

COMPLIMENTS & COMPLAINTS ANNUAL REPORT 2017/18

Buckinghamshire County Council

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Overview

Buckinghamshire County Council welcomes feedback: compliments, comments and complaints from customers. Feedback will be recorded and acted upon in accordance with our complaints procedures. This will in turn ensure that the Council can demonstrate that it listens to the experiences of its customers, positive or negative, to bring about improvements in services.

This report covers all complaints received and recorded for the period 1 April 2017 to 31 March 2018.

Statutory Framework

The Council has a statutory duty to investigate Adult and Children's Social Care complaints under The Children Act 1989 Representations Procedure (England) Regulations 2006 and Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

There is also a requirement on us by the Local Government and Social Care Ombudsman to operate a corporate complaints procedure to cover other areas of council services such as school admissions, special educational needs, libraries and highways.

What is a complaint?

Any expression of dissatisfaction about a council service (whether that service is provided directly by the council or by a contractor or partner) that requires a response.¹

There is a close link between service requests and complaints. As a Council we record first time contacts as service requests, rather than complaints, and services are encouraged to adopt local resolution to work with the customer to resolve the issue. Where this hasn't happened, then invariably the customer will come back to us to make a complaint.

The Compliments & Complaints Team receives a lot of correspondence from customers who are generally unhappy but are not necessarily making a complaint. These could be someone chasing the progress of a claim, reporting a defect on the roads or simply trying to complain about a service we are not responsible for, like a bin collection. During 2017/18, the Compliments & Complaints Team received nearly 1,100 other 'general enquiries'. These were not classified as complaints and were redirected to the most appropriate place to deal with the issue.

Purpose of Complaints Procedure

The purpose of any complaints procedures is to ensure that:

¹ From the Local Government & Social Care Ombudsman's *Guidance on running a complaints system*

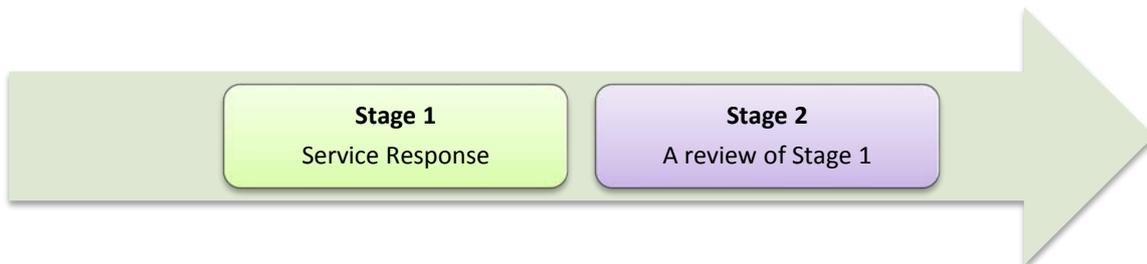
- The views and experiences of people who use services are heard to ensure the organisation remains focused on the customer.
- The organisation learns from complaints and seeks improvements to service provision and working practices.
- There is a simple and effective way of raising a complaint.
- Complaints are dealt with fairly and consistently.
- The complainant receives a comprehensive response within the agreed timescales.
- It encourages an open and transparent environment that people trust and engage with.

Complaints procedures

The County Council has three processes. The process followed for an individual complaint is largely dependent on the subject of that complaint. As a general rule, complaints specifically regarding child and adult social care issues will be referred to the statutory procedures respectively, whereas other service issues, process/procedural issues and decision making issues will be more appropriate for the corporate procedure.

Corporate Complaints Procedure

A two stage process:



- **Stage 1** – the staff delivering the service aim to respond to the complaint within 28 calendar days. If it is going to take longer, the complainant is kept informed.
- **Stage 2** – A review of the Stage 1 response carried out on behalf of the Monitoring Officer, with an aim of completing within 28 calendar days. If it is going to take longer, the complainant is kept informed.

The Local Government and Social Care Ombudsman is the final route of redress for the complainant.

Adults Statutory Social Care Complaints - Listening, Responding, Improving

A one stage process:



- A one stage process that encourages local resolution to resolve issues. The pre-complaint stage is called the Concern Stage. The complaints process usually begins once the Concern Stage has been exhausted. Whilst the statutory timescale allows up to six months to issue a final response to the complaint, the Council has set a local standard of 28 calendar days during which time the majority of complaints are expected to be resolved.

The Local Government and Social Care Ombudsman is the final route of redress for the complainant.

Children’s Statutory Social Complaints Procedure – Hearing the Customer’s View

A three stage process:



- **Stage 1 Local Resolution** - the staff delivering the service are given the opportunity to address the complaint, providing a full response within 10 working days (this can be extended to 20 days in exceptional circumstances such as complex complaints).
- **Stage 2 Independent Investigation** - an Independent Officer (IO) and an Independent Person (IP) will investigate the complaint and the IO will prepare a report for the Service Director, who will send a formal response to the complainant based upon that independent report. The investigation should be completed within 25 working days of receipt of the signed complaints statement (this can be extended to a maximum of 65 working days in certain circumstances such as complex complaints).
- **Stage 3 Review Panel** - comprising an independent chair and two other independent people who consider the adequacy of the Stage 2 complaint

investigation. The Panel should meet within 30 working days of the request being made, its recommendations should be recorded within 5 working days of the meeting and the Executive Director must respond to complainants within 15 working days of the date when the Review Panel made their recommendations.

The Local Government and Social Care Ombudsman is the final route of redress for the complainant.

Use of advocates for Children Act complaints

In accordance with national guidance, Buckinghamshire County Council has made arrangements for the provision of advocacy services for children and young people who wish to make representations under the relevant sections of the Children Act 1989. During the reporting period, the County Council had a contract with the National Youth Advocacy Service (NYAS) for the provision of advocacy services for children in care.

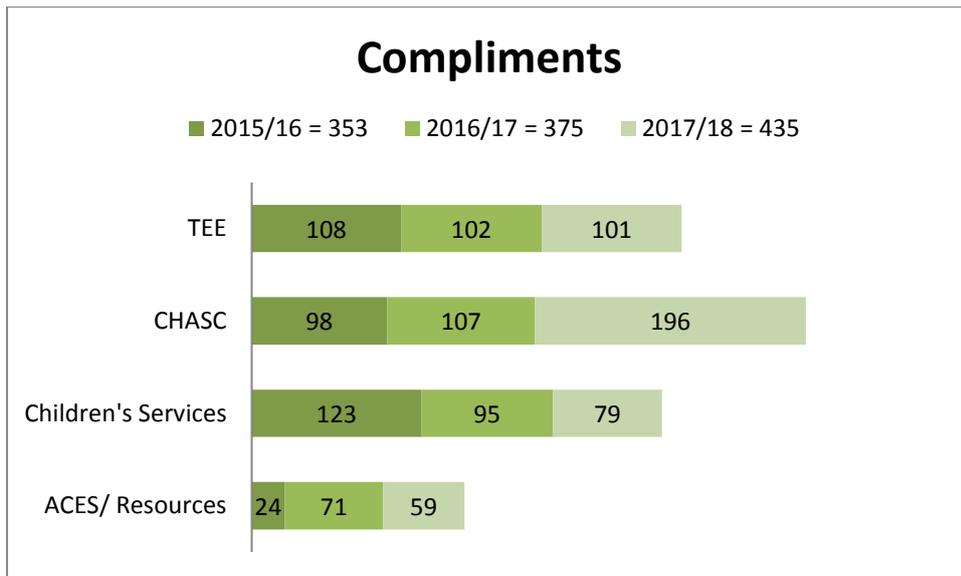
The advocacy service must ensure that independent advocates provide appropriate help to children and young people, taking into account their age, means of communication, language, sex, race, religion, sexual orientation, health or disability.

