



Audit & Governance Committee  
22 November 2023

## 6 Month Complaints Performance Update Report 2023/24

### Purpose of the report:

To give the Audit & Governance Committee an overview of the volumes and themes of complaints for the first six months of the 2023/24 year.

### Recommendations:

It is recommended that:

The Audit & Governance Committee note the report.

### 1. Introduction

- 1.1 This report comments on the volumes of complaints recorded about all Council Services for the first 6 months of the 2023/2024 year.
- 1.2 The complaints are managed by the three Customer Relations Teams and addressed via the appropriate complaint procedure. There are three procedures in use in Surrey. A single tier process for complaints about Adult Social Care Services, a three tier process for complaints about Children's Social Care Services and a two tier process for all other Council Services.

### 2. Key Highlights

- 2.1 Annex 1 and Annex 2 reflect the position at the end of Quarter 1 and Quarter 2 for the 2023/2024 year.
- 2.2 Table 1 is a composite of the data recorded and shared within the quarterly reports. It demonstrates that the volumes of complaints recorded, and escalation thereof has decreased in quarter 2 when compared to quarter 1. The lower volumes are a positive sign and reflect the efforts made by Services across the Council, to improve both the quality and timeliness of responses.

Table 1

|                   | Stage 1 recorded | Escalated to Stage 2 | Escalated to Stage 3 | Ombudsman Decisions |
|-------------------|------------------|----------------------|----------------------|---------------------|
| Quarter 1 2023/24 | 698              | 195                  | 3                    | 81                  |
| Quarter 2 2023/24 | 523              | 140                  | 0                    | 30                  |

### 3. Ombudsman Decisions

3.1 Table 2 below reflects the Ombudsman Decisions received in the year to date, the volumes upheld and those not investigated further by the Ombudsman.

|                                     | Ombudsman Decisions | Closed without investigation | No Fault Found | Fault with Injustice |
|-------------------------------------|---------------------|------------------------------|----------------|----------------------|
| Childrens Social Care and Education | 76                  | 23                           | 1              | 52                   |
| Adult Services                      | 21                  | 9                            | 7              | 5                    |
| Other Council Services              | 14                  | 10                           | 3              | 1                    |

3.2 The Ombudsman has advised that a Public Interest Report will be shared by them. The Draft Public Report has been received and shared with all senior managers and the lead member for education. A copy of the Public Report will be published on the Ombudsman’s website. The fault found relates to acknowledged delays arising from the national challenges currently facing Additional Needs and Disabilities (SEND) Services in securing timely reports from Education Psychologists. Education Services in Surrey are working to address this challenge. Actions taken include the use of independently sourced EP assessments as part of the Education Health Care Plan recovery plan.

### 4. Financial Remedies

4.1 In customer relations we distinguish between what we consider to be a financial remedy (as defined in the remedy guidance published by the LGSCO) and compensation. We understand that whatever we call ‘it’, the sums of money that the council continues to pay to remedy injustice arising from fault or maladministration, is significant.

4.2 In the first six months of the year, the Council has faced increasing challenges from the Ombudsman due to the acknowledged delays in issuing Education Health Care Plans. To date the Council has paid more than £35000 in financial remedies. This figure will continue to increase. The Council is concerned by recent LGSCO decisions recommending remedy payments of £100 per month that the EHCP is overdue. This was reflected in the Draft Public Report referenced earlier in this update.

## **5. Summary Updates**

### **5.1 Childrens Families and Lifelong Learning**

5.1.1 The CFLL directorate is currently focusing efforts upstream on a more sustainable, restorative approach that aims to resolve family's concerns as early as possible. The Customer Relations team is partnering with service teams to jointly:

1. Improve service delivery in response to learning from complaints and user voice.
2. Improve proactive communication with families.
3. Engage in Early Resolution wherever possible
4. Ensure complaints are resolved fully at Stage 1

5.1.2 Additional staff in the Customer Relations team and in Inclusion services taking up post in September 2023 will enable more concerns to be dealt with outside of the complaint process, greater quality and consistency in complaint responses at Stage 1 and an improved customer experience. We expect to see escalation rates gradually dropping in early 2024.

5.1.3 The Customer Relations Steering Group in Education services is driving service improvements across key complaint themes, as well as a strategic communications plan to improve customer experience and reduce complaint volumes. Training on restorative practice is due to be rolled out across the wider Education services in early 2024.

### **5.2 Adult Social Care**

5.2.1 In Adult Services the volumes of complaints recorded have increased by over 25% over the past two years. The increase is associated with the increasing complexity of the support provided by front line services within Adult Social Care Services

5.2.2 To address the impact of this for the ASC Customer Relations Team, approval was sought to create an additional administrative support role within the ASC Customer Relations Team. The request was approved as the volumes of complaints recorded evidenced the need to ensure that demand to support services in responding together with ensuring that the quality of service within the Customer Relations Team was not compromised by the increased volume and complexity of complaints being recorded.

## 5.3 Other Council Services

5.3.1 The Corporate Customer Relations Team has faced staffing resourcing challenges since the start of the current financial year. This was exacerbated by the challenge in recruiting a new Team Manager from April 2023. The challenges included the:

- Long term absence of a Customer Service and Relationships Officer due to ill health
- Maternity Leave for another of the Customer Service and Relationships Officers

5.3.2 In October 2023 the new Customer Relations Team Manager took up post, the officer on long term absence returned to duty, an officer was appointed as maternity cover and the Team successfully recruited to a new and fourth Customer Service and Relationships Officer role within the Team.

5.3.3 In the same month, the new Team Manager has focused on training the new officers and in developing a 'recovery plan' to address the acknowledged delays in responding to complaints at the second stage of the process. The recovery plan includes the Team embracing the joint approach by the Local Government and Social Care Ombudsman in conjunction with the Housing Ombudsman. With this revised approach in mind, it is anticipated that the complaint reviews at the second stage of the complaint process will be up to date by 31 December 2023.

## 6. Financial and value for money implications

6.1 Payment of financial redress (as shown in Figure 2) is the financial implication of complaint handling. Responding to complaints quickly and getting issues resolved early ensures complaints do not escalate unnecessarily through the process and minimises the requirement to pay financial redress.

## 7. Equalities and Diversity Implications

7.1 Ensuring we maintain good complaint handling processes enables our service to remain accessible to all. We continually review ease of access to all three complaints procedures to ensure groups, and people with protected characteristics, are not disadvantaged in any way. Should an equality or diversity issue be identified through a complaint investigation, this will be addressed directly with the service concerned and remedial actions put in place. The learning will also be shared as part of the Council's commitment to equality, diversity, and inclusion.

## **8. Risk Management Implications**

8.1 The complaints process does not have any direct risk management implications; however, complaints do carry a risk to the council's reputation if not handled appropriately. We routinely review and report on complaints data to ensure our processes are effective and to minimise any risk.

## **9. Next steps:**

9.1 The Audit & Governance Committee to continue to receive information on operation of the Council's complaints procedures on an annual basis, supplemented with a mid-year update and separate report on the Local Government & Social Care Ombudsman's annual letter.

**Report contact:** Jessica Brooke, Customer Relations Manager

**Contact details:** Tel: 07891001205; [jessica.brooke@surreycc.gov.uk](mailto:jessica.brooke@surreycc.gov.uk)

**Sources/background papers:**

None

**Annexes:**

Annex 1 - Quarterly reports for first quarter (April-June 2023)

Annex 2 - Second quarter 2023/24 by way of update on the current year complaint status (July-September 2023)

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