

Report to:	OVERVIEW PANEL
Date:	26 September 2023
Reporting Member/Officer:	Sandra Stewart – Chief Executive Julie Speakman – Head of Executive Support Councillor North – First Deputy (Finance, Resources & Transformation)
Subject:	UNDERSTANDING OUR CUSTOMER CONTACTS AND LEARNING FROM OUR COMPLAINTS
Report Summary:	The report provides an update and strategic overview in relation to dealing with and responding to customer contacts. This report also provides a summary of complaints received by the organisation, those that escalated to a statutory panel and or Local Government and Social Care Ombudsman. The report also provides a summary of how the review and management of these contacts can help drive system improvement.
Recommendations:	Overview Panel are asked to note: <ul style="list-style-type: none"> (a) the content of the update and strategic overview of complaint system/process (b) support the refreshed training offer being promoted across the organisations
Corporate Plan:	Putting people at the forefront of services is a key element of the Council's Corporate Plan. An effective and robust complaints handling procedure is a necessary step to achieving this.
Policy Implications:	An effective complaint function means that residents who do not receive the best quality service can notify the Council for redress and the improvement of services in the future. It is important for the Council to take notice of findings and guidance on complaint handling to aid best practices. As a lead in the organisation for the Customer Service Excellence standard, it is also important to use this as an improvement tool to inform our custom and practice for service delivery.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are no direct financial implications arising from the recommendations contained within this report. The report lays out the strategic context of the Council's approach to handling complaints and contacts from residents. The Council retains a budget of £13k for any costs associated with Stage 2 and 3 complaints and costs have been contained within this budget in recent years. The co-ordination of responses to complaints is dealt with by staff within the budgeted establishment of the complaints team, however, Service input to complaint responses requires staffing resource to be redirected from the provision of services.
Legal Implications:	The report provides Members with an overview of the council's performance in dealing with and responding to customer contacts.

**(Authorised by the
Borough Solicitor)**

In 2020, the Local Government and Social Care Ombudsman stated: *The best authorities use complaints as a barometer of external opinion and as an early warning of problems that might otherwise stay unseen. They take that a step further and use critical feedback to drive a sophisticated culture of learning, reflection and improvement.*

Not only is having an effective process for managing contacts and complaints advisable for the effective delivery of services and to support the continuing drive for improvement it is also a legislative requirement regarding the Ombudsman's role.

The Ombudsman's role is covered by the Local Government Act 1974 which defines the main statutory functions of the Ombudsman as:

- to investigate complaints against councils and some other authorities
- to investigate complaints about adult social care providers from people who arrange or fund their adult social care (Health Act 2009).

The Ombudsmen's jurisdiction under Part III of the Act covers all local authorities (excluding town and parish councils); police and crime bodies; and school admission appeal panels.

The LGO corporate strategy is based upon twin pillars of remedying injustice and improving local public services.

The Ombudsman is confident that the continued publication of decisions, focus reports on key themes and the data in the annual review letter is helping the sector to learn from its mistakes and support better services for citizens. The Ombudsman also urges the scrutiny of data on complaints to improve services.


In addition in 2020, the Local Government and Social Care Ombudsman issued new guidance on effective complaint handling for local authorities which provides practical advice and guidance on running effective complaints handling processes to which all councils are expected to comply.

Risk Management:

Failure to understand complaints received by the Council and analyse volumes and themes overall will lead to a risk of poor service delivery.

Access to Information:

The background papers relating to this report can be inspected by contacting the report writer Julie Speakman Head of Executive Support.

 Telephone: 0161 342 2142

 email: julie.speakman@tameside.gov.uk

1. INTRODUCTION

1.1 Tameside Council strives to deliver excellent customer service. The Council delivers a wide range of services and whilst endeavouring to provide a consistent, high-quality service, with good outcomes for our customers, we also recognise that occasionally issues can occur and things can go wrong.

1.2 We recognise the importance of listening to any feedback we receive, as this provides a valuable source of information; it lets us know what we are doing well and equally where service improvements could be made. The information that customers request is also a useful tool to understand what is important to them and what information we should be ensuring is readily available through our channels of communication, including one of our main assets, our websites.

1.3 The iCasework complaints and information case management system is managed and maintained by the Information & Improvement Team and records, processes and monitors contacts received by the organisation which include:-

- Corporate complaints
- Social care complaints (Childrens & Adults) Local Government & Social Care Ombudsman (LGSCO) & Information Commissioner's Office (ICO) Enquiries & Complaints
- Greater Manchester Integrated Care Board locality Tameside (GM ICB)
- Member of Parliament (MP) Enquiries
- Freedom of Information Requests (FOI) – the right to access recorded information held by public authorities,
- Internal Reviews (complaint of a how a request handled/disagreement of response)
- Subject Access Requests (SARs) - the right to ask for information we hold about you
- Compliments
- Suggestions (customers & staff)
- General Customer Enquiries
- Whistleblowing concerns

1.4 Table 1 outlines the casework volumes per theme.

Work Areas	Case Volumes			
	2021	2022	2023** up to 31 July	
Information & Data Team				
Freedom of Information requests - TMBC	1069	1076	700	
Freedom of Information requests – GM ICB	178	138	41	
FOI Internal Reviews	6	9	4	
ICO Enquiries / Investigations	2	5	1	
Subject Access Requests - TMBC	265	277	196	
Subject Access Requests – GM ICB	3	8	0	
Subject Access Internal Reviews	3	1	0	
Disclosure Request/Missing Person requests	13	20	9	
Complaints & Customer Care Team				
Childrens Complaints - Stage 1	221	177	98	16 Statutory
Childrens Complaints - Stage 2	67	60	28	9 Statutory
Childrens Complaints - Stage 3	2	0	0	N/A

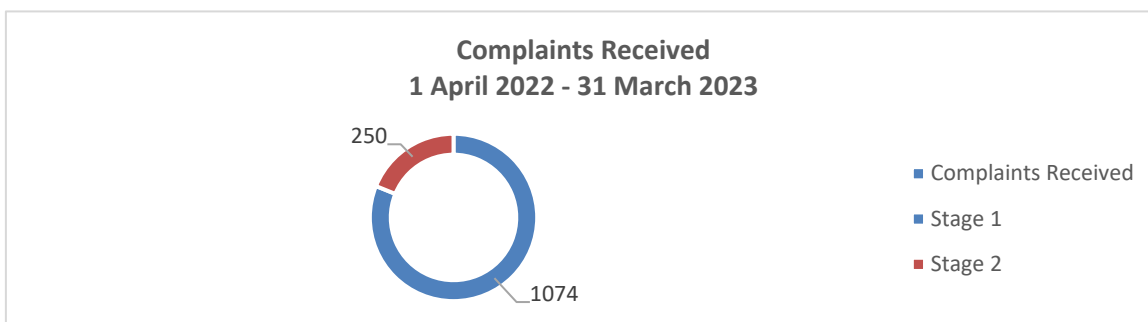
Adults Complaints - Stage 1	92	100	47	2 Statutory
Adults Complaints - Stage 2	32	21	12	1 Statutory
Corporate Complaints - Stage 1	606	807	388	
Corporate Complaints - Stage 2	154	177	66	
LGO enquiries / complaints	56	34	15	
MP enquiries – TMBC	875	994	536	
MP enquiries – GM ICB	88	20	10	
Complaint telephone calls	1574	1658	994	
Complaint web chats	2727	1163	419	
Whistleblowing	24	22	7	
Enquiries/service requests - TMBC	4250	3237	1663	
Compliments	87	66	83	
GM ICB Enquiries/Complaints	175	110	39	

