



City of Westminster

Annual Complaints Review 2018/19

October 2019

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 trends and for 2018/19, and a comparison of performance for 2017/18 and 2018/19 across stage 1 and stage 2 of the corporate complaints procedure. It also includes a performance review of Local Government Ombudsman (LGO) first time enquiries, and a limited review of Leader and Cabinet Member correspondence.

2. Background

- 1.2 The council's two stage complaints procedure is as follows:
- **Stage 1** - Complaints are addressed by the local service delivery manager (10 working day turnaround).
 - **Stage 2** - A Chief Executive's review undertaken (10 working day turnaround)
 - **LGO** - If the complainant still remains dissatisfied with the stage 2 reply he/she can take the concern to the LGO
- 1.3 The procedure covers most council services although Adults and Children's Social Care Services each have their own statutory complaints procedure. In view of this separate reports are produced for Member and Officer oversight, therefore there is limited information about these services in this report.
- 1.4 CityWest Homes (CWH) has been operating its own complaints procedure since 1 April 2012, and while they came back in house on 1 April 2019 the complaints data for 2018/19 covered the period they were still an Arms Length Organisation and therefore is not covered in this report.

3. Headline findings

Summary of Complaint Numbers

- 3.1. 1289 complaints have been received for 2018/19 across all services and complaint stages including adults and statutory complaints.
- 3.2. 1235 corporate complaints across all services and stages has been received. This represents a 10% increase in corporate complaints when compared with the preceding year. The overall increase in volume is attributed to the use of the complaints iCasework system and the use of complaints web form. The use of the system and the web form now ensures that more complaints are correctly identified and captured on the system and then answered within the complaints procedure. This means there is less under reporting than in previous years when multiple systems were used to record complaints.

Stage 1 Summary

- 3.3. **Complaint Volumes** – There is a 10% increase in stage 1 complaints when compared with the preceding year.
- 3.4. **Response times** – The 10 day working response target has been met in 78% of complaints which is a 4% reduction on the previous year.
- 3.5. **Complaint decisions** – these remain stable although there is a 3% reduction in Upheld complaints. Failure to do something, a delay in doing something or

a disagreement with a charge received are the most common cause of a stage 1 complaint.

Stage 2 Summary

- 3.6. **Complaint Volume/Escalation** - 131 stage 2 complaints have been received and this represents an increase of 16% on the preceding year (2017/18). A recent review of the volumes of complaints received between April 2019 to end October 2019 (current financial year) indicate there has been a 32% increase when compared to the same period for 2018/19. The return of Housing Management (what was CWH) has contributed to the increase in volume although there is a general uplift for most other services. However, Housing Benefit has seen a reduction in stage 2 complaint volumes. There was no specific reason(s) given for escalating the complaint to stage 2 in 73% of complaints received.
- 3.7. **Response Times** – 25% of stage 2 complaints were responded to in target response time against 56% in the preceding year. The slowing down in meeting target response is attributed to the overall increase in the volume of complaints and an officer being on secondment is also a contributing factor.
- 3.8. **Complaint Outcomes** – 5% of all stage 2 complaints were Upheld against 4% in the preceding year.

Local Government and Social Care Ombudsman (LGSCO)

- 3.9. **Volume** - 17 first time enquiries were received in 2018/19 this is a decrease (down 5) as 22 first time enquiries were received in 2017/18.
- 3.10. **Response Times** - 65% of first time enquires were completed in target response time
- 3.11. **Compensation** - Was offered in 8 cases in 2018/19 and a total amount of £9,730 was paid, against 5 cases in 2017/18 and £1,100 having been paid.
- 3.12. There was one Housing Solution Services complaint where the LGSCO awarded a payment of £7,350 as a family was living in unsuitable temporary accommodation for nearly 4 years and therefore awarded £150 for each month ($£150 \times 47 \text{ months} = £7,050$) and £350 for distress and time and trouble in pursuing the complaint. There was also one award of £1,080 made in an NNDR case. Although the complaint also involved CT bills this matter was resolved but not for the NNDR bills sent to a company at the complainants address. This matter continued to the enforcement stage. While the LGSCO recognised and welcomed the Council time and trouble offer of £300 at stage 2 they also awarded a further £300 for distress and £450 towards his solicitors and accountant's costs as he had to take advice to sort of the matter.

LGSCO Annual letter 2018/19

- 3.13. **LGSCO Annual letter volumes** - This explains that the data in the LGSCO will be different to data held by the Council as they capture all contacts/enquiries/complaints made to them about each individual authority. The annual letter also indicates that there has been an overall reduction in complaints and enquiries with 110 received for 2018/19 against 133 for 2017/18.
- 3.14. **Complaint Outcomes** - Of the 9 complaints which were upheld with maladministration 6 complaints were not investigated at stage 2 of the Councils complaints procedure therefore there was no opportunity for the Council to review the stage 1 response to see if any further fault could be found
- 3.15. **Complaint Learning from the Annual letter**

- Services should, where possible prioritise responses to LGSCO enquiries as they are often late in commenting on the LGSCO draft decision and any further comeback enquiries
- All services should ensure all LGSCO recommendations and remedies are dealt with in a timely manner and that they have complied with all the remedies set out in an LGSCO decision statement within the time frames set out, as it is not uncommon for remedies to be completed outside of the date agreed with the LGSCO
- When answering LGSCO first time enquiries all services should provide their own understanding of the complaint, as the LGSCO asks that this is done as well as answering the specific questions asked. Services should also provide additional information outside of the questions asked if they consider that additional information will assist the LGSCO investigator in understanding the complaint and the actions taken by the Council so we can achieve a positive outcome to the complaint

Leader and Cabinet Member Correspondence

- 3.16. The data provided indicates that there has been a slight increase (44) in the volume of correspondence received over the year.

