



City of Westminster

Audit and Performance Committee Report

Meeting:	Audit and Performance Committee
Date:	21 November 2012
Classification:	General Release
Title:	Annual Complaints Review 2011/12
Wards Affected:	All
Financial Summary:	There are no financial implications from this report
Report of:	Barbara Moorhouse, Chief Operating Officer
Author:	Sue Howell, Complaints and Customer Manager Telephone: ext 8013 E-mail: showell@westminster.gov.uk

1. Executive Summary

- 1.1 The purpose of this report is to present to the Audit and Performance Committee the Council's Annual Complaints Review for 2011/12 (**see Appendix 1**).
- 1.2 The attached report (**Appendix 1**) summarises the Council's complaints performance (complaint Stages 1, 2 and 3), the Local Government Ombudsman (LGO) first time enquiries, and performance in dealing with the Leader and Cabinet Member correspondence. A copy of the Local Government Ombudsman Annual Letter/Review for the year ended 31 March 2011 is also attached (see Appendix A of the Annual Complaint Review 2011/12).
- 1.3 The Council's complaints procedure had 3 stages:
 - Stage 1: The initial complaint, dealt with by the local service manager
 - Stage 2: Is dealt with by the service area
 - Stage 3: Is independently reviewed by the Council's Chief Executive and the complaint is investigated by Customer and Complaints Team on his behalf. The complaint response is sent to the Chief Executive for his approval.

- 1.4 Following on from last year's annual review a business case for a new two stage approach to complaints handling was discussed by the Strategic Executive Board (SEB) and in line with a common approach across the private sector and many other councils the go ahead to develop a two stage complaints process was given. After approval from the then Cabinet Member for Customer Services and Transformation a new two stage complaints procedure went live on 1 April 2012. The next Annual complaint review will discuss how the new procedure has been received as well as summarising the complaint performance and trends for 2012/13.
- 1.5 The complaints procedure assumes that the volume of complaints will follow a "pyramid" pattern, with a large number of Stage 1 complaints, but reducing numbers at Stage 2 and Stage 3.
- 1.6 Not all complaints are dealt with through the Council's complaints procedure, and complaints relating to Adults and Children's Social Services have their own statutory complaints procedure. A separate Adults Services report and a Children, Young People and Family Service reports are presented to the board and are available on the wire. As such complaint performance information about these services has not been included in this report
- 1.7 The Council's complaint procedure also does not deal with issues where there are separate legal procedures such as disputes over parking tickets, planning applications appeals and Housing Benefit appeals. For example, the complaints procedure cannot deal with a complaint from a motorist who is disputing the issue of a parking ticket. This is because there is a separate and statutory appeals process which takes precedence over the complaints procedure. A motorist can however complain about other aspects of the service such as allegations that communications were not responded to or that the Council has failed to follow due process. For this reason the complaints included in this report only relate to allegations of service failure and where there is not legal or statutory procedure route to deal with the specific issue.
- 1.8 The Annual Complaint Review has not been able to provide an analysis of data across all stages of the complaints procedure as data is captured on a number of different systems and in accordance with the needs of each service; therefore the quality of data varies. In view of this any central complaint analysis is restricted to data covering volumes, response times and complaint decisions. An analysis of Stage 3 complaints has been undertaken in the Annual Review as this data is collected by the central Customer and Complaints Team.
- 1.9 The following are being or have developed to address and improve the management of complaints:

- The Council's current complaints software (Respond) is in the process of being replaced. The new system will run on SharePoint and the projection for a "go live" start date is November 2012.
- The new system should provide better quality data as it will be open to more users and therefore improve complaint analysis and the management of complaints.
- The Chief Executive of CityWest Homes (CWH) had discussion with the Council's Chief Executive and the previous Director of Housing in early October 2011 about CWH piloting its own separate CWH led two stage complaints system. This approach will shadow expected national changes to housing complaints when the Localism Bill comes into force and allow CWH to set up a forerunner of the new tenants' panel to review complaints which would otherwise have been escalated to the council. The CWH two stage (pilot) complaints procedure went live on 1 April 2012, and CWH's report to the Housing Board will be appended to the Council's next review so to ensure visibility on their complaint performance.

Headline findings

- **Complaint Numbers** – There has been a decline in the total number of complaints. 1,195 complaints were received in 2011/12 across all three stages of the complaints procedure against 1,549 for 2010/11, a 23% reduction (354 complaints).
- **The Volume of complaints** - The majority of complaints are from CityWest Homes (CWH), and Finance (Housing Benefit, Council Tax and Business Rates) and Housing Needs.
- **Escalation Rates** – There has been a slight percentage increase in the escalation rate from Stage 1 to Stage 2 and an increase in the escalation rate of Stage 2 to Stage 3.
- **Complaint decisions** - There was a decrease in upheld complaints at Stage 1 when compared with 2010/11, although there was a slight increase of upheld complaints at Stage 2 and Stage 3.
- **Reasons for complaints** - No service failures were found in 67 of the 72 stage 3 complaints.
- **Compensation** - There has been a decrease in the total amount of compensation offered at Stage 3, £1909.00 for 2011/12 against £4233.70 for 2010/11.
- **Response times** - There has been a general improvement in meeting the response times target across all three stages.
- **Local Government Ombudsman (LGO)** –as indicated in the LGO Annual Review for the year ending 31 March 2012 the council achieved an average response time of 28.3 against a benchmark of 28 days.

- **LGO Financial Settlements** - There has been a decrease in the amount of financial remedies. The amount of £30,586 was offered in 2010/11 and £6,779 was offered in 2011/12.
- **Leader and Cabinet Member Correspondence (known as Pink Jackets)** - Correspondence has fallen (a reduction of 123) from 943 enquiries received in 2010/11 down too 820 in 2011/12.

2. Recommendations

Members are requested to review the information about complaints set out in the Annual Complaint Review 2011/12 (**Appendix 1**)

3. Financial Implications

There are no financial Implications associated with this report.

4. Legal Implications

There are no legal implications associated with this report.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

Sue Howell, Complaints and Customer Manager

E-mail: showell@westminster.gov.uk

BACKGROUND PAPERS

None

APPENDIX 1

Annual Complaints Review 2011/12



City of Westminster

Annual Complaints Review 2011/12

31 October 2012

Barbara Moorhouse
Chief Operating Officer

For further information contact: Sue Howell,
Customer and Complaints Manager
Telephone: ext. 8013
Email: showell@westminster.gov.uk

1. Introduction

1.1 This report presents complaints performance and trends for 2011/12. It also includes a performance review of Local Government Ombudsman (LGO) first time enquiries and Leader and Cabinet Member correspondence (Pink Jackets).