2. COMPLAINTS AND CUSTOMER CARE

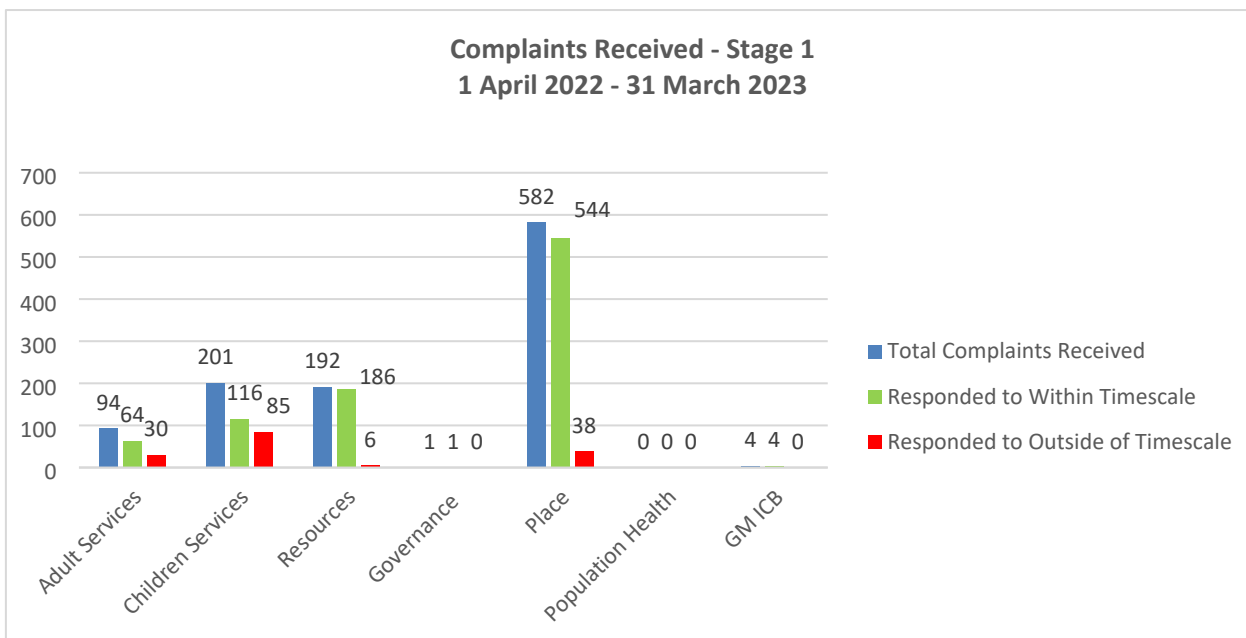
- 2.1 A complaint is generally defined as any expression of dissatisfaction specifically relating to a council service, or a body acting on behalf of the council, about the actions the service has taken, or a lack of action that has occurred. If at the end of the service request process, the customer remains dissatisfied, they can contact the Complaints & Customer Care Team to raise a formal complaint. We will provide an impartial, fair, and structured process for dealing with complaints.
- 2.2 We aim to make sure customers get a response as soon as possible, and where we can resolve issues quickly, we will always endeavour to do so. Where cases are more complex, customers might be asked to agree on a statement of complaint to ensure that all issues are fully understood and can be investigated; in these cases, resolution may take a little longer.
- 2.3 There are three distinct areas in terms of the Council's complaints process that customers can access; these are the three-stage statutory representation and complaints procedure for handling complaints about Children's Social Care, the Adults Social Care procedure, and the two-stage corporate complaints process for handling concerns about any other council service.

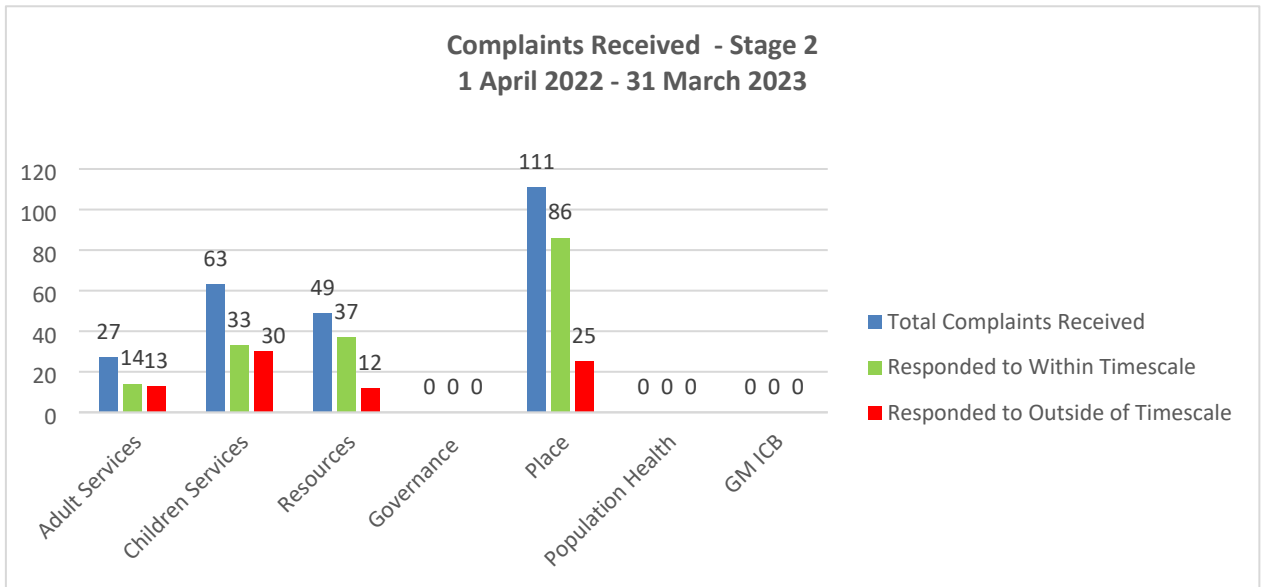
Complaint Stage	Investigated by	Responding Manager	Timescale (working days)
Corporate Stage 1	Service Area	Head of Service	20
Corporate Stage 2	Service Area	Assistant Director	20
Statutory Children's Stage 1	Service Area	Head of Service	10 (provision to extend to 20)
Statutory Children's Stage 2	Independent Investigating Officer and Independent Person	Assistant Director	25 (provision to extend to 65)
Statutory Children's Stage 3	Independent Panel Chair and 2 Independent Panel Members	Director	15

- 2.4 For any customer who remains dissatisfied with the handling of or the response to their complaint, they can escalate their concerns to the Local Government and Social Care Ombudsman (LGSCO) who are independent of the council and can investigate complaints and maladministration. Whilst the customer retains the right to approach the LGSCO at any stage of the complaints process, the LGSCO would ordinarily expect that contact is made with the council in the first instance, so that any issues raised can be considered locally and an attempt to reach a suitable resolution can be made.
- 2.5 Focusing on complaints for the period 1 April 2022 to 31 March 2023, the organisation has received and processed a total of 1324 complaints of which 1074 were Stage 1 and 250 were Stage 2. This is compared with a total of 1,188 for 1 April 21 to 31 March 2022 (increase of 206), of which 946 were Stage 1 (increase of 128) and 242 Stage 2 (decrease of 8).



- 2.6 The breakdown of the complaints received at Stage 1 and Stage 2 together with the volume received per service directorate is outlined in the charts below. This also identifies if these were fully responded to within the 20 working day timescale.