4. Complaint Volumes- Across all Stages and Directorates

- 4.1. **1289** complaints have been received across both stage 1 and stage 2 of the complaints procedures and this figure includes those statutory and non-statutory Adults Social Care and Children's Services. As indicated in **Table 2** below there is a 10% overall increase across all stages of the corporate procedure when compared with 2017/18. The increase in volume across both stages is attributed to the use the complaints iCasework system and the use complaints web form. The use of the system and the web form now ensure that more complaints are correctly identified and captured on the system and then answered within the complaints procedure. This means there is less under reporting than in previous years when multiple systems were used to record complaints.
- 4.2. Although separate reports for both Adults Social Care and Children's Services are prepared **Table 1** provides a view across all the services for both corporate and Statutory complaint procedures.
- 4.3. The data used in the rest of this report will relate to complaints made under the Council's corporate complaints procedure (non-statutory) save specific references to response times for Adults and Children's services in item 7.4 of this report.

Table 1 – all complaints across all services, including Adults and Children’s complaints for the year 2018/19

Directorate/ Division	Stage 1	Total	Stage 2	Total
City Treasurers		512		56
<i>Housing Benefit</i>	232		23	
<i>Council Tax</i>	253		24	
<i>NNDR</i>	27		9	
City Management and Communities		421		40
<i>Waste and Parks</i>	125		8	
<i>Public Protection and Licensing</i>	84		11	
<i>Parking Services</i>	84		15	
<i>Highways and Public Realm</i>	61		1	
<i>Libraries and Archives</i>	24		2	
<i>Community Services (Sports)</i>	43		3	
Growth, Planning and Housing		163		33
<i>Development Planning</i>	51		9	
<i>Housing Solution Services</i>	112*		24	
Chief Executives		3		2
<i>Electoral Services</i>	2		2	
<i>Committee Services</i>	1		0	
Policy, Performance and Communications		4		0
<i>City Promotions, Events and Filiming</i>	4		0	n/a
Westminster Adult Education Service (WAES)		1		0
<i>WAES</i>	1		0	n/a
Sub Total of all Corporate Complaints	Stage 1	1104	Stage 2	131
Children's Social Care (statutory)		44		7
Adults Social Care (statutory)		3		n/a
TOTAL		1151		138

*22 Housing Solution complaints were withdrawn

NB: Does not include Housing Management complaints (was CWH), as they were still an ALMO in 2018/19

Table 2 Comparison of total numbers of corporate complaints for 2017/18 and 2018/19 (Adults and Children’s Social care complaints not included)

	2017/18	2018/19	Variance	%change
Stage 1	1007	1104	97	10%
Stage 2	115	131	16	14%
Total	1122	1235	113	10%

5. Stage 1 Complaints over 2018/19

- 5.1. **Stage 1 Date - Period Captured – complaints recorded between 1st April 2018 to March 31 2019**
- 5.2. **Number of Stage 1 Complaints received by directorate - 1104**

Table 3 All stage 1 complaints made by Directorate

Directorate	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
City Treasurer	159	130	118	105	512
City Management and Communities	149	104	102	66	421
Growth, Planning and Housing	42	47	43	31	163
Policy, Performance and Communications	1	1	1	1	4
Chief Executives/Chief of Staff	2	0	0	1	3
Westminster Adult Education Service (WAES)	1	0	0	0	1
Grand Total	353	282	264	204	1104

Chart 1 - Profile of complaints made by directorate in 2018/19



- 5.3. As seen in **Table 2** there has been a 10% increase in stage 1 complaints when compared to 2017/18. However, between 2016/17 and 2017/18 there was a 46% increase in stage 1 complaints. As the percentage increase has levelled off this suggests that the use of the icasework system has now bedded in and stage 1 complaint volumes are stabilising .
- 5.4. As seen in **Chart 1** three Directorates deal with complaints in significant volumes as recorded in iCasework. In 2017/18 the situation was similar save an increase of 25 complaints (**see Table 4 below**) from City Treasurers when compared with 2017/18 and an increase of 92 complaints from CMC.
- 5.5. This report also notes that volumes for City Treasures are high (512) but these volumes should be viewed in the context that there are 128,000 Council Tax properties, 38.000 NNDR properties and some 23,000 Benefit claims. The totals for CMC are also high as they cover a number of services including Parking and Waste and Parks and these also attract a volume of complaints.

Table 4 -Comparison of Stage 1 totals by Divisions within Directorates for 2017/18 &2018/19

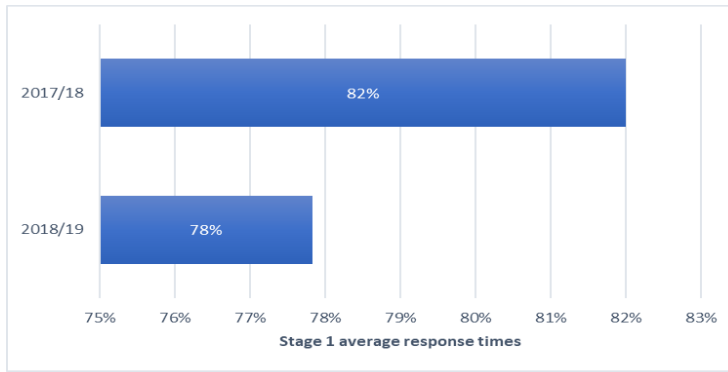
Directorate/ Division	Total for 2017/18	Total for 2018/19	Variance
City Treasurers	487	512	25
<i>Housing Benefit</i>	276	232	-44
<i>Council Tax</i>	193	253	60
<i>Business Rates</i>	18	27	9
City Management and Communities	329	421	92
<i>Waste and Parks</i>	75	125	50
<i>Public Protection and Licensing</i>	66	84	18
<i>Parking Services</i>	68	84	16
<i>Highways and Public Realm</i>	60	61	1
<i>Libraries and Archives</i>	22	24	2
<i>Community Services (Sports)</i>	37	42	5
<i>Residential Services</i>	1	1	0
Growth, Planning and Housing	173	163	-10
<i>Development Planning</i>	72	50	-22
<i>Housing Solution Services</i>	96	112	16
<i>Corporate Property</i>	5	1	-4
Chief Executives	7	3	-4
<i>Electoral Services</i>	7	1	-6
Policy, Performance and Communications	11	4	-7
<i>Campaigns / Engagement</i>	5	0	-5
<i>City Promotions, Events and Filming</i>	6	1	-5
Westminster Adult Education Service (WAES)	0	1	1
<i>WAES</i>	0	1	1
Total	1007	1104	97

