

Annual Complaint Handling Performance & Activity Report

2022/2023

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1.0 Introduction

The City of Bradford Metropolitan District Council is committed to providing an excellent standard of customer service and using valuable customer feedback to improve the services it delivers across the district.

This annual report, provided by the Council's Complaints Team (CCT), outlines the activity and performance related to the Council's complaint handling, providing assurance that all complaint handling related matters across the Council are being effectively managed.

The report reflects on the work undertaken during **the financial year ending 31st March 2023** and highlights the progress made; where improvements are required to ensure compliance with policy and / or legislation and details the plans in place to minimise risk and improve performance.

2.0 The Council's Complaint Handling process

2.1 Definition of a complaint

The Council has complaint handling procedures and a policy which define a concern or complaint as an expression of dissatisfaction about one or more of the following: -

- *The provision of a Council service*
- *A Council Policy or Procedure*
- *The way in which the Council's staff carry out their duties.*

The policy and this report **do not** cover the following:

- Complaints from Council employees (*current or former*), trainees, apprentices, or persons on work placements, regarding working conditions, pay or any other internal grievance or staffing dispute.
- Complaints about any aspect of the Council's recruitment process.
- Complaints about Elected Members of Council.
- Complaints about the internal services provided by one Service / Department to another.
- Complaints from external agencies/organisations unless made on behalf of and with the consent of the complainant.
- Complaints from suppliers of services to the Council or those working in partnership with the Council.
- Complaints about missed bin collections, faulty streetlights, fly tipping, dog fouling, noise nuisance etc., in the first instance, as these will be dealt with as a "service request" by the relevant Council Department.
- Where there is a recognised formal process for dealing with the dissatisfaction of a decision, such as a formal appeal route or a claim for damages.
- Complaints about the handling of information requests, under the Freedom of Information (FOI), Environment Information (EIR) or Data Protection Act.
- When the complainant has stated, in writing, to the Council that they are taking, or intending to take, legal proceedings.
- Complaints regarding fraud or misuse of Council property

2.2 Making a Complaint

The Council will accept a complaint from a person (or anyone acting on behalf of a person who has the appropriate authority and full consent), in any of the following formats: -

- Email to complaint.officer@bradford.gov.uk
- Via the Council's website [Make a complaint about Bradford Council | Bradford Council](#)
- Letter
- Telephone call
- In person – any Council office

Graph 1 below represents the total number of **all formal** complaints recorded over the last 3 financial years.

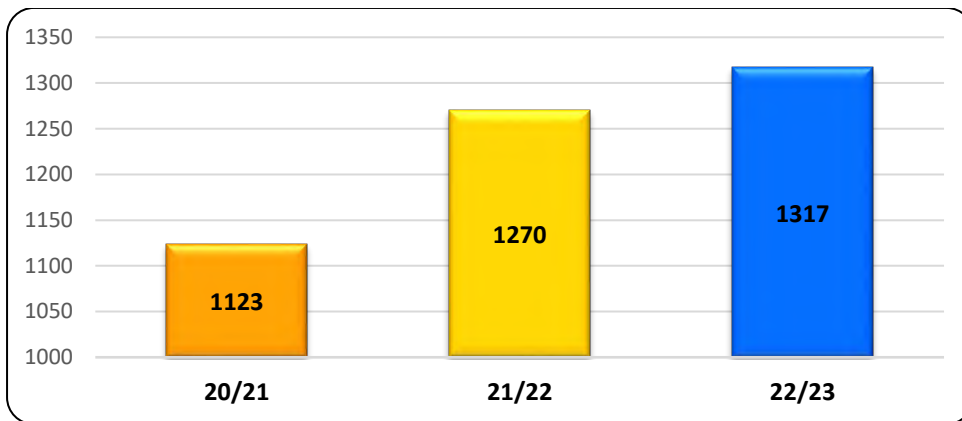
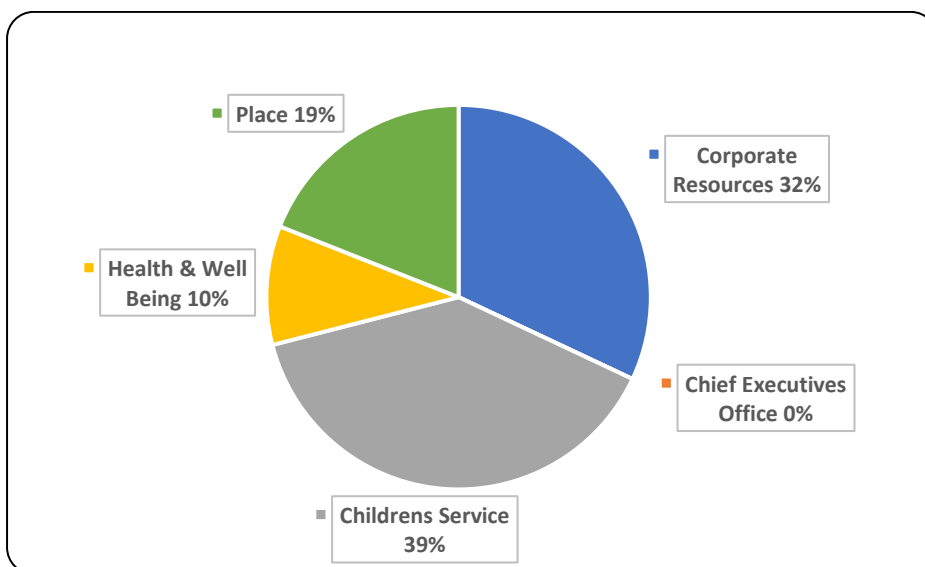


