

Place and Resources Scrutiny Committee / People and Health Scrutiny Committee

14 November 2024

Corporate Complaints Team Annual Report 2023-24

For Review and Consultation

Cabinet Member and Portfolio:

Cllr N Ireland, Leader of the Council, Climate, Performance and Safeguarding
Cllr R Hope, Customer, Culture and Community Engagement

Executive Director:

J Mair, Director of Legal & Democratic

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Report Status: Public

Brief Summary:

This annual report at Appendix A provides an update on the numbers, types and outcomes of complaints made against Dorset Council during 2023/24. This includes content that meets the statutory reporting requirements of Children's and Adult's Services.

Recommendation: That the Committee scrutinises and notes the Annual Complaints Report for 2023/24.

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

1. **Key Messages for 2023/24**

- 1.1 Dorset Council received 1,588 Complaint Contacts. This is an 13% decrease from the 1,838 received in 2022-23 but still the second highest number of complaints in Dorset Council's 5-year history. We are

encouraged that the Complaints function is still easy to find, and the reduction on overall complaints points to the success we have had in promoting local resolution before complaining, largely in the Place directorate.

- 1.2 Out of the 1,588 contacts, **772** of these were considered as formal complaints. This is an increase in formal complaints year on year, but our focus on early resolution continues to pay dividends for both council staff and those complaining. We do however need to ensure that we don't obstruct statutory processes due to the significantly increased demand.
- 1.3 Of the 1,588 complaints received 2023-24 **816** were considered as cases where resolution could be met without the undue process of the formal complaints route. The informal complaints is where we have seen the overall decrease in complaint contacts, largely as we are identifying service requests more easily and getting them resolved.
- 1.4 The Local Government and Social Care Ombudsman (LGSCO) issue an annual report to the Chief Executive. This set out that that 79% of Dorset Council complaints they investigated were upheld. According to the report, this is consistent with other Councils, but does show a slight increase on the 72% upheld the previous year both locally and (again) as an average across comparable authorities. With the 1,588 complaints in 2023-24 being the second highest number since Dorset Council was formed, Councillors should be heartened that only 117 (7%) reached the LGSCO at all. This is a reduction from the 124 the previous year. This demonstrates that the majority of the time Dorset Council get it right first time, and has a positive culture around complaints, learnings and actions.
- 1.5 Of the 117 approaches, only 42 were investigated and 33 of these upheld. 21 of these were in Children's Services with 20 relating to SEND matters and children out of education, 7 Adult Social Care and 5 in Place. The key observation from the LGSCO's figures is that we are missing an opportunity to resolve upheld complaints in line with their remedies guidance. Dorset Council met the recommendations of the LGSCO in 100% of these cases.
- 1.6 17% of responses exceeded the 20-working day timescale which compares to 21% the previous year. This still indicates an area for further improvement, but is encouraging.
- 1.7 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 complaint numbers have shown an increase across the last five years, service delivery is not falling across the directorates.

- 1.8 There were 196 learning points collected by the Complaints Team in 2023-24. This is a slight reduction, but is again proportionate to the decrease 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
- 1.9 We are pleased to report 568 compliments across the directorates compared to 520 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. That said, it is likely that a number of compliments are reported directly to services without escalation to the corporate complaints team and therefore are not captured within this report. Compliments by Directorate during 2023/24 are as follows: Place 310, Children's 111, Adults 103, Corporate 44.
- 1.10 In addition, we received 51 code of conduct complaints regarding Dorset Council and Town and Parish Councillors in the county area (some 160 councils and 1,400 councillors). This is an 8% Increase on the previous year. Of these, just 2 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.
- 1.11 The Complaints Team, as an Assurance function, continue to make a difference in promoting a culture of learning from complaints, and provide support to managers across the directorates in resolving complaints without undue process, where possible.
- 1.12 An internal audit on Children's Services social care complaints identified a number of findings to improve the management of complaints within both Children's Services and the Corporate Complaints function. These will be tracked and reported via Audit and Governance Committee.
- 1.13 The Corporate Complaints policy has been updated to respond to the LGSCO's new best practice code, and this will be subject to approval by Audit and Governance Committee in January 2025.

2. **Financial Implications**

- 2.1 Dorset Council financial remedies in 2023-24 resulting in a total cost of £71,608.96 which is a significant increase on 2022-23 where Ombudsman findings totalled £40,630 and 42,300 in 2021-22 respectively. This breaks down as £69,608.96 in relation to SEND and children out of education,

and £2000 for Adult Social Care. However, one of the SEND cases was obstructed by the complainant as they refused payment, favouring a legal route. This has yet to come to fruition and the Ombudsman closed the case in the knowledge that the payment was never made. So, in terms of actual payments made, Dorset Council paid £40,408.96, with £38,408.96 of that related to SEND matters.

- 2.2 Outside of Children's Services, (as above) the only other payments totalled £2,000 across 6 Adult Social Care cases. Place Directorate receive the largest number of complaints, but the LGSCO only found fault in 5 cases and no financial penalty.
- 2.3 Stage 2 investigations cost Children's Services £12,394.84 on Independent Investigators.
- 2.4 Whilst reporting on the outgoing finance it is important to note that the Complaints Team have generated £9,240.17 (up from £7,376) from schools by providing a complaints advice service.

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

- 3.1 None

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

- 4.1 The consistently high volume of complaints, coupled with associated vexatious behaviour continues to have an impact on the wellbeing for colleagues involved with complaint handling and response. The team and associated colleagues are regularly encouraged, through line management and other Dorset Council support, to be mindful of themselves and their colleagues in-keeping with our behaviours.

5. **Other Implications**

- 5.1 None

6. **Risk Assessment**

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

Current Risk: Low

Residual Risk: Low

7. **Equalities Impact Assessment**

7.1 The complaints policy was subject to an Equality Impact Assessment.

8. **Appendices**

8.1 Appendix A – Annual Complaints Report

9. **Background Papers**

9.1 None

10. **Report Sign Off**

10.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s).