2. Background

2.1. The Council had a three stage complaints procedures which allows the complainant to escalate their concern if they remain dissatisfied with the Council's complaint response:

- **Stage 1** - Complaints are addressed by the local service delivery manager.
- **Stage 2** - A Service review is undertaken.
- **Stage 3** - A Chief Executive's review undertaken
- **LGO** - If the complainant still remains dissatisfied he/she can take the concern to the LGO

2.2. Adults and Children's Social Care Services each have their own statutory complaints procedure. As such separate reports are produced for Member and officer oversight, therefore, complaint performance information about these services has not been included in this report.

2.3. The Council's complaints procedure works on a "distributed" approach with complaints and customer feedback being directed towards the department/service area it relates to. Although the Council has a complaint and correspondence database (Respond) which can track and record complaints not all services use this software, and data is captured on a number of different system in accordance with each service own individual needs. For this reason, and as explained in previous annual reviews, a detailed analysis of data across all stages of the complaints procedure is not possible.

2.4. This report covers the basic data collected by the Customer and Complaints Team on a quarterly basis for the three stage complaints procedure covering volumes, response times and complaint decisions. However, a more detailed analysis of Stage 3 complaints has been undertaken since this data is collected by the central Complaints Team.

3. The management of complaints

3.1. The following are being or have developed to address and improve the management of complaints:

- Following on from last year's annual review a business case for a new two stage approach to complaints handling was discussed by the Strategic Executive Board (SEB), and in line with a common approach across the private sector and many other councils the go ahead to develop a two stage complaints process was given. After approval from then Cabinet Member for Customer Services and Transformation, the new Two Stage complaints went live on 1 April 2012. The next annual report will discuss how the new procedure has been received together with the complaints performance and trends for 2012/13.
- The Council's current complaints software (Respond) is in the process of being replaced. The new system will run on SharePoint and the projection for a "go live" start date is November 2012.
- The new system should provide better quality data as it will be open to more users and therefore improve complaint analysis and the management of complaints.
- The Chief Executive of CityWest Homes (CWH) had discussion with the Council's Chief Executive and the previous Director of Housing in early October 2011 about CWH piloting its own separate CWH led two stage complaints system. This approach will shadow expected national changes to housing complaints when the Localism Bill comes into force and allow CWH to set up a forerunner of the new tenants' panel to review complaints which would otherwise have been escalated to the council. The CWH two stage (pilot) complaints procedure went live on 1 April 2012, and CWH's report to the Housing Board will be appended to the Council's next review so to ensure visibility on their complaint performance.

4. **Headline findings**

Complaint Numbers – There has been a decline in the total number of complaints. 1,195 complaints were received in 2011/12 across all three stages of the complaints procedure against 1,549 for 2010/11, a 23% reduction (354 complaints).

The Volume of complaints - The majority of complaints are from CityWest Homes (CWH), and Finance (Housing Benefit, Council Tax and Business Rates) and Housing Needs.

Escalation Rates – There has been a slight percentage increase in the escalation rate from Stage 1 to Stage 2 and an increase in the escalation rate of Stage 2 to Stage 3.

Complaint decisions - There was a decrease in upheld complaints at Stage 1 when compared with 2010/11, although there was a slight increase of upheld

complaints at Stage 2 and Stage 3. It is reasonable to conclude that this does not signify that services are not maintaining high standards of service delivery.

Reasons for complaints - No service failures were found in 67 of the 72 stage 3 complaints.

Compensation - There has been a decrease in the total amount of compensation offered at Stage 3, £1909.00 for 2011/12 against £4233.70 for 2010/11.

Response times - There has been a general improvement in meeting the response times target across all three stages.

Local Government Ombudsman (LGO) –as indicated in the LGO Annual Review for the year ending 31 March 2012 the council achieved an average response time of 28.3 against a benchmark of 28 days.

In the Annual review the Ombudsman raised no concerns about response times, and said that there were no issues arising from complaints that she would like to bring to the council's attention. These comments should be regarded as a very positive annual review.

LGO Financial Settlements - There has been a decrease in the amount of financial remedies. The amount of £30,586 was offered in 2010/11 and £6,779 was offered in 2011/12.

Leader and Cabinet Member Correspondence (known as Pink Jackets) - Correspondence has fallen (a reduction of 123) as 943 enquiries were received in 2010/11, down to 820 in 2011/12.

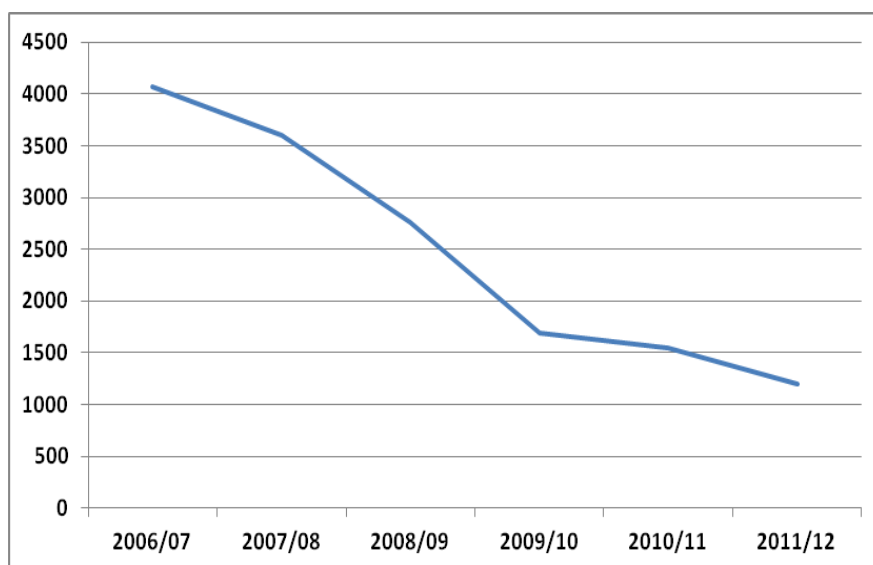
5. Complaint Volumes

Table 1: Comparison of total numbers of complaints for 2010/11 and 2011/12

	2010/11	2011/12	Variance	% change
Stage 1	1319	970	-349	-26%
Stage 2	165	153	-12	-7%
Stage 3	65	72	7	11%
Total	1549	1195	-354	-23%

- 5.1. The total number of complaints across all three stages of the complaints procedure has fallen (see Table 1), continuing the year on year reduction since 2006/07 (see Chart 1).