Chart 1 below represents the complaints received in 2022/23 broken down by Council Department

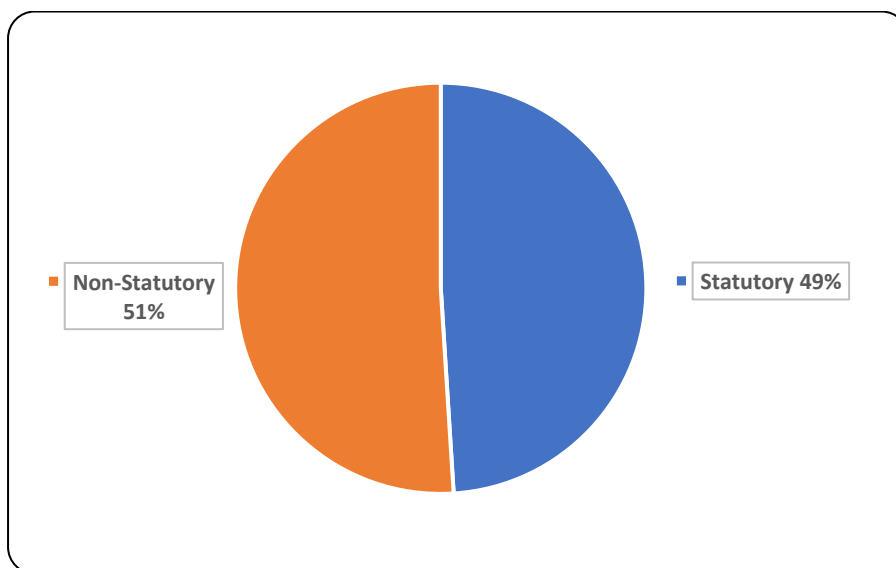


2.3 Complaint investigation

Complaints received are normally grouped and recorded as follows:-

1. **Informal** - also referred to as a “pre-complaint” normally represents concerns which are considered by the receiving Service, or the Corporate Complaints Team (CCT), as requiring little or no investigation and are able to be resolvable quickly, usually **within 5 working days**.
2. **Formal** represents concerns that are considered to require an investigation and they fall into two categories:-
 - **Statutory** i.e. Those complaints which the Council must investigate by law
 - **Non - statutory** i.e. Those that whilst the Council does not have a statutory duty to investigate it is recommended, by the Local Government Ombudsman, as best practice.