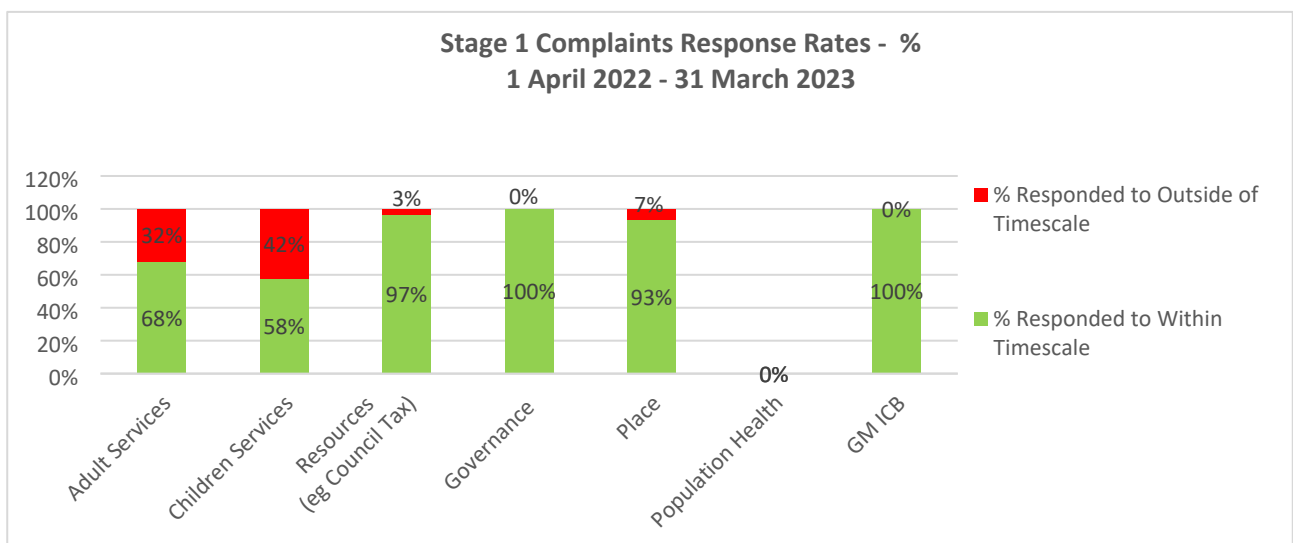


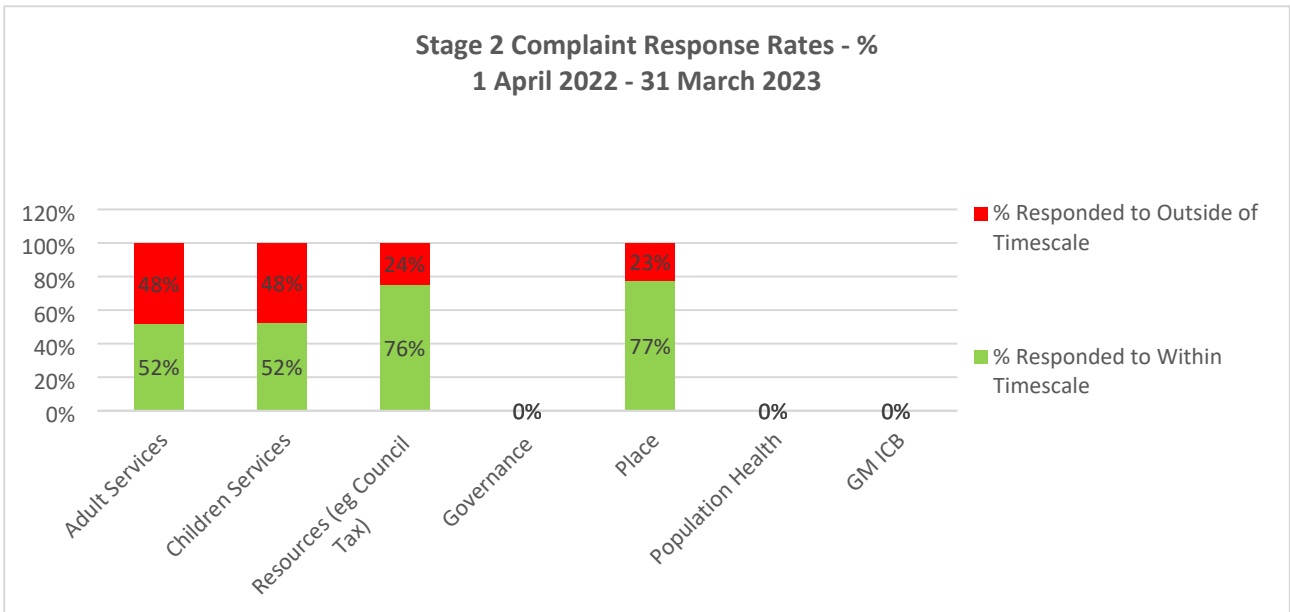


2.7 It should be noted that a high volume of complaints received does not necessarily indicate the quality of the council's performance; high volumes of complaints can indicate that the organisation is open to receiving, and learning from, its customer feedback, and sees complaints as an 'early warning' of wider problems developing. Low complaint volumes, rather than always being an indicator that all is well, can be a worrying indicator that the authority is not alert to customer feedback and that service users do not believe that complaining will have an effect.

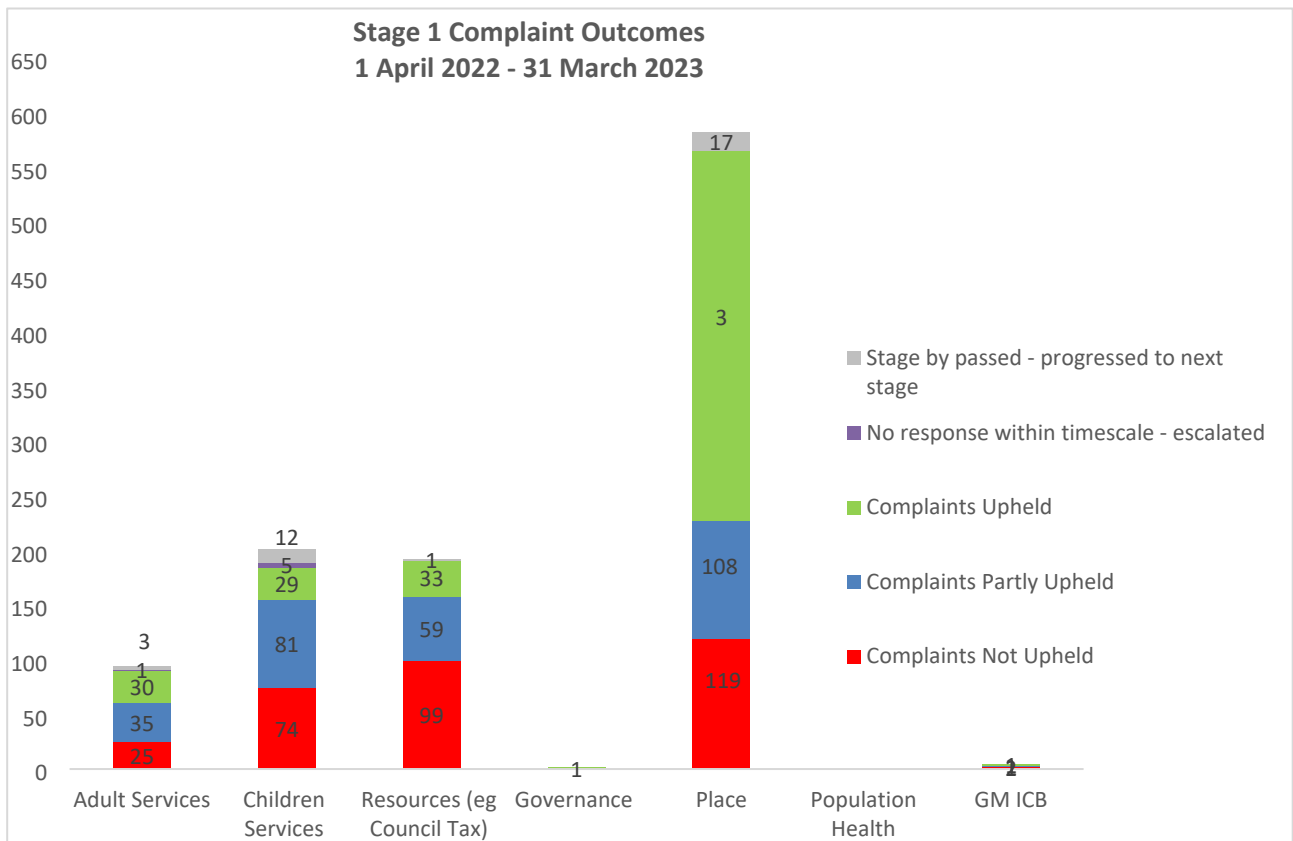
2.8 From the total complaints received during this reporting period, 85% of cases were responded to within the prescribed timescale compared with 78% from the previous reportable year for Stage 1 complaints. This is a continuing improvement however, we cannot be complacent and must continue to work hard to increase this response rate. It is important to note that although there was 15% outside of the prescribed timescales, there will be many reasons for this. Where complaint responses will be delayed, we always maintain an active dialogue with customers to keep them updated on progress and informed on when they will be likely to receive their responses. For Stage 2 complaints, 68% were responded to within the prescribed timescale which is a slight improvement on last year's response rate of 62%.