6. Response Time by Directorate

Speed of response for all Directorate across 2018/19

- 6.1. The target response time for replying to a stage 1 complaint is 10 working days. Performance is therefore measured by:
- Complaints completed in target response time (0 to 10 days)
 - Those completed in 11 to 20 days
 - Those complaints that took over 20 days.
- 6.2. As indicated in **Figure 3** below the average response time for stage 1 complaints for 2018/19 is 78%. This is a 4% reduction when compared with the preceding year. An average response time of 80% or above is considered to be a very good performance.

Figure 3 - A comparison of Stage 1 response times 2017/18 and 2018/19



6.3. Table 5 below provides a more detailed breakdown of performance cross the directorates.

Table 5 Response Time Tables for 2018/19 (withdrawn cases omitted)

Stage 1	0-10	Nov-20	20+	Total	% within 10 days	Median Days to Respond
City Treasurers	449	37	14	500	90%	5
City Management and Communities	265	80	59	404	65%	9
Growth Planning and Housing	75	43	21	139	54%	11
Policy, Performance and Communications	0	2	2	4	0%	2
Chief Executives/Chief of Staff	3	0	0	3	100%	21
Westminster Adults Education Service	1	0	0	1	100%	3
Total	818	177	106	1051		7

NB: In figure 5 below the Shared Service Centre represents complaints from Housing Benefit, Council Tax and NNDR (Business Rates)

Figure - 5 time taken to respond at Division level

Time Taken to Respond at a Division Level (10 or more complaints)

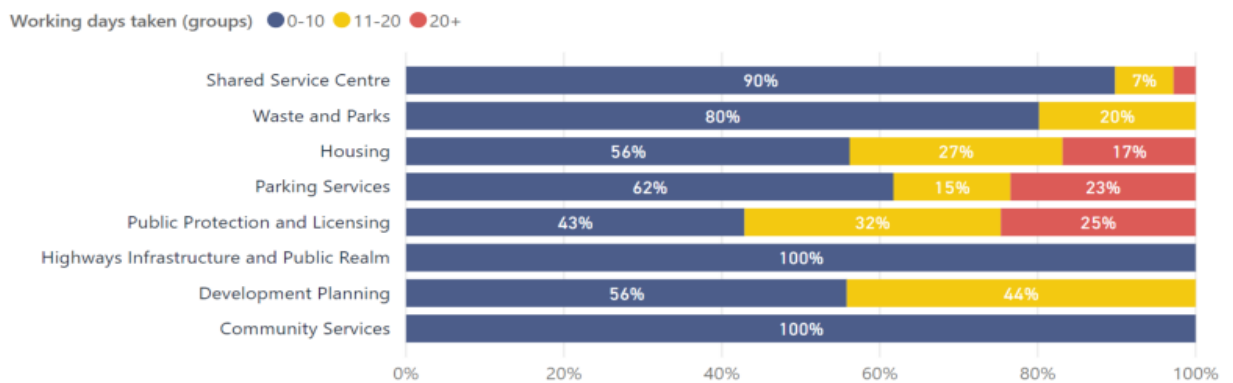


Table 6 - Complaints that took over 20 days (withdrawn cases included)

Directorate	Complaints (resolved complaints only)	Over 20 days	% of resolved complaints that took over 20 days
City Treasurer	512	15	2.9%
City Management and Communities	421	60	14.3%
Growth, Planning and Housing	163	29	17.8%
Policy, Performance and Communications	4	2	50.0%
Chief Executives/Chief of Staff	3	0	0.0%
Westminster Adult Education Service	1	0	0.0%
Overall	1104	106	9.6%

6.4. Information in **Table 6** above indicate the service areas where complaints are taking longer than 20 days. There will always be some complaints that take longer to resolve due to their complex nature. However, it is important that services do all they can to reply as quickly as possible and to make sure they keep the customer informed of any delays.

Adults and Children’s Services statutory complaint response times

Statutory Complaints	Totals	Stage 1	% in Target Response Time	Stage2	% in Target Response Time	Stage 3
Children’s Social Care	7*	4	75%	1	0	2
Adults Social Care	116	116	not currently recorded	n/a		n/a
Total	123	120		1	0	2

NB: Children’s Statutory complaint procedure has three stages and the Adults complaints procedure has one stage. Stage 3 of the Children’s statutory complaints procedure has various timescales relating to Stage 3 complaints which include:

- Organising the Panel within 30 working days of the complainant’s request
- The Chair should produce the panel’s report within 5 working days of the Review Panel
- Sending the Local Authority’s response to the complainant within 15 working days of the Panel’s report.