Chart 2 below represents the % of formal complaints received in 2022/23 broken down by category



2.4 Stages of a complaint investigation

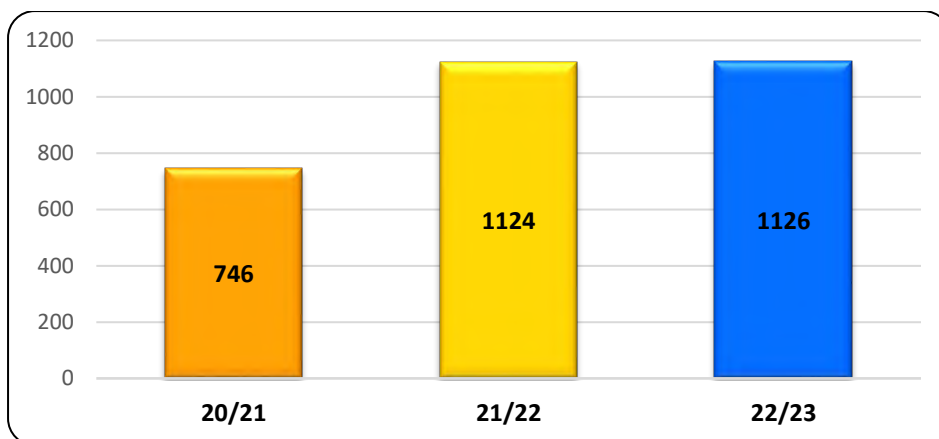
Table 1 below details the investigation stages for all types of formal complaint

Type	Category	Stage	
Adult Social Care	Statutory	1	Investigated by Managers within the relevant Service area with assistance from the Corporate Complaints Team (CCT).
Childrens Social Care	Statutory	1	Investigated by Managers within the relevant Service area with assistance from the Corporate Complaints Team (CCT).

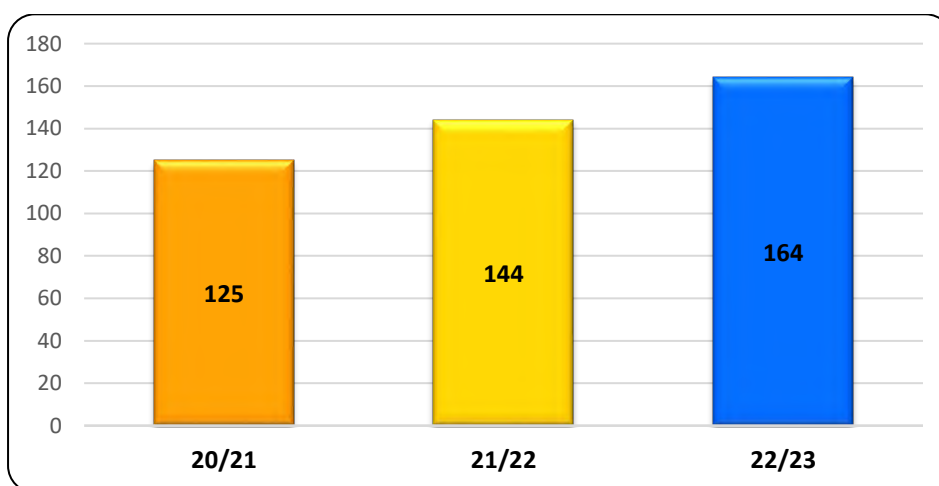
Public Health	Statutory	1	Investigated by Managers within the relevant Service area with assistance from the Corporate Complaints Team (CCT).
All other complaint types	Non - statutory	1	Investigated by Managers within the relevant Service area with assistance from the Corporate Complaints Team (CCT).
Adult Social Care	Statutory	N/A	Where a complainant remains dissatisfied following the outcome of their original complaint there is no Stage 2 included in the legislation governing these complaints and complainants will normally be referred to the Ombudsman.
Childrens Social Care	Statutory	2	Where a complainant remains dissatisfied following the outcome of their original complaint, these escalated complaints are investigated by the CCT. In Childrens Social Care cases there will also be an independent person procured by the Council.
Public Health	Satutory	2	Where a complainant remains dissatisfied following the outcome of their original complaint, these escalated complaints are investigated by the CCT.
All other complaint types	Non - statutory	2	Where a complainant remains dissatisfied following the outcome of their original complaint, these escalated complaints are investigated by the CCT.
Childrens Social Care	Statutory	3	Where a complainant remains dissatisfied with the response at stage 2, in accordance with the legislation they can request that their complaint be considered by an Independent Review Panel. The panel will consist of three independent persons, procured by the Council.