The advocates provided by NYAS are volunteers who have received the appropriate training in working with children and young people. They are from a variety of backgrounds and care is taken in achieving a good match between advocate and child to take into account the needs of the child.

Executive Summary of Compliments and Complaints 2017/18

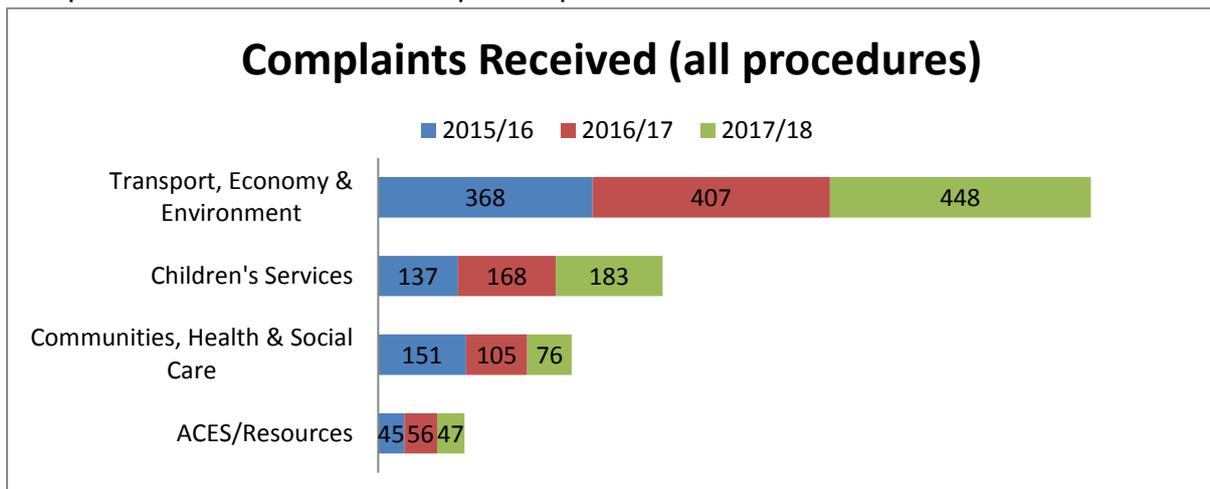
Compliments

The number of compliments recorded this year has increased slightly from last year, due to a significant increase in compliments about adult social care services.



Complaints

Between 1 April 2017 and 31 March 2018, the Council received a total of 760 complaints across all three complaints procedures.



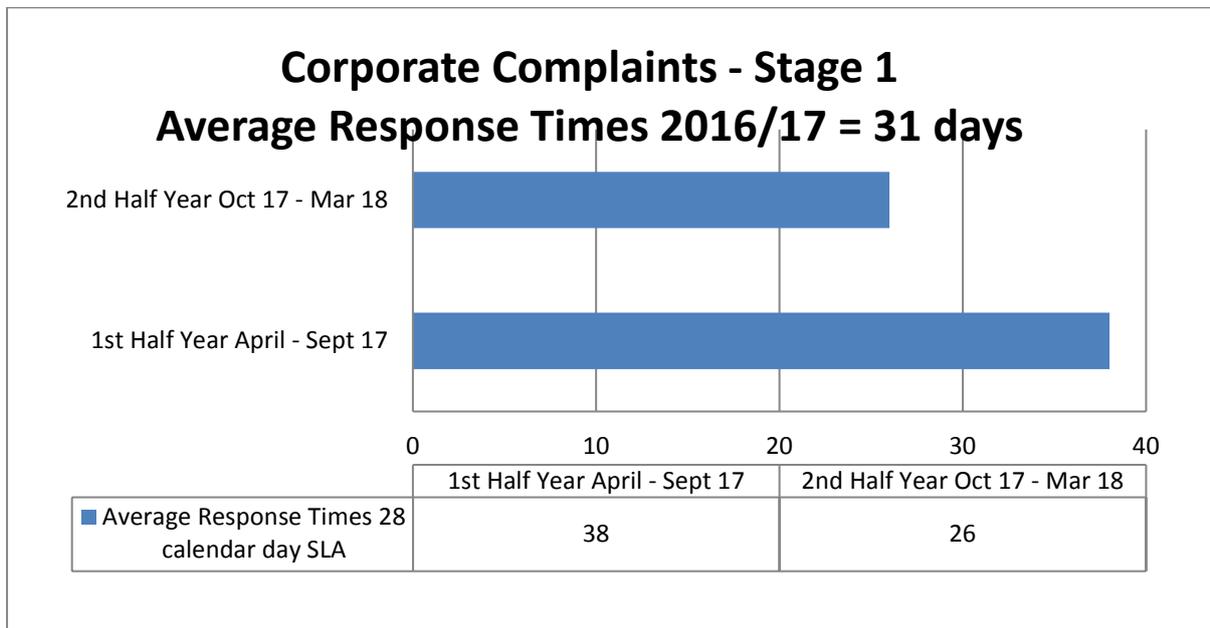
The following breakdown for the reporting year provides data for 2016/17 as a comparison (in brackets).

- 554 (612) complaints were received at Stage 1 of the corporate procedure and 69 (73) were received at Stage 2 of that procedure.
- Within the statutory children services procedure, there were 67 (46) dealt with at Stage 1, with 8 (11) being escalated to Stage 2.
- 55 (78) complaints were dealt with under the adult social care statutory complaints procedure. 7 complaints received were recorded as non-BCC.

Response times - Corporate Complaints

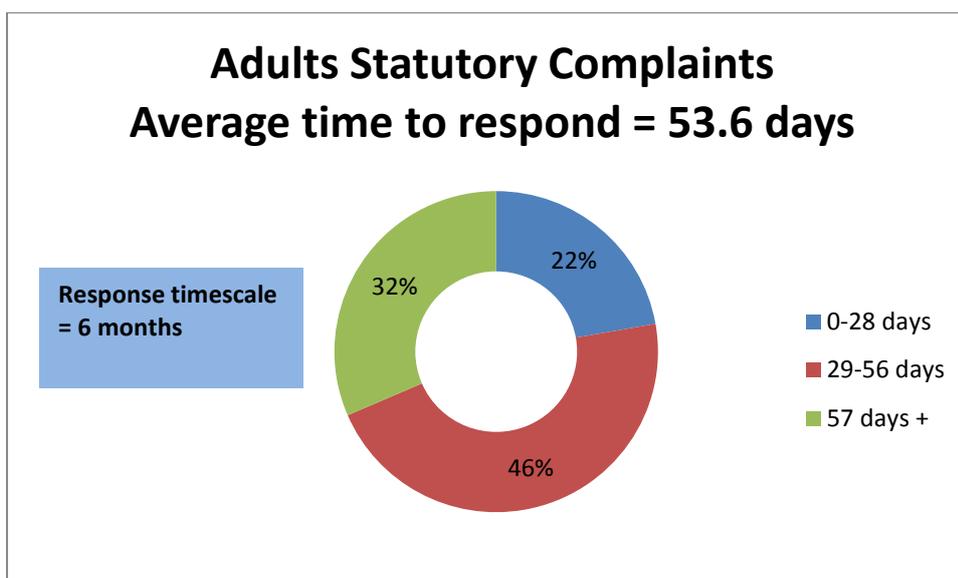
From 1 October 2017, the internal target for responding to Stage 1 corporate complaints was changed from 28 calendar days to 10 working days. Customers still

currently see an SLA of 28 days but we are now aiming for a response within 10 working days. The graph below shows a comparison of the average response times between the first and second halves of the year.

