to use the complaints and feedback procedure, the CGT works closely with the Children's Rights team and where appropriate, other support and advocacy services and others making a complaint on behalf of a child or young person.

The council has a statutory obligation to offer advocacy support to any child or young person making a complaint and the Children's Rights team make people aware of the options available for raising comments, concerns, complaints, and compliments and provide advocacy support to assist with this where requested.

The CGT are also available to attend meetings with staff members, children, and young people and on occasions foster carers to raise awareness of and understanding about how people can use the procedure.

An important aspect of ensuring that children are aware of the complaints and feedback procedure and how to access it, is ensuring that all staff receive refresher training. This is so staff have a clear understanding of when and how children and young people should be made aware of the procedure and their role in continuing to try to resolve concerns throughout the complaints process.

Complaints refresher training has been provided to managers in children’s services over the last year. However, it is important that the CGT deliver training direct to all members of staff in these areas, to ensure messages are delivered clearly and independently. Reminders continue to be sent to managers to ensure this can happen as a priority over the next reporting period.

21 Costs and payments

The council has an obligation to ensure independence in the children’s social care complaints procedure. This includes a requirement for:

- A person independent of the council to oversee all complaints at stage two made by children and young people.
- To ensure the investigator at stage two has not had any involvement in the complaint or line management responsibility for the services being complained about.
- To have a panel of three independent people at stage three.

The costs for these services are shown in section 6 of this report

In addition to this the council provides financial recompense if, after a complaint has been investigated or as part of an LGSCO’s investigation, it is concluded that:

- the LGSCO would find that there has been maladministration by the council causing injustice to the complainant; and
- the LGSCO would recommend that financial recompense should therefore be paid to the complainant.

LGSCO recommendation – in recognition of the distress caused when the council raised her expectations because of poor communication; and	£250.00
in recognition of the significant delays during the complaint’s investigation.	£150.00
Complaint Action – to replace all the damaged items, that were not taken care of properly during a move	£375.00
Total	£775.00

22 Alternative dispute resolution

The Department for Education and Skills Guidance makes it clear that nothing in the procedure should preclude Alternative Dispute Resolution and if agreed by both the complainant and the CGOM, the council should explore this option.

Alternatives which may be considered by the CGOM include mediation, the opportunity to meet with senior managers, or the possibility of contributing to the review of policies and procedures.

23 Learning lessons/practice improvements

The council is always happy to consider appropriate ways of resolving a customer's complaint. Some of the types of action the council has undertaken to resolve complaints have been issuing apologies, meeting with customers to hear their concerns and suggestions for improvements and putting these improvements into place. This has been particularly relevant in the case of communicating effectively with customers and putting strategies into place to ensure that people are kept up to date. The council also offers a re-assessment of needs where possible, to ensure that nothing has been missed or that circumstances have not changed.

Complaints provide senior managers with useful information in respect of the way that services are delivered. The consideration of complaints has included the agreement to undertake the following actions, in addition to apologies and financial recompense:

- To review the guidance for unplanned ending/disruption meetings
- Develop supervision with foster carers to be more reflective and systemic
- To remind all staff about the importance of responding to complaints to responding to complaints appropriately.
- Agreement to meet with complainants to understand their experience in the development of practice.
- Updating records to ensure information is accurate
- Reminders and improved guidance to staff
- Ensure that Single Assessments are shared with parents 3 days prior to Child Protection Conferences.
- Ensure, wherever possible, that all parents have the opportunity to meet the IRO chair, in person, prior to ICPC and RCPC meetings taking place. Where this is not possible in exceptional circumstances, the reasons should be clearly explained to the parents.
- Ensure that child protection conferences are afforded sufficient time to ensure the meetings are not rushed or time limited.
- Reminder to providers of the standards of care expected when dealing with young people's belongings.

Adult Social Care Annual Complaints Performance and Service Improvements Report April 2023 – March 2024

24 Context

This report provides information about complaints made during the twelve months between 1st April 2023 and 31st March 2024 for adults under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

All timescales contained within this report are for working days. The structures for reporting have changed and are reflected in the reporting for adult service as shown in the below tables.

In addition, the numbers of compliments are also recorded were:

	2020- 2021	2021 - 2022	2022 - 2023	202- 2024
Be Independent	4	1	0	0
Commissioning & Contract Management	1	-	3	0
Community Provision	10	6	10	15
Assessment	9	-	0	0
Care Homes	5	-	0	0
Mental health Safeguarding & DOLS	19	18	12	5
Learning Disability	-	1	6	1
Older People	-	11	21	13

The CGT are aware that there will be more compliments received than are shown in the table above. The importance of recognising, recording, and reporting compliments is being emphasised in the awareness training provided so that there is a complete and more balanced picture of customers' experiences of the services they receive.

The compliments received included:

- *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.*

- *A wonderful job had done in helping to reduce anxiety and agitation and left feeling much calmer.*
- *Thank you for the support and attention you gave.*
- *Social worker She listened, nurtured and encouraged relative to share their thoughts.*
- *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.*

The legislation makes it clear that people should be able to provide feedback and have this responded to without this being seen as a complaint. Therefore concerns, comments and requests are also logged.