7. Complaint Outcomes

- 7.1. Each complaint response should indicate what is the complaint outcome and should clearly explain if the Council considers whether anything went wrong and if it did what has/will be done to put it right. Complaint outcomes are usually expressed as Upheld, Not Upheld or Partially Upheld.
- 7.2. An Upheld decision indicates that we accept that there was fault. A Partially Upheld complaint decision is reached when the majority of the complaint concerns are Not Upheld, but there are some minor lapses in service delivery which did not have a significant impact in reaching the complaint decision. A Not Upheld complaint indicates that there has been no fault.
- 7.3. It is generally accepted that at stage 1 there will be a higher percentage of complaints that are upheld or partially upheld as the main purpose in investigating a complaint is try and find any mistakes and put right any wrongs. This should then prevent a complaint from escalating to the final stage of the complaint procedure.

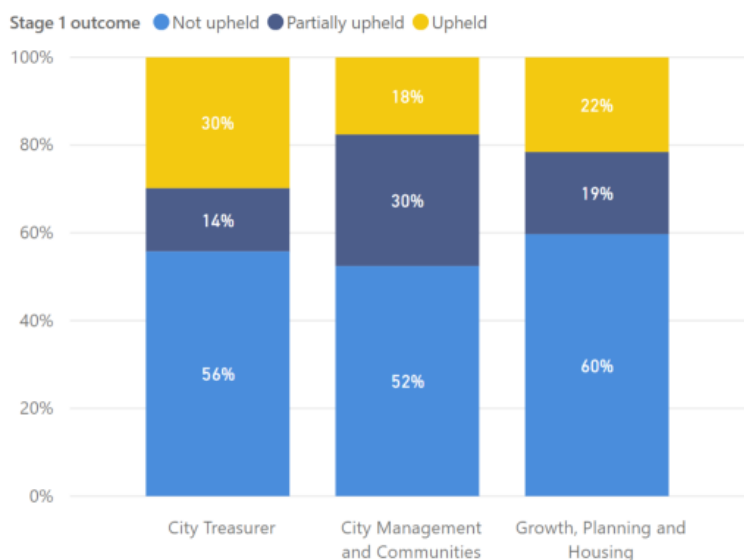
7.4. As seen in **Table 7** below the percentage of not upheld and partially complaints for both years are similar although there has been a 3% reduction in upheld complaints. No firm conclusion can be drawn from this comparison although the figures indicate that levels of upheld complaints are not increasing, and this could suggest that overall service delivery is good. However, what is of interest is the escalation rate from stage 1 to stage 2, as if the percentage of upheld complaints is small at stage 2 this indicates that any fault has been found and rectified at stage1. This issue is addressed in item 11.3.

Table 1 – A comparison of Stage 1 Outcomes for 2018/19 and 2017/18 across all services

Stage 1				
	2017/18	as %	2018/19	as %
Not Upheld	528	54%	580	55%
Partially Upheld	187	19%	219	21%
Upheld	267	27%	252	24%

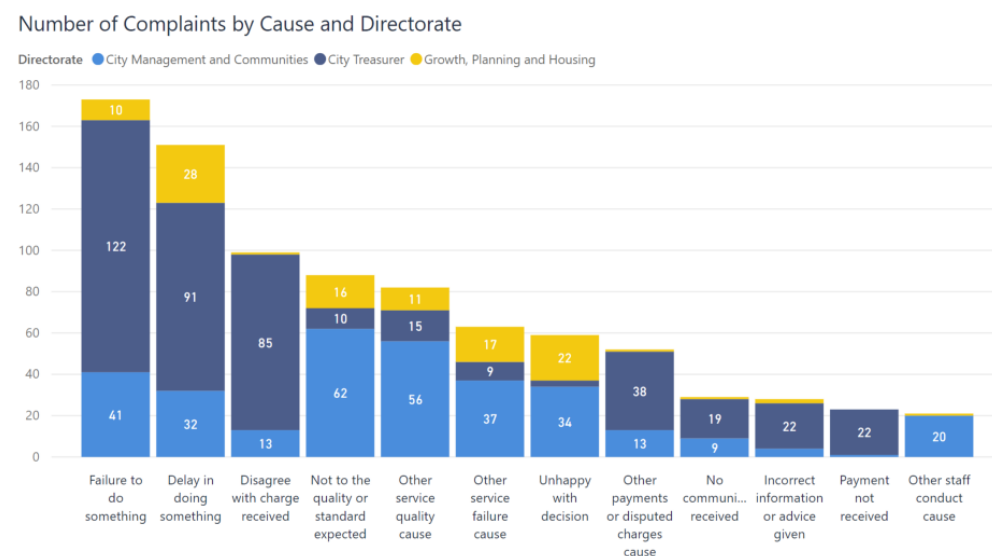
Figure 6 - Outcomes by Directorate

Outcomes by Directorate



8. Reasons for Complaining

Figure 7 - Cause of complaint by Directorate



- 8.1. In view of complexity of all the different services offered by each directorate it is not possible to determine why a customer has chosen to complain therefore generic causes are used so we can track at a corporate level the overarching cause of complaint. As seen in Figure 7 failure to do something, a delay in doing something or a disagreement with a charge received are the most common cause of complaint.

9. STAGE 2 COMPLAINTS

- 9.1. Period Captured – complaints recorded between 1st April 2018 and 31st March 2019.
- 9.2. Number of Stage 2 Complaints in 2018/19 – **131 (withdrawn cases not included)**

Number of Complaints by Directorate

- 9.3. With 131 complaints received in 2018/19 and 115 stage 2 complaints received in 2017/18 complaint volume has increased by 18 (16%). **Table 7** below is a comparison of stage 2 volumes by Division within each Directorate.