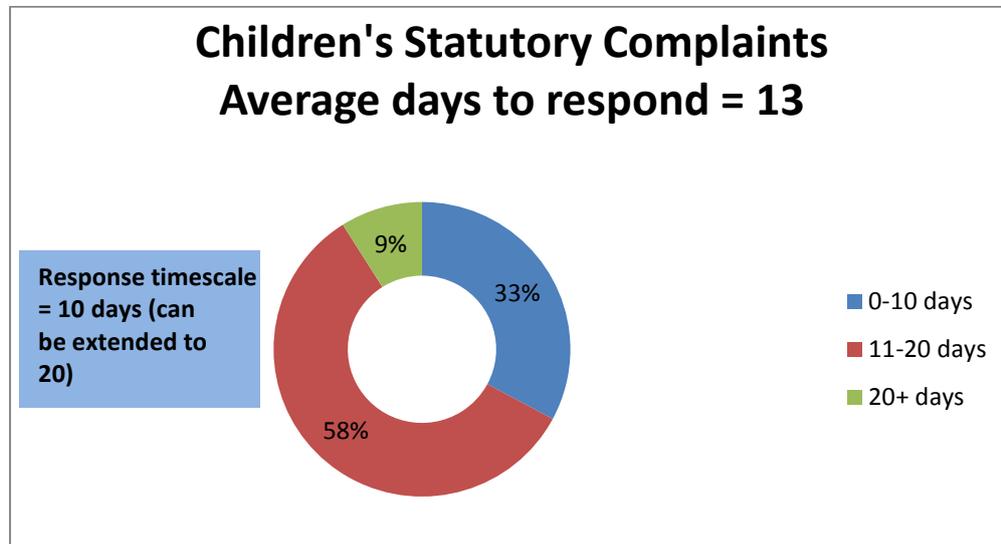


Response times - Statutory Complaints

As explained above, the two statutory complaints procedures are completely different, although they are based on the same basic principles. The adult process was changed in 2009 and (as explained at the beginning of this document) is centred on the idea of local resolution. The timeframe for resolution is six months to allow a reasonable amount of time to work together with the customer.



The children’s statutory process has three stages and although local resolution is encouraged, each stage has its own timeframes. For these reasons, it is not appropriate to compare time taken between the adults and children’s statutory processes.



Stage 2 Corporate Complaints – Escalations

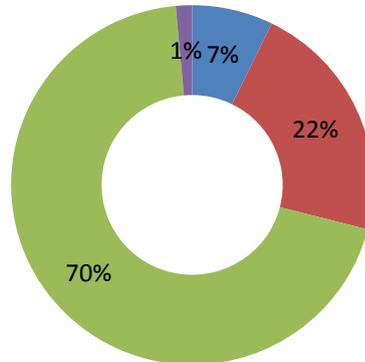
The following breakdown for the reporting year provides data for 2016/17 as a comparison (in brackets).

- 561 (612) Complaints were recorded at Stage 1
 - 12.2% (11.9%) of this number were escalated to Stage 2
- 69 (73) Complaints were recorded at Stage 2 (the final stage):
 - 8 (2) of these Stage 2 complaints went directly to the final stage as per the correct procedure for complaints relating to requests for information made under the Data Protection Act, Freedom of Information Act and Environmental Information Regulations - 11.6% (3%)
 - 4 (11) of these Stage 2 complaints were escalated directly to the final stage due to their seriousness or previous correspondence indicating this to be appropriate - 5.8% (15%)
 - 57 (60) of these Stage 2 complaints were escalated directly from Stage 1 - 82.6% (82%).

The graph below shows the 69 Stage 2 complaints by outcome in percentage terms

Corporate Stage 2 Complaints by Outcome

■ Upheld ■ Partially Upheld ■ Not Upheld ■ Out of jurisdiction



As outlined above, of the 69 Stage 2 (final stage) complaints, 57 were escalated from the previous stage of the process. Therefore, these complaints had a previous decision (normally 'Not Upheld') which was reviewed. The analysis of those decisions (see table below) shows that 74% (62%) of reviewed decisions remained 'Not Upheld', whereas 25% (35%) of reviewed decisions were upheld (either in whole or in part).

The following breakdown for the reporting year provides data for 2016/17 as a comparison

Reviewed complaint decision	2016/17	2017/18	% 2016/17	% 2017/18
Not Upheld	37	42	61.7	73.7
Partially Upheld	13	12	21.7	21
Upheld	8	2	13.3	3.5
Withdrawn	1	0	1.7	0
Outside Jurisdiction	1	1	1.7	1.8
Total	60	57	100%	100%

Benchmarking

Benchmarking information is not readily available because individual authorities determine how they report on complaints; however, the table below provides some comparative information to put the County Council's performance into some context. Please note that the data needs to be treated with some caution due to different definitions of complaints. This information is for the year 2017/18.

Authority	Corporate (Stage 1)	Adult Social Care (Statutory)	Children's Social Care (Statutory)	Corporate Response Targets	Total	Total rate per 10,000 population	-
Buckinghamshire Population: 534,720	554	55	67	Corporate 28 days (internal target 10 working days)	676	12.64	
Oxfordshire Population: 683,169	243	169	107	10 working days	519	7.59	
Surrey Population: 1,176,549	582	221	529 (includes education non- statutory complaints)	10 working days	1332	11.32	
Norfolk Population: 892,870	632	528 (this includes local resolution)	731 (this includes local resolution)	15 working days	1891	21.17	

Local Government & Social Care Ombudsman

Each local authority is sent an Annual Review Letter from the Local Government & Social Care Ombudsman (LG&SCO). A copy of the letter is included as an appendix to this report. A total of 65 complaints about the Council were determined by the LG&SCO for 2017/18:

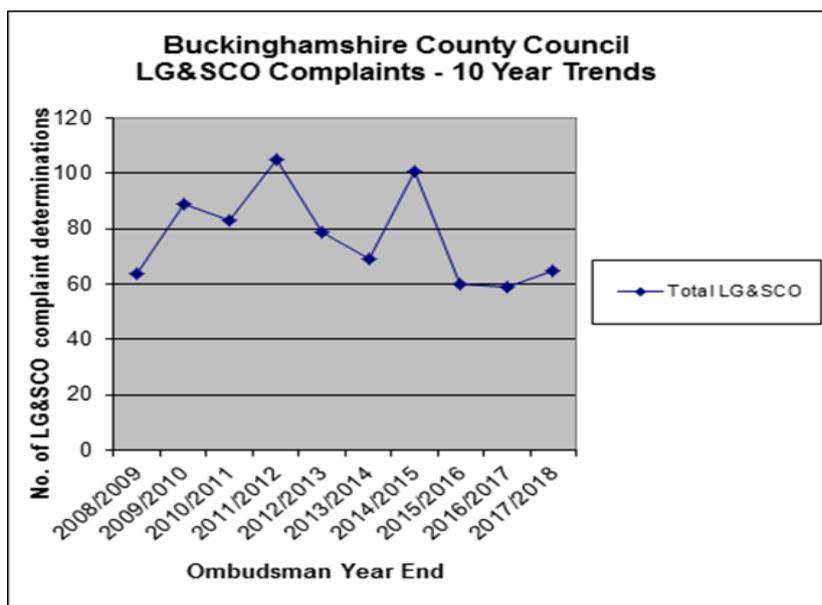
LGO Category	Number of LG&SCO Complaints 2016/17	Number of LG&SCO Complaints 2017/18
• Education & Children's Services	24	27
• Adult Care Services	12	16
• Environmental Services & Public Protection & Regulation	4	3
• Highways & Transport	15	18
• No category allocated	0	0
• Corporate and Other Services	2	1
• Planning & Development	2	0
• Total number of LG&SCO complaints	59	65

The following table shows the LG&SCO's classification decisions:

2017/18 Decision Classification	No. of Complaints 2017/18 (2016/17 in brackets)		Comments
Upheld	9	(8)	Fault found by LGO.(NB The fault may have already been previously satisfactorily remedied by the Council.)
Not Upheld	9	(4)	No fault found by LGO.