2.5 Complaint resolution

Graph 2 below represents the total number of **Stage 1 complaints** resolved in the last 3 financial years



Graph 3 below represents the total number of **Stage 2 complaints** resolved in the last 3 financial years



2.5.1 Formal resolution timescales

Table 2 below represents the timescales for resolving a complaint either in accordance with legislation (*green*) or in accordance with Council policy (*amber*).

	Stage 1	Stage 2	Stage 3
Adult Social Care and Public Health	20 working days	Not applicable	Not applicable
Children's Social Care	10 working days <i>(An extension of up to an additional 10 working days is permitted)</i>	25 working days <i>(An extension of up to an additional 40 working days is permitted)</i>	50 working days <i>(Review Panel 30 working days from request. Chair's report 5 working days from Review Panel. Director's response 15 working days from Chair's report)</i>
All other complaints	20 working days	65 working days	Not applicable

Graph 4 below represents the % of **Stage 1 complaints** concluded within the timescales (outlined above) in the last 3 financial years.

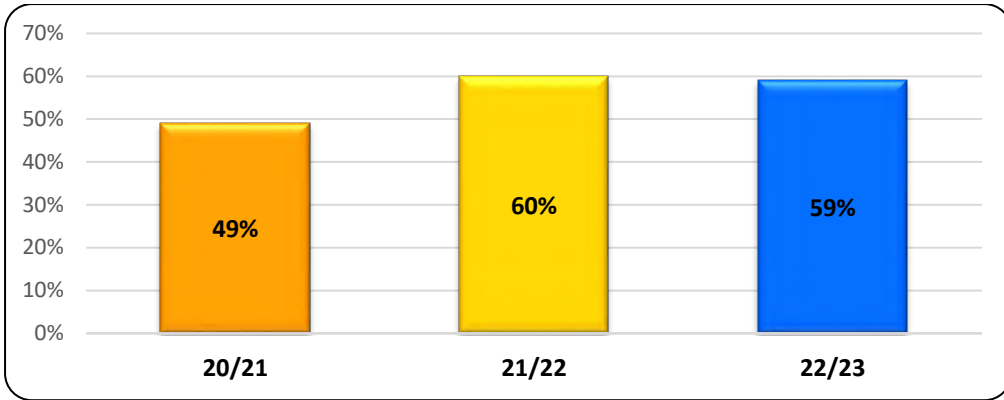
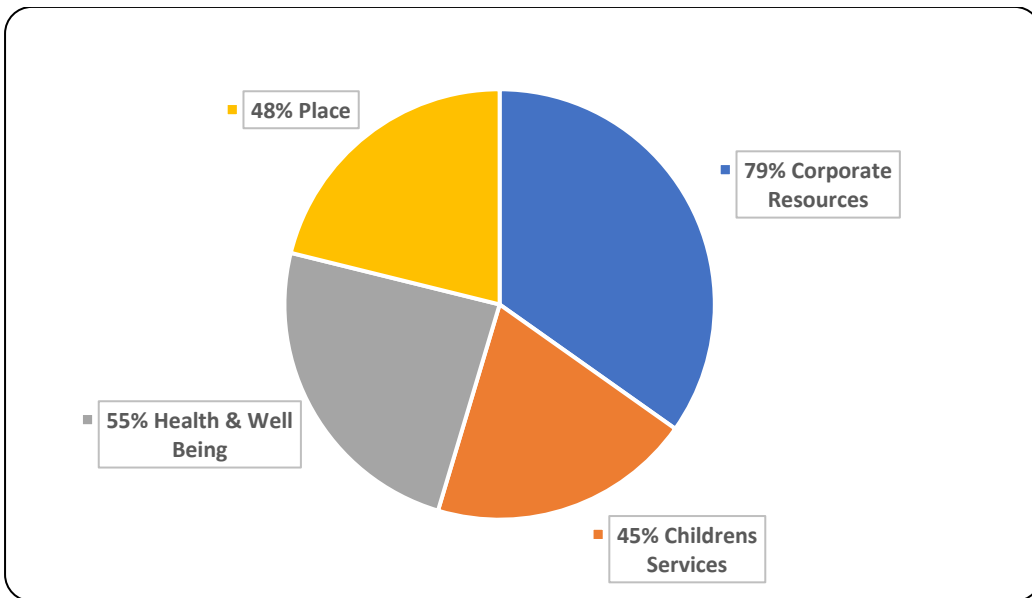
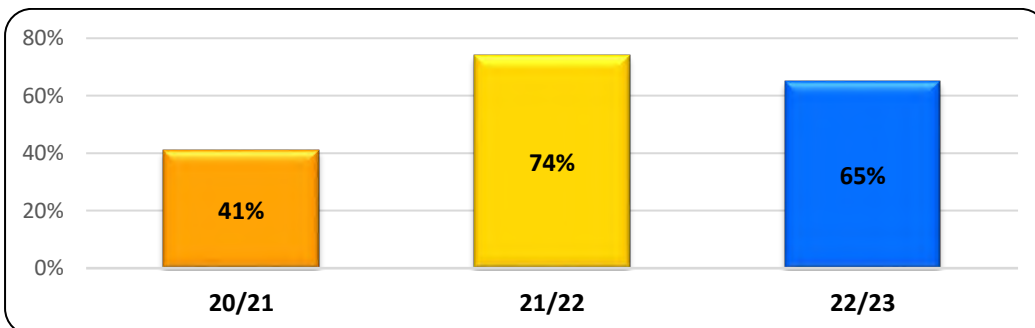