Number of Concerns, Comments and Requests received

	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024
Be Independent	-	-	-	-
Commissioning & Contract Management	2	-	-	-
Commissioning Provision	2	-	-	2
Joint Commissioning	-	-	-	-
Assessment	2	-	-	-
Care Homes	2	-	-	-
Community Provision	3	7	2	1
Mental health Safeguarding & DOLS	5	9	4	3
Learning Disability		1	6	1
Older People		5	3	6

25 Who can make a complaint

Someone who:

- The local authority has a power or duty to provide or secure the provision of a social service for him/her and
- His/her need for such a service has (by whatever means) come to the attention of the Authority.

This definition also applies to a person acting on behalf of someone who meets the above requirements.

A complaint can be made by a representative where the CGOM receives the appropriate permission from the eligible person for the representative to make the complaint on their behalf. A representative will also be able to make a complaint

where the eligible person is not capable of making the complaint themselves, this includes when the eligible person is deceased.

The CGOM will decide if a person is suitable to act as a representative. If it is decided they are not acting in the eligible person's best interests, the CGOM will inform them in writing of the reasons for this.

If a customer is not eligible under the terms of the Act, they are able to raise it through the council's 4Cs corporate complaints procedure.

26 Grading of complaints

The Department of Health designed the following tool to assess the seriousness of complaints and decide the relevant action:

Step 1: Decide how serious the issue is

Seriousness	Description
Low	Unsatisfactory service or experience not directly related to care. No impact or risk to provision of care. OR Unsatisfactory service or experience related to care, usually a single resolvable issue. Minimal impact and relative minimal risk to the provision of care or the service. No real risk of litigation.
Medium	Service or experience below reasonable expectations in several ways, but not causing lasting problems. Has potential to impact on service provision. Some potential for litigation.
High	Significant issues regarding standards, quality of care and safeguarding of or denial of rights. Complaints with clear quality assurance or risk management issues that may cause lasting problems for the organisation, and so require investigation. Possibility of litigation and adverse local publicity. OR Serious issues that may cause long-term damage, such as grossly substandard care, professional misconduct, or death. Will require immediate and in-depth investigation. May involve serious safety issues. A high probability of litigation and strong possibility of adverse national publicity.

Step 2: Decide how likely the issue is to recur

Likelihood	Description
Rare	Isolated or 'one off' – slight or vague connection to service provision.
Unlikely	Rare – unusual but may have happened before.
Possible	Happens from time to time – not frequently or regularly.
Likely	Will probably occur several times a year.
Almost certain	Recurring and frequent, predictable.

Step 3: How to categorise the risk

Seriousness	Likelihood of recurrence				
	Rare	Unlikely	Possible	Likely	Almost Certain
Low	Low				
		Moderate			
Medium					
			High		
High				Extreme	

The CGT grades the complaints as:

- Low = Green - Can be resolved locally
- Medium = Amber - Needs a response from the Corporate Director
- High = Red - Needs a response from the Corporate Director

The CGT contacts complainants to design a complaint plan and agree an appropriate response timescale. This is often done through an acknowledgment letter requesting the complainant to confirm the council's understanding of the complaint and the timescale for response.

Following the response, a complainant can ask the LGSCO to investigate if they remain dissatisfied.

27 Activity

The CGT recorded 44 complaints under the adult social care procedure during this reporting period compared with a total of 40 the preceding year.

28 Comparison with the preceding year

The figures show a small increase in the number of complaints received in this reporting period compared with the preceding year through the adult social care procedures.

29 Outcomes of complaints:

	2020 – 2021	2021 - 2022	2022 -2023	2023 - 2024
Upheld	6	7	12	11
Partly upheld	6	13	13	7
Not upheld	13	17	11	11
Not proved	0	0	0	0
Not pursued	0	1	2	3
No response	3	4	1	7
Resolved without Investigation	0	0	0	5
Ongoing	0	0	1	0
Total	28	42	40	44

30 Response times

A key requirement of complaints procedures is the importance of informing service users of the outcome of their complaints, in an appropriate time frame.

The Department of Health guidance on deciding how long it should take to respond to a complaint states:

“If someone makes a complaint, your organisation has to acknowledge it within three working days. The person making the complaint will want to know what is being done – and when. However, accurately gauging how long an issue may take to resolve can be difficult, especially if it is a complex matter involving more than one person or organisation. To help judge how long a complaint might take to resolve, it is important to:

- address the concerns raised as quickly as possible*
- stay in regular contact with whoever has complained to update them on progress*
- stick to any agreements you make – and, if for any reason you can’t, explain why.*

It is good practice to review any case lasting more than six months, to ensure everything is being done to resolve it.”

From the concerns about the number of complaints which were not responded to in this reporting period, the CGT have been working with managers in adult services, to address this. This includes the need to ensure all staff receive refresher complaints awareness training.