Advice given	0	(4)	No record of these complaints – we assume advice given to complainant by the LGO without reference to the Council.
Closed after initial enquiries	20	(16)	Initial information supplied by the complainant and/or the Council results in the LGO deciding not to investigate these complaints (for a variety of reasons, such as that the matter falls outside of the LGO's statutory jurisdiction, or there was insufficient maladministration and/or injustice found).
Incomplete/Invalid	6	(3)	No record of these complaints as not communicated to the Council – we can only assume that all these complaints were not progressed with LGO.
Referred back for local resolution	21	(24)	The Council is not aware of all of these cases, however we can assume that some were where the LGO told the complainant to contact the Council, but the complainant chose not to pursue the matter. In other cases, the LGO asked us to put the complaint through the relevant complaint procedure.
Total	65	(59)	

The number of LG&SCO complaints has remained at a similar level since 2015/16. The figure for 2017/18 (65) is a 10% increase on that for 2016/17 (59), however, it is too early to say whether this is an ongoing trend.



Benchmarking – LG&SCO

The table below provides some comparative information to put the County Council's performance into context. This has been taken from the LG&SCO website and the definitions for the outcomes are detailed in the table above. This information is for the year 2017/18.

Authority	Closed after initial enquiries	Not upheld	Upheld	% Upheld	Total LG&SCO Decisions
Buckinghamshire	20	9	9	50	65
Oxfordshire	12	5	7	58	40
Surrey	42	16	18	53	139
Norfolk	26	11	33	75	119
Warwickshire	12	15	11	42	71

Annual Review of the Feedback and Complaints Procedure

The Deputy Monitoring Officer, on behalf of the Monitoring Officer, has reviewed the Feedback and Complaints procedure and is satisfied that the two stage process (introduced in February 2016, when the procedure was reduced from three stages to two stages) is working more efficiently and effectively for both complainants and the Council. With only two stages, the timescale is shorter and therefore less onerous on both parties allowing a swifter passage to the regulator, if required.

The annual review letter from the Ombudsman acknowledges our positive and constructive approach in our dealings with them. He also mentions that our willingness to use complaints constructively and positively as a learning tool.

Learning from Complaints

In appendix 3 there are examples of our learning from complaints from across the Authority. It is clear from the information we have that the largest numbers of complaints are about the quality of the service we provide. This can be anything from a poor experience when dealing with our frontline staff to customer expectations of what we can do not being met. Although it could be argued that customers are just not happy when we won't agree to do something, for example fill in a pothole, effective communication also remains an issue where we may have made a decision about why we are not doing something but have not communicated this to the customer adequately. This can make the difference between whether we uphold the complaint or not. Learning from complaints is to be recorded in Respond which will allow us to report on this area in a way that we have never done before.

Vexatious and Persistent Complainants Policy

The policy for dealing with vexatious and persistent complainants was launched in October 2016. The policy is available on the Council's website. For 2017/18, there were two complainants added to the register of vexatious persistent complainants. At the three month review, one was extended and then ended in December 2017 and the other was removed but during the 2018/19 reporting year has been placed on the register again. In addition to this, we have written to four complainants explaining that if their vexatious persistent behaviour continues we will need to invoke the policy. Two of those are now on the register.

As part of a review of this policy we have looked at similar policies from other councils, Norfolk, Essex, Wealdon and Croydon. There are minor updates required (due to staff changes) but it is felt that the existing policy remains fit for purpose.

Improvement Plan for Corporate Complaints

An improvement plan was established for 2017/18 (as mentioned in last year's report) and the first phase of this plan started on 1 October 2017, with the following changes:

- Each Business Unit has a complaints lead who is responsible for the delivery of appropriate complaint handling across in their area.
- Reporting is provided to the Business Unit on a quarterly basis (and more often in some cases).
- An internal response target of 10 working days has been set for stage 1 complaints. A comparison between the first half of the year with the second shows that timescales have been reduced. It is clear, however, that there is more work to be done to reduce the timeframes in order to achieve the 10 working days consistently. Transport, Economy & Environment (TEE) has the highest volume of corporate complaints and so it makes sense for us to concentrate our efforts in this area. Further analysis shows that for TEE, the shortest response time for the second half of the year is just 3 days whereas

the longest for the same period is 98 days. More detail is provided at the end of this report on TEE complaints and Transport for Buckinghamshire complaints as a sub-section of this.

- Training has been given and more is planned to help improve formal responses. In addition, there is ongoing training to front line staff in order to help them manage potential complaints at a local resolution level.
- Our new IT system, Respond, went live on 1 July 2018 and we are currently developing reporting for all areas. The system is being used to record all complaints, comments and compliments. In addition, Freedom of Information requests, data breaches and subject access requests are also being recorded in Respond. The system is working well for us already but with further development will also allow us to streamline processes further. Integration with online forms will save time processing complaints helping us to move them onto services more quickly. Respond will allow us to create a suite of reporting that will help us improve the governance of complaint handling across the board.

We are already using the reporting in Respond to provide status reports for services but will be providing quarterly reporting for Business Unit leads to share at SLT meetings.

- Learning from complaints is an area we have been working on as an organisation. The improved accountability with the complaints leads in place has helped with this. For example, in TEE, the complaints lead has been pushing for a review of the claims process following increases in the number of complaints/enquiries coming to the Compliments & Complaints Team. In CHASC, we are recording learning from social care complaints and we have introduced a process that includes managers taking responsibility for their learning.

The impact of the improvement plan to date includes:

- Improved timescales for complaint responses
- More accountability in services – regular meetings have taken place with the areas where we receive most corporate complaints in order to improve the quality of responses and learning (this is to be developed further will all areas this year)
- With the improved accountability there has been an improvement in the quality of responses

The above three points are positive but there is still more work here to be done to improve on our complaint handling and we will continue this through the next year.

During 2018/19 we will be consolidating the work carried out so far as follows:

- Continue with the training as described above

- Reduce timescales even further – aiming for 10 working days as an SLA for customers
- Consider and implement approaches to reporting learning from complaints.

An audit carried out in 2017 noted the following actions:

1. Complaints procedures to be written/updated for corporate complaints, statutory children’s complaints and statutory adults complaints

We are currently in the process of rewriting the complaints procedures with a target completion date of Q3 2018/19.

2. Improve the timeliness of responses

As outlined above, the improvement plan is focused on this area

3. Ensure that holding letters are sent to complainants in a timely manner

The audit notes that for actions 2 and 3, the introduction of a new complaints management system will help reduce risks of delay through automating key elements of workflow; and will enable the Compliments & Complaints Team to work on reducing the timeframes and ensuring holding letters are issued in a timely manner. The new system went live from 1 July 2018; therefore these improvements will be picked up within the next report.

18 July 2018

By email

Rachael Shimmin
Chief Executive
Buckinghamshire County Council

Dear Rachael Shimmin,

Annual Review letter 2018

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

Complaint statistics

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

We would like to acknowledge the positive and constructive approach the Council has taken when we have conducted investigations and made recommendations when fault has been found.

We were particularly impressed with the response we received to recommendations made in a complaint about adult safeguarding. The investigation established there had been significant fault and injustice in the way a vulnerable adult had been safeguarded. But, throughout the investigation, the Council was open and co-operative. It readily accepted the fault and demonstrated it was willing and determined to use the case to improve practice and services for others moving forward.