Table 7 - A comparison of stage 2 volumes by Divisions within each directorate for 2018/19 & 2017/18

Directorate and Division	2017/18 Directorate and Division	2018/19 Directorate and Division	Variance	Variance by %
City Treasurer	50	56	6	12%
Housing Benefit	33	23	-10	-30%
Council Tax	16	24	8	50%
Business Rates	1	9	5	500%
City Management and Communities	35	39	4	11%
Parking Services	13	14	1	8%
Public Protection and Licensing	9	11	2	22%
Waste and Parks	5	8	3	60%
Community Services	4	3	-1	-25%
Libraries and Archives	3	2	-1	-33%
Highways and Public Realm	1	1	0	0%
Growth, Planning and Housing	23	33	9	39%
Housing	16	24	8	50%
Development Planning	7	9	2	29%
Others	5	4	-1	-20%
Children's Services – SEN	3	2	-1	-33%
Chief Execs – Electoral Services	1	2	1	100%
Policy, Perf & Communications-Events	1	0	-1	-100%
Total	113	131	18	15.90%

- 9.4. A recent review of the volumes of complaints received between April 2019 to end October 2019 (current financial year) has been undertaken (**see Table 8 below**) and this indicate there has been an additional 28 complaints (32% increase) received when compared to the same period for 2018/19. The return of Housing Management (what was CWH) has contributed to the increase in volume although there is a small uplift in many of the other service areas. However, Housing Benefit has seen a reduction in stage 2 complaint volumes.
- 9.5. **Table 9** plots the totals received for each month for the years 2017/18, 2018/19, 2019/20 and his indicates that this trend is not slowing down. While the months of July to October usually see a month on month decline in volume through to the end of the financial year there has been an overall increase. In particular, the month of October 2019 has recorded 23 stage 2 complaints received. The Corporate Complaints team is not currently resourced to deal with such high volumes of complaints.
- 9.6. The increase is due in part to the return of CityWest Homes (now called Housing Management), to the Council as previously CWH operated their own complaints procedure and now must follow the Council's corporate complaints procedure. As see in **Table 9** below Housing Management has received 33 stage 2 complaints for the current year to date and this represents 29% of the total volume of complaints received.

- 9.7. This report also notes the overall reduction in City Treasurers (HB/CT/NNDR) stage 2 complaints when compared with the same period last year. This reduction is due to the work the department has done by ensuring that :
- Cases that are logged as complaints are genuine complaints
 - Improve the Stage 1 responses to prevent escalation to Stage 2
 - Improve the level of detail in the Stage 2 response to prevent LGO
- 9.8. Without the reduction in volume from City Treasurers the increase in Housing Management complaints would have had an even more significant impact on the turnaround of complaint responses.

Table 8 a comparison of stage 2 complaints received from 1 April 2019 to 31 October 2019 for both 2018/19 and 2019/20

Directorate/ Division		2018/19 April to end of Oct	2019/20 April to end of Oct	Variance
City Treasurers		42	16	-26
	<i>Housing Benefit</i>	20	5	-15
	<i>Council Tax</i>	15	10	-5
	<i>Business Rates</i>	7	1	-6
City Management and Communities		24	32	8
	<i>Waste and Parks</i>	7	3	-4
	<i>Public Protection and Licensing</i>	7	10	3
	<i>Parking Services</i>	8	11	3
	<i>Highways and Public Realm</i>	0	4	4
	<i>Libraries and Archives</i>	2	0	-2
	<i>CMC - Physical Activity, Leisure and Sport</i>	0	4	4
Growth, Planning and Housing		20	57	37
	<i>Development Planning</i>	7	3	-4
	<i>Housing Solutions Service</i>	13	21	8
	<i>Housing Mgt (was CWH)</i>	Dealt with by CWH	33	33
Chief Executives		2	2	0
	Electoral Services	2	2	0
Policy, Performance and Communications		0	1	1
	<i>City Promotions, Events and Filming</i>	0	1	1
Children's Services	Children's services	0	7	7
Total		87	115	28

Table 9 – Monthly Stage 2 Complaint totals for the first 7 month of the years 2017/18, 2018/19 and 2019/20

Month	Nos Stage 2 complaints 2017/18	Nos Stage 2 complaints 2018/19	Nos Stage 2 complaints 2019/20	Variance between 2018/19 & 2019/20
April	11	14	11	-3
May	11	15	15	0
June	6	16	8	-8
July	12	13	20	7
Aug	8	13	16	3
Sept	4	12	17	5
Oct	7	5	23	18
Totals to end of Oct	59	88	110	22

10. Stage 2 – Responses within the 10 day target

- 10.1. As indicated in **Table 10** below response times have slowed when compared with 2017/18 and overall the target response was met in 25% of complaints for 2018/19 against 56% for 2017/18. The reduction in meeting the target response time was due in part to one of the two stage 2 complaint investigators commencing a secondment in August 2017, therefore the majority of complaints were investigated by the remaining complaint investigator, the increase in stage 2 complaints, the number of complex investigations, and services have generally been slower in replying to requests for information.
- 10.2. The complaints team has raised concerns about delays and poor responses to requests for information with the services and the team continue to monitor the situation.