Details of complaints

31 Green complaints

There were 33 complaints graded as Green compared to 27 in the preceding year and were categorised as follows:

Com Provision = Community Provision
MH/S/DOLS = Mental health Safeguarding & DOLS
LD = Learning Disability
OP = Older People

Green - theme of complaint

	Com Provision	MH/S/DOLS	LD	OP	Total
Attitude of staff	-	-	-	-	0
Disagree with Policy	1	-	-	-	1
Disagree with Assessment	4	1	-	2	7
Discrimination	-	-	-	-	0
Inappropriate Action	-	1	1	2	4
Lack of Action	5	4	3	3	15
Quality of Advice/Communication	1	1	1	3	6
TOTAL	11	7	5	10	33

Green - response times

	Com Provision	MH/S/DOLS	LD	OP	Total
Within 10 days	5	5	1	5	16
Within 25 days	2	1	1	2	6
Over 25 days	3	1	3	1	8
Not Pursued	1	-	-	2	3
TOTAL	11	7	5	10	33

It is important to remember that the legislation and guidance for adults does not prescribe actual timescales for responses. However, we do manage and monitor performance in this area using best practice across the different complaints' legislation and guidance. The above table highlights that we are responding to most complaints at this stage within the shortest timescale (10 working days).

It is noted that 2 complaints did not receive a response. This is something which will continue to be brought to the attention of senior managers to assist with improving this for future complaints.

Green = outcomes

	Com Provision	MH/S/ DOLS	LD	OP	Total
Upheld	2	2	1	4	9
Partially Upheld	3	1	-	2	6
Not Upheld	3	2	1	1	7
No Response	1	-	2	-	3
Resolved Without Investigation	1	2	1	1	5
Not Pursued	1	-	-	2	3
TOTAL	11	7	5	10	33

32 Amber complaints

There were 6 complaints graded as Amber in adult services compared to 4 in the previous year.

Amber - theme of complaint

	Com Provision	MH/S/ DOLS	LD	OP	Total
Attitude of staff	-	-	-	-	0
Disagree with Policy	-	-	-	-	0
Disagree with Assessment	-	1	-	1	2
Discrimination	-	-	-	-	0
Inappropriate Action	-	1	-	1	2
Lack of Action	-	-	1	-	1
Quality of Advice/ Communication	-	-	1	-	1
TOTAL	0	2	2	2	6

Amber - response times

	Com Provision	MH/S/ DOLS	LD	OP	Total
Within 25days	-	-	-	-	-
Within 65 days	-	1	2	1	4
Over timescale	-	1	-	1	2
Not Pursued	-	-	-	-	0
TOTAL	0	2	2	2	6

Amber Outcomes

	Com Provision	MH/S/ DOLS	LD	OP	Total
Upheld	-	-	1	-	1
Partially Upheld	-	-	1	-	1
Not Upheld	-	1	-	1	2
No Response Sent	-	1	-	1	2
TOTAL	0	2	2	2	6

33 Red Complaints

There were 5 complaints graded Red compared to 9 in the preceding year.

Red - theme of complaint

	Com Provision	MH/S/ DOLS	LD	OP	Total
Attitude of staff	-	-	-	-	0
Disagree with Policy	-	-	-	-	0
Disagree with Assessment	-	-	-	-	0
Discrimination	-	-	-	-	0
Inappropriate Action	-	1	-	-	1
Lack of Action	2	1	-	1	4
Quality of Advice/ Communication	-	-	-	-	0
TOTAL	2	2	0	1	5

Red - response times

	Com Provision	MH/S/ DOLS	LD	OP	Total
Within 25days	1		-	-	1
Within 65 days	1	1	-	-	2
Over timescale	-	1	-	1	2
TOTAL	2	2	0	1	5

Red Outcomes

	Com Provision	MH/ S/ DOLS	LD	OP	Total
Upheld	1	-	-	-	1
Partially Upheld	-	-	-	-	0
Not Upheld	1	1	-	-	2
No Response Sent	-	1	-	1	2
TOTAL	2	2	0	1	5

34 Equalities monitoring information

Following the guidance and best practice, it is important to understand who is making complaints and so we seek to identify who is making complaints. Only the following information was provided:

Gender

Male: 12
Female: 32

35 Who made the complaints

Most complaints were made directly by customers themselves, however there were some made by family members supporting people using adult social care services and a small number via an advocacy service.

Following receipt of a complaint, acknowledgements are sent to ensure a clear understanding of the complaint points and outcomes wanted, before beginning an investigation. This acknowledgement also invites people to let us know if they would like any support, including things like advocacy, provision of information in their preferred accessible format.

36 Payments

The council provides financial recompense if, after a complaint has been investigated or as part of an LGSCO's investigation, it is concluded that the

LGSCO would find that there has been maladministration by the council causing injustice to the complainant with a recommendation that financial recompense should therefore be paid to the complainant.

Detail of payments made

LGSCO recommendation - for the avoidable distress and time and trouble from the failure to address the complaint about the Deprivation of Liberty Safeguards and delay in giving feedback on safeguarding enquiries.	£250.00
LGSCO recommendation - to recognise the avoidable time and trouble she went to in trying to get a response to her complaint about failures to review Direct Payment invoices as agreed.	£100.00
Total	£350.00

It is noted these payments relate to complaints not being resolved during the internal investigation process. The CGT is working with managers across all service areas, to ensure they understand the importance of offering appropriate remedies at all stages of complaints handling.