We saw a similar approach and response in a complaint about child protection. The lack of defensiveness and willingness to use complaints constructively and positively as a learning mechanism is very refreshing. We would like to thank officers for this.

Future development of annual review letters

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new [corporate strategy](#) for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters, as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will be seeking views from councils on the future format of our annual letters early next year.

Supporting local scrutiny

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at www.lgo.org.uk/scrutiny. I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

Learning from complaints to improve services

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the [reports](#) and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

Complaint handling training

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council

link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit www.lgo.org.uk/training.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M King', with a horizontal line underneath the name.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Local Authority Report: Buckinghamshire County Council
For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
19	0	2	25	3	18	0	0	0	67

Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
6	0	21	20	9	9	50%	65

Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.
 The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
7	0

Communities, Health & Social Care (CHASC) Annual Customer Feedback 1/2

Annual CHASC Summary April 2017 – March 2018

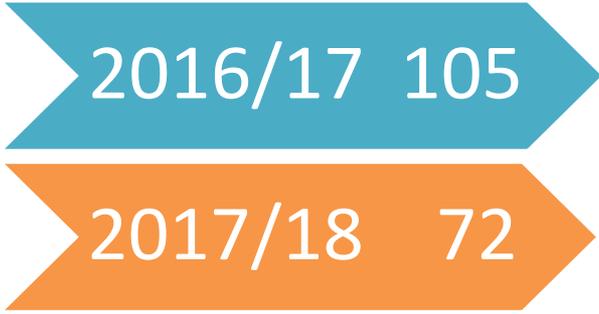
Formal Stage 1 Complaints Received



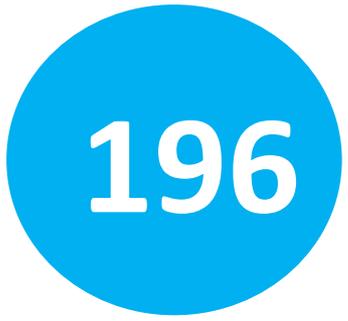
This represents a decrease of



Stage 1 complaints comparison for 2016/17



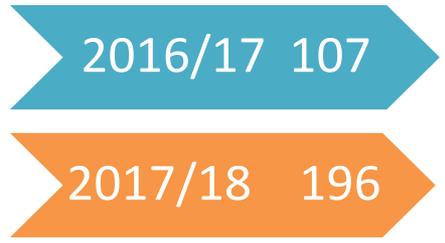
Compliments Received



This represents an increase of



Compliments comparison for 2015/16



Number of concerns received and dealt with within 48 hours



For statutory complaints the pre complaint stage is called the Concern Stage and it is a process that encourages local resolution to resolve issues.

Of the 55 Statutory Complaints, 19 were escalated from concerns.

An increase from 2016/17 = 64

Communities, Health & Social Care (CHASC)

Annual Customer Feedback 2/2

Annual CHASC Summary April 2017 – March 2018

Complaints where the Council is at fault (upheld) or partially at fault

Complaints where the Council is not at fault



12% withdrawn or out of jurisdiction

Corporate CHASC Average complaint response time



Statutory Average complaint response time



Adults Statutory Complaints Response Timescale = 6 Months

Nature of Issues Top 5



Corporate Complaints Response Timescale = 28 days

Teams with the highest number of complaints



Children's Services

Annual Customer Feedback 1/2

Appendix 1 – Annual (April 2017 – March 2018)

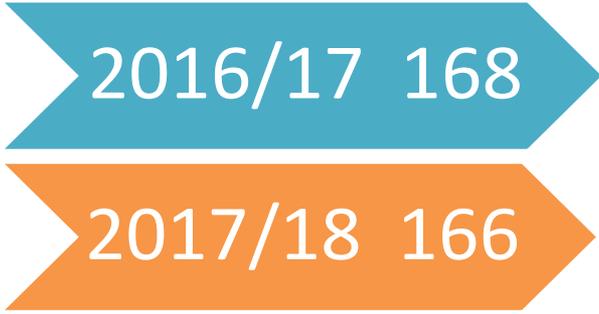
Formal Stage 1 Complaints Received



This represents a decrease of



Stage 1 complaints comparison for 2016/17



Stage 3 Panels



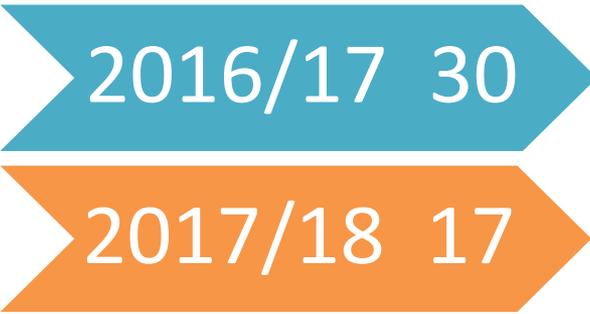
Complaints escalated to Stage 2



This represents a decrease of



Stage 2 complaints comparison for 2016/17



6
8

Stage 2 complaints upheld or partially upheld (overturning the outcome at stage 1)

The reasons for complainants expressing dissatisfaction after a stage 1 complaint can vary. Primarily this has been due the complainant suggesting that the Stage 1 response did not adequately address the issues of complaint and/or where they were left feeling as though the complaint had not been taken seriously. However, it is also fair to say that there have been occasions where escalation was inevitable irrespective of the effort put in at Stage 1 due to a break down in trust.

Children's Services

Annual Customer Feedback 2/2

Appendix 1 – Annual Children's Services Summary April 2017 – March 2018

Staged 1 Complaints where the Council is at fault (upheld) or partially at fault

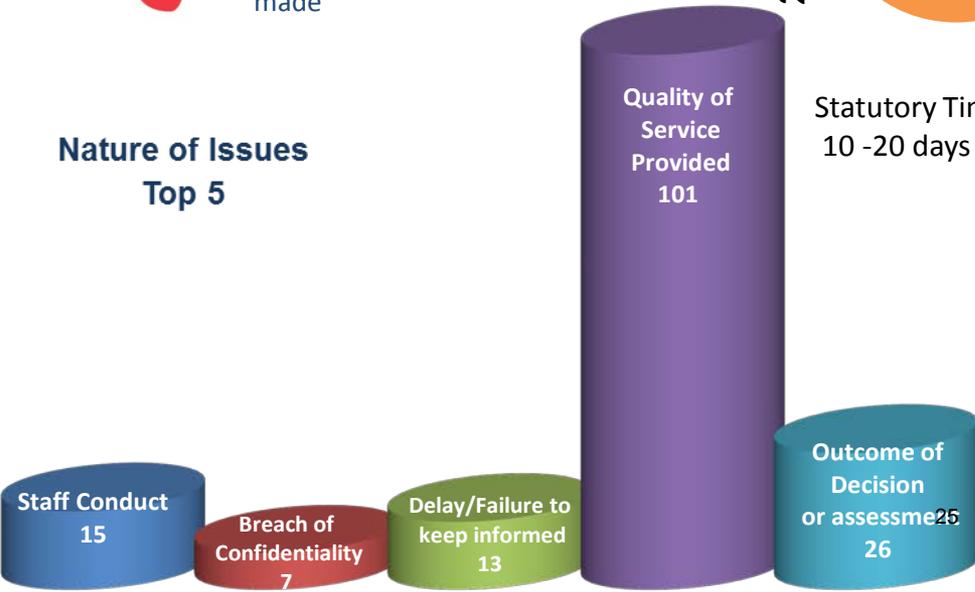


13% withdrawn, out of jurisdiction or no comment made

Stage 1 Complaints where the Council is not at fault



Nature of Issues Top 5



Average complaint response time

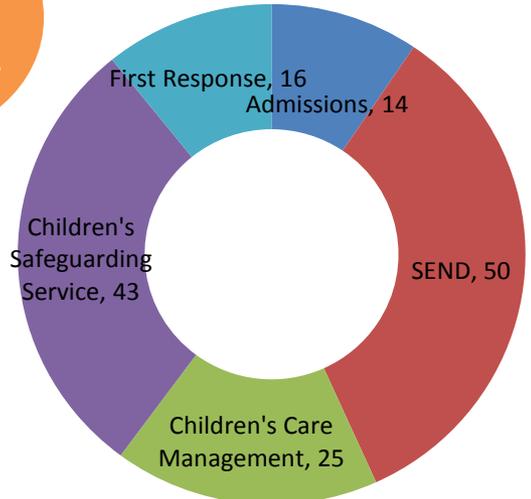
Statutory

Corporate



Statutory Timescale 10 -20 days

Teams with the highest number of complaints



Compliments Received



17% ↓

Corporate Timescale 28 days



Resources / Assistant Chief Executive's Service (ACEs)

