



City of Westminster

# Audit and Performance Committee Report

<b>Meeting:</b>	Audit and Performance Committee
<b>Date:</b>	26 November 2014
<b>Classification:</b>	General Release
<b>Title:</b>	Annual Complaints Review 2013/14
<b>Wards Affected:</b>	All
<b>Financial Summary:</b>	There are no financial implications from this report
<b>Report of:</b>	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 2013/14 (**see Appendix 1**).
- 1.2 The attached report (**Appendix 1**) summarises the Council's complaints performance (complaint Stages 1, 2), those complaints received by Local Government Ombudsman (LGO), and a limited review of dealing with the Leader and Cabinet Member correspondence. A copy of the Local Government Ombudsman Annual Letter/Review for the year ended 31 March 2014 is also attached (see **Appendix B** of the Annual Complaint Review 2013/14). A copy of CityWest Homes Complaint Report for 2013/14 is also attached (see **Appendix A1** of the Annual Complaint Review for 2013/14).

## 2 Recommendations

- 2.1 Members are requested to review and note the information about complaints set out in the Annual Complaint Review 2013/14 (**Appendix 1**).

### 3 Complaints Handling

3.1 The Council now operates a two stage complaints procedure which came into operation on 1 April 2012. The two stage procedure is as follows:

- **Stage 1** - Complaints are addressed by the local service delivery manager (15 working day turnaround).
- **Stage 2** - A Chief Executive's review undertaken (15 working day turnaround)
- **LGO** - If the complainant still remains dissatisfied he/she can take the concern to the LGO

3.2 In February 2014 the Strategic Executive Board (SEB) with the approval from the Cabinet Member for Finance, Corporate and Customer Services, reduced the target response times for stage 2 complaints from 15 to 10 working days. This was with immediate effect (from February 2014). After consultation with the relevant services, and with effect from 1 April 2014, the target response times for stage 1 complaints was also reduced from 15 working days to 10 working days.

3.3 The reduction in target response times was taken as previously it took a total of 30 days to go through stage 1 and stage 2 of the procedure (see item 3.1), and this length of time was on a par with the majority of other local authorities. There was an opportunity for the Council to take a lead in best practice to reduce the total number of days to go through the process and in doing so reduced the overall target time by 10 working days (30 days to 20 days).

3.4 The figures for the first two quarters of 2014/15 suggest that the reduction in target response times is not having an adverse effect on performance. For stage 1 the target response time for the first two quarters of 2014/15 was met in 91% of complaints. For the same period in 2013/14 the target was met in 74% of complaints. Therefore the performance at stage 1 has improved since the introduction of the 10 working day target. A similar situation has arisen at stage 2 as the 10 day target response time was met for the first two quarters of 2014/15 in 76% of complaints. For the same period in 2013/14 the 15 working day target was met in 73% of complaints.

3.5 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. In view of this complaint performance information about these services has not been included in this report. CityWest Homes also has its own separate complaints procedure and their report is also attached (see **Appendix A1** of the Annual Complaints Review 2013/14).

3.6 The decision to allow CityWest Homes have its own complaints procedure was taken to shadow expected national changes to housing complaints when the Localism Bill came into force (1 April 2012). This allowed CityWest Homes to set

up a forerunner of the new tenants' panel to review complaints before complaints could then go onto the Housing Ombudsman. Such complaints which would otherwise have been escalated to the council.

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

3.8 Some headline findings from the Annual Complaint review are as follows:

**Complaint Numbers** – There has been an increase in the total number of complaints. In 2013/14 a total of 994 were received across all stages and services. In 2012/13 a total of 841 complaints were received. This represents an increase of 153 complaints (up 15%). The increase is generally attributed to the rise in the volume of stage 1 Finance complaints (HB, CT& NNDR)

**UPHELD Complaints** – The percentage of upheld complaints is low 28% (234 of 829) of complaints were upheld at stage 1. 14% (23 of 166) of complaints were upheld at stage 2 in 2013/14 and this indicates that overall there is not a problem with service delivery.

**Compensation** – There has been a decrease in the amount of compensation offered at Stage 2, (£2,600 for 2013/14 compared with £5,310 for 2012/13).

**Response times** – There has been an improvement in meeting the target response times at stage 1, which was reached in 93% of complaints against 88% in the previous year. At stage 2 there was a slight decrease, with 75% meeting the target response time for 2013/14 against 76% for the previous year

**Local Government Ombudsman (LGO)** – The LGO Annual Review for the year ending 31 March 2014 provided no comment on the Council's performance

**LGO Average response times** - The council's average response time was 22 days against a benchmark of 28 days. In the previous year it was 25 days

**Leader and Cabinet Member Correspondence** – The data provided indicates that there has been a reduction (down 95) in the volume of correspondence received