37 Alternative dispute resolution

It is important to note that the complaints regulations and guidance for adult social care complaints are that a plan needs to be agreed between the complainant and the CGOM about how the complaint will be dealt with and responded to, what outcomes are wanted and what can be realistically achieved.

Possible alternatives which may be considered by the CGOM include mediation, the opportunity to meet with senior managers, or the possibility of contributing to the review of policies and procedures.

38 Complaints dealt with by the local authority and NHS Bodies

The CGT works with contracted agencies and statutory agencies to identify the main themes concerned in a complaint. Informal agreements are in place to provide the customer with a co-ordinated response with the agency responsible for the provision of the main areas of complaint taking the lead with co-operation from the other agencies as required.

39 Learning lessons/practice improvements

The council is always happy to consider appropriate ways of resolving a customer's complaint including meeting with customers to hear their concerns and suggestions for improvements and putting these improvements into place.

The council also offers a re-assessment of needs where possible, to ensure that nothing has been missed or that circumstances have not changed.

Complaints provide senior managers with useful information in respect of the way that services are delivered, so that improvements can be made. The CGOM/complaints manager is continuing to encourage work 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. Some of the actions which have been recorded include the following, in addition to apologies and financial recompense:

- Reminders to staff to ensure recording systems are updated in a timely and appropriate way
- Reminders to staff about the appropriate procedures to follow when care support is ending
- Updating and improving information for customers moving into supported care
- Updating check lists for staff
- Providing guidance for staff
- Review and amend the policy of not completing DOLS standard authorisations while a person is in hospital

40 Public Health

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.

Compliments	0
Complaints	0
Comments & Concerns	2

Corporate Services, Including Housing Services

Annual Complaints Performance and Service Improvements Report

April 2023 – March 2024

41 Context

Where there is not a statutory complaints procedures, complaints about corporate services including housing services are dealt with through the council's corporate complaints policy and procedure which can be found at [Raise a comment, compliment, complaint or concern – City of York Council](#)

There were 1391 complaints in this reporting period compared with 2054 in the preceding year and the reasons for this decrease include:

- Improved assessment and recording of complaints ensuring that it is clear investigations can only take place into potential errors, rather than disagreement with a decision where it has been made following an appropriate process.
- Actions following lessons from previous complaints. This includes the emphasis on improved communication, discussed in complaint and feedback training.

The number of comments logged were 642 compared to 724 in the preceding year.

It is noted there have been 10 complaints which did not receive a response in this reporting period, which although is a significant improvement from previous years, it is an increase on last year's performance.

We are continuing to work to ensure every complaint is responded to. Those that did not receive a response in this reporting period were due to oversights during the implementation period of updated version of the CGT's case management system and measures have been put in place for any future case management system work.

All timescales contained within this report are for working days.

In addition, the numbers of compliments are also recorded, and these are shown below for the directorates as they were known during the reporting period.

Number of compliments received

Directorate	2020 – 2021	Directorate	2021 – 2022	2022 - 2023	2023 - 2024
CCS	34	Corporate Services	9	12	5
CEC	5	Customer & Communities	25	43	24
EAP	79	People	6	0	8
HHASC	64	Place	137	144	149
TOTAL	182	TOTAL	177	199	186

The compliments received included:

- *Appreciate all the help and support with the discretionary move.*
- *The trainer was absolutely wonderful, friendly and professional and I feel thoroughly supported.*
- *Educational Psychologist really quick to response and resolved question in a quick efficient manner absolutely no problems really is amazing.*
- *Supported by officer at SENDIASS who always remained professional and impartial, going above and beyond often outside of working hours due to staff shortages. Without their knowledge and support it would have been difficult to understand the SEN system.*
- *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.*
- *Thanks for tidying the area up its great work.*
- *The street cleaners around my address did a great job- Thank you.*
- *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*
- *Thank you so much for sending such a tidy, clean worker when fitting the grab rails and it is amazing. Thank you very, very much indeed.*
- *Just wanted to say a big thank you for your support in getting the grab rail fitted*
- *Really happy with the rail that you fitted (in the rain) and wanted to give you 5-star review.*
- *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.*
- *Plumber who did work on the property this morning was really tidy, he clearly cared about his job.*

- *Thanks for organising the reinstatement of the slabs in the front of our property and thanks to the contractors. Great work and everything left clean and tidy. Thanks to everyone involved. Very much appreciated.*
- *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 a massive thank you for your help in arranging the house swap. I can't begin to tell you how much of a difference being so close to school will make for my child. It's taken a massive weight off my mind. Everything has been so easy and straightforward.*
- *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.*
- *Would like to thank you for the superb job you have done. The gulley cleaning and tree management has been carried out efficiently and professionally. Many thanks to all concerned.*
- *Customer Services so helpful and went above and beyond when booking my bulky collection.*

The good practice from the statutory processes is clear that people should be able to provide feedback and have this responded to without this being seen as a complaint. Therefore concerns, comments and requests are also recorded through the 4Cs corporate complaint policy and procedures, and these are shown below:

