

# CHESHIRE EAST COUNCIL

## REPORT TO AUDIT AND GOVERNANCE COMMITTEE

---

**Date of Meeting:** 29<sup>th</sup> September 2016  
**Report of:** Compliance and Customer Relations Manager  
**Subject/Title:** Report on Customer Feedback – Complaints, Compliments and referrals to Local Government Ombudsman 2015-16

**Portfolio Holder:** Cllr Paul Findlow

---

### 1.0 Report Summary

- 1.1 Feedback from customers is welcomed and encouraged by Cheshire East Council in order that the information can be used to drive service improvements. This report summarises the formal feedback received from customers during 2015/16. This includes complaints processed through the Statutory Children's Services process, Adult Social Care process and the Corporate Complaints process, together with a summary of the cases dealt with by the Local Government Ombudsman. It also reflects on the trends, issues and responses across all services.
- 1.2 During 2015/16 the Council received 3597 instances of customer feedback - 1855 were compliments, 177 were suggestions and 1565 were complaints. (Details are attached at **Appendices 1a, 1b and 1c.**) Complaints have increased slightly on the previous year (1565 in 2015/16 compared with 1435 in 2014/15).
- 1.3 There has been a significant increase (38%) in recorded compliments. The number of recorded compliments was 1855, compared with 1346 in 14/15. Over two-thirds of these related to Adult Services and Children's Services. The Council also recorded 177 suggestions (181 in 2014/15). These are neither complaints nor compliments but often suggested changes to policy or working practice. We are unable to compare these figures with other Local Authorities as this information is not centrally published unlike the complaints statistics. However, this can be obtained via a manual process if necessary for future reports.
- 1.4 In addition, there was a significant reduction in complaints from MP's on behalf of their constituents received by the Chief Executive's office (30 in 2015/16 compared with 77 in 2014/15 and 188 in 13/14). These are not formally recorded on the Council's corporate feedback system, but are referred directly by the Chief Executive's office to the services to respond. Some of these are duplicates of the complaints already recorded in Appendix 1a.

## **2.0 Recommendation**

- 2.1 That the Committee notes the contents of this report and makes any further response it considers appropriate.

## **3.0 Reasons for Recommendations**

- 3.1 The Terms of Reference for the Audit and Governance Committee include seeking assurance that customer complaint arrangements are robust.

## **4.0 Wards Affected**

- 4.1 All wards.

## **5.0 Local Ward Members**

- 5.1 Not applicable.

## **6.0 Policy Implications**

- 6.1 Adherence to the Corporate Complaints, Suggestions and Complaints Policy, the Children's Social Care Complaints Policy and the Adults Social Care Complaints Policy is key to ensuring that customers have an effective means of feeding back about our services. This is to ensure that we understand what we are doing well and where we may need to improve services we deliver.

## **7.0 Financial Implications**

- 7.1 If fault causing injustice is found, Cheshire East Council can be asked to pay compensation to a complainant. The Council made 6 compensation payments in 2015/16 amounting to £8185.

## **8.0 Legal Implications**

- 8.1 There are no legal implications with this report.

## **9.0 Risk Management**

- 9.1 Robust complaint tracking, handling and monitoring arrangements enable the Council to quickly identify potential internal control issues and areas of regulatory, financial and reputational risk. It is important, therefore, that the action the Council takes following the feedback it receives from customers is appropriate, relevant, implemented and promotes wider learning where necessary. In receiving this report, considering the implications in respect of governance, risk management or control, and supporting the development of robust arrangements, the Audit & Governance Committee makes an important contribution to the Council's assurance process.

## 10.0 Background and Options

10.1 Once a formal complaint has been recorded it is passed to the Service Manager to respond. The customer has a right of appeal (Stage 2) if he/she is not satisfied with the reply. Stage 2 appeals are handled by an officer independent of the service being complained about. With Adults Social Care complaints, customers are encouraged to come back to the manager who initially investigated the complaint if they remain unhappy with the response. All customers have the right to appeal to the Local Government Ombudsman (LGO) at any stage of the process but the Ombudsman prefers the customer to have exhausted the organisation's complaints procedure first.

## 10.2 Stage 2 complaints

**Corporate Complaints** – of the 1565 corporate complaints received in 2015/2016, 72 (4.6%) customers requested a Stage 2 investigation and 10 (0.6%) went straight to Stage 2 (for example in cases where there may have already been lengthy e-mail communications between the service and the customer). This compares with 2014/2015, when 74 (6%) customers requested a Stage 2 investigation and 17 (1%) went straight to Stage 2. The main areas which received requests for Stage 2 investigations were Development Management and Council Tax and Business Rates.

**Children's Social Care** – 104 new complaints were received in 2015/16, compared with 98 received in 2014/15. Of the 104 complaints, 6 were ultimately taken to Stage 2.

**Adults Social Care** – 105 new complaints were received in 2015/16, compared with 93 in 2014/15.

## 10.3 Frequent Complaints

The most frequent complaints received by the Council in 2015/16 are detailed in **Appendix 2**.