Chart 3 below represents the % of **Stage 1 complaints** concluded within the timescales in 2022/23 by Council Department



Graph 5 below represents the % of **Stage 2 complaints** concluded within the timescales, over the last 3 financial years



2.5.2 Formal complaint investigation outcomes

Complaint investigation outcomes normally fall into the following **3** categories:-

1. **Not upheld** – The investigator found **no fault** in the Council's actions
2. **Partially upheld** – The investigator found **some fault** the Council's actions
3. **Upheld** – The investigator found **fault in all** of the Council's actions

Chart 4 below represents the **% of concluded Stage 1 complaints** in 2022/23 by outcome
(Does not include Childrens Social Care complaints)

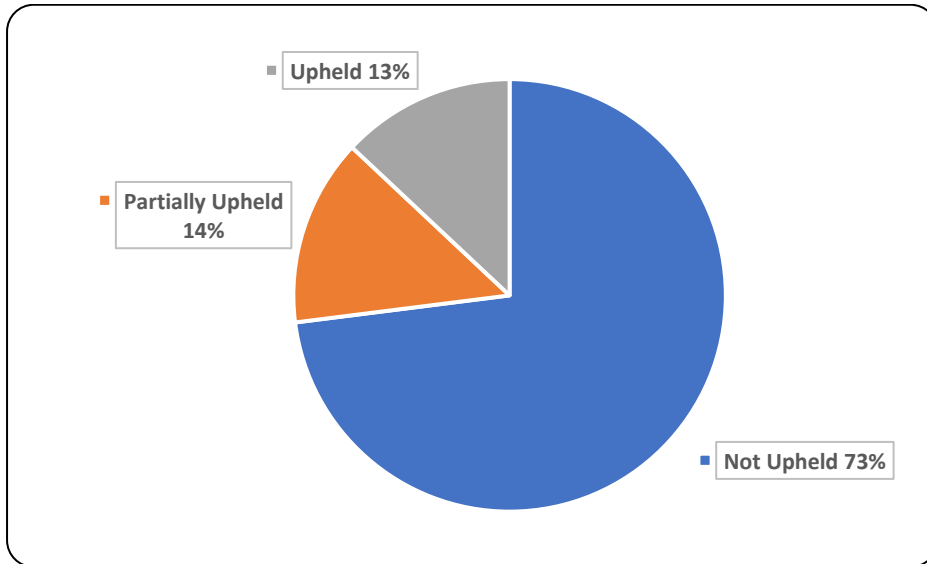
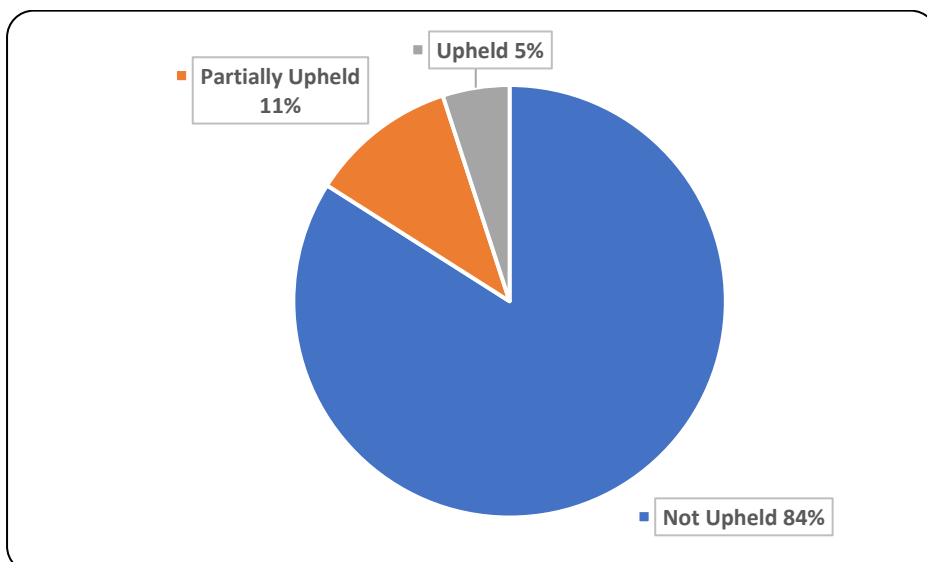