Number of Concerns, Comments and Requests

Directorate	2020 - 2021	Directorate	2021 - 2022	2022 - 2023	2023 - 2024
CCS	309	Corporate Services	58	28	24
CEC	9	Customer & Communities	203	104	60
EAP	1056	People	3	8	10
HHASC	235	Place	1062	584	548
TOTAL	1609	TOTAL	1326	724	642

42 Who can make a complaint

The council's 4Cs corporate complaint policy and procedures states we will accept complaints from

- a member of public or anyone acting on behalf of a customer with the proper authority and consent,

And using any of the following contact methods:

- in person
- by phone
- by letter
- by email
- through our website. www.york.gov.uk

43 Grading of complaints

The CGT assess the appropriate grade to investigate a complaint or to refer to the relevant Ombudsman, taking account of issues such as:

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

44 Response times

It is considered good practice that a key requirement of a complaint procedure is the importance of informing service users of the outcome of their complaints in an appropriate time frame. The timescales set out in the 4Cs corporate complaint policy and procedures are

- grade one - 20 working days (10 for housing complaints in line with the Housing Ombudsman Service guidance)
- grade two - 30 working days (20 for housing complaints in line with the Housing Ombudsman Service guidance)

In addition to the above all complaints under the 4Cs corporate complaint policy and procedures are investigated and responded to by the CGT which means these are conducted independently and impartially.

Details of complaints

45 Grade one complaints

Primary theme by directorate

2022 - 2023	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/work	TOTAL
Corporate Services	-	-	-	-	-	3	-	3
Customer & Communities	-	19	18	-	28	57	12	134
People	-	-	-	-	1	5	-	6
Place	-	42	77	-	66	372	33	590
Total	-	61	95	-	95	437	45	733

2023 - 2024	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/work	TOTAL
Corporate Services	-	-	1	-	1	1	-	3
Customer & Communities	-	2	9	-	19	13	6	49
People	-	-	-	-	2	5	-	7
Place	-	14	73	-	43	229	27	386
Total	-	16	83	-	65	248	33	445

Outcome by directorate

2022 - 2023	Upheld	Not upheld	Partly upheld	Not pursued	No response	%*	Not proven	TOTAL
Corporate Services	2	-	-	-	1	33%	-	3
Customer & Communities	24	80	27	2	0	0%	1	134
People	2	3	1	-	0	0%	-	6
Place	196	234	116	32	3	0.5%	9	590
Total	224	317	144	34	4	0.5%	10	733

2023 - 2024	Upheld	Not upheld	Partly upheld	Not pursued	No response	%*	Not proven	Resolved Without Investigation	TOTAL
Corporate Services	2	-	-	1	-		-		3
Customer & Communities	10	27	6	3	1		1	1	49
People	-	3	4	-	-	-	-	-	7
Place	187	98	73	18	4		4	2	386
Total	199	128	83	22	5		5	3	445

%* are rounded up or down to the nearest whole number

Responding in time performance by directorate

2022 - 2023	In time	%*	Out of time	%*	Not pursued	%*	TOTAL
Corporate Service	2		1		-	-	3
Customers & Communities	113	84%	19	14%	2	1%	134
People	6	100%	0	0%	-	-	6
Place	476	80%	82	14%	32	5%	590
Total	597	81%	102	14%	34	5%	733

2023 2024	In time	%*	Out of time	%*	Not pursued	%*	TOTAL
Corporate Service	1	33%	1	33%	1	33%	3
Customers & Communities	34	69%	14	29%	1	2%	49
People	3	43%	4	57%	-	-	7
Place	212	55%	156	40%	18	5%	386
Total	250	56%	175	39%	20	5%	445

%* are rounded up or down to the nearest whole number

46 Grade Two Complaints

Primary theme by directorate

2022 – 2023	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/work	TOTAL
Corporate Services	-	-	-	-	2	1	-	3
Customer & Communities	-	2	4	-	8	8	6	28
People	-	1	-	-	-	2	-	3
Place	-	35	1052	-	33	153	14	1287
Total	-	38	1056	-	43	164	20	1321

2023 - 2024	Staff attitude	Disagree with assessment	Disagree with policy	Discrimination	Inappropriate action	Lack of action	Quality of advice, communication/work	TOTAL
Corporate Services	-	-	1	-	1	-	-	2
Customer & Communities	-	1	7	-	5	4	-	17
People	-	-	-	-	1	2	-	3
Place	-	26	601	1	141	140	15	924
Total	-	27	609	1	148	146	15	946

Outcome by directorate

2022 – 2023	Upheld	Not upheld	Partly upheld	Not pursued	No response	%*	Not proven	TOTAL
Corporate Services	-	3	-	-	0	0%	-	3
Customer & Communities	1	21	4	2	0	0%	-	28
People	-	3	-	-	0	0%	-	3
Place	1112	111	39	20	1	-	4	1287
Total	1113	138	43	22	1	-	4	1321

2023 - 2024	Upheld	Not upheld	Partly upheld	Not pursued	No response	%*	Not proven	Resolved Without Investigation	TOTAL
Corporate Services	-	1	-	1	-	-	-	-	2
Customer & Communities	3	11	3	-	-	-	-	-	17
People	1	2	-	-	-	-	-	-	3
Place	757	102	33	24	5		1	2	924
Total	761	116	36	25	5		1	2	946

