

Place and Resources Scrutiny Committee

26 January 2023

Corporate Complaints Team Annual Report 2021-22

For Review and Consultation

Portfolio Holder: Cllr S Flower, Leader of the Council

Local Councillor(s): All

Executive Director: J Mair, Director of Legal & Democratic

Report Author: Antony Bygrave
Title: Annual Report – Corporate Complaints Team
Tel: 01305 225011
Email: antony.bygrave@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary:

This annual report provides an update on the numbers, types and outcomes of complaints made against services at Dorset Council across the Directorate. There are also appendices that meets statutory reporting requirements of Children's Services.

Recommendation: That the Committee scrutinises and notes the Annual Complaints Report for 2021/22

Reason for Recommendation: To have an awareness of the numbers and types of complaints and the organisational learning.

1. Report

1.1 Key messages for 2021-22 are:

- There have been 1406 complaints across the Directorates in 2021-22 which is a 14% increase year on year, and 100% increase on 2019-20

(pre-Covid19). Of these only 554 have been considered through formal processes

- 862 have been resolved informally, with the Complaints Team working with Operational Managers towards more agreeable outcomes with less undue process.
- Members should be heartened that of the 1406 complaints only 121 reached the Local Government and Social Care Ombudsman (LGSCO) with 32 warranting an investigation and, of those, 20 were upheld. Of the 20 upheld complaints none of them were judged by the LGSCO to be so serious as to warrant the publication of a public interest report, notices in newspapers and a section 5A Local Government and Housing Act report to the Cabinet by the Monitoring Officer. Dorset Council met the recommendations by the LGSCO in all 20 cases where complaints were upheld. Of the upheld cases 8 related to Children's Services, 7 to Adult Services, 4 in Place and 1 in Corporate Services.
- There was a total cost of £42,300 in financial remedies. 6 related to SEN delays, or children out of education, at a cost of £40,850. This is an area the Complaints Team are focusing support on as some of these delays and complaints are historic but only more recently finding their way into the Complaints Process. We continue to work closely with Children's Services and are recording learnings wherever possible. In addition, there was 1 Adult Social Care finding at a cost of £750, 1 Place finding at a cost of £200 (Enforcement), and a Children's Social Care case at £500. This is a steep rise from £6,750 2020-21 and just £1,800 in 2019-20. The other cases, although upheld, did not result in a financial penalty as an apology had been offered.
- 18% of responses exceeded the 20-working day timescale which, although a tremendous improvement of the 39% overdue 2020-21, indicates an area for improvement.
- Only 8% of complaints were considered fully justified with 9% part justified. This is essentially the same as the previous year and forms evidence that, although complaints are continuing to increase, service delivery is not falling across the directorates.
- There were 127 learning points collected by the Complaints Team in 2021-22. This is a 13% increase, but this is proportionate to the increase in complaint numbers. It does evidence that, if complaints are being upheld in full or in part, we are getting value from the complaint as an organisation

- We are pleased to report 380 compliments across the directorates. Although perhaps predictably down on the previous Covid year, this is still something for Dorset Council to celebrate and hopefully presents a more balanced report on service perceptions. It is more clear in 2021-22 that people were more likely to voice complaints, than compliment a job well done
- In addition, we received 60 code of conduct complaints regarding Dorset Council and Town and Parish Councillors in Dorset (some 160 councils and 1,400 councillors). This is up 11% on 2020-21. Of these, just 5 were investigated and none upheld at the time of this report. In line with our approach to other complaints, we will look in the future to how we can learn from complaints about councillors as part of promoting high standards of conduct.

The Complaints Team, as an Assurance function, continue to make a difference in promoting a culture of learning from complaints despite well documented challenges across the directorates and overall increase in complaints year on year. We are also pleased to report that we are able to support managers across the directorates in resolving complaints without undue process, where possible. This is also having a financial benefit with a reduction in Stage 2 complaints and independent investigators fees, continuing the good work of 2020-21.

2. Financial Implications

2.1 Dorset Council have paid £42,300 in LGSCO maladministration charges in 2021-22. This is a steep rise from £6,750 2020-21 and just £1,800 in 2019-20. This increase is largely centred around SEN and periods where education was not provided.

In 2021-22 £5703.40 was spent on independent investigators for the more complex complaints cases in Children's Services. This compares to £4334.60 in 2020-21. The Complaints Team are very proud of our positive work with Locality Managers towards informal resolutions and this has had a tremendous impact on keeping these costs down. For perspective, we spent £16,000 in 2018-19.

2. Environmental Implications

None

3. Well-being and Health Implications

3.1 The increase in complaints, coupled with associated vexatious behaviours, have had an impact on staff wellbeing and the team are regularly encouraged, through line management and other Dorset Council support, to be mindful of themselves and their colleagues in-keeping with our behaviours

4. **Other Implications**

None

5. **Risk Assessment**

5.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

6. **Equalities Impact Assessment**

None

7. **Appendices**

Complaints Overview

8. **Background Papers**

None