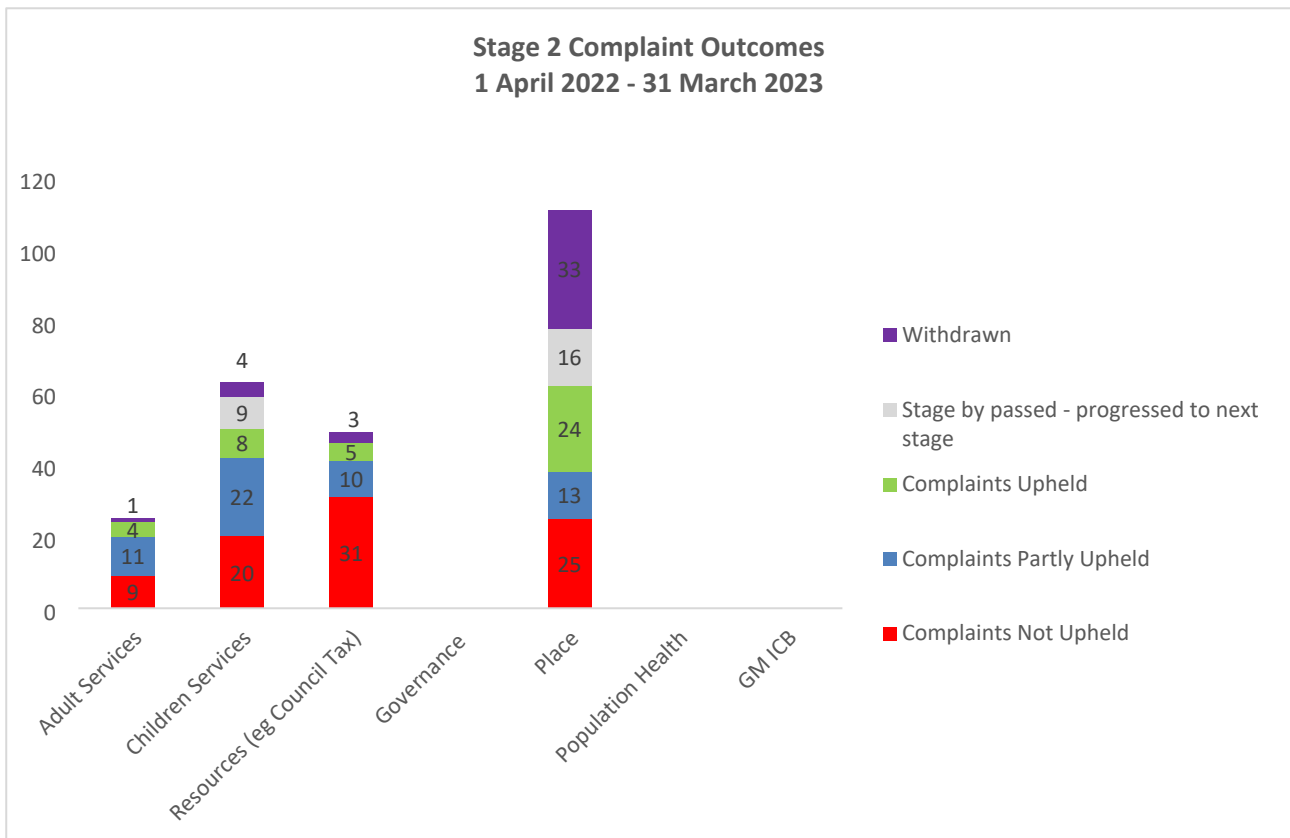
2.9 The following tables show the response rates of Stage 1 and 2 complaints by service directorate.





2.10 From the complaints processed and completed during the reporting period, the following complaint outcomes were recorded.

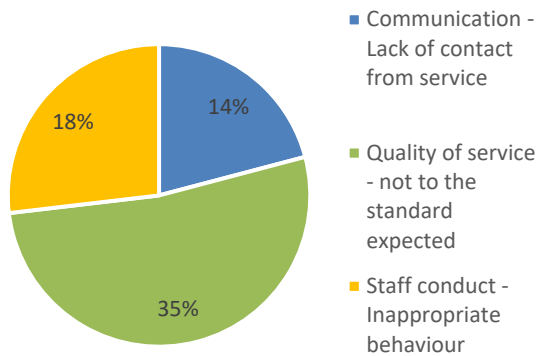




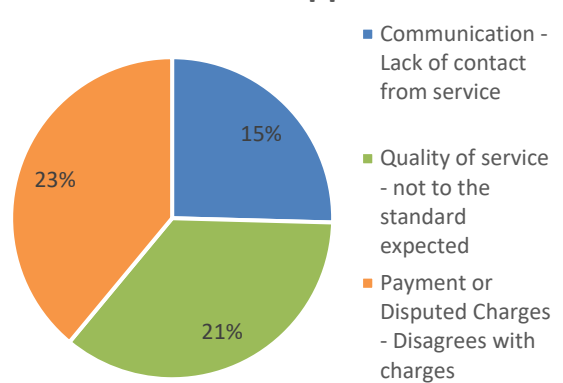
- 2.11 A summary of complaints received during the period April 2022 – March 2023 is shown in **Appendix A**; this also identifies at the top level the type and root cause of the complaint.
- 2.12 Understanding why customers (service users, residents) complain is an important factor in the complaints process. Collecting and analysing this information allows us to identify where service failure is occurring, and emerging patterns then help provide us with the opportunity to put things right. Recognising where things are going wrong and implementing changes and improvements should, in turn, reduce the number of complaints received and improve the quality and experience that customers receive. The information we get through complaints and the learning is also essential as an early warning sign where things might not be going as well as was planned and acting upon these swiftly is crucial.
- 2.13 In relation to the top 4 issues/root causes, we have continued to see common themes coming through across the organisation. For this reportable period, the main themes are namely: -
- Quality of service - Failure to do something & not to the standard expected.
 - Communication – Lack of contact & no response to calls or messages. – **New top theme for 22/23**
 - Staff conduct – Inappropriate behaviour & staff attitude.
 - Payment or disputed charges – Disagrees with charges.

By the nature of the service provided, some Service Areas receive higher volumes of complaints. The graphs below show a % breakdown of the main causes of complaints in those service areas.

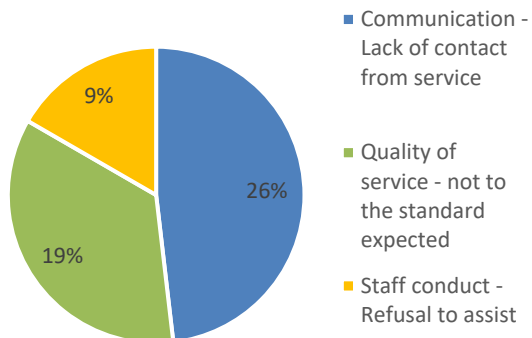
Adults Services - Operations



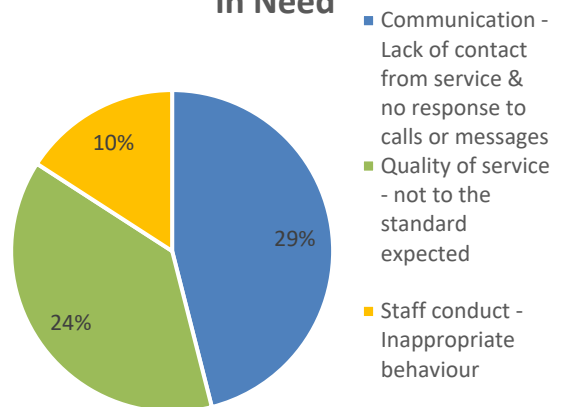
Adult Services - Integrated Care & Support