Responding in time performance by directorate

2022 – 2023	In time	%*	Out of time	%*	Not pursued	%*	TOTAL
Corporate Service	3	-	0	0%	-	-	3
Customers & Communities	26	93%	0	0%	2	7%	28
People	3	100%	0	0%	-	-	3
Place	1234	96%	33	3%	20	1%	1287
Total	1266	96%	33	2%	22	2%	1321

2023 – 2024	In time	%*	Out of time	%*	Not pursued	%*	TOTAL
Corporate Service	1	50%	-	-	1	50%%	2
Customers & Communities	10	59%	7	41%	-	-	17
People	-	-	3	100%	-	-	3
Place	816		83		25		924
Total	827		93		26		946

%* are rounded up or down to the nearest whole number

47 Learning lessons/practice Improvements

The council is always happy to consider appropriate ways of resolving a customer's complaint including meeting with customers to hear their concerns and suggestions for improvements and putting these improvements into place.

Most complaints logged at grade 2 as a disagreement with policy, are again about the current policy of advising residents that the council will not pay for a replacement bin, when they report their bin has been damaged or gone missing after being collected.

Since the implementation of the 4Cs corporate complaint policy and procedures, the CGT worked with managers in waste services resulting in identifying that:

- for damaged bins cases many of these had been caused during the emptying process by the wagon
- for lost bins cases, many occurred because of bins falling into the wagon

The new process for green bins will mean that any green bins that are lost or damaged will be replaced without the need for a complaint and it is expected this will be reflected with a reduction in complaints received in next year's report.

However, the current waste services policy means that when grey, household bins are reported damaged or lost, residents will continue to be told they must pay for a replacement. This means residents either must pay for a replacement or make a complaint to reach an appropriate resolution.

This creates additional time and trouble for members of the public, or costs for those who feel unable or unwilling to make a complaint. This is in addition to the additional work needed by council officers to respond to and resolve the complaints.

Complaints provide senior managers with useful information in respect of the way that services are delivered, so that improvements can be made. The CGT is working 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.

Some of the actions taken by services in addition to apologies and financial recompense are:

- Asking people if there are any support needs, they want the council to be aware of.

- Ensuring that support needs and vulnerabilities are clearly recorded and considered when delivering services.
- Ensuring that procedures have a process for senior managers to consider exceptional circumstances and staff can identify when to refer cases to a manager to consider.
- Improving communication to ensure people have a clear understanding of what the council can and cannot achieve, schedules of work, timescales for work and are proactively contacted with appropriate updates including where there are unavoidable delays.
- Replacement waste containers, free of charge.
- Crew reminders and monitoring.
- Review of procedures.
- Repairs completed.
- Review of staff training and guidance.
- Agreements about frequency of updates.
- Refund of charges.
- Updated public information to ensure it is clear, accurate and up to date.
- Updated recording systems.
- Ensure people's individual circumstances are recorded and considered when delivering services.
- Review of processes to ensure that complaints and repair issues are properly logged and responded to.
- Provide written information to residents.

It should also be noted that managers and staff across housing services, have effectively engaged with the CGT to ensure lessons are learnt throughout the complaints process and to work proactively to reduce the likelihood of complaint themes being repeated.

As the council is committed to transparency and where there is no conflict or risk to the complainant's interest or could compromise their anonymity, we have included the summary details of the LGSCO findings at Annex 1.

48 Payments

The council provides financial recompense if, after a complaint has been investigated or as part of an LGSCO's or HOS investigation, it is concluded that the LGSCO or HOS would find that there has been maladministration by the council causing injustice to the complainant; and would recommend that financial recompense should therefore be paid to the complainant. The following table sets out the payments made during this reporting period which is similar to the total amount paid in the preceding year of £8808.30

Details of payments made

HSO Order - in recognition of the distress caused by the landlord's failure to communicate the full extent of the works carried out at the scheme; and	£300.00
in recognition of the landlord's poor complaint handling and the distress and inconvenience experienced	£100.00
HSO Order - to acknowledge the distress caused by the delays in completing the identified repairs for over a year.	£3,000.00
to acknowledge the distress caused by the landlord's handing of the temporary decant and	£1500.00
to acknowledge the impact of the complaint handling failures	£400.00
HSO Order - in recognition of the inconvenience caused by its lack of follow up to damp inspections, and delays in progressing some repairs; and	£400.00
in recognition of the distress and inconvenience caused by its poor complaint handling.	£400.00
LGSCO recommendation – Failed to carry out building control site visits	£250.00
LGSCO recommendation – in recognition of the stress and frustration following the repeated failure to complete assisted waste collections	£200.00
LGSCO recommendation - to acknowledge the distress and uncertainty caused by its failure to record information correctly.	£300.00
LGSCO recommendation - failed to collect household waste on multiple occasions and ineffective monitoring to improve the situation.	£150.00
Complaint response – for the failure to complete repairs and the inconvenience caused	£50.00
Complaint response – recompense for inability to use amenities as a result of delays in completing repairs	£120.00
Complaint response – recompense for delays in completing repairs	£440.00
Complaint response – reimbursement for costs of damaged flooring during repairs.	£228.00
Complaint response - to recognise the time and trouble, inconvenience and costs experienced. In addition to waive costs of rent for the 6 weeks involved.	£100.00
Complaint response – in recognition of the inconvenience and time and trouble following incorrect action to recover council tax.	£322.50
Recompense of liability order costs of £102.50 and	£102.50
The enforcement fee	£75.00.
Complaint response - inconvenience, time trouble and upset you felt as a result of delays in responding to your complaints	£200.00
Total	£8638.00

49 Alternative dispute resolution

Based on the good practice guidance in the statutory complaints' procedures, the council also considers whether there would be an appropriate alternative way of resolving complaints rather than completing an investigation.