## 10.4 LGO referrals

All customers are offered the opportunity to appeal to the LGO if they are unhappy with the way in which the Council has handled their complaint. **Appendices 3a and 3b** show the number of Decision Notices issued to the Council during 2014/15 (90) and 2015/16 (79). In 2015/16 the LGO closed 129 cases relating to Cheshire East. Of these 129 cases, 50 were not directly referred back to the Council<sup>1</sup>, 34 cases were closed after the initial enquiry, 25 were not upheld and 20 were upheld.

## 10.5 LGO Annual Report 2015/16

Headlines from the LGO's latest Annual Report reveal that, for all local authorities, they received 19702 complaints and enquiries, which is a similar level to 2014/15. There was an increase in upheld investigations from 46% in 2014/15 to 51% in

---

<sup>1</sup> In these cases, the complainant is given advice, referred back for local resolution or advised that the complaint is incomplete or invalid.

2015/16. They state that the area most complained about was Education and Children’s Services, and it was here that they saw the biggest increase (13%) in enquiries and complaints. The other most significant change was a reduction of 7% in enquiries and complaints relating to Housing. A copy of the report can be accessed via the LGO’s website at:

<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/local-government-complaint-reviews>

## 10.6 Comparisons with other local authorities

**Appendix 4** shows the distribution of complaints/enquiries to the LGO by service area, compared with those for:

- (i) other local authorities
- (ii) nine neighbouring authorities (geographic)
- (iii) CIPFA nearest neighbours (15 other local authorities with the highest degree of similarity to Cheshire East based on a broad range of socio-economic indicators)

Cheshire East Council has the 13th largest population of the **325** local authorities compared in the LGO report and in 2015/16 ranked 62nd highest for complaints/enquiries to the LGO per 10,000 population. (In 2014/15 the Council had the 14th largest population and ranked 48th highest per 10,000 population.)

	<b>2015-16 Cheshire East</b>	<b>2015-16 National Average</b>	<b>2014/15 Cheshire East</b>	<b>2014/15 National Average</b>
Complaints/enquiries to LGO per 10000 population	3.2	2.7	3.6	2.9
Ranking	62nd		48th	

- In 2015/16, the highest number of referrals to the LGO relating to Cheshire East Council was for Education and Children’s Services and Planning and Development. However, there is an improvement from 2014/15 in terms of ranking in relation to all other local authorities. In 2015/16 these services respectively ranked 63<sup>rd</sup> and 60<sup>th</sup>, compared with 2014/15, when they ranked 26<sup>th</sup> and 53<sup>rd</sup>.
- Of the complaints decided on by the LGO in 2015/16 in relation to the 10 nearest geographic neighbours, Cheshire East Council is ranked 7<sup>th</sup> out of the 10 with an upheld rate of 44%. The top (1<sup>st</sup>) ranking was an upheld rate of 77%. The bottom (10<sup>th</sup>) ranking was an upheld rate of 0%. Upheld complaints are where the LGO have decided that an authority has been at fault in how it acted.

- In terms of CIPFA nearest neighbours, Cheshire East ranks as the 6<sup>th</sup> best out of 16 in this group for Upheld Complaints.
- For Education and Children’s Services, the CE proportion of complaints (19%) is similar to both our geographic (16%) and CIPFA nearest neighbours (21%) but less so nationally (14%).
- For Cheshire East Planning and Development, though the number of complaints investigated by the LGO has reduced from 2014-15, the proportion of complaints in 2015-16 (23%) is higher than those of our Geographic Neighbours Group (18%), CIPFA Nearest Neighbours Group (18%) and the national average (16%). However, this figure can be partially attributed to the lack of an adopted local plan and the planning process for the Waste Transfer Station in Middlewich. The latter was the subject of 28% of the Planning complaints formally investigated by the LGO in 2015-16.

### 10.7 MP’s complaints

Responses to complaints from MP’s on behalf of their constituents are coordinated by the Chief Executive’s Office. The table below details the MP’s complaints received during 2015/16 compared with 2014/15:

<b>Service</b>	<b>2015/2016</b>	<b>2014/2015</b>
Highways and Transport	5	19
Other	1	13
Planning	5	9
Children’s Services	6	6
Environmental Health, Licensing and Trading Standards		6
Adults Services	3	5
Compliance		5
ANSA/Waste	1	3
Council Tax and Business Rates	2	3
Communities	4	2
Housing/Housing Benefit	2	2
Assets	1	1
Orbitas		1
Regeneration		1
Parking		1
Development Management		0
Legal and Democratic Services		0
Leisure		0
<b>Total</b>	<b>30</b>	<b>77</b>

## **10.8 Training and benchmarking**

One-day training sessions on Effective Complaints Handling have been delivered by the LGO to managers, Stage 2 investigators and Complaints Coordinators across the organisation and further training days are planned during the remainder of 2016/17.

External benchmarking is also undertaken and members of the Customer Relations and Compliance team meet with their counterparts in other authorities to ensure that the Council is learning from best practice elsewhere. Regular meetings take place with senior management teams to discuss feedback and agree learning points, actions and follow up of these actions.

## **11.0 Access to Information**

The background papers relating to this report can be inspected by contacting:

Sandra Smith  
Customer Relations and Compliance Manager  
01270 685865  
[Sandra.smith@cheshireeast.gov.uk](mailto:Sandra.smith@cheshireeast.gov.uk)