

People and Health Scrutiny Committee

11 December 2023

Corporate Complaints Team Annual Report 2022-23

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

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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 and Adult's Services.

Recommendation:

That the Committee scrutinises and notes the Annual Complaints Report for 2022/23.

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 2022-23 are:

- There have been 1838 complaints across the Directorates in 2022-23 which is a 31% increase year on year, and 166% increase overall since Dorset Council was formed. Of these only 747 have been considered through formal processes.
- 1091 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 these 1838 complaints only 124 reached the Ombudsman, with 114 leading to a decision. Of the 114 decisions only 36 were investigated and 26 of these upheld. This is very similar to 2021-22s findings where 121 reached the Ombudsman, 32 investigated and 20 upheld. Considering the 31% increase in complaints overall, only a 2% increase in complaints finding the Ombudsman seems a good news story. Dorset Council met the recommendations in 100% of these cases. However, it should be known that 1 complaint was 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. Of the upheld cases 17 related to Children's Services, 4 to Adult Services, 3 in Place and 2 in Corporate Services.
- The Ombudsman's financial remedies in 2022-23 resulted in a total cost of £40,630 (down from £42,300 in 2021-22). 17 related to SEN delays or children out of education at a cost of £39,680 (up from 6 decision sin 2021-22). We should add that a further £21,800 was spent in the service on pre-emptive financial remedy through the complaints process thus preventing LGSCO intervention. The other financial remedies were 1 Adult Social Care finding at a cost of £750 and 1 Place finding at a cost of £200 (Enforcement).
- 21% of responses exceeded the 20-working day timescale which compares to 18% the previous year. This still indicates an area for improvement but proportionate to the increase in volume.
- Only 9% of complaints were considered fully justified with 11% 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 212 learning points collected by the Complaints Team in 2022-23. This is a encouraging 13% increase, but is again 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 537 compliments across the directorates compared to 380 the previous year. This is something for Dorset Council to celebrate and hopefully presents a more balanced report on service perceptions. It is still clear that people were more likely to voice complaints, than compliment a job well done.
- In addition, we received 47 code of conduct complaints regarding Dorset Council and Town and Parish Councillors in Dorset There are 160 town and parish councils and some 1,400 councillors in scope of the councillor code of conduct and so only 3.3% of councillors were the subject of complaint. Councillor conduct complaints have fallen by 22% on 2021-22. Of these, just 6 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 2021-22.

2. Financial Implications

Dorset Council have paid £40,630 in LGSCO maladministration charges in 2022-23. This is slightly down from 2021-22 (£42,300) but still a steep rise from £6,750 2020-21 and just £1,800 in 2019-20. This increase is largely centred around SEND and periods where education was not provided. We also note the 1 Childrens Services Stage 2 investigation cost Dorset Council £46,304.60

In 2022-23 £4782 was spent on independent investigators for the more complex complaints cases in Children's Services. This compares to £5703.40 in 2021-22. 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. The early indications in Q1 2023-24 suggest a steep rise is likely.

Whilst reporting on the outgoing finance it is important to note that the Complaints Team have generated £7376 from schools by providing a complaints advice service.

2. **Natural Environment, Climate & Ecology Implications**

None

3. **Well-being and Health Implications**

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**

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**

Appendix 1 - Complaints Annual Report 2022-23

8. **Background Papers**

None