Chart 1: Total complaint numbers across all three stages for the years commencing 2006/07 to 2010/11



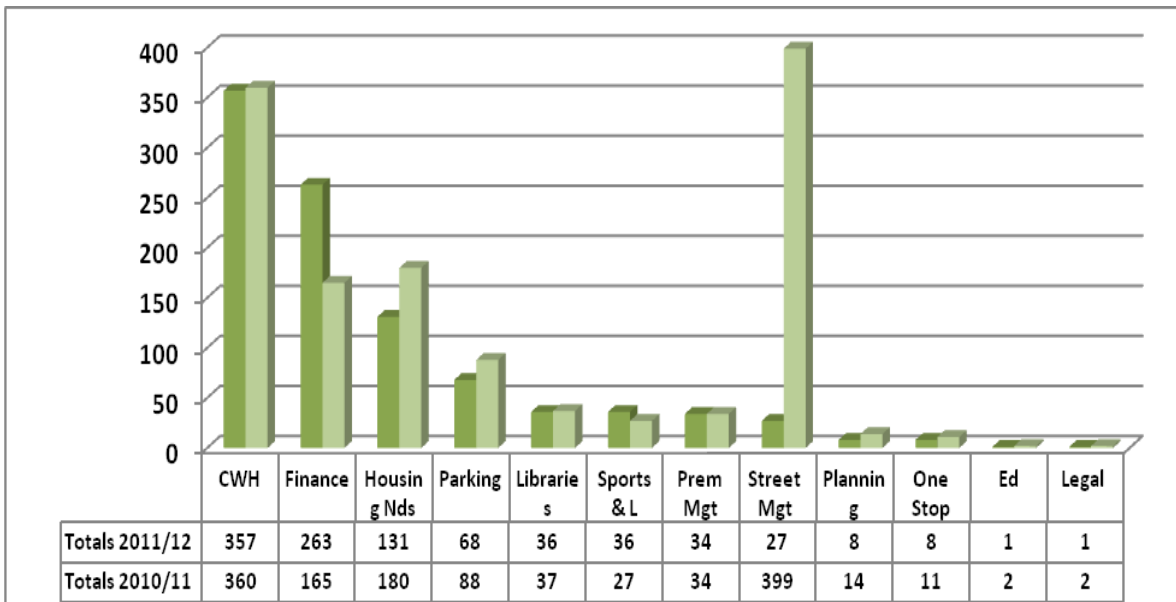
- 5.2. Given the data limitations, it is difficult to draw any firm conclusions from the year on fall. The fall could suggest that there is a continuing improvement in concerns being addressed across all service areas and stages of the complaints procedure. The fall could also be an indication of under reporting. Most local authorities experience some degree of under reporting therefore every effort should be made to ensure that complaints are being identified and recorded by service areas.
- 5.3. While acknowledging that there is likely to be some under reporting of complaints it should also be noted that the fall in complaint numbers was a factor considered when discussion took place regarding the introduction of a two stage complaints procedure. In particular, the fall in volume of upheld complaints across all stages of the complaint procedure. Other drivers included:
- A simpler and more customer friendly process taking less time to escalate the concern
 - Less administration required than a three stage procedure
 - Foster a “resolve it first time” attitude by the service provider
 - Service improvements are more transparent as the service delivery area attempts to “get it right” the first time
 - Many service areas supported the proposal and this includes CWH, Housing Options/Needs and Parking which have the volume of complaints

- The Local Government Ombudsman considers it to be an accepted process of complaint handling and many local authorities are now adopting this approach
- 5.4. The new two stage procedure (which went live on 1 April 2012) is as follows:
- The **Stage 1** complaint is addressed by either the Service Delivery Unit or relevant partner organisation (15 working days).
 - The **Stage 2** is the independent review undertaken by the Complaints Team on behalf of the Chief Executive.
- 5.5. The council therefore moved from a three stage process to a two stage process and in doing so reduced the overall target time by 5 working days (35 days to 30 days).

C. *Volumes by service areas across all three stages of the complaints procedure*

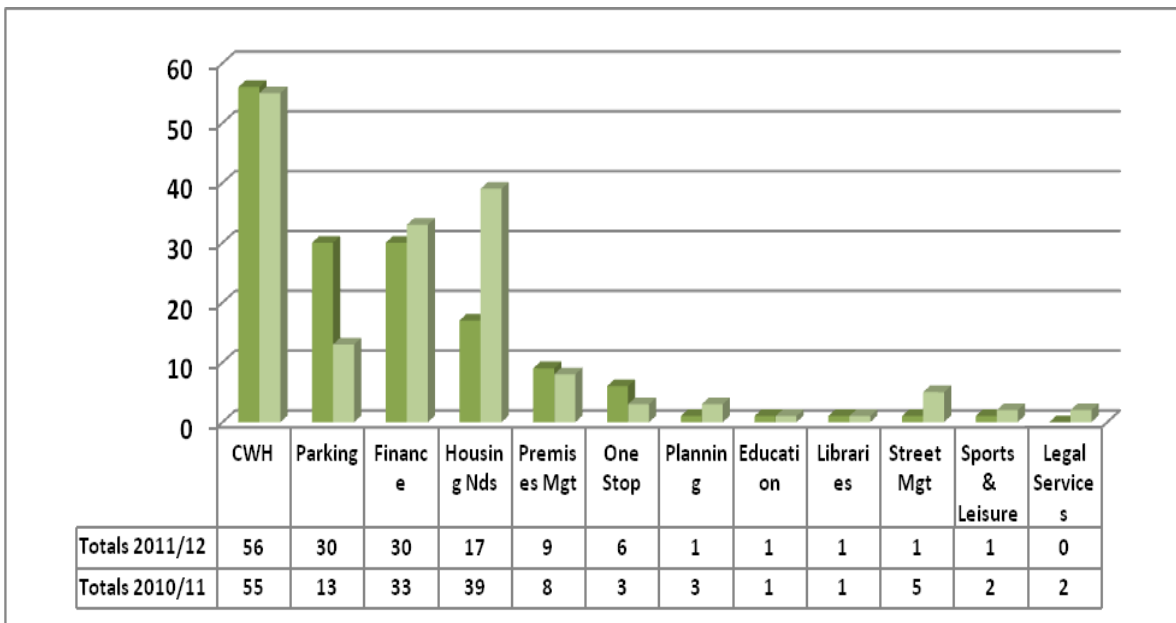
- 5.6. As seen in Charts 2 & 3 and Table 2 below, the volume of complaints across all three stages come from CityWest Homes (CWH), Finance and Housing Needs (HN). This mirrors the previous year (2010/11), except there has been an increase in the volume of stage 1 Finance complaints (up 98 complaints), when compared with the total in 2010/11.
- 5.7. The increase in Finance stage 1 complaints (see chart 2 below) has been attributed to the switch from the Council's dealing with stage 1 response to Capita handling the responses. However, this report also notes that Capita also made improvements in the identification of complaints, which could also account for the increase. In addition, there was the advertisement of the service standards for Housing Benefits which may have also encouraged a greater take up of claimants using the complaints procedure.

Chart 2: Comparison of Stage 1 complaint totals for 2010/11 and 2011/12



5.8. The volume of stage 2 (153) and stage 3 (72) complaints is still small when viewed with the total number of complaints made at stage 1 (970).

Chart 3: Comparison of Stage 2 complaint totals for 2010/11 and 2011/12



5.9. Stage 2 and stage 3 complaints totals for CWH and Finance are similar for both financial years (2010/11 & 2011/12), while Housing Needs has seen a reduction across all three stages (76 complaints).