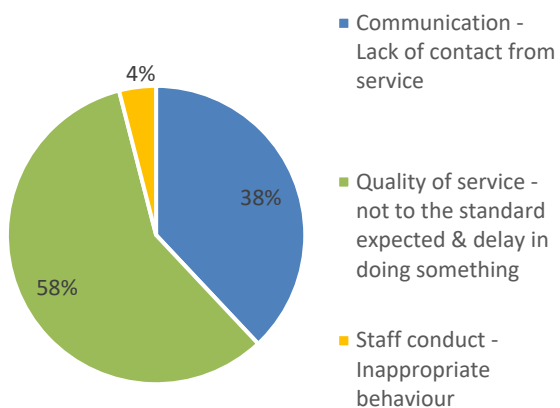
Childrens Services - Cared for Children



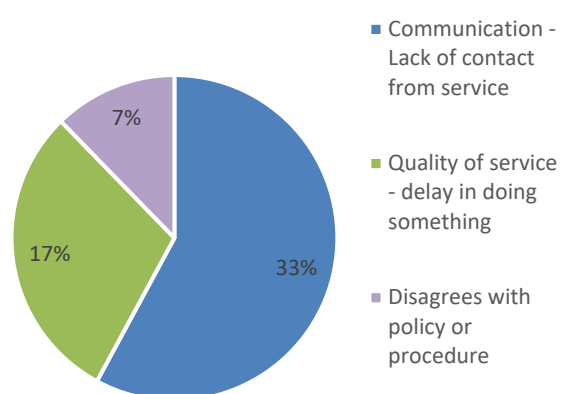
Child Protection & Children in Need

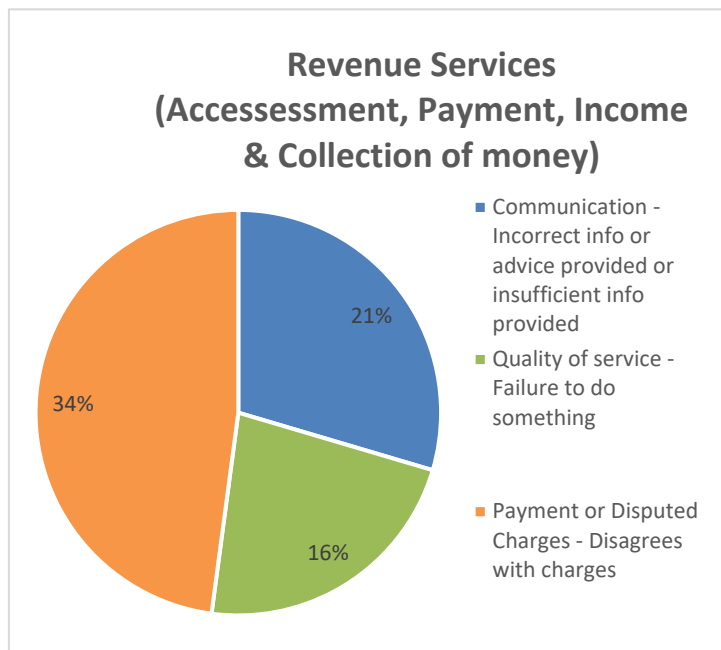
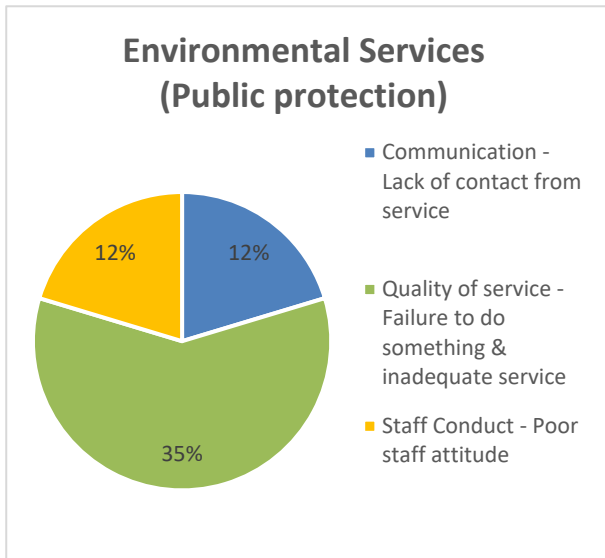


Pupil Support Services



Planning





2.14 The data that is held within the system will also identify the specific issues that will help to inform service improvement and where additional staff training may be required across specific areas. During the last reporting period, we can evidence where information from our customers' experience has enabled service areas to make improvements to their services, some of which are identified below:

Children's Social Care	
a)	Following a complaint from a grandparent about the way social care staff had interacted with her daughter during two home visits, a commitment was given to ensuring that all Family Intervention workers ensure they start from a strength-based approach and use the Signs of Safety model of practice, which was to be refreshed across all the teams.
b)	As part of a complaint, it was acknowledged that non-professionals' referrals should be documented within family assessments as anonymous to ensure there is no relationship breakdown between the referrer and the family. The Service committed to ensuring that all Social Workers and Family Intervention workers ensure they continue to uphold GDPR and that this is documented correctly within assessments.

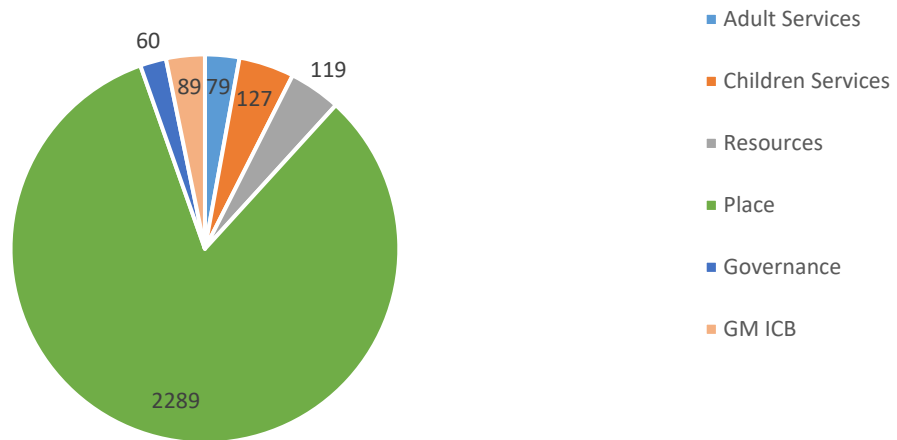
c)	A complaint from a young person about their experience with the Service led to a commitment that when re-allocating a Young Person's case that is within the Court process, Managers must, wherever possible, allocate the responsibility to a permanent member of staff and have robust oversight until that process is complete. The Head of Service also agreed that Managers must pay more attention to the allocating process to ensure continuity of case holding for the Young Person.
d)	A complaint also led to Children's Services acknowledging that the Children's Centre offer was not being fully explained, and as a result, they committed to ensuring that promotional information and the Children's Centre ethos are clearly shared with families.
e)	In response to a complaint from a parent about the lack of information and explanation provided to him about the reason for an unannounced (Section 47) visit, and about an emergency meeting having taken place earlier that day with his daughter without him being notified, the Service acknowledged there had been some failures in communicating and agreed to review the communication with service users throughout the complaint process. There was also a commitment that the Multi-Agency Safeguarding Hub Team and the Duty and Assessment Team social workers would have some training and reflective discussions regarding consent and informing parents and carers when Strategy Meetings and Section 47s are taking place.
Adult Social Care	
a)	Following a complaint about a member of staff entering a property to remove CRS equipment that was no longer required, the staff-induction document was updated to ensure that all new staff are informed that they must not enter a person's home to de-install equipment without explicit consent. In addition, de-installation procedures were distributed to all staff to read and sign.
b)	A complaint about a family member not being informed in advance that a residential home was not willing to allow the resident to return to their establishment led to the home reviewing and updating its procedures to ensure better communication in the future with families and other professionals.
c)	As a result of a complaint about no information about third-party top-up fees having been provided prior to a person embarking on a period of respite, Adult Services acknowledged the need for clear and concise information regarding care costs and top up fees at care homes being given at the outset.
Education	
a)	A parent complained that she felt she and her son and the school had been let down by the system for supporting children with difficulties; she also felt the school had been let down as they had been asking for information about how to support her child, with no response. The Service acknowledged the delays in providing support and information and committed to revising and improving its communication protocol in order to avoid delays in correspondence in the future.
b)	A complaint about delays in updating an EHCP and about poor communication between the Council and its partner agencies confirmed that the electronic recording system in operation at that time did not record communication between agencies and led to a systems review taking place to ensure an accurate record of communication between all agencies.
c)	A complaint about the lack of communication from the SEN Team found that on too many occasions, the parent received either no reply or a slow reply to their emails. This led to colleagues in that Team being reminded of the importance of timely and proactive communications.
d)	Following a complaint about delays in making payments to partners, the Head of Service was asked to review the process of managing and making such payments with the intention that no delays were experienced in the future.

Place	
a)	Waste – following a complaint about repeated failures to empty a communal recycling bin, Waste supervisors were tasked with ensuring the bins were emptied on the scheduled collection date.
b)	Planning – a complaint that enforcement had not been properly conducted in relation to a development led to the Council visiting the development and acknowledging that the build was not as per the approved plans, and consideration being given to the use of enforcement powers to rectify the breach in planning control.
c)	Library Services - A complaint about the matter and attitude of library staff including staff being unfriendly and unresponsive, and not providing a risk-assessment document when asked led to staff being instructed to ensure they are attentive to customers entering and to provide acknowledgement, to be extra vigilant when events are running when it may be busier and noisier, to familiarise themselves with the location of risk assessments and to ensure they check the needs of the customer without making assumptions.
Exchequer	
a)	A complaint about the poor customer care provided by an advisor when a customer contacted the Council Tax service led to an acknowledgement that the call could have been handled better, and a commitment to further training being provided.
b)	A complaint about a reminder notice being sent out for an invoice without any previous correspondence having been sent before the reminder led to the Income Service being reminded about how an account should be administered correctly, and the consequences of not doing so.