Table 10 - Response Time to Complaints by Directorate

Directorate	2017/18					2018/19				
	0-10 days	11-20 days	20+ days	Total days	% in Target	0-10 days	11-20 days	20+ days	Total days	% in Target
City Treasurer	31	15	4	50	62%	18	18	19	55	33%
City Management & Communities	14	17	4	35	40%	6	13	19	38	18%
Growth, Planning & Housing	18	4	1	23	78%	9	9	13	31	33%
Chief Executives/Chief of Staff	1	0	0	1	100%		1	1	2	0%
Children Services	3	0	0	3	100%	0	2	0	2	0%
Policy, Performance & Communications	1	0	0	1	100%	0	0	0	0	

11. Stage 2 Outcomes

- 11.1. As indicated in **Table 11** below only 5% of stage 2 complaints were upheld 4% for the preceding year. This is a good indicator that stage 1 is finding and rectifying faults in service delivery as we would expect that the stage 2 complaint investigation would find more upheld cases if the standard of responses was falling. As seen in **Table 12** City Treasurers had 5 of the 7 Upheld complaints and 4 of these came from Council Tax handling. Generally the service failures were down to human error as the stage 1 response had not fully reviewed the complete history of events. This feedback has been given to the service.

Table 11 - A comparison of complaint Outcomes (decisions) for the 2017/18 & 2018/19

	Stage 1			Stage 2		
	2017/18	2018/19		2017/18	2018/19	
Not Upheld	528 (54%)	580 (55%)	▲	87 (77%)	107 (83%)	▲
Partially Upheld	187 (19%)	219 (21%)	▲	21 (19%)	14 (11%)	▼
Upheld	267 (27%)	252 (24%)	▼	5 (4%)	7 (5%)	▲

Table 12 - Outcome by Directorate

Directorate	Not Upheld	Partially Upheld	Upheld	Total	% Upheld or Partially Upheld
City Treasurer+	46	4	5	55	16%
City Management and Communities	31	5	2	39	18%
Growth, Planning and Housing*	26	5	0	33	18%
Children's /CEX/PPC	4	0	0	4	0%
Total	107	14	7	131	16%

*Two cases withdrawn

Reasons for complaint escalation

- 11.2. The Council has an open procedure and welcomes complaints even if the complainant does not fully explain their dissatisfaction with the stage 1 response. The **Figure 8** below indicates that 73% of stage 2 complaints gave no specific reason(s) for escalating their complaint other than to generally disagree with the stage 1 finding. Of those complainants who did cite per specific reasons 37% said that the stage 1 response failed to address all the issues raised in the complaint.
- 11.3. **Table 13** indicates the escalation rate from stage 1 to stage2 across all directorates, and this indicates that in most services the escalation rate is 20% or under. This is good given that there are only two stages in our complaint procedure and you would expect that more complainants would want to escalate their concern to the next stage especially if the stage 1 complaint was not upheld. This is another indicator that stage 1 response are generally thorough.

Figure 8 Reasons complaint escalation

Reasons for complaint escalation

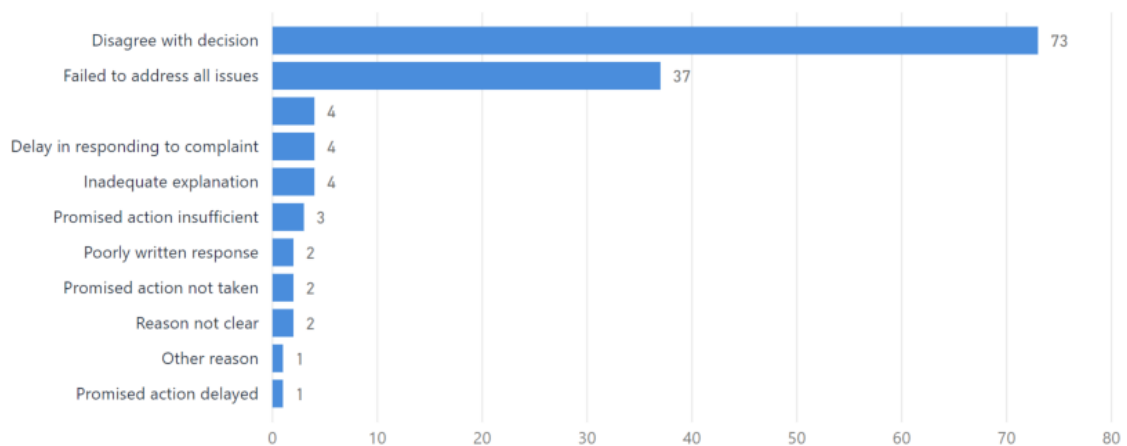


Table 13 – The Escalation rate from stage 1 to stage 2 across all directorates for 2018/19

	Division	Stage 1	Stage 2	Escalation Rate
Chief Executives	Total	3	2	66%
	Electoral Services	2	2	100%
	Committee Services	1	0	0.00%
City Management & Communities	Total	421	40	9.50%
	Waste and Parks	125	8	6.40%
	Parking Services	84	15	17.90%
	Public Protection and Licensing	84	11	13.10%
	Highways Infrastructure and Public Realm	61	1	1.60%
	Community Services	42	3	7.10%
	Libraries and Archives	24	2	8.30%
City Treasurer	Total	512	56	10.90%
	Shared Service Centre	512	56	10.90%
Growth, Planning and Housing	Total	163	33	20.20%
	Housing	112	24	21.40%
	Development Planning	50	9	18%
	Economy and Infrastructure	1	0	0.00%
Policy, Performance and Communications	Total	4	0	0.00%
	City Promotion, Events and Filming	4	0	0.00%
Westminster Adult Education Service (WAES)	Total	1	0	0.00%
	Totals	1104	131	12.00%

12. Local Government and Social Care Ombudsman (LGSCO) First Time Inquiries

- 12.1. When the LGSCO 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. This is known as first time inquiries. The average response times of first time inquiries is used as a performance measures by the Council.
- 12.2. As shown in **Table 14** there is a decrease (-5) in the number in the number of first time enquiries when compared with the preceding year. This report also notes that the first time enquiries include 3 cases from Adults Social Care which were not investigated under the Council's Corporate Complaints Procedure as they were dealt with under the statutory procedure.