Possible alternatives which may be considered by the CGOM include mediation, the opportunity to meet with senior managers, requests for service areas to action the outcomes being requested, where this is proportionate, or the possibility of contributing to the review of policies and procedures.

Cases received by the LGSCO

Category	Received
Highways & Transport	23/06/2023
Corporate & Other Services	06/04/2023
Planning & Development	12/04/2023
Housing	18/04/2023
Planning & Development	18/04/2023
Housing	20/04/2023
Education & Childrens Services	14/08/2023
Highways & Transport	12/05/2023
Highways & Transport	25/05/2023
Planning & Development	26/05/2023
Planning & Development	01/06/2023
Corporate & Other Services	14/06/2023
Education & Childrens Services	13/07/2023
Environmental Services & Public Protection & Regulation	13/07/2023
Housing	13/07/2023
Highways & Transport	19/07/2023
Benefits & Tax	26/07/2023
Benefits & Tax	31/07/2023
Highways & Transport	07/08/2023
Environmental Services & Public Protection & Regulation	16/08/2023
Corporate & Other Services	18/10/2023
Housing	14/11/2023
Adult Care Services	19/10/2023
Planning & Development	20/10/2023
Environmental Services & Public Protection & Regulation	23/10/2023
Adult Care Services	01/11/2023
Planning & Development	29/02/2024
Education & Childrens Services	01/11/2023
Benefits & Tax	21/11/2023
Adult Care Services	26/01/2024
Education & Childrens Services	13/12/2023
Education & Childrens Services	11/01/2024
Planning & Development	12/12/2023
Housing	29/02/2024
Adult Care Services	17/01/2024
Planning & Development	16/01/2024
Corporate & Other Services	15/02/2024
Education & Childrens Services	06/02/2024
Benefits & Tax	19/01/2024
Planning & Development	25/01/2024
Environmental Services & Public Protection & Regulation	31/01/2024
Highways & Transport	29/02/2024
Adult Care Services	13/02/2024
Education & Childrens Services	15/02/2024
Benefits & Tax	27/02/2024
Adult Care Services	05/03/2024
Adult Care Services	29/02/2024
Housing	04/03/2024
Environmental Services & Public Protection & Regulation	12/03/2024

Cases decided by the LGSCO

Abbreviations

Mal – maladministration

Inj – injustice

PA – person affected (customer/complainant)

Rep – representative for the PA

Category	Decided	Decision	Decision Reason	Remedy	Service improvement recommendations
Planning & Development	20/04/2023	Upheld	fault & inj	Apology, Financial redress: Avoidable distress/time and trouble, New appeal/ review or reconsidered decision, Provide training and/or guidance, Procedure or policy change/review	The Council will remind officers dealing with complaints of the need to ensure the relevant records are checked so complaint responses do not contain inaccurate information. The Council will put a procedure in place to ensure building control officers keep clear records of visits and telephone conversations.
Adult Care Services	15/11/2023	Upheld	fault & inj	Apology, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review	The Council will review and amend its policy of not completing Deprivation of Liberty standard authorisations when a person is in hospital.
Housing	18/07/2023	Upheld	fault & inj	Apology, Financial redress: Avoidable distress/time and trouble, Procedure or policy change/review	Review its record keeping procedures to ensure appropriate guidance and reminders are sent to relevant staff to ensure the Council updates information about risks such as domestic abuse and restraining orders on applicants' files. This is to ensure the Council is aware of such risks when properties are offered and avoids offering properties in areas where the applicant would be placed at risk of

					domestic abuse or other risks.
Adult Care Services	28/06/2023	Upheld	fault & inj	New appeal/review or reconsidered decision, Apology, Financial redress: Avoidable distress/time and trouble	
Highways & Transport	11/07/2023	Closed after initial enquiries	No worthwhile outcome achievable by investigation		
Corporate & Other Services	06/04/2023	Referred back for local resolution	Premature Decision - advice given		
Planning & Development	24/05/2023	Closed after initial enquiries	No worthwhile outcome achievable by investigation		
Housing	18/04/2023	Advice given	Signpost - go to complaint handling		
Planning & Development	18/04/2023	Referred back for local resolution	Premature Decision - advice given		
Housing	20/04/2023	Advice given	Signpost - go to complaint handling		
Education & Childrens Services	27/02/2024	Upheld	fault & inj	Financial redress: Avoidable distress/time and trouble, New appeal/review or reconsidered decision, Provide training and/or guidance	The Council will remind relevant social workers to manage expectations and to be mindful of how they communicate with carers about financial offers which remain subject to management approval. This could be through a briefing paper, team meeting or part of a training session. The Council will remind those involved in statutory children's complaint investigations, and investigating officers, of the timescales in the statutory guidance. This could be through a briefing paper, team meeting or part of a training session.
Highways & Transport	05/06/2023	Closed after initial enquiries	Not warranted by alleged fault		