Annual Customer Feedback 1/2

Annual Resources Summary April 2017 – March 2018

**Formal Stage 1
Complaints
Received**

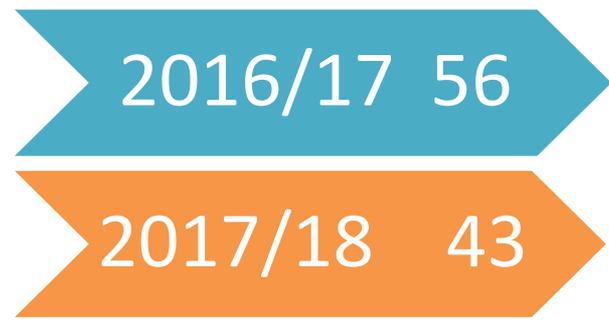


This represents a decrease of

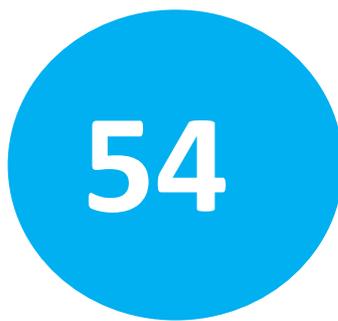


22%

Stage 1 complaints comparison for 2016/17



**Compliments
Received**

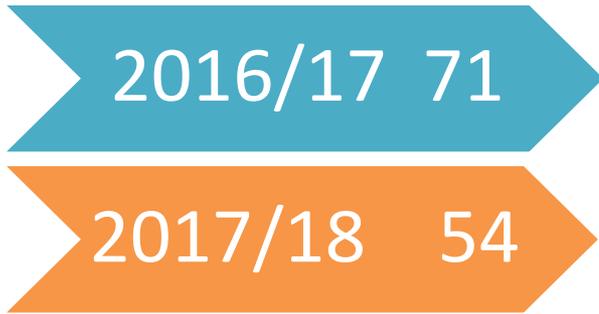


This represents a decrease of



23%

Compliments comparison for 2016/17



Average complaint response time



Resources / Assistant Chief Executive's Service (ACEs)

Annual Customer Feedback 2/2

Annual Resources Summary April 2017 – March 2018

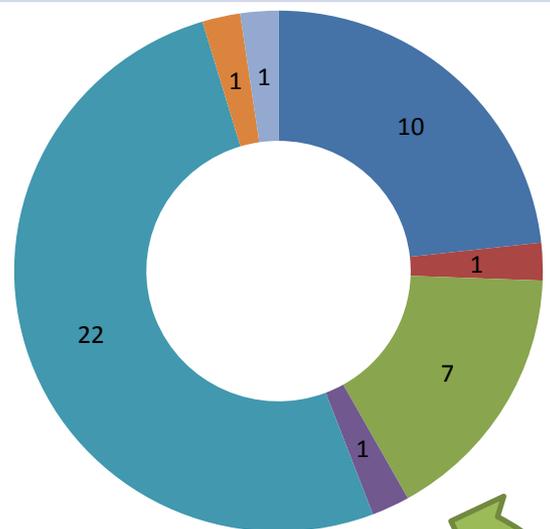
Complaints where the Council is at fault (upheld) or partially at fault

Complaints where the Council is not at fault

Breakdown by Service

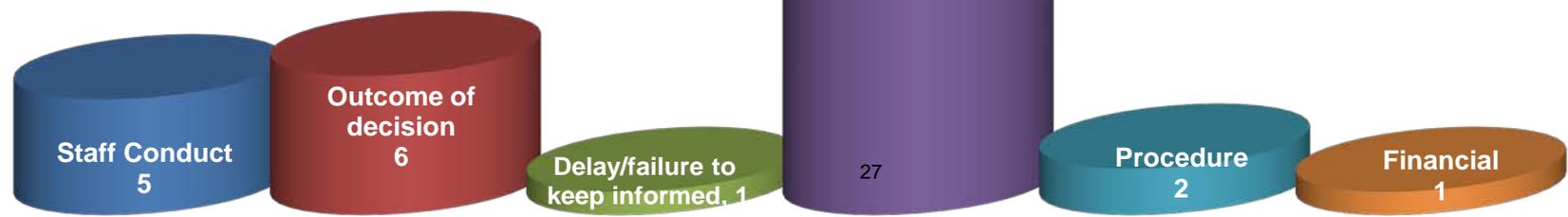


4% withdrawn/no comment made



- Finance/Pensions
- Corporate Governance & Complaints
- Corporate Business Support
- Policy, Performance & Comms
- Customer Service Operations
- Commercial Services
- Property & Assets

Nature of issues



Transport, Economy & Environment (TEE)

Annual Customer Feedback 1/2

Annual TEE Summary April 2017 – March 2018

**Formal Stage 1
Complaints
Received**

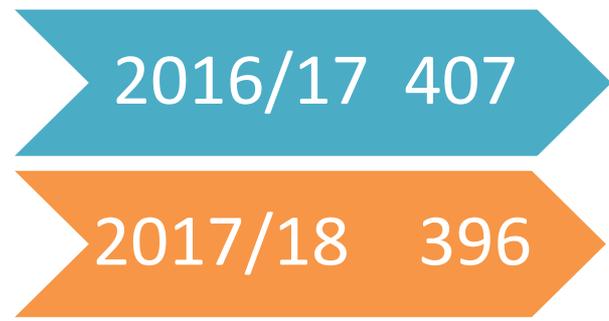


*This represents
a decrease of*



3%

**Stage 1 complaints comparison for
2016/17**



**Compliments
Received**

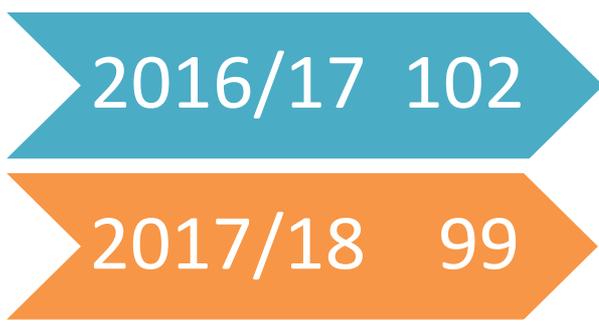


*This represents
a decrease of*



3%

**Compliments comparison
for 2016/17**



**Average complaint
response time**



Transport, Economy & Environment (TEE)