Table 2: A comparison of Stage 3 totals for 2010/11 and 2011/12 & number of upheld complaints, ranked in order of complaint totals for 2011/12

	Stage 3 Totals 2010/11	Stage 3 Totals 2011/12	Variance
CityWest	15	20	5
Finance	14	17	3
Housing Nds	18	13	-5
Parking	11	13	2
Premises Mgt	2	7	5
Education	0	1	1
Libraries	0	1	1
Planning	3	0	-3
Legal Services	0	0	0
Street Mgt	1	0	-1
Sports & Leisure	1	0	-1
One Stop	0	0	0
Totals	65	72	7

- 5.10. Table 2 above provides a comparison of stage 3 totals for the relevant financial years. However, the volume of complaints received is not necessarily an indicator that standards of service delivery are improving or declining. For instance an increase in the volume of complaints, when compared with the preceding year, could indicate that the service area has made improvements to how complaints are identified thereby reducing the under reporting of complaints. Where the volume of complaints is falling this could indicate concerns are being identified and corrected at the first point of contact and therefore eliminating the need to enter the complaints procedure or there has been under reporting.
- 5.11. An upheld complaint indicates that component(s) of the complainant's dissatisfaction has been accepted by the service area, and therefore an increase in the volume of upheld complaints is an indicator that they has been a problem with service delivery. As such there is a need to view the volume of complaints together with the volume of upheld complaints. If there is a very small proportion of complaints being upheld against the total volume of complaints received this can be an indicator that there is not a problem with service delivery.
- 5.12. Only five stage 3 complaints (out of 72) have been upheld in 2011/12. The five complaints come from CWH (one complaint), two from Finance (both relate to Council Tax issues), and two Parking

complaints. Although there were five upheld decisions the complaint investigations did not reveal any major service failings. In view of this it is reasonable to conclude that the fall in volume of complaints is an indication that the standard of service delivery is not declining.

- 5.13. The Complaints Team discuss anomalies such as large increases or decreases in the volume of complaints, and any significant increases in upheld decisions with any relevant service areas to determine the cause and to see what, if any, corrective action needs to be taken.
- 5.14. This report notes that 76% of Stage 3 complaints come from three of the eleven service areas producing the volume of complaints (CWH, Finance and Housing Needs), and if you include Parking Services, who contributed 111 complaints across all three stages for 2011/12, then a total of 84% of all stage 3 complaints come from 4 services areas.
- 5.15. As indicated in Table 2 (above), there has been a slight increase in Stage 3 complaint numbers. The increase comes from six service areas (CWH, Finance, Parking, Premises Management, Education and Libraries), and the increases are not significant enough to see a trend for the reasons why.

D. Escalation rates (from stage 1 to Stage 2 and from Stage 2 to stage 3

Chart 4: Comparison of % escalation rates across all services (Stage 1 to Stage 2 & from Stage 2 to Stage 3) for 2011/12 & 2010/11

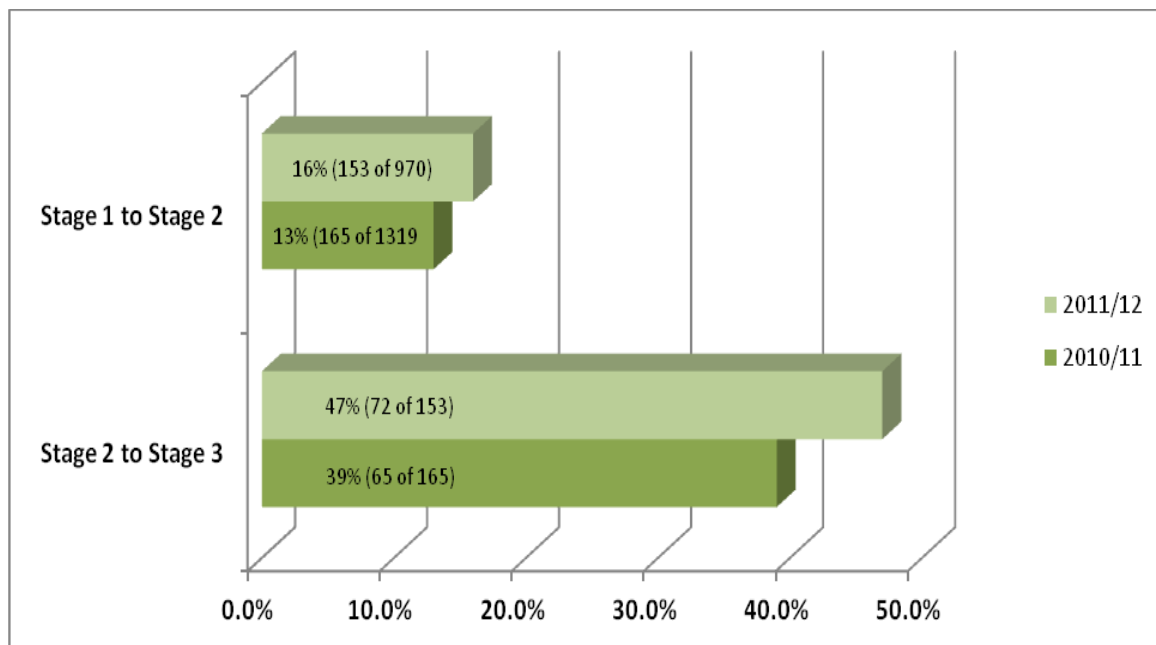


Table 4: A comparative breakdown across all services for complaints escalating from Stage 1 to Stage 2 & from Stage 2 to Stage 3 for 2010/11 & 2011/12

	2010/11		2011/12	
	S1 to S2	S2 to S3	S1 to S2	S2 to S3
Housing Nds	21.7% (39)	46.2% (18)	13% (17)	76.5% (13)
Planning	21.4% (3)	100% (3)	12.5% (1)	nil
Education	50% (1)	0% (0)	100% (1)	100% (1)
Parking	14.8% (13)	84.6% (11)	44.1% (30)	43.3% (13)
CityWest	15.3% (55)	27.3% (15)	15.7% (56)	35.7% (20)
Finance	20% (33)	42.4% (14)	11.4% (30)	56.7% (17)
Legal Services	100% (2)	nil	nil	nil
Libraries	2.7% (1)	nil	2.8% (1)	100% (1)
Street Mgt	1.3% (5)	20% (1)	3.7% (1)	nil
Sports & Leisure	7.4% (2)	50% (1)	2.8% (1)	nil
Premises Mgt	23.5% (8)	25% (2)	26.5% (9)	77.8% (7)
One Stop	27.3% (3)	0% (0)	75% (6)	nil
Totals	13% (165 of 1319)	39% (65 of 165)	16% (153 of 970)	47% (72 of 153)

- 5.16. There has been a slight increase in complaints escalating from Stage 1 to Stage 2 for 2011/12 when compared with the preceding year, and also a small increase in complaints escalating from Stage 2 to Stage 3 for the same period.
- 5.17. With the data available it is not possible to analyse further and draw a firm conclusion for those complaints escalating from stage 1 to stage 2 as the increase is slight.
- 5.18. The small percentage increase (8% on the preceding year), in the number of complaints escalating from Stage 2 to Stage 3 could be attributed to the complainant's resolve to take the concern all the way through the complaints procedure in the hope of securing a different outcome, or as just a way to take the matter to the Local Government Ombudsman (LGO). In most instances the LGO will not now investigate a complaint unless it has been the individual's local authority complaints procedure. However, if viewed with the reduction of stage 1 and stage 2 complaint totals together with the small proportion of upheld complaints at stage 3 of the complaints procedure, it is reasonable to conclude that services are maintaining a good standard of service delivery.