Highways & Transport	29/06/2023	Closed after initial enquiries	Not warranted by alleged fault		
Planning & Development	15/06/2023	Closed after initial enquiries	26B(2) not made in 12 months		
Planning & Development	04/09/2023	Not Upheld	Other agency better placed		
Corporate & Other Services	03/07/2023	Closed after initial enquiries	Not warranted by alleged fault		
Education & Childrens Services	22/08/2023	Closed after initial enquiries	Not warranted by alleged injustice		
Environmental Services & Public Protection & Regulation	13/07/2023	Referred back for local resolution	Premature Decision - advice given		
Housing	13/07/2023	Advice given	Signpost - go to complaint handling		
Highways & Transport	20/07/2023	Closed after initial enquiries	26(6)(c) Court remedy		
Benefits & Tax	05/09/2023	Referred back for local resolution	Premature Decision - referred to Organisation		
Benefits & Tax	13/10/2023	Closed after initial enquiries	At request of complainant		
Highways & Transport	05/01/2024	Not Upheld	no fault		
Environmental Services & Public Protection & Regulation	15/01/2024	Upheld	fault & inj	Apology, Financial redress: Avoidable distress/time and trouble, Provide training and/or guidance	The Council will share the Ombudsman's guidance on effective complaint handling for local authorities with relevant officers and managers. This will help to ensure complaints are investigated and followed up, where necessary, in a robust manner.
Corporate & Other Services	10/11/2023	Closed after initial enquiries	No worthwhile outcome achievable by investigation		
Planning & Development	20/10/2023	Referred back for local resolution	Premature Decision - advice given		
Environmental Services & Public Protection & Regulation	05/03/2024	Upheld	fault & inj	Apology, Financial redress: Avoidable distress/time and trouble, Provide services to person affected, Procedure or policy change/review	Review the Council's process for issuing reminders to the waste crews to identify any improvements in how it carries out its

					assisted collection service
Adult Care Services	04/12/2023	Closed after initial enquiries	Not warranted by alleged injustice		
Benefits & Tax	21/11/2023	Referred back for local resolution	Premature Decision - advice given		
Education & Childrens Services	16/02/2024	Referred back for local resolution	Premature Decision - referred to Organisation		
Education & Childrens Services	23/02/2024	Closed after initial enquiries	Sch 5.1 court proceedings		
Planning & Development	30/01/2024	Closed after initial enquiries	S27 not by member of the public		
Adult Care Services	28/02/2024	Closed after initial enquiries	No worthwhile outcome achievable by investigation		
Planning & Development	01/03/2024	Closed after initial enquiries	Not warranted by alleged injustice		
Education & Childrens Services	19/02/2024	Referred back for local resolution	Premature Decision - referred to Organisation		
Benefits & Tax	02/02/2024	Referred back for local resolution	Premature Decision - referred to Organisation		
Planning & Development	21/02/2024	Referred back for local resolution	Premature Decision - referred to Organisation		
Environmental Services & Public Protection & Regulation	01/03/2024	Closed after initial enquiries	Not warranted by alleged fault		
Highways & Transport	27/03/2024	Closed after initial enquiries	Not warranted by alleged fault		
Adult Care Services	13/02/2024	Incomplete/Invalid	Insufficient information to proceed and PA advised		
Housing	06/03/2024	Referred back for local resolution	Premature Decision - referred to Organisation		

Compliance with Agreed Remedies

Category	Decided	Remedy	Remedy Target Date	Remedy Achieved Date	Satisfaction with Compliance
Environmental Services & Public Protection & Regulation	202309/03/	Apology Financial redress: Avoidable distress/time and trouble Provide training and/or guidance New appeal/review or reconsidered decision	06/04/2023	02/04/2023	Remedy complete and satisfied
Planning & Development	19/04/2023	Apology Financial redress: Avoidable distress/time and trouble New appeal/review or reconsidered decision Provide training and/or guidance Procedure or policy change/review	20/07/2023	29/06/2023	Remedy complete and satisfied
Adult Care Services	15/11/2023	Apology Financial redress: Avoidable distress/time and trouble Procedure or policy change/review	15/01/2024	15/01/2024	Remedy complete and satisfied
Housing	17/07/2023	Apology Financial redress: Avoidable distress/time and trouble Procedure or policy change/review	18/09/2023	17/09/2023	Remedy complete and satisfied
Adult Care Services	27/06/2023	New appeal/review or reconsidered decision Apology Financial redress: Avoidable distress/time and trouble	26/07/2023	09/08/2023	Remedy completed late
Environmental Services & Public Protection & Regulation	15/01/2024	Apology Financial redress: Avoidable distress/time and trouble Provide training and/or guidance	12/02/2024	14/02/2024	Remedy complete and satisfied