Annual Customer Feedback 2/2

Annual TEE Summary April 2017 – March 2018

Complaints where the Council is at fault (upheld) or partially at fault

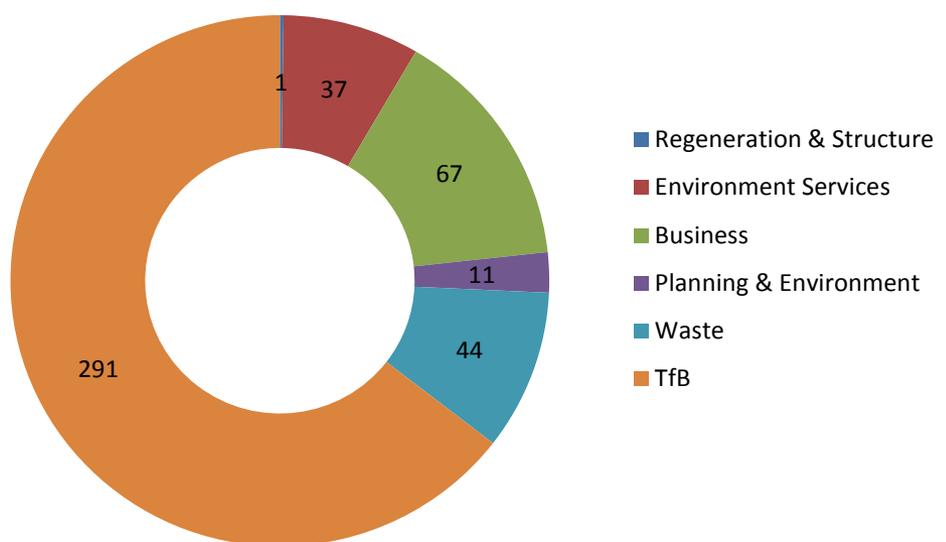


28% withdrawn, out of jurisdiction or not completed

Complaints where the Council is not at fault



Teams with the highest number of complaints



Nature of Issues Top 5



Proportion of Complaints for Transport for Buckinghamshire

2015/16	60%
2016/17	46%
2017/18	73%

More analysis for TfB is shown on a separate sheet

Transport, Economy & Environment – Transport for Buckinghamshire (TfB) - Annual Customer Feedback 1/2

Annual TfB Summary April 2017 – March 2018

Formal Stage 1 Complaints Received

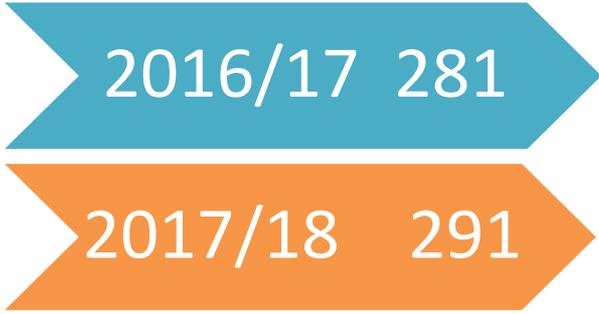


This represents an increase of



3.5%

Stage 1 complaints comparison for 2016/17



Compliments Received

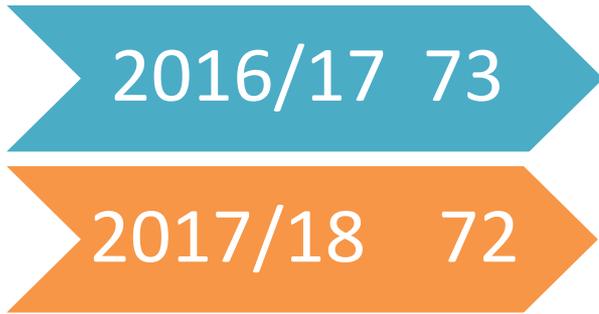


This represents a decrease of



1.3%

Compliments comparison for 2016/17



Average complaint response time



Transport, Economy & Environment – Transport for Bucks (TfB) Annual Customer Feedback 2/2

Annual TfB Summary April 2017 – March 2018

Complaints where the Council is at fault (upheld) or partially at fault

Complaints where the Council is not at fault



8% withdrawn, out of jurisdiction or not completed

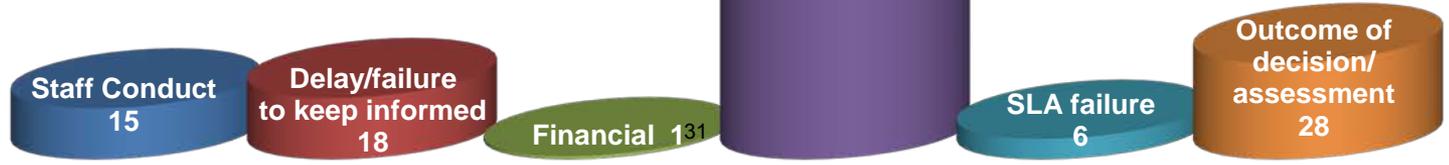
- Examples of 'Quality of Service' complaints:**
- damage caused to a common as a result of road works
 - resurfacing of Willis Road
 - the condition of the road surface in Stevens Close
 - a damaged dropped kerb reported over a year ago

Complaints by Team

Operations Aylesbury	66
Operations High Wycombe	39
Operations South Bucks	69
Street lighting	45
Network Strategy	3
Network Congestion	19
Claims	6
Highways	1
Growth Strategy	1
Asset Management	1
Schemes	33
Shared Services	1
Operations	7



Nature of issues



Annual Organisational Learning Summary 2017/18 - 1/2

Accountability is a key principle of complaints handling and ensuring that we follow up on complaints and keep our promises to customers is a huge part of this. As part of our improvement plan for complaints, we are encouraging an open culture where all services take responsibility for such learning. Being able to show what we have done to improve as a result of listening to our customers completes the complaint journey – both for customers and for the council. Traditionally, there has been no formal, consistent way of recording learning and action taken from complaints, but we are developing the new Respond system to do this across the complaints spectrum. **Below are a few brief examples:**

Corporate - various Business Units

Issue/recommendation:

From complaints about other issues, it became apparent that some areas of the website and some letterheads were advertising a premium rate telephone number.

Action taken:

Communications to the whole organisation asking teams to update letterheads and change all telephone numbers on the website to local rate numbers.

Issue/recommendation:

Commission a review of the insurance claims process following an increase in complaints and other queries.

Action taken:

Corporate Management Team agreed there should be an end-to-end review of the claims process. This will help to avoid the same issues occurring after winter next year.

TEE

Issue/recommendation:

The wording in the Fix My Street automated acknowledgment message wasn't clear (customers couldn't tell what was happening as a result of them reporting an issue).

Action taken:

We altered the wording to give customers a more accurate picture of what is being done.

Resources

Issue/recommendation:

A complaint about a Customer Service Advisor (CSA) refusing to log a fault on the customer's behalf and directed them to the website for future reports (which is the process we ask customers to adopt).

Action taken:

CSAs were advised to use greater discretion when dealing with customers and that in certain circumstances they could agree to log reports for customers.

CHASC

Issue/recommendation:

Social Workers should be provided with more support and training about finance matters.

Actions taken:

CHASC finance business partner has started to run finance workshops at team meetings, on areas critical to financial management and decision making. The workshops are supported by follow-up written guidance for officers.

Issue/recommendation:

To improve information sharing between safeguarding staff and other teams e.g. Contracts and Care Management.

Actions taken:

Safeguarding staff are now acting as link workers to the locality teams. The staff member is able to support and advise around safeguarding cases and will attend team meetings if required to ensure communication between safeguarding and locality teams is robust. BCC internal guidance has been updated to reflect this.

Children's Services

Issue/recommendation:

Families complaining about the Multi-Agency Initial Child Protection Conference process, and feeling unable to challenge the final decision.

Actions taken:

The process for challenging decisions made in an Initial Child Protection Conference was reviewed and updated guidance was circulated.