#### **4 Report of the Local Government Ombudsman**

- 4.1 As noted in the Annual Complaints Review (see **Appendix 1** item 6.12 to 6.22), On 24 September 2013 the Local Government Ombudsman (LGO) published a formal report finding maladministration with injustice following their investigation into complaints against the City Council's Homelessness Service. The complaints concerned the Council housing homeless families in non self-contained accommodation for more than 6 weeks. The law says that when families apply as homeless councils should avoid using B&B. If there is no alternative, councils should use it for no longer than six weeks.
- 4.2 The information set out in the Annual Complaints Review 2013/14 (item 6.12 to 6.22) was previously reported to this Committee in the meeting held last year on 26 November 2013. A copy of the LGO report was sent to all Members under cover of the Report by the Monitoring Officer on 14 October 2013.
- 4.3 As the report concluded that there had been an injustice as the two complainants, and other families, remained in bed and breakfast accommodation beyond the statutory 6 week period, it *recommended* a compensation payment of £500 to Ms A and Ms B to acknowledge that it was unable to provide self-contained accommodation after the initial six-week period. Also to pay an extra £500 for each additional six-week period. It also required the Council to provide a similar remedy to the other 38 people who have complained to the LGO that they have suffered the same injustice.
- 4.4 The LGO report was considered by Cabinet on 14<sup>th</sup> October 2013 along with the report of the Monitoring Officer, and the following recommendations were endorsed.
- That the Cabinet notes and approves the contents of the Ombudsman's Report.
  - That the Cabinet authorises that £500 is paid to Ms A and Ms B to acknowledge that it was unable to provide self-contained accommodation after the initial six-week period. And to pay an extra £500 for each additional six-week period and to provide a similar remedy to the other 38 people who have complained to the LGO that they have suffered the same injustice.

- That the Cabinet agrees to contact each effected household and will take the same approach to compensate those who have suffered an injustice as a result of being accommodated in non self-contained accommodation for more than six weeks.
- 4.5 As explained in the Annual Complaint review 2013/14 (item 6.20), payment has now been made to those affected by this decision and this includes writing to those other families who had not made a complaint and who were in bed and breakfast for more than 6 week and who were accepted as homeless and did not receive an offer of alternative accommodation.
- 4.6 A finding of maladministration with injustice by the LGO is not a common occurrence and the last time such a report was issued was in October 2009 and was a complaint about Parking Services.

## **5 The management of complaints**

- 5.1 The following are being or have been developed to address and improve the management of complaints:
- The Council's current complaints software (Respond) is being replaced. The new system will run on SharePoint. The new system is currently being phased in service by service and all services should be using the new system by December 2014.
  - 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.
  - Complaints arrangements are under review. There is a project investigating if there is a business case to create a single way of working across tri borough to adopt a consistent approach to managing complaints with a common two stage complaints process across all three boroughs, which make it simple for our residents, Council Officers and partner contractors to access and collaborate to resolve complaints. The project is also looking at the potential to include FOI, a managed MP and Member casework ICT platform. The aim is to realise efficiency savings and to try and improve customer satisfaction and reduce escalation through improved responses. The current aim is to develop a business case to present to the Corporate Services Portfolio Board for December 2014.

## **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:**

**Sue Howell, Complaints and Customer Manager**

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## **BACKGROUND PAPERS**

None

# **APPENDIX 1**

**Annual Complaints Review 2013/14**



City of Westminster

## **Annual Complaints Review 2013/14**

31 October 2014

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## 1. Introduction

- 1.1 This report presents complaints performance and trends for 2013/14. 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

- 2.1. The council has been operating a two stage complaints procedure since 1 April 2012. The two stage procedure is as follows:
- **Stage 1** - Complaints are addressed by the local service delivery manager (15 working day turnaround).
  - **Stage 2** - A Chief Executive's review undertaken (15 working day turnaround)
  - **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 over sight, therefore, complaint performance information about these services has not been included in this report.
- 2.3. CityWest Homes (CWH) has been operating its own complaints procedure since 1 April 2012, and therefore their complaints data is not included in this report. CityWest Homes produces its own annual complaint report and this goes to the Housing Board. However, a copy of the 2013/14 report is now attached. Please see **Appendix A1**.
- 2.4. 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.
- 2.5. Data relating to complaints is captured on a number of different systems at stage 1 of the complaints procedure, although all stage 2 complaints are recorded on the current complaint and correspondence database (Respond). 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.
- 2.6. This report covers the basic complaint data collected by the Customer and Complaints Team on a quarterly basis covering volumes, response times and complaint decisions. A more detailed analysis of Stage 2 complaints has been undertaken as the Customer and Complaints Team investigate complaints made at the final stage of the procedure and therefore they have full access to the data collected at this stage.