Table 14 - LGSCO total First Time Enquiries for the years 2015/16 & 2016/17

	First Time enquiries Totals 2017/18	First Time enquiries Totals 2018/19	Variance
City Treasurer - HB	4	2	-2
City Treasurer- CT	2	1	-1
City Treasurer- NNDR	0	2	2
GPH - HSS	4	4	0
GPH - Planning	1	0	-1
CMC - Parking	0	2	2
CMC - Highways & Infrastructure	2	0	-2
CMC- Public Protection & Licensing	2	0	-2
CMC - Waste & Parks	1	0	-1
Adult's	3	3	0
Children's Services	3	3	0
Totals	22	17	-5

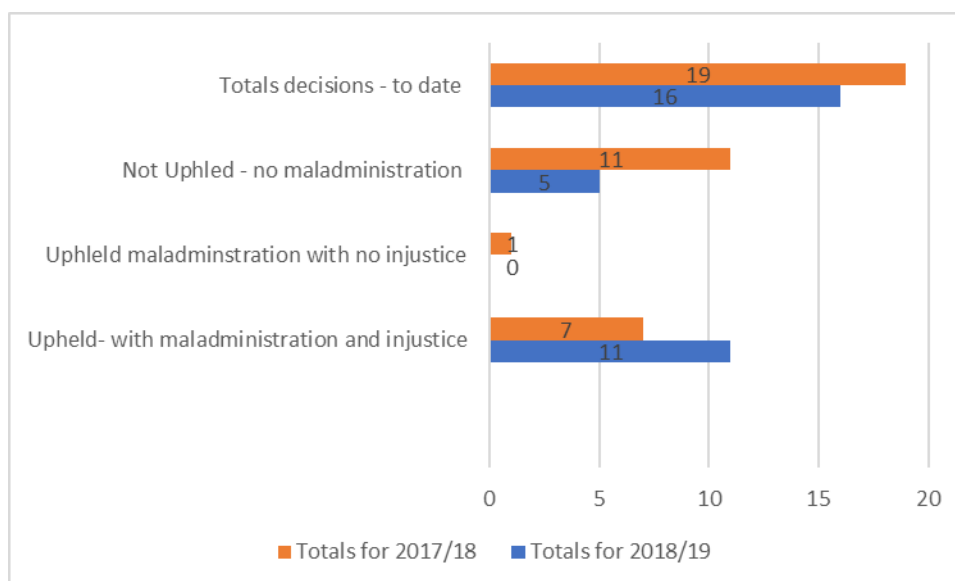
- 12.3. The Council monitors all local authorities on their response times to first time inquiries. The benchmark was 28 calendar days from the date on the LGSCO enquiry letter. However, the Ombudsman investigators now vary the number of days we have to reply. In view of this Table 15 below measure the first time enquiries which met the investigators target response time.

Table 15 - Number of First Time Enquiries Completed on time

2018/19	Number of enquiries completed in target response time	Number of first time enquiries	% Completed in time
City Treasurer- CT/NNDR	1	3	33%
City Treasurer - HB	2	2	100%
GPH - HOS	3	4	75%
Parking Services	2	2	100%
Children's	3	3	100%
Adults	2	3	67%
Totals	11	17	65%

- 12.4. Overall 65% of all first time enquiries were responded on time. However please note that volumes are low and that only 1 of 3 NNDR enquiry met the 28 day target.
- 12.5. Generally all services try and respond to the questions asked as quickly as possible although delays have occurred when the information asked for is complex and lengthy or where the service has not fully answered the questions asked.
- 12.6. While the Council has received 17 first time enquiries in 2018/19 only 16 decisions have been made. **Figure 9** below provides a comparison breakdown of decisions made for 2017/18 & 2018/19

Figure 9 comparison of decisions made in 2017/18 & 2018/19



- 12.7. Attached as **Appendix 1** is the Local Government Ombudsman and Social Care Ombudsman Annual Letter for 2018/19. This review letter reports that there has been a total of 110 complaints and enquiries received. In the preceding year there was a total of 133.
- 12.8. The Annual letter advises that the data in their report will not match the data held by the local authority as they capture all contacts/enquiries/complaints made to them about the individual authority. It should also be noted that many of the total complaints and enquiries received (110) are not investigated and are often returned to the authority to answer within their own complaints procedure or are closed after initial enquiries. In addition, they report on all the decisions made in 2018/19 which will include cases received in 2017/18, while the Council monitors those cases decided in the year they were received.
- 12.9. Table 16 below provides a comparison of all the LGSCO complaints and Enquiries received for 2017/18 & 2018/19.

Table 16 – a comparison of all LGSCO Complaint decisions & Enquiries for 2017/18 and 2018/19

	2017/18	2018/19
Total number of complaints and enquiries	133	110
Cases referred back to Council or advice given or cases not completed for valid reasons	57 (43%)	54 (49%)
Cases closed after initial enquiries made	39 (29%)	38 (34%)
Total number of cases formally investigated	35 (26%)	18 (16%)
Cases Upheld	20 (15%)	9 (8%)
Cases Not Upheld	15 (11%)	9 (8%)

- 12.10. As indicated in the table above only 18 (16%) of complaints were investigated by making formal enquiries while in the preceding year 25 (26%) cases had formal enquiries made.
- 12.11. Looking at the 9 complaints mentioned in the LGSCO annual letter which were decided in 2018/19 and were Upheld with Maladministration and Injustice in 6 cases the matters went from stage 1 response straight to LGSCO investigation therefore there was no opportunity for a stage 2 investigation and no opportunity for the Council to review the stage 1 response to see if any fault could be found. There were only 2 complaints which were investigated at stage 2 and then went to LGSCO investigation and in both cases the stage 2 complaints were not upheld.
- 12.12. There were no formal published reports issued against the Council finding maladministration with injustice for 2018/19.