Chart 5 below represents the **% of concluded Stage 2 complaints** in 2022/23 by outcome
(Does not include Childrens Social Care complaints)



2.5.3 Financial remedy

If the Council finds that injustice has been caused at any stage of a complaint investigation then a remedy which is proportionate, appropriate, and reasonable based on all the facts of the case will be offered. Remedies may include a letter of apology, a review of the procedure

or policy used, a review of a process to deliver a service and, in exceptional circumstances, a payment which will often be a modest amount where the value is intended to be largely symbolic rather than financial. No such payments were made in 2022/23.

3.0 The Local Government and Social Care Ombudsman (LGSCO)

The Commission for Local Administration runs the LGSCO who are an independent body funded by government grant with the Communities and Local Government department sponsoring their activities.



A complainant can refer to the LGSCO at any time after making their complaint; however, the LGSCO will not normally take any action until the Council's own investigations have been concluded (immediately following the Stage 1 for Adult Social Care and Public Health complaints; following Stage 3 for Children's Social Care and following Stage 2 for all other complaints). The LGSCO produces an annual report on the complaints made to them relating to the Council, the results of which are detailed in paragraph 6.0 below.

3.1 LGSCO Annual Performance Summary

In July each year the LGSCO shares with every Council, and online as public information, a summary of complaints they have received and an average marker of performance across similar Councils for comparison. The statistics focus on 3 key areas: -

1. **Complaints upheld** – The LGSCO uphold complaints when they find fault in the Councils actions, including where the organisation accepted fault before the LGSCO investigated. The total number of investigations completed is shared to provide important context for the statistic.
2. **Compliance with recommendations** – The LGSCO recommend ways for Councils to put things right when faults have caused injustice and monitor their compliance with LGSCO recommendations. The LGSCO suggest that failure to comply is rare and a compliance rate below 100% is a cause for concern.
3. **Satisfactory remedy provided by the authority** - In these cases, the Council upheld the complaint and LGSCO agreed with how the Council offered to put things right. The LGSCO encourage the early resolution of complaints and credit Councils that accept fault and find appropriate ways to put things right.

Table 3 below demonstrates the key annual LGSCO statistics for last two financial years and whether performance has improved or deteriorated.

	2021/22	2022/23	
LGSCO Investigations	46	34	
LGSCO Upheld Decisions	30 (65%)	26 (76%)	



Compliance with LGSCO recommendations	96%	100%	
Satisfactory remedy provided by the Council before reaching LGSCO	13%	0%	

Table 4 below demonstrates the Council's performance against the key LGSCO statistics in 2022/23 compared with the average of all similar Councils.

	2022/23	2022/23 Average – Similar Councils
LGSCO Complaints upheld	76%	77%
Compliance with LGSCO recommendations	100%	99%
Satisfactory remedy provided by the Council before reaching LGSCO	0%	10%

3.2 LGSCO Financial remedy

When someone has suffered an injustice the LGSCO tries to put them back into a position where they would have been had that error not occurred, with a focus on restoring services that have been denied and taking practical steps to put things right.

They can recommend a remedy when they find that fault has caused unremedied injustice known as personal remedy.