Complaint decisions

- 5.19. Table 5 below indicates that there has been a reduction in the number of Upheld decisions at Stage 1 when compared with 2010/11. This can be taken as an indication that concerns are being addressed before they enter the formal

complaints procedure, as well as an indication that fewer service failures were identified for those matters that did enter the procedure.

- 5.20. The performance at stage 2 for upheld complaints is virtually comparable with the preceding year. No discernible comment can be made about the slight increase in upheld complaints at stage 3 as the increase in volume is too small to identify any trends. However it is unlikely that this slight increase indicates that service standards are falling.

Table 5: Comparison of complaint decisions for the years ending 2010/11 & 2011/12

	Stage 1			Stage 2			Stage 3		
	2010/11	2011/12		2010/11	2011/12		2010/11	2011/12	
Upheld	39% (521)	24% (236)		27% (45)	28% (43)		2% (1)	7% (5)	
Not Upheld	31% (411)	44% (422)		45% (75)	41% (63)		57% (37)	72% (52)	
Partially Upheld	23% (297)	31% (301)		20% (33)	29% (44)		41% (27)	21% (15)	

- 5.21. A finding of Partially Upheld should only be used when the majority of the complaint concerns are Not Upheld, but there are some minor lapses of service delivery which the service area accept could have been done better, for example pro-active communications, and slight delays in answering communications.
- 5.22. Generally there has been a small increase in Partially Upheld complaints which is an indication that any serious service failures are being identified and dealt with earlier on in the complaints process.

An analysis of Stage 3 complaints

- 5.23. Although more detailed information is available for Stage 3 complaints the volume is low and only 7% of stage 1 complaints escalated all the way to stage 3 (there were 970 stage 1 complaints and only 72 stage 3 complaints for 2011/12). Such small volumes make it difficult to establish trends and/or generic service failings.
- 5.24. The Stage 3 data suggests that no service failures were found in 67 of the 72 stage 3 complaints (only 5 complaints were upheld). There were some minor service failures identified and these include findings such as failure to keep customers informed of developments, delays in answering correspondence and lack of a full explanation. These failings also tended to be restricted to one component of the complaint, and most were due to simple human error, and did not affect the finding on the core aspect of the complaint.
- 5.25. As this report has previously mentioned of the 5 upheld stage 3 complaints 1 came from CityWest Homes 2 came from Parking, and 2 came from Finance (Council Tax).

- 5.26. The service failings found in the 5 upheld complaints are mainly due to human error or oversight, and one technical problem with a system. In the main corrective action to avoid a repeat recurrence involved reminding staff of the need to take care and to follow through on actions that had been agreed. Learning from these complaints has been taken back to the relevant service areas.
- 5.27. Item 5.6 has already indicated that the volume of Stage 3 complaints come from CWH (28%), Finance-HB/CT (24%) and Housing Needs (18%). As the volume is small this makes it difficult to spot specific trends. However the below summaries some of the main issues coming out of the not upheld and partially upheld complaints received in 2011/12.

CityWest Homes

The complaints that did go to stage 3 were in the main not to do with general repairs issues, and dissatisfaction in this area used to account for the majority of CWH stage 3 complaints. The decrease in complaints about repairs can be attributed to introduction of the CWH central Repairs Team and much closer monitoring of repair works. There were still some issues with major works and these in the main were allegations about the cost of the works, snagging works not completed and the installation of double glazing in a property. None of these complaints were upheld.

Finance - Council Tax, Housing Benefit and Business Rates

There was no identifiable trend in the stage 3 complaints made about Housing Benefit and Council Tax. There were three complaints that alleged delays in processing the HB payment but in all cases the delays were justified as more information was needed from the claimant. There was only one complaint about Business Rates in which a business complained that they should not have to pay court costs following the issue of a summons for non payment of rates and they also requested the refund of bailiff fees refunded, as they claimed not to have received the company's Business Rates demand letter. This complaint was not upheld.

Housing Needs

The most frequent complaints revolved around the lack of housing stock, and not being happy with homelessness decision (no duty to house). No service failures were found at stage 3. However, there were some minor service lapses which had no impact on the primary part of the complaint and did not lead to the complainant suffering any injustice in being re-housed. This supports the a finding that in connection with housing allocation cases complainants are going to Stage 3 in the hope an alternative decision or resolution will be offered, and not because there have been service failures.

Compensation

5.28. As shown Table 8, when compared with the previous year there has been a significant decrease in both the number of cases and the amount of compensation offered at Stage 3. Compensation is offered on the merits of each case, and it is difficult to draw any firm conclusions from this decrease.

Table 6: Comparison of compensation offered at Stage 3 for 2010/11 & 2011/12

Stage 3 Compensation	2011/12		2010/11	
	Totals (£) offered in 2011/12	Nos of cases compensation was offered in 2011/12	Totals (£) offered in 2010/11	Nos of cases compensation was offered in 2010/11
CityWest Homes	£1,599.00	3	£778.70	5
Parking	£275	3	£915	3
Finance	£35	2	£1,825	2
Housing Needs	0	0	£1,200	3
Premises Mgt	0	0	£15	1
Education	0	0	0	0
Planning	0	0	0	0
Libraries	0	0	0	0
One Stop	0	0	0	0
Sports & Leisure	0	0	0	0
Street Mgt	0	0	0	0
Legal Services	0	0	0	0
Totals	£1,909.00	8	£4,233.70	14

Response Times

5.29. The target response times for **Stage 1** and **Stage 2** complaints is 10 working days. Performance is measured by responses completed:

- Within target (10 working days)
- Those completed within 11 to 20 working days
- Those completed in over 20 days.

5.30. The target response time for **Stage 3** complaints is 15 working days. Performance is measured by responses completed:

- Within target,
- Those completed within 16 to 30 days
- Those completed over 30 days.

