

CABINET – 15 DECEMBER 2020

PROCEDURAL MATTERS

4a

Members Questions**Question (1) Chris Botten (Caterham Hill):**

Surrey County Council has recently had to accept the findings of the Local Government and Social Care Ombudsman report that showed it was at fault regarding a recent SEND transport complaint, which resulted in an apology and reimbursement of costs to the family of the young person concerned.

The nature of any complaints made to the Council are a good measure of the residents' experience of a service and should be considered particularly significant in a period of wholesale service transformation. Equally, how the Council engages with the complaint process itself, including its timely and appropriate responses to the problems raised and its readiness to take action to put things right where necessary, all illustrate how seriously it takes the issue of feedback from its service users.

In the light of these comments will Cabinet Members:

1. Ensure the timely publication of the Children's Services Annual Complaints Report for the period 01/4/19 – 31/03/20 which is (to date) still not publicly available;
2. Explain what steps have been taken to address the concerns raised by the LGO in its annual letter to the Council in July this year, which included:
 - a. Delayed responses to several investigations; 19 out of 43 enquiries were responded to too late. ("While staff shortages, restructuring and the need to contact various third parties were reasons provided on some cases, others had no justifiable reason for delay.")
 - b. The need for a single point of contact to coordinate with the LGO office and signpost matters to the appropriate services across the Council. ("Delays by the Council add to the frustration experienced by complainants and can cause further avoidable distress and uncertainty. I ask the Council to reflect on this and take steps to improve its response times").

Reply:

Background

The Council has three complaints procedures; one for Adult Social Care, one for Children's Services and one for all other council services. The procedures for dealing with complaints about Children's and Adult's social work services are statutory. The corporate complaints procedure (covering all other Council services) is based on best practice. We have three Customer Relations Teams within the Council responsible for managing these procedures in their respective areas; one within Adult Social Care; one within Children's and Education and one centrally based within Customer Services. This central team also helps to coordinate our overall approach to managing customer complaints, as well as our contact with the Local Government & Social Care Ombudsman.

1. Information about children's social work and education complaints forms an integral part of the Council-wide annual complaints report. The report covering the year 2019/20 has been published and was considered by Audit & Governance Committee on 1 October 2020.

In addition, the Children's Customer Relations Team produces its own annual report. This report was completed as usual; however there has been a delay in publishing it on the Council's website. This has in part been due to the unprecedented challenges faced by staff this year as part of the response to the COVID pandemic, as well as compliance issues with the new EU Accessibility Directive, which came into force in September 2020. This Directive sets out new legal standards for public service websites and means we are not able to upload the report in the way we have done previously. The report needs to be re-formatted to ensure it is fully accessible and compliant with the new legal requirements when it is uploaded to the website. It can take a significant amount of time to bring detailed documents of this nature up to the required standard. While this work is being completed, a message has been placed on the website indicating copies of the report can be requested directly from the Children's Customer Relations Team by emailing be.heard@surreycc.gov.uk

A Council-wide engagement and training piece on digital accessibility and the new legal requirements is currently underway, to ensure staff responsible for digital content are clear on what constitutes a simple enough design which is as accessible and inclusive as possible.

Following a recommendation from Audit & Governance Committee this year, next year we will be producing a succinct, widely accessible summary of the Council-wide annual complaints report, which will include information on complaints about Children's Services and Education.

2a. In addition to setting out the complaints received by his office and their outcomes, a key part of the Local Government & Social Care Ombudsman (LGSCO)'s annual review letter is to identify how we can improve our practice. As with every year, we carefully considered the comments made and took specific actions:

- an individual review of each of the 19 cases where the response was late, to understand in detail the exact reason why and take any necessary remedial action
- improved and streamlined the centralised reminder system for LGSCO enquiry and remedy deadlines
- actively engaged with service areas to reinforce the priority status of LGSCO enquiries and the importance of providing timely information in response to these enquiries to ensure deadlines are met

These actions were in addition to progressing wider improvement work, which has included:

- implementation of a new centralised electronic complaints management system, providing greater oversight of cases
- realignment of complaint handling resource to meet demand in high-profile service areas
- notification to the relevant Cabinet Member of any Ombudsman investigations in order to provide better elected member oversight
- including analysis of the Ombudsman's annual letter within the Council's annual complaints report, and conducting a benchmarking exercise with similar local authorities to identify learning opportunities to improve complaints handling

- ongoing complaint handling training & briefings for staff to improve quality and timeliness of responses

2b. I can confirm that the Council already has single point of contact arrangements in place for the LGSCO. We have a named 'link officer' to help manage overall contact with the Ombudsman's office and to ensure enquiries are quickly and correctly routed to the service area responsible for collating the response. Following receipt of the annual letter, we contacted the lead Assistant Ombudsman for our area to reconfirm these arrangements and to ask that these are followed by LGSCO investigators.

While most contact is routed through the designated link officer, it is important to note that there will be occasions where an individual officer may need to respond to the Ombudsman directly due to their specialist knowledge of a case.

I agree that the nature of any complaints made to the Council are a good measure of the residents' experience of a service and that how we as an organisation engage with the complaints process shows how seriously we take customer feedback.

It is worth highlighting that of 1307 complaints received by the Council in 2019/20, in 3.7% (49) of the cases the Ombudsman undertook detailed investigation. The significant majority were dealt with locally through the Council's own complaints process, in line with our aim to resolve complaints early and as close to the point of service as possible.

The Ombudsman's data for last year also showed that Surrey County Council had significantly increased the percentage of complaints where a satisfactory remedy had already been offered before the complaint reached the Ombudsman - 18% compared to 4% the previous year. This was double the average for comparable authorities.

This is encouraging as it reflects the significant work done over the past year to focus on identifying appropriate remedies/resolutions for complaints, so we can put things right for our residents at an early stage wherever possible.

It was also positive to note that in his press statement on the public report about the SEND Transport complaint, the Ombudsman welcomed the proactive way the Council had responded to remedying the complaint for the family and our willingness to review how our services can be improved in future.

Dr Zully Grant-Duff
Cabinet Member for Corporate Support
15 December 2020

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