When the LGSCO decide that an organisation need to learn from the fault to prevent likely injustice to others in the future, they can recommend the action that the organisation needs to take known as service improvement. In almost all cases the LGSCO publish service improvement remedies on their website.

In 2022/23 the LGSCO issued the Council with a service improvement notice regarding an Adult Social Care complaint and published this notice on their website. The Council accepted the LGSCO's recommendations in this case and paid the recommended personal remedy.

In 2022/23 the Council made financial remedy, following recommendation by the LGSCO, in 11 cases totalling £10,971.

4.0 Key improvement actions implemented in 2022/23

<p>1. Reaffirming responsibilities and accountabilities for complaint handling across Departments and Services to improve performance</p>	<p>All Services now have a complaint handling champion known as a “link officer “. Network meetings have been held to provide them with support and advice to be cascaded through the services they represent.</p> <p>Detailed annual complaint handling performance reports issued to all Council Departments</p>
<p>2. Reviewing the Councils complaint handling policy focussing on the timescales for responding to complaints ensuring that they are, realistic, achievable, comparable to neighbouring Councils whilst demonstrating the Councils ambition to substantially improve both response times and the quality of responses.</p>	<p>The Council’s complaint handling policy was reviewed and relaunched but the timescales for responding to complaints are yet to be reviewed.</p>
<p>3. Reviewing the content of all external and internal websites to ensure up to date information is available for employees and Service users.</p>	<p>All external websites have been reviewed and updated.</p>
<p>4. Ensuring all those involved in complaint handling have access to specialist advice, support, guidance, and training material.</p>	<p>A bespoke training package “Effective Complaint Handling” was delivered to all Managers within Adult Social Care with a view to rolling out Council wide in 2024/25</p>
<p>5. Reviewing all complaint handling policies and procedures</p>	<p>Updated complaint handling guidance for Elected Members was distributed.</p> <p>All policies and procedures reviewed and refreshed where appropriate including Council policy on managing Vexatious Complainants.</p> <p>New monitoring procedure introduced to ensure that where any learning is identified in a complaint outcome, this is actioned by the relevant service.</p>
<p>6. Ensuring a smooth transition to the Bradford Children and Families Trust in relation to complaint handling</p>	<p>A joint working protocol has been agreed between the Council and the BCFT in relation to LGSCO (ombudsman) cases and the LGSCO link officer gateway.</p>

5.0 Conclusion

Overall, the Council's complaint handling performance has not improved compared with the previous financial year. The Council's response rate to Stage 1 complaints has plateaued and responses to Stage 2 have dipped. This is likely due to a combination of the increased volume of Stage 2 Childrens Social Care complaints received in the last financial year and the obvious disruption to complaint handling that the preparation for transfer to the Bradford Children and Families Trust (BCFT) caused.

Considerable work to improve the time taken to investigate complaints and to ensure that complaint outcomes are being fed into improved service delivery, as a default, is required. If the optimum level of resources are maintained and the list of key improvement actions outlined in paragraph 6.0 are actioned, then confidence that performance will improve remains high.

6.0 Key improvement actions for 2023/24

<p>1. Improve complaint handling performance</p> <ul style="list-style-type: none">- Ensure that the timescales for responding to complaints are, realistic, achievable, comparable to neighbouring Councils whilst demonstrating the Councils ambition to substantially improve both response times and the quality of responses.- Benchmark performance with other comparable Council's and identify any learning
<p>2. Ensure effective complaint handling remains a priority for Council Departments and Services</p> <ul style="list-style-type: none">- Develop a Complaint Handling Newsletter for circulation- Introduce regular performance and activity reporting to Council Senior Management teams (written and verbal)- Review the content of all internal websites to ensure up to date information is available for employees including creating a bespoke site for all Link Officers- Roll out the "effective Complaint Handling" learning to all Council Managers
<p>3. Reduce the numbers of complaints received</p> <ul style="list-style-type: none">- Produce regular root cause analysis system reports- Ensure outcomes of complaints result in improved service delivery- Investigate and develop solutions to reduce escalation to Stage 2- Investigate and develop solutions to the increasing uphold rate
<p>4. Improve performance in LGSCO annual review</p> <ul style="list-style-type: none">- Analyse the results of the 2022/23 review and develop and implement key improvement actions