- 5.31. As shown in Chart 5 below there has been an overall increase in performance in meeting the target response time across all three stages when compared with the preceding year.
- 5.32. A more detailed breakdown of performance across the services can be found in Tables 7, 8 & 9

Chart 5: Comparison of % of complaints answered within target response for 2010/11 & 2011/12

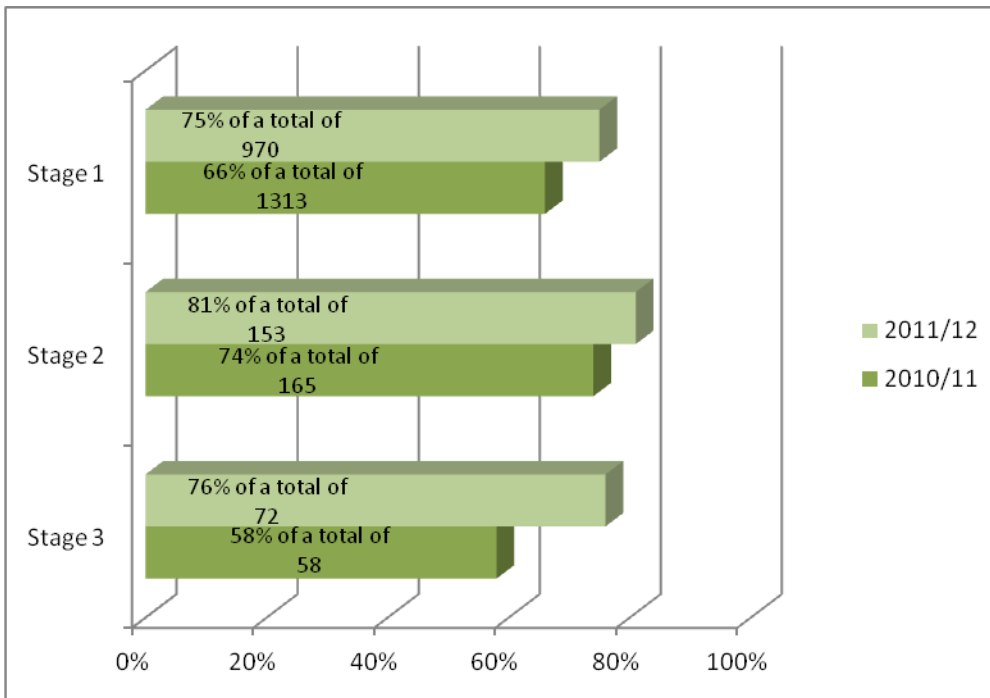


Table 7 : A comparison of Stage 1 response times across all services for the years 2010/11 and 2011/12

Response Times S1	Total nos Within target 2011/12	% completed within Target 2011/12		Total nos Within target 2010/11	% completed within Target 2010/11
Housing Nds	124 (out of 131)	95%		171 (out of 180)	69%
Planning	2 (out of 8)	25%		10 (out of 14)	93%
Education	0 (out of 1)	0%		1 (out of 2)	82%
Parking	50 (out of 68)	74%		61 (out of 88)	50%
CWH	277 (out of 357)	78%		303 (out of 360)	84%
Finance	195 (out of 263)	74%		139 (out of 165)	84%
Legal	0 (out of 1)	0%		1 (out of 2)	82%
Libraries	35 (out of 36)	97%		35 (out of 37)	71%
Str Mgt	9 (out of 27)	33%		90 (out of 399*)	23%
Sports & Leisure	35 (out of 36)	97%		25 (out of 27)	50%
Prem Mgt	24 (out of 34)	71%		28 (out of 34)	95%
One Stop	8 (out of 8)	100%		9 (out of 11)	95%

*There was some over reporting in Str Mgt in 2010/11

Table 8 : A comparison of Stage 2 response times across all services for the years 2010/11 and 2011/12

Response Times S2	Total nos Within target 2011/12	% completed within Target 2011/12		Total nos Within target 2010/11	% completed within Target 2010/11
Housing Nds	8 (out of 17)	47%		11 (out of 39)	28%
Planning	1 (out of 1)	100%		1 (out of 3)	33%
Education	0 (Out of 1)	0%		0 (out of 1)	0%
Parking	21 (out of 30)	70%		8 (out of 13)	62%
CWH	56 (out of 56)	100%		55 (out of 55)	100%
Finance	27 (out of 30)	90%		31 (out of 33)	94%
Legal	0 (out of 0)	0%		0 (out of 2)	0%
Libraries	1 (out of 1)	100%		1 (out of 1)	100%
Str Mgt	0 (out of 1)	0%		5 (out of 5)	100%
Sports & Leisure	1 (out of 1)	100%		2 (out of 2)	100%
Prem Mgt	6 (out of 9)	67%		6 (out of 8)	75%
One Stop	3 (out of 6)	50%		2 (out of 3)	67%

Table 9 : A comparison of Stage 2 response times across all services for the years 2010/11 and 2011/12

Response Times S3	Total nos Within target 2011/12	% completed within Target 2011/12		Total nos Within target 2010/11	% completed within Target 2010/11
Housing Nds	11 (out of 13)	85%		14 (out of 18)	85%
Planning	0 (out of 0)	0%		1 (out of 3)	0%
Education	1 (out of 1)	100%		0 (out of 0)	100%
Parking	12 (out of 13)	92%		4 (out of 11)	92%
CityWest	11 (out of 20)	55%		6 (out of 15)	55%
Finance	16 (out of 17)	94%		10 (out of 14)	94%
Legal	0 (out of 0)	0%		0 (out of 0)	0%
Libraries	1 (out of 1)	100%		0 (out of 0)	100%
Str Mgt	0 (out of 0)	0%		1 (out of 1)	0%
Sports & Leisure	0 (out of 0)	0%		1 (out of 1)	0%
Prem Mgt	3 (out of 7)	43%		1 (out of 2)	43%
One Stop	0 (out of 0)	0%		0 (out of 0)	0%

6. Local Government Ombudsman (LGO) first time inquiries

- 6.1. When the LGO decide that they wish to investigate a complaint about council services they can do so by simply reviewing the information the complainant has provided and/or use information from various web sites or set out in legislation. If they want to obtain specific information from a local authority, such as asking questions or requesting copies of correspondence to assist in an investigation they will write to the relevant council with their request and this is known as first time inquiries. The first time inquiries act as the performance measure used by both the LGO and the council.
- 6.2. The data in Table 10 shows a decrease in the number of first time enquiries investigated by LGO when compared with the preceding year.