3. ENQUIRIES, SERVICE REQUESTS AND CONCERNS

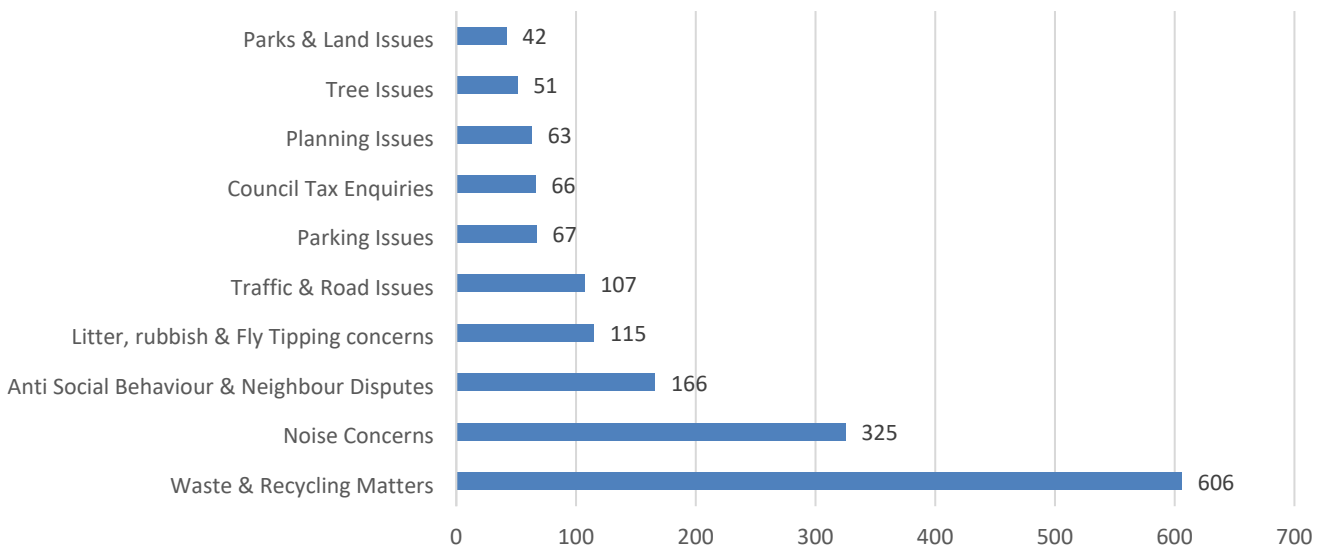
- 3.1 High volumes of contacts are received via the complaints reporting channels, and processed as enquiries or service requests. These types of contacts may be raising concerns or issues, and may be the first time services are being made aware of issues and therefore being given the opportunity to deal with and resolve.
- 3.2 These contacts don't require a complaints investigation to provide a resolution or address the issues being raised. By dealing with these contacts as service requests it allows us the opportunity to resolve matters quickly and efficiently, so that customers can get the resolution or advice they need. If for any reason though matters have not been addressed to the customer's satisfaction they do have the option to progress through the complaints process.
- 3.3 During the period April 2022 – March 2023, we received and dealt with 2,763 enquiries/service requests/ concerns (compared with 2490 being received for the previous period April 2021 – 31 March 2022). A breakdown of these by Directorate is below.

**Enquiries / Service Requests Received by Directorate
1 April 2022 - 31 March 2023**



3.4 Like complaints, there are common themes and patterns as to why residents contact the Council for help and assistance, and certain Service Areas receive higher volumes of contacts to deal with. The chart below shows the top 10 reasons residents contacted the Council through the Complaints Team, during this reporting period with an enquiry, service request or concern.

Top 10 Enquiries, Service Requests & Concerns Received 2022/2023



4. THE LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO)

4.1 The Local Government and Social Care Ombudsman (LGSCO) is the final stage for complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care homes and home care providers).

4.2 In 2010 the LGSCO issued new guidance on [effective complaint handling for local authorities](#) which provides practical advice and guidance on running effective complaints handling processes to which all councils are expected to comply. A good complaints process should

comply with the law. In some cases the law sets out how you should handle a complaint, review or appeal, including timescales for responses.

4.2.1 The Council's complaints process for investigating complaints is:-

Complaint Stage	Investigated by	Responding Manager	Timescale (working days)
Corporate Stage 1	Service Area	Head of Service	20
Corporate Stage 2	Service Area	Assistant Director	20
Statutory Children's Stage 1	Service Area	Head of Service	10 (provision to extend to 20)
Statutory Children's Stage 2	Independent Investigating Officer and Independent Person	Assistant Director	25 (provision to extend to 65)
Statutory Children's Stage 3	Independent Panel Chair and 2 Independent Panel Members	Director	15

4.3 The Ombudsman says that the complaint process should be tailored to allow us to determine each complaint on its own merits. Investigations should be proportionate and pragmatic and that we should be able to identify and act on learning opportunities from complaints, ensuring the lessons reach people in the council who can effect change.

4.4 Every July the Ombudsman publishes information on the complaints and enquiries received by individual local authorities, and the decisions made during that financial year form part of an Annual Letter. A copy of this can be found in **Appendix B**. This information can be valuable in helping local authorities assess their performance in handling complaints. Intrinsic to the learning from this process the annual report is reported to Overview/Scrutiny to provide further challenge and to inform learning of systems and processes for improved outcomes for service delivery and customer experience from these.

4.5 The Annual Letter for the period 1 April 2022 to 31 March 2023 provides an update on the current performance and how this compares with other local authorities in relation to the number of cases, the types of cases received, and the learning, for example, and this report outlines this additional information.

4.6 For the reportable period, the LGSCO received a total of 63 compared with 74 complaints for the previous year across the service themes below and shows where there was an increase, decrease or numbers remained the same on the previous year.

Authority	Adult Social Care	Benefits and Tax	Education and Children's Services	Environmental Services, Public Protection & Regulation	Highways and Transport	Planning & Development	Housing	Corporate & Other	Total
Tameside	13 ↑	5 ↓	18 ↓	10 ↓	3 ↔	10 ↑	1 ↓	3 ↔	63 ↓

4.7 Of the complaints received by the Ombudsman the following outcomes were determined. Some of those cases determined though could have been from a previous reporting year.

Outcome	Adult Social Care	Benefits and Tax	Education & Children's Services	Environmental Services, Public Protection & Regulation	Highways and Transport	Planning & Development	Housing	Corporate & Other	Total
Advice Given	0	1	0	0	0	0	0	0	1
Upheld	8	0	3	3	0	1	0	0	15
Not upheld	0	0	2	1	1	0	0	0	4
Closed after initial enquiries	3	3	7	6	3	4	1	3	30
Referred back for local resolution	2	1	5	3	0	3	0	0	14
Incomplete/invalid	1	0	0	0	0	0	0	0	1
Total	14	5	17	13	4	8	1	3	65

4.8 The Ombudsman in the annual review letter stated *“Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on ‘borderline’ issues, so we are naturally finding a higher proportion of fault overall.*

4.9 As stated in 4.6, the LGSCO uphold complaints when they find fault in an organisation's actions, including where the organisation accepted fault before they investigated. There was an upheld rate of 79% (based on 15 of 19 cases) detailed investigations compared with 81% (17 of 21 cases) the previous year. This compares to the average uphold rate of similar authorities of 77%. The council compares favourable in this regard.

4.10 In addition, for some cases where the LGSCO upheld the complaint, the service area will have been asked to remedy the situation and of the 63 cases received there were 11 of the 15 upheld cases requiring further action (compared with 74 cases last year with 12 requiring action) which is outlined in the table below.

Remedy	Adult Social Care	Benefits & Tax	Education and Children's Services	Environmental Services, Public Protection & Regulation	Highways and Transport	Planning & Development	Housing	Corporate & Other	Total
Apology	1								1
Apology/financial redress – Time & Trouble			1						1
Apology Provide training and/or guidance	1								1
Apology, Financial redress: Avoidable distress/time and trouble, Financial Redress: Quantifiable Loss, Provide training and/or guidance	1								1
Apology, Reassessment, Financial redress: Avoidable distress/time and trouble	1								1
Apology Financial redress: Avoidable distress/time and	1					1			2

trouble Provide training and/or guidance									
Financial redress: Avoidable distress/time and trouble, Provide services to person affected, Provide information/advice to person affected				1					1
Financial redress: Loss of service, Provide services to person affected	1								1
Provide information/advice to person affected, Procedure or policy change/review, Provide training and/or guidance				1					1
Provide services to person affected			1						1
Total	6	0	2	2	0	1	0	0	11

4.11 In 100% of cases, the Ombudsman was satisfied the authority had successfully implemented their recommendations (based on 11 compliance outcomes). In 27% of upheld cases the Ombudsman found that the authority had provided a satisfactory remedy before the complaint had reached them (based on a total of 15 upheld decisions), this compares to an average of 10% in similar authorities.

