

Audit and Performance Committee Report

Meeting:	Audit and Performance Committee
Date:	17 February 2021
Classification:	General Release
Title:	Annual Complaints Review 2019/20
Wards Affected:	All
Financial Summary:	There are no financial implications from this report
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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 2019/20 (**see Appendix 1**).
- 1.2 The attached report (**Appendix 1**) summarises the Council's complaints performance (complaint stages 1 & 2), complaints received from the Local Government and Social Care Ombudsman (LGO), and a limited review of dealing with the Leader and Cabinet Member correspondence. A copy of the Local Government and Social Care Ombudsman Annual Letter/Review for the year ended 31 March 2020 is also appended (Appendix 1) to this report .

2 Recommendations

- 2.1 Members are requested to review and note the information about complaints set out in the Annual Complaint Review 2019/20 (**Appendix 1**) and review the Local Government and Social Care Ombudsman Annual Letter/Review which is appended to this report.

3 Complaints Handling

3.1 The Council has two stage complaints procedure which is as :

- **Stage 1** - Complaints are addressed by the local service manager (10 working day turnaround).
- **Stage 2** - A Chief Executive's review (10 working day turnaround)

If the complainant still remains dissatisfied he/she can take the concern to the Local Government and Social Care Ombudsman (LGO) or to the Housing Ombudsman if the complaint refers to issues dealt with by Housing Management Services.

3.2 The procedure covers most council services. However, Adults and Children's Social Care Services each have their own separate statutory complaints procedure and as such separate reports are produced for Member and Officer oversight.

3.3 The Council's definition of a complaint as redefined and agreed by the policy and Resources Committee in April 1994 is:

'Dissatisfaction expressed by the customer which the customer wishes to be treated as a complaint, whether expressed in writing, on the telephone or in person. If in doubt, it's a complaint'

3.4 This definition is quite broad and it also includes complaints made by email or via the Council's website.

3.5 It should be noted that most contacts from the members of the public are handled outside of the Council's complaints procedure, and there can be confusion about what constitutes a complaint. Generally, when an initial request for a service is received this is not usually considered a formal complaint even if some form of dissatisfaction is expressed. The request becomes a complaint should the person make further contact if they consider the matter has not been dealt with satisfactorily, or to protest the Council's policies and procedures. Departments apply common sense when deciding what is a complaint as the majority of customers simply wish the Council to put something right and a service area may attempt to do this a couple of times before the matter is put into the formal complaints procedure.

3.6 There are some concerns which cannot be dealt with under the council's complaint procedure. These include issues where there are separate statutory appeals procedures such as disputes over parking tickets, planning applications appeals and Housing Benefit appeals, as formal appeals procedures takes precedence over the complaints procedure. Issues which are, or have been subject to Court action, complaints about staff and issues involving insurance claims against the Council also cannot be addressed in our complaints procedure. For these reasons, the complaints included in this report only relate to allegations of service failure which constitute a formal corporate complaint, and where there is not a legal,

statutory procedure or an alternative complaint procedure to deal with the specific issue.

- 3.7 It should also be noted that on 1 April 2019 Housing Management Services (was known as CityWest Homes) returned to the Council. Previously CityWest Homes operated its own complaints procedure, therefore this report cannot make performance comparisons between the financial years for 2018/19 and 2019/20 as we have no Housing Management Services data for 2018/19. The volume of complaints is high for the Housing Service, but this is primarily due to the state of the service inherited from City West Homes. It is anticipated that the levels of complaints will reduce in the future, as the new improved arrangements implemented by Housing Management Service take effect.

4 Findings from the Annual Complaint Review (Appendix 1)

- 1.1. A total of 1804 complaints (1628 at stage 1 and 176 at stage 2) have been recorded across both stages of the corporate complaints procedures. This is an overall increase of 37% when compared with 2018/19. If the complaints volumes for Housing Management Services are removed from the calculations the data indicates that overall complaints volumes have decreased (-17%) when compared with the preceding year.
- 4.1 Complaint Volumes – The 34% increase in stage 1 complaints is due to the return of Housing Management Services (was CityWest Homes). If the data from this service is removed from the calculations there is an overall decrease (-18%).
- 4.2 Response times – The 10 day working response target has been met in 77% of stage 1 complaints which is a 1% reduction on the previous year.
- 4.3 Complaint Learning – Item 9 of the Annual Complaint Review provides some example of how complaint data has been used for complaint learning.
- 4.4 Stage 2 Complaint Volume/Escalation – 176 stage 2 complaints have been received which represents a 34% increase on the preceding year. The return of Housing Management Services is the main factor for the increase. If the complaints from this service are removed from the calculation there would have been an overall decrease (-13%) in stage 2 complaint volume.
- 4.5 Response Times – 13% of stage 2 complaints were responded to in target response time against 25% in the preceding year.
- 4.6 Complaint Escalation Rate – Across all services the escalation rate from stage 1 to stage 2 is 11% and this is considered a good performance.
- Local Government and Social Care Ombudsman (LGSCO)**
- 4.7 No formal published reports finding maladministration with injustice for 2019/2020 were issued against the Council in 2019/20.

4.8 The Council received 25 first time enquiries in 2019/20 (+8) on the preceding year.

LGSCO Annual letter 2019/20

4.9 Complaint Outcomes – 73% of all LGSCO complaints and enquiries received in 2019/20 were either referred back to the Council's complaints procedure or the case was closed after initial enquiries were made.

4.10 Complaint Learning from the Annual Letter - The below is a summary of the main learning issues for the Council coming out of the Annual letter:

- Ensure that all agreed LGSCO remedies are completed within the time indicated
- It is the responsibility of the relevant service to make the necessary arrangements to make payment of any agreed compensation, and this should be started when the service receives a copy of the final decision
- To consider whether an early resolution remedy could be made either when answering formal detailed enquiries or if the complaints team notify the service of this opportunity before the case is allocated to a LGSCO investigator

Leader and Cabinet Member Correspondence

4.11 The volume of correspondence is down on the previous year (-178). This is in the main due to departments responding to the correspondence directly rather than the Cabinet Member's office issuing the response.

5 The Management of Complaints

5.1 The Council will work to improve the response times for stage 2 complaints.

5.2 Housing Management Services is bedding into the Council's complaints procedure and is working to improve all aspects of complaint handling.

6 Financial Implications

There are no financial Implications associated with this report.

7 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:

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BACKGROUND PAPERS

None

APPENDIX 1

Annual Complaint Review 2019/20