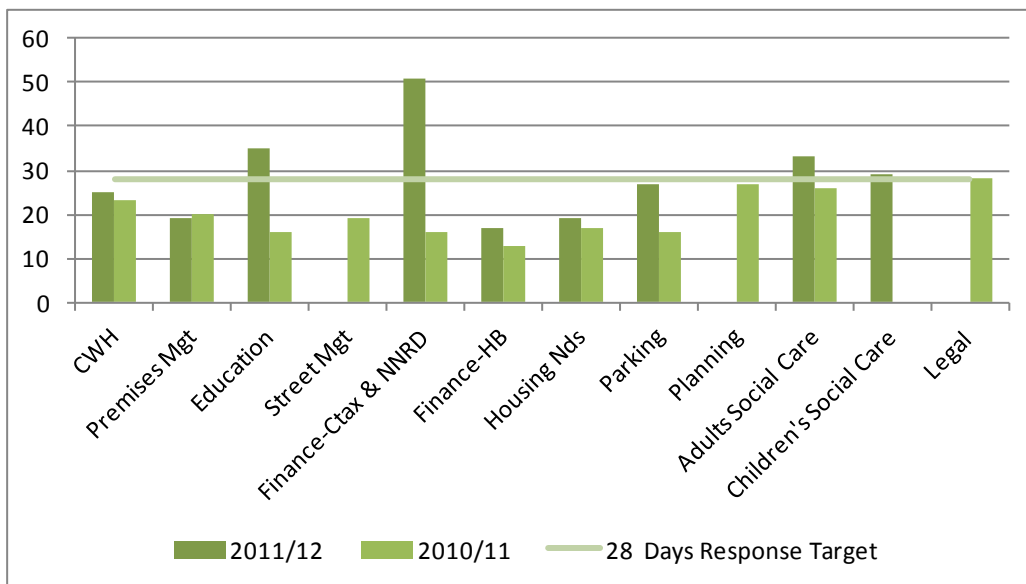
Table 10: LGO First Time Inquiry totals for the years 2010/11 & 2011/12

	2010/11	2011/12	Variance
CityWest	16	0	-16
Premises Mgt	5	3	-2
Education	3	3	0
Street Mgt	3	0	-3
Sports & Leisure	0	0	0
Finance-CT& NNRD	2	2	0
Finance - HB	6	5	-1
Housing Nds	8	8	0
Parking	4	10	6
Planning	1	0	-1
Adult's Social Care	6	3	-3
Chidren's Social Care	0	2	2
Legal	1	0	-1
totals	55	43	-12

- 6.3. The LGO monitors all local authorities on their response times to first time inquiries. The benchmark used for this is 28 calendar days from the date on the LGO enquiry letter. Please note that there is a small variance between the Council's calculations and the LGO's calculations for average response times. This is because some of the LGO cases are not completed in the financial year in which they are started. However, the difference is usually small.
- 6.4. The LGO produce an Annual Review/Letter which usually sets out any concerns the LGO might have regarding the handling of complaints that are received about the council, together with any performance issues surrounding the volume of cases and meeting the 28 day benchmark for first time inquiries.
- 6.5. The Annual Review for the year ending 31 March 2012 is the first time the Ombudsman has not made any specific comments about any concerns or failings that she wishes to bring to our attention. The review letter simply says that she has no concerns about the council's response times and that there are no issues arising from the complaints that she wishes to bring to our attention. This should be accepted as a positive review.
- 6.6. A copy of the Annual Review together with a breakdown of the statistics for 2011/12 can be found in Appendix A.

- 6.7. Data in **Chart 12** provides a comparative breakdown of the average number of days taken to respond based on the Council's records, and the Council's average response time was 21 days. The LGO Annual letter for 2011/12 states that the Council's average response time was 28.3 days. This is slightly above the benchmark however the Ombudsman commented in the Annual Letter that she has no concerns with the council's response times.

Chart 6: Comparison of LGO average number of days taken to reply to first time enquiries for 2010/11 & 2011/12



- 6.8. A breakdown of what used to be known as LGO financial local settlements (compensation), and are now referred to as “injustice remedied during enquiries”, can be found in Table 12 below. The term “injustice remedied” is used to describe decisions where the council remedied or agreed to remedy any injustice to the LGO's satisfaction during the investigation so allowing the complaint to be closed. These remedies can include the payment financial settlements.
- 6.9. It is difficult to make performance comparisons between financial years as each complaint is dealt with on its merits. However, the Table 12 (below) indicates a decrease in the total of amount of financial remedies (£23807) in 2011/12 when compared with 2010/11. However, there was a very significant award made in 2010/11 (£25,000) for a Planning case and there has been no similar settlement in 2011/12.
- 6.10. There were two settlements of £2000 and £2899 made in an Education and Children's Social Care case respectively.
- 6.11. The £2000 payment offered in the Education case was made as there was a delay in providing a school place for a child after the family moved to the Westminster area in the summer of 2010, and no provision was made for his

education while he waited for a school place. The LGO said that it did not find fault with the council for the first half of the school term as the picture was not clear but from then on a provision should have been made by either the offer of a school place or alternative provision. In addition to the financial settlement the council was asked to review its procedure to ensure that children in a similar position are identified and a provision made.

- 6.12. The £2899 payment offered in the Children’s Social Care case was made as the LGO found that the council delayed in completing an adoption assessment as a prospective overseas adopter and the council failed to adhere to required time scales and current guidance. There was also administrative fault in the processes of assessing. The award was broken down as follows, £2329 was awarded so to reimburse the complainant for the translations fees, £230 was offered for the cost of updating the home assessment and £250 was also awarded for the time and trouble in view of the various delays and failure to keep to and agree timescales.

Table 12: Comparison of LGO Financial Local Settlements for 2011/12 & 2010/11

Financial Local settlements	2011/12	Nos of cases		2010/11	Nos of cases
CWH	£670	2		£5,211	11
Parking	£350	3		Nil	0
Finance (HB, CT & NNRD)	£110	2		£75	1
Premises Mgt	£50	1		£50	1
Housing Nds	£200	1		£250	1
Planning	Nil	0		£25,000	1
Adults Social Care	£500	1		Nil	0
Education	£2,000	1		Nil	0
Children's Social care	£2,899	1		Nil	0
Sports & Leisure	Nil	0		Nil	0
Street Mgt	Nil	0		Nil	0
Legal	Nil	0		Nil	0
Totals	£6,779	12		£30,586	15

7. Leader and Cabinet Members correspondence (Pink Jackets)

- 7.1. Correspondence addressed to the Leader and Cabinet Members is known as Pink Jackets and these take the form of some kind of complaint or issue with a service provided by the city council that requires clarification or a response. The Cabinet Support section of Member Services is responsible for the collation of the statistical information for Pink Jackets, and has provided the relevant data.

- 7.2. In line with corporate policy, service areas are asked to draft a response for the Cabinet Support section within 5 working days so to turn around the letter of response within 10 working days. However, Parking has 10 working days to draft a response due to the volume of correspondence it received, therefore its performance for response times and meeting targets turn-around times are shown separately in Tables 13 & 14 below.