4.12 The reportable period for the annual report and the comparative data contained in this report is 1 April 2022 – 31 March 2023. As part of the annual report, local authorities receive data about the service areas to which the complaints received by the LGSCO relate. The table below shows the breakdown of the total number of complaints received by local authorities, by service area. Tameside was 6th out of the 10 GM authorities in the number of complaints received by the LGSCO.

Local Authority	Adult Social Care	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environmental Services, Public Protection and Regulation	Highways and Transport	Housing	Planning and Development	Other	Total
Bolton MBC	11	9	6	9	6	6	9	8	0	64
Bury MBC	10	7	4	27	8	8	7	1	0	72
Manchester CC	18	18	7	31	24	23	21	7	2	151
Oldham MBC	19	4	3	15	5	4	4	4	1	59
Rochdale MBC	18	4	9	9	4	3	3	4	0	54
Salford CC	8	16	2	27	7	6	7	4	1	78
Stockport MBC	9	3	1	13	16	3	3	17	0	65
Tameside MBC	13	5	3	18	10	3	1	10	0	63
Trafford	12	2	2	10	13	8	2	10	1	60
Wigan MBC	14	6	2	15	6	3	6	9	1	62

4.13 The table below outlines the number of detailed investigations carried out by the LGSCO across GM local authorities. Again Tameside was 6th out of the 10 GM authorities in the number of detailed investigations that were carried out.

GMCA - Local Government & Social Care Ombudsman - Investigations 2022/2023								
Local Authority	Number of details investigations	Number upheld	% Upheld	% Compliance with LGO recommendations	Number of Satisfactory remedies provided by council prior to LGO involvement	% Satisfactory remedies provided by council prior to LGO involvement	Public Reports Published by LGO in last 9 Years	Number of service improvements agreed by Council since April 2018
Bolton MBC	18	17	94%	94%	2	12%	2	32
Bury MBC	25	22	88%	93%	0	0%	1	30
Manchester CC	36	22	61%	100%	2	9%	1	36
Oldham MBC	6	2	33%	100%	0	0%	0	13
Rochdale MBC	8	3	38%	100%	0	0%	1	16
Salford CC	9	7	78%	100%	0	0%	1	14
Stockport MBC	22	19	86%	100%	7	37%	1	23
Tameside MBC	19	15	79%	100%	4	27%	3	20
Trafford	21	14	67%	100%	1	7%	1	29
Wigan MBC	15	12	80%	100%	4	33%	0	12
<i>Average performance rates; (%)</i>			77%	99%		10%		

4.14 In summing up in his Annual Review letter, it was reported that the annual statistics once again back up the harsh reality many people face in key areas of their lives, including education, care for the elderly and housing issues. Paul Najsarek, the Local Government and Social Care Ombudsman said:

“We all want decent education services for our children, quality care for our loved ones when they are in need, and the reassurance of a safety net if we fall on hard times but all too often the complaints we receive show this isn’t what people experience.

We know councils face huge challenges, so it is more important than ever for them to focus on the getting the basics right in services for residents and handling complaints effectively. Although local authorities often get things right, we frequently find councils repeating the same mistakes, ploughing ahead and not taking a step back to see the bigger picture.

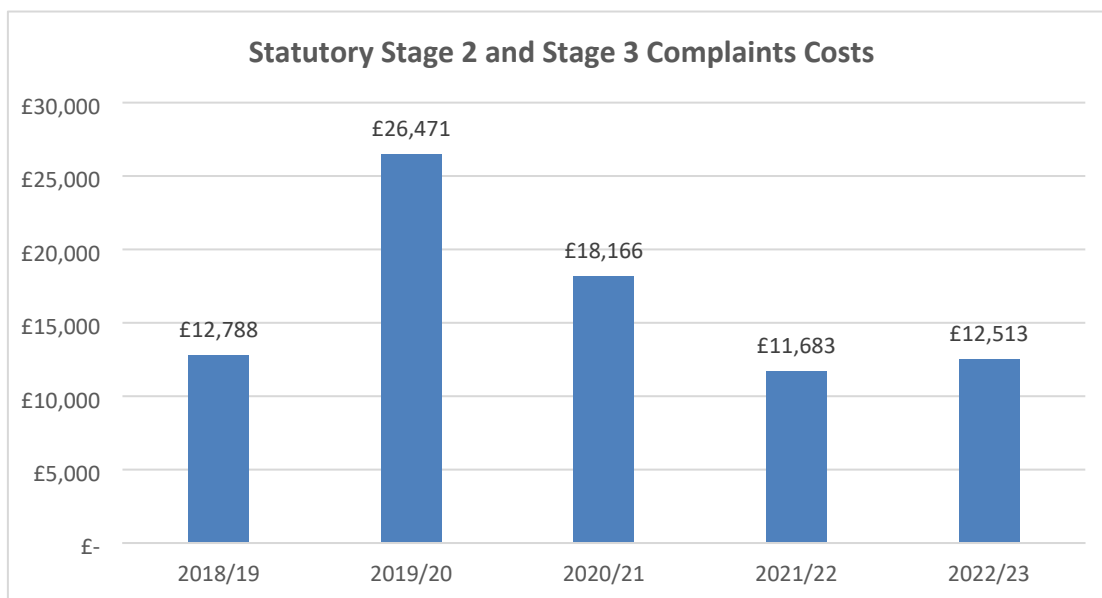
Our latest statistics shed light on the harsh realities people across the country face in crucial aspects of their lives. Council leaders now need to focus on learning from common faults and injustices so they can make a significant difference to the people our local authorities serve”.

This relentless focus and learning from complaints, the in-focus reports and good practice reports of the LGSCO is how we use this information to help us reduce repeat episodes occurring in Tameside.

4.15 All complaints that are considered by the Council undoubtedly have a cost associated with them, either tangible or intangible; intangible costs include the time officers spend dealing with the complaint, for example, or staff time in terms of processing the complaint through the complaints recording system. Tangible costs may be in the form of a remedy payment to resolve the complaint, or to acknowledge ‘time and trouble’. In the case of statutory complaints relating to Children’s Services, there are very tangible costs, as the second and third stages of the process for handling such complaints require the appointment of independent people to investigate the complaint and to hear the complaint at an independent panel meeting,

respectively.

- 4.16 There is an annual budget of £13k set aside to manage statutory Stage 2 and Stage 3 panels which sits within the Information and Improvements budget, and the costs incurred for the last five years are shown below.

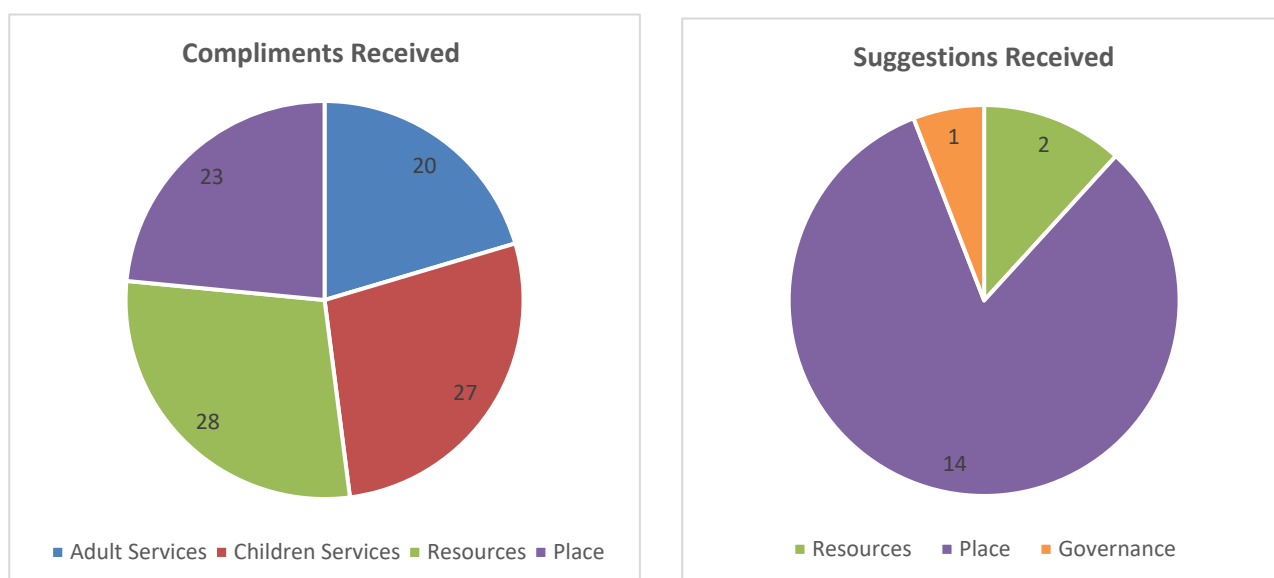


- 4.17 These costs are in addition to any “remedy costs” that might be paid out directly by the service as a result of the panel and any “remedy costs” incurred via any LGSCO involvement.
- 4.18 A total of £5,954 (an increase from £4625 2021/22) across 9 cases (an increase from 5 2021/22) was paid during the reportable period as a result of recommendations for financial remedy made by the Ombudsman; the table below sets out the reasons for the remedy payments. Remedy payment costs are borne directly by the service area which is the subject of the complaint.