Compensation

- 12.13. The LGSCO can award financial payments as part of a remedy for the complaint. The term “injustice remedied” is used to describe decisions where the council remedied or agreed to remedy any injustice to the LGSCO’s satisfaction during the investigation so allowing the complaint to be closed. These remedies can include the payment of financial settlements.
- 12.14. A comparative breakdown of LGSCO financial remedies for the years 2017/18 and 2018/19 can be found below (**Table 9**).

Financial Local settlements	2018/19	nos of complaints offering compensation		2017/18	nos of complaints offering compensation
GPH - HSS	£7,900	4		£150	1
City Treasurer- HB	Nil	0		£550	3
City Treasurer- CT	£100	1		Nil	0
City Treasurer- NNDR	£1,230	2		Nil	0
Adults	£500	1		Nil	0
Children's	£0	0		£400	1
Totals	£9,730	8		£1,100	5

- 12.15. Where applicable compensation is usually paid by the relevant contractor/provider and not from the Council’s purse.
- 12.16. It is difficult to make performance comparisons between financial years as each complaint is dealt with on its merits although **Table 9** indicates there has been an increase in compensation paid. However, it should be noted that one payment from GPH, Housing Solutions Service totalled £7350. This was a large payment owing to the fact that during the course of the LGSCO investigation they established that a family was living in unsuitable temporary accommodation for nearly 4 years and therefore awarded £350 for distress and time and trouble in pursuing the complaint and £150 for each month living in unsuitable temporary accommodation (£150 x 47 months = £7,050). A single award of £1,080 was made in an NNDR case. Although the complaint

also involved CT the service fault was that the complainant was receiving CT and NNDR bills for a company which was not at his address although the CT account was sorted the NNDR was not and continued to the enforcement stage where upon an enforcement agent called to collect payment. While the LGSCO recognised and welcomed the Council offer £300 compensation at stage 2 for time and trouble in pursuing his complaints with both services they also awarded £300 for distress and £450 towards the complainant's solicitors and accountant's costs as he had to take advice to sort of the matter.

- 12.17. There is some learning from the LGSCO complaints decided in 2018/19. The first is that services should, where possible prioritise responses to LGSCO enquiries as they are often late in commenting on the LGSCO draft decision and any further comeback enquiries.
- 12.18. All services should ensure all LGSCO recommendations and remedies are dealt with in a timely manner and that they have complied with all the remedies set out in an LGSCO decision statement within the time frames set out, as it is not uncommon for remedies to be completed outside of the date agreed with the LGSCO
- 12.19. When answering LGSCO first time enquiries all services should provide their own understanding of the complaint, as the LGSCO asks that this is done as well as answering the specific questions asked. Services should also provide additional information outside of the questions asked if they consider that additional information will assist the LGSCO investigator in understanding the complaint and the actions taken by the Council so we can achieve a positive outcome to the complaint
- 12.20. What is also evident from the LGSCO decisions is that they will go back and review the whole conduct of an issue from the very beginning while the Council's complaint investigation tends to focus on the immediate issues raised in the actual complaint. In the case of the HSS complaint where £7,350 was awarded, the complaint was first offered temporary accommodation in 2014 and the complaint investigated by the Council was about the condition of the property and not whether it was suitable accommodation. Services therefore may want to look beyond the scope of the actual complaint to see if any other issues have been missed.

13. Leader and Cabinet Members Correspondence

- 13.1. Correspondence addressed to the Leader, Cabinet Members and backbench Members, specifically in their capacity as an Executive portfolio-holder rather than as a Ward Councillor, will often take the form of a complaint or issue with a service that is provided by the City Council and that falls under their portfolio. It can also constitute wider correspondence received by the Cabinet Member in the course of their portfolio. For the purposes of this report all this correspondence is considered as part of the team and not as part of the complaints figures.
- 13.2. Over the past year the Cabinet Secretariat and Member Services team have found that the individual services have in general provided a prompt service and therefore the team are meeting the ten working day turnaround target for correspondence.
- 13.3. The quality of the information gathered from across the Council is generally high overall and provides enough insight to compile a full response to the correspondence. In some cases however the team do have to push for more

than one option of moving forward if it is felt that there could be an alternative. There are also times when some of the information provided is very technical and it needs to be put into more straightforward language for the service user.

- 13.4. The main themes of correspondence/enquiries over the last year have been under the Housing Services and Environment and City Management (including parking) portfolios.
- 13.5. The iCasework case management system has been used by the Cabinet Secretariat and Member Services team since 1 September 2016; ensuring that the team meets its ambition of acknowledging requests within 24 hours and providing a response within ten working days.
- 13.6. Over the next year, the system and associated processes will be reviewed to see how they can be improved including closer collaboration with other Council departments which are using the same system.
- 13.7. The data provided in Table 9 indicates that there has been a slight increase in the volume of correspondence received over the year. This can be attributed to increased calls and emails but also better use of the system for recording by the team.

Table 9: A breakdown of correspondence totals received by Cabinet Portfolio

Portfolio	2018/19	2017/18
Leader	7	-
Environment and City Management	127	65
Family Services and Public Health	31	45
Finance, Property and Regeneration	73	52
Housing Services	129	167
Place Shaping & Planning	35	55
Public Protection and Licensing	54	18
Sports, Culture and Community	6	22
Customer Services & Digital	2	-
Economic Development, Education and Skills	5	1
Totals	469	425