Table 13: Comparison of Pink Jackets and % of cases completed within target response times for 2011/12 & 2010/11

	Total for 2011/12	% Within Target Response 2011/12	Total for 2010/11	% Within Target Response 2010/11
Cabinet Support	153	87%	83	83%
Adult Services	128	70%	49	67%
Planning	126	63%	123	56%
Housing Needs	86	73%	105	47%
CityWest Homes	77	80%	184	78%
Street Mgt	32	73%	74	61%
Education	25	100%	15	27%
Children's Services	21	82%	27	63%
Transportation	10	70%	12	42%
Sports & Leisure	9	89%	9	89%
Premises Mgt	8	87%	36	61%
Premises Mgt	7	100%	2	0%
Finance	18	80%	53	83%
Libraries	2	100%	5	100%
Legal	1	100%	11	55%
Total	708	71%	788	66%

Table 14: Parking Performance for 2011/12 & 2010/11

	Total for 2011/12	% Within Target Response 2011/12	Total for 2010/11	% Within Target Response 2010/11
Parking	162	75%	155	68%

- 7.3. The data recorded in Table 13 & 14 suggests that the volume of Pink Jackets has decreased as 820 (this figure includes the total for Parking) were received in 2011/12 from a total of 943 in 2010/11. Data recorded in Tables 13 & 14 also indicates that response times have improved when compared to the previous year (66% for 2010/11 & 71% for 2011/12) and generally most service areas

show an improvement in the speed of their response. There are also a few trends which need to be noted:

- The volume of correspondence dealt with directly by Cabinet Support has increased significantly; this was in large part due to the volume and agreement of key lines concerning parking policy reforms after which responses were dealt with directly by the Cabinet Office.
- There has been a substantial increase in the volume of correspondence directed to Adult Services. This has primarily arisen from the consultations on Taxicard and changes to the eligibility criteria – with again some of this, when of a routine nature, handled directly by the Cabinet Office.
- There has been a notable reduction in the volume of correspondence directed to Housing Needs and CityWest Homes. This can be primarily attributed to the additional staffing at the Housing Options Service to support residents concerned by the impact of the Housing Benefit caps as well as regular direct communications to affected tenants, and the move by CWH to an area based operational structure which places it more closely in the communities with the intention of dealing with issues at the first point.
- As well as dealing with correspondence addressed directly to Cabinet Members, a further 3,782 enquiries have been dealt with on behalf of non-executive Members (Ward Members). These concerns have been made via the phone, emails and by Members themselves.

7.4. To continue to drive further improvements in the service and turnaround times, in 2012/13, the 5 day turnaround target has been formally established in both performance indicators for Cabinet Officers – who handle the Pink Jackets on behalf of Cabinet Members – and explicitly stated in the 2012/13 Member Services work plan. In addition, a successor to the Respond system which has traditionally been used to log correspondence and which staff have frequently felt to be unwieldy, unresponsive and not helpful in collating data will be procured later in the autumn.

APPENDIX A

**A copy of the LGO Annual Letter for 2011/12
(including the statistical break down)**

22 June 2012

By email

Mr M More
Chief Executive
Westminster City Council
Westminster City Hall
64 Victoria Street
LONDON SW1E 6QP

Dear Mr More

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ended 31 March 2012. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number forwarded by the Advice Team to my office, and decisions made on complaints about your authority. The decision descriptions have been changed to more closely follow the wording in our legislation and to give greater precision. Our guidance on statistics provides further explanation ([see our website](#)).

The statistics also show the time taken by your authority to respond to written enquiries.

I am pleased to say that I have no concerns about your authority's response times and there are no issues arising from the complaints that I want to bring to your attention.

Changes to our role

I am also pleased to have this opportunity to update you on changes to our role. Since April 2010 we have been exercising jurisdiction over the internal management of schools on a pilot basis in 14 local authority areas. This was repealed in the Education Act 2011 and the power restored to the Secretary of State for Education. During the short period of the pilot we believe we have had a positive impact on the way in which schools handle complaints. This was endorsed by independent research commissioned by the Department for Education which is available [on their website](#).

Our jurisdiction will end in July 2012 and all complaints about internal school matters will be completed by 31 January 2013.

From April 2013, as a result of the Localism Act 2011, local authority tenants will take complaints about their landlord to the Independent Housing Ombudsman (IHO). We are working with the IHO to ensure a smooth transition that will include information for local authority officers and members.

Supporting good local public administration

We launched a new series of Focus reports during 2011/12 to develop our role in supporting good local public administration and service improvement. They draw on the learning arising from our casework in specific service areas. Subjects have included school admissions, children out of school, homelessness and use of bankruptcy powers. The reports describe good practice and highlight what can go wrong and the injustice caused. They also make recommendations on priority areas for improvement.

We were pleased that a survey of local government revenue officers provided positive feedback on the bankruptcy focus report. Some 85% said they found it useful.

In July 2011, we also published a report with the Centre for Public Scrutiny about how complaints can feed into local authority scrutiny and business planning arrangements.

We support local complaint resolution as the most speedy route to remedy. Our training programme on effective complaint handling is an important part of our work in this area. In 2011/12 we delivered 76 courses to councils, reaching 1,230 individual learners.

We have developed our course evaluation to measure the impact of our training more effectively. It has shown that 87% of learners gained new skills and knowledge to help them improve complaint-handling practice, 83% made changes to complaint-handling practice after training, and 73% said the improvements they made resulted in greater efficiency.

Further details of publications and training opportunities are on [our website](#).

Publishing decisions

Following consultation with councils, we are planning to launch an open publication scheme during the next year where we will be publishing on our website the final decision statements on all complaints. Making more information publicly available will increase our openness and transparency, and enhance our accountability.

Our aim is to provide a comprehensive picture of complaint decisions and reasons for councils and the public. This will help inform citizens about local services and create a new source of information on maladministration, service failure and injustice.

We will publish a copy of this annual review with those of all other English local authorities on our website on 12 July 2012. This will be the same day as publication of our Annual Report 2011/12 where you will find further information about our work.

We always welcome feedback from councils and would be pleased to receive your views. If it would be helpful, I should be pleased to arrange a meeting for myself or a senior manager to discuss our work in more detail.

Yours sincerely

A handwritten signature in black ink that reads "J Martin". The signature is written in a cursive style and is positioned above a horizontal line.

Dr Jane Martin
Local Government Ombudsman

LGO advice team

Enquiries and complaints received	Adult Care Services	Benefits & Tax	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Planning & Development	Total
Advice given	5	5	2	4	3	9	8	1	37
Premature complaints	2	24	2	2	1	21	21	4	77
Forwarded to Investigative team (resubmitted)	0	2	0	2	0	2	3	0	9
Forwarded to Investigative team (new)	4	13	4	6	2	18	28	0	75
Total	11	44	8	14	6	50	60	5	198

Investigative team - Decisions

Not investigated			Investigated			Report	Total
No power to investigate	No reason to use exceptional power to investigate	Investigation not justified & Other	Not enough evidence of fault	No or minor injustice & Other	Injustice remedied during enquiries		
1	9	21	20	21	17	0	89

Response times to first enquiries	No of first enquiries	Avg no of days to respond
	44	28.3