Service	Reason	Amount
Adults	Failure to make an Occupational Therapist appointment; failure to wear transparent masks when undertaking visits	£400
Adults	Fault in the calculation of capital, resulting in overcharges for care home fees	£150
Adults	Fault in wound care	£250
Adults	Failure to deal properly with charges for care, and with questions about Mental Capacity Act (MCA) and third-party top-up	£3,325
Education – Admissions	Failure to respond to a complaint about the conduct of a School Appeals officer	£250
Education – SEND	Fault fund due to lack of response and delays in Education, Health & Care Plan (EHCP)	£600
Education – SEND	Failure to provide support as per the EHCP, delays in the process, and failure to ensure appropriate transition.	£529
Planning	Delay in processing a planning application and failure to deal with the complaint properly	£250
Waste	Failure of Pull and Return Service	£200
TOTAL		£5,954

5 CUSTOMER SERVICE EXCELLENCE, COMPLIMENTS, SUGGESTIONS AND LEARNING

- 5.1 As challenging as it can be to effectively deal with complaints and customer reports of dissatisfaction, it is also important to record Compliments and Suggestions received from both our internal customers, and from our residents and service users. For the reporting period April 2022 – March 2023, there have been 98 compliments and 17 suggestions received. The compliments received have been regarding a range of services of the council and in the majority of cases, were commending the help, support and excellent customer service individuals had received.



- 5.2 In addition the organisation has held the Customer Service Excellence standard for over 17 years, each year achieving 100% compliance and with additional areas of compliance plus (areas of best practice).
- 5.3 During July 2023 the onsite surveillance took place, and it is pleasing to report the organisation continues to meet the standard with 100% compliance with a continued 15 areas of compliance plus sustained. This is a remarkable achievement and one to be proud of.

LEARNING & DEVELOPMENT

- 5.4 Learning and development is an intrinsic element of good customer service, service improvement and staff development. During the reporting period, Customer Care and Complaints Handling Training was delivered to 59 staff across the organisation. This included a bespoke session for staff and Managers within the Special Educational Needs Team and was tailored to the needs of that service.
- 5.5 Attendees of the training have included Assistant Directors and Team Managers, as well as front-line staff, including staff from the very front-facing Call Centre. Feedback across all the sessions has been very positive, and further sessions are scheduled for the remainder of this calendar year.
- 5.6 Into the coming year, the Local Government and Social Care Ombudsman has once again been invited to deliver two sessions on their Effective Complaint Handling workshop. The workshops aim to support attendees to develop their skills in defining and analysing complaints, planning investigations, and communicating decisions effectively. It is anticipated that one session will be for general Managers across the council, and one session will be dedicated to Managers within Children's Social Care services.

- 5.7 As previously identified in paragraph 2.14 there is ongoing review, learning and development from complaints by service areas. They continue to take the opportunity to reflect and learn by these sharing across their teams. These include improved communications and customer care, tightening of process for access to customers and the improved administration of records to name a few.
- 5.8 The LGSCO will at time develop focus reports and good practice guides that highlight particular subjects or systemic issues arising from the casework they receive. These are published for authorities to use for learning and development and shared with services for their consideration and to review the outputs against their own service delivery.
- 5.9 The in-focus reports provide a structure when developing questions for Scrutiny. For this municipal year Scrutiny have handled the following reports in response to the in-focus reports.
- o Recent Homelessness – view [here](#)
 - o Planning - view [here](#)
 - o Anti-Social Behaviour – view [here](#)
- 5.10 **Liverpool City Council’s complaint handling procedures** - In July 2022 the Ombudsman was invited to carry out a full review of the Liverpool City Council’s complaint handling procedures, as part of a raft of reviews prompted by government-appointed commissioners brought in to oversee the council’s performance. This report can be viewed [here](#). At that time we reviewed the actions to see how we benchmarked against this. Overall we fared well against these actions. At Tameside we are much further on in terms of some of the actions that were being proposed including having a joint complaints service, management oversight and corporate reporting of performance.
- 5.11 There were some learning and development points from the Liverpool report notably:-

Review and revise job descriptions to ensure all roles with a customer interface include appropriate references to responsibilities around complaint handling.	Conversations have taken place with the Assistant Director People & Workforce for this to be considered. This will be reviewed in line with the review of the performance framework current being implemented.
Compulsory training on effective complaint handling for staff who act on or respond to complaints.	Complaints and customer care training is delivered across the organisation. The Induction for new staff is being reviewed and the training will be bolstered as part of this review.

6 NEXT STEPS

- 6.1 Building on the work that was undertaken in the reporting year, work will continue with the root cause analysis which will help identify those service areas where a review of processes or systems used may be necessary, or where staff training in particular areas of service delivery may be warranted.
- 6.2 Through the review and amendment of the template response letters used for responding to complaints, there will also be a greater focus on identifying learning from complaints, and on the implementation of that learning to improve services.
- 6.3 Work is also underway to develop and produce quarterly performance data for all services in the form of Dashboard Reports with the plan to deliver during the last quarter of this calendar year. An initial draft has been developed with Children’s. These reports will include key performance data including the root causes of complaints, the timeliness of responses, and the top three themes, as well as reporting on improvements made to services as a result of the identified learning. This work is in addition to and complementary to the weekly reports already published to services.

7 RECOMMENDATIONS

7.1 As set out on the front of the report.

APPENDIX B

19 July 2023

By email

Ms Stewart
Chief Executive
Tameside Metropolitan Borough Council

Dear Ms Stewart

1. Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

2. Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

3. Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

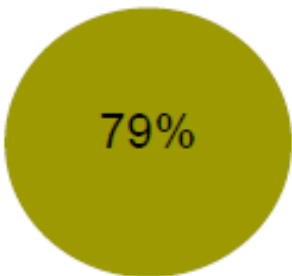
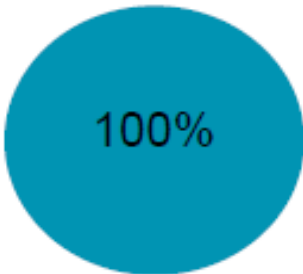
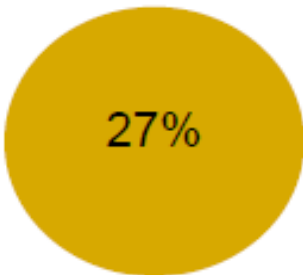
In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

We were pleased to deliver an online complaint handling course to your staff during the year. I welcome your Council's investment in good complaint handling training and trust the course was useful to you.

Yours sincerely,



Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld		
	<p>79% of complaints we investigated were upheld.</p> <p>This compares to an average of 77% in similar organisations.</p>	<p>15 upheld decisions</p> <p>Statistics are based on a total of 19 investigations for the period between 1 April 2022 to 31 March 2023</p>
Compliance with Ombudsman recommendations		
	<p>In 100% of cases we were satisfied the organisation had successfully implemented our recommendations.</p> <p>This compares to an average of 99% in similar organisations.</p>	<p>Statistics are based on a total of 11 compliance outcomes for the period between 1 April 2022 to 31 March 2023</p>
<ul style="list-style-type: none">• Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.		
Satisfactory remedy provided by the organisation		
	<p>In 27% of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.</p> <p>This compares to an average of 10% in similar organisations.</p>	<p>4 satisfactory remedy decisions</p> <p>Statistics are based on a total of 15 upheld decisions for the period between 1 April 2022 to 31 March 2023</p>