Issue/recommendation:

A young person in care complained that they were not fully advised that contact would be ceasing

Actions taken:

The policy with regard to Contract Arrangement Agreements was reviewed and amended in regards to letterbox arrangement.
Transfer protocol between service areas was reviewed.

Buckinghamshire County Council's Policy on dealing with abusive, persistent or vexatious complaints and complainants

1. About this procedure

- 1.1 This policy is about the management of abusive, persistent and/or vexatious complainants. It sets out how Buckinghamshire County Council ('the Council') will deal with complainants that fall within the scope of this definition. Those identified will be treated consistently, honestly and proportionately while ensuring that other service users, officers and the Council as a whole suffer no detriment. This policy applies to all areas of the Council.
- 1.2 It is considered that all complainants have the right to have their concerns examined in line with the relevant complaints procedure. In most cases, dealing with complaints will be a straightforward process; however in a minority of cases, the complainant may act in a manner that is deemed unacceptable.
- 1.3 They may act in a way that is considered abusive, unreasonably persistent or vexatious and by doing so it may hinder the Council's ability to investigate their complaint or the complaints of others. This behaviour may occur at any time before, during or after a complaint has been investigated.
- 1.4 The time spent on dealing with all complaints should be proportionate to the nature of the complaint and consistent with the outcome that is being sought being realistic and achievable.

2. How is unreasonable complaint behaviour defined?

- 2.1 It should be noted that raising a complaint about a Council service does not in itself constitute unreasonably persistent behaviour and neither do complainants who escalate through all stages of the relevant complaints procedure or those who express criticism about the complaints process itself.
- 2.2 The Council has adopted the Local Government Ombudsman's definition and the identified characteristics for unreasonable or unreasonably persistent complainants "*For us, unreasonable and unreasonably persistent complainants are those complainants who, because of the nature or frequency of their contacts with an organisation, hinder the organisation's consideration of their, or other people's, complaints*".

2.3 Examples of unreasonably persistent behaviour:

(this list is not exhaustive, nor does one single characteristic on its own imply that the person will be considered as being in this category)

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaints investigation process.
- Refusing to accept that certain issues are not within the scope of the Council's jurisdiction or within the scope of a complaints procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various members of staff and/or organisations.
- Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses.
- Submitting repeat complaints with minor additions/variations, which the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.

2.4 Examples of abusive and/or vexatious complainants

The Council will take steps to protect its staff from members of the public who are behaving in a way which is considered abusive and/or vexatious. This may include physical or verbal abuse and could include the following (however this list is not exhaustive):

- Speaking to the member of staff in a derogatory manner which causes offence.
- Swearing, either verbally or in writing despite being asked to refrain from using such language.
- Using threatening language towards Council staff which provokes fear.
- Repeatedly contacting a member of staff regarding the same matter which has already been addressed

3. **Managing unreasonable complainant behaviour**

3.1 This policy may be invoked if the Council considers that a complainant has behaved in a manner which is deemed unreasonable (see above). The Council may take any actions against a complainant that it considers to be reasonable and proportionate in the circumstances.

3.2 Types of actions the Council may take:

- Where the complainant tries to reopen an issue that has already been considered through one of the Council's complaints procedures, they will be informed in writing that the procedure has been exhausted and that the matter is now closed
- Where a decision on the complaint has been made, the complainant should be informed that future correspondence will be read and placed on file, but not acknowledged, unless it contains important new information
- Limiting the complainant to one type of contact (e.g. telephone, letter, email, etc.)
- Placing limits on the number and duration of contacts with staff per week or month
- Requiring contact to take place with a named member of staff and informing the complainant that if they do not keep to these arrangements, any further correspondence that does not highlight any significantly new matters will not necessarily be acknowledged and responded to, but will be kept on file
- Assigning one officer to read the complainant's correspondence, in order to ensure appropriate action is taken
- Offering a restricted time slot for necessary calls to specified dates and times

- Requiring any face to face contacts to take place in the presence of a witness and in a suitable location

4. Matters to take into account before taking action

4.1 Before taking a decision to invoke this policy consideration should be given to whether any further action is necessary, such as:

- Consideration about whether it is appropriate to convene a meeting with the complainant and a senior officer in order to seek a mutually agreeable resolution
- If it is known or suspected that the complainant has any special needs then consider offering an independent advocate who may assist the complainant with their communication with the Council
- Where more than one department is being contacted by the complainant, agree a cross departmental approach; and designate a lead officer to co-ordinate the Council's response.

4.2 Staff must be satisfied before taking any action as defined by this policy that the complainant's individual circumstances have been taken into account including such issues as age, disability, gender, race and religion or belief.

5. Imposing restrictions

5.1 In the first instance the Complaints Team in consultation with the relevant Head of Service¹ will communicate to the complainant either by phone or in writing to explain why this behaviour is causing concern, and ask them to change this behaviour. The Complaints Team will explain what actions the Council may take if the behaviour does not change.

5.2 If the complainant continues with the unreasonable behaviour the Complaints Team will consult with the Head of Legal and Compliance about whether it is necessary to take appropriate action by invoking this policy.

5.3 When the decision has been taken to apply this policy to a complainant, the Complaints Team will contact the complainant in writing (and/or as appropriate) to explain:

- why this decision has been taken

¹ All positions highlighted should be reviewed as to whether they are the most appropriate person for the proposed action

- what action the Council will be taking
 - the duration of that action
 - the review process of this policy
- and
- the right of the complainant to contact the Local Government Ombudsman about the fact that they have been treated as a persistent/vexatious complainant.

5.4 Any restriction that is imposed on the complainant's contact with the Council will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be in place for. In most cases restrictions will apply for between three and six months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

5.5 If the complainant continues to behave in a way which is deemed unacceptable then the Complaints Team, in consultation with the Monitoring Officer, may decide to refuse all contact with the complainant and cease any investigation into his or her complaint.

5.6 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, the Council will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

6. New complaints from those who have been treated as being abusive, vexatious and/or unreasonably persistent complainants.

6.1 Any new complaints received from complainants who have come under this policy will be treated on their merits. The Council does not support a blanket ban on genuine complaints simply because restrictions may be imposed upon that complainant.

7. Review

7.1 The Complaints Team will review any restrictions which are imposed upon the complainant after three months and at the end of every subsequent three months within the period during which the policy is to apply.

7.2 Should the decision be taken to extend the period of restriction, the complainant will be advised in writing how the Council plans to go about this and that the decision to restrict contact will be put in place for a further specified period (e.g. six months). The outcome of any subsequent review will be communicated to the complainant, outlining if the restrictions will continue to apply and if so why.

7.3 If at the end of the restricted period it is considered that the complainant's behaviour is no longer deemed to be unreasonable, the Council will confirm this in writing advising that the restrictions have now been lifted.

8. Ceasing Contact with a Complainant

8.1 There may be occasions where the relationship between the Council and unreasonably persistent or vexatious complainants breaks down completely. This may even be the case while complaints are under investigation and there is little prospect of achieving a satisfactory outcome. In such circumstances, there may be little purpose in following all the stages of the complaints procedure. Where this occurs the Council will advise the complainant that they may approach the Local Government Ombudsman who may be prepared to consider a complaint before the procedure has run its course.

9. Record Keeping

9.1 The Complaints Team will keep a record of all complainants who have been treated as being unreasonably persistent, abusive and/or vexatious in accordance with this policy. This will include details of why the policy was invoked, what restrictions were imposed and for what period of time.

9.2 Anonymised information will be reported in the complaints annual report.

10. Links with other policies

10.1 Please note that this policy is not exhaustive and does not cover all forms of behaviour that may be considered unreasonable. In certain circumstances, it may be more appropriate to refer to the following policy.

- *PROTECT YOURSELF – a guide to personal safety*