### **3. The management of complaints**

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

- The Council's current complaints software (Respond CenterPoint) is in the process of being replaced. The new system will run on SharePoint. The system is currently being phased in service by service and all services should be using the new system by December 2014.
- On 4<sup>th</sup> February 2014, the Council's Strategic Executive Board took a decision to reduce the target response time for stage 2 corporate complaints from 15 working days to 10 working days. It was also recommended that all services consider following suit and reduce stage 1 target response times from 15 working days to 10 working days. This was agreed and came into effect from 1 April 2014.
- The decision to reduce target response at stage 1 and stage 2 was taken as the complaints process took a total of 30 days to go through all the stages, and this length of time is on par with the majority of other London local authorities. There was an opportunity for the Council to take a lead in best practice to reduce the total numbers of days to go through all stages by 10 days, so now it takes 20 days to go through the process.
- The reduction in target response times is not having an adverse effect on performance. The figures for the first two quarters of 2014/15 indicate that stage 1 the target response time for the first two quarters of 2014/15 was met in 91% of complaints. For the same period in 2013/14 the target was met in 74% of complaints. Therefore the performance at stage 1 has improved since the introduction of the 10 working day target. A similar situation has arisen at stage 2 as the 10 day target response time was met for the first two quarters of 2014/15 in 76% of complaints. For the same period in 2013/14 the 15 working day target was met in 73% of complaints.
- Complaints arrangements are under review. There is a project investigating if there is a business case to create a single way of working across tri borough to adopt a consistent approach to managing complaints with a common two stage complaints process across all three boroughs, which make it simple for our residents, Council Officers and partner contractors to access and collaborate to resolve complaints. The project is also looking at the potential to include FOI, a managed MP and Member casework ICT platform. The aim is to realise efficiency savings and to try and improve customer satisfaction and reduce escalation through improved responses. The current aim is to develop a business case to present to the Corporate Services Portfolio Board for December 2014.

#### 4. **Headline findings**

##### **A reduction in the target response times for stage 1 and stage 2 –**

A decision was taken in 2013/14 to reduce target responses times to 10 working days for both stage 1 and stage 2, (from 01//4/14). Previously they were both 15 working days.

**There is no adverse effect from the reduction in target response times** and figures for the first two quarters of 2014/15 indicate that at stage 1 the target response time was met in 91% of complaints, for the same period in 2013/14 it was 74%. For stage 2 the target response time was met in 76% of complaints for the first two quarters of 2014/15, and for the same period in 2013/14 it was met in 73% of complaints

**Complaint Numbers** – There has been an increase in the total number of complaints. In 2013/14 a total of 994 were received across all stages and services. In 2012/13 a total of 841 complaints were received. This represents an increase of 153 complaints (up 15%). The increase is generally attributed to an increase in the volume of stage 1 Finance complaints (HB, CT& NNDR)

**UPHELD Complaints** – The percentage of upheld complaints is low 28% (234 of 829) of complaints were upheld at stage 1. 14% (23 of 166) of complaints were upheld at stage 2 in 2013/14 and this indicates that overall there is not a problem with service delivery.

**Escalation Rates** – 20% of stage 1 complaints in 2013/14 escalated to stage 2

**Compensation** – There has been a decrease in the amount of compensation offered at Stage 2, (£2,600 for 2013/14 against £5,310 for 2012/13)

**Response times** – There has been an improvement in meeting the target response times at stage 1 which was reached in 93% of complaints against 88% in the previous year. At stage 2 there was a slight decrease with 75% meeting the target response time for 2013/14 against 76% for the previous year

**Local Government Ombudsman (LGO)** – The LGO Annual Review for the year ending 31 March 2014 provided no comment on the Council's performance

**LGO Average response times** - The council's average response time was 22 days against a benchmark of 28 days. In the previous year it was 25 days

**LGO Financial Settlements** – There has been a decrease in the amount of financial remedies. The amount of £3,950 was offered in 2013/14 against £13,340 in 2012/13

**Leader and Cabinet Member Correspondence** – The data provided indicates that there has been a reduction (down 95) in the volume of correspondence received

## 5. Complaint Volumes

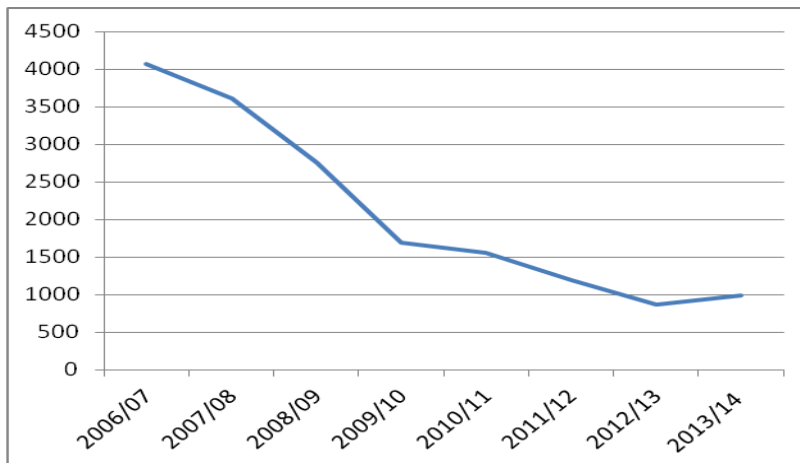
**Table 1: Comparison of total numbers of complaints for 2012/13 and 2013/14**

	2012/13	2013/14	Variance	% change
Stage 1	701	829	128	13%
Stage 2	140	165	25	15%
Stage 3	25*	nil	*	*
<b>Total</b>	<b>841</b>	<b>994</b>	<b>153</b>	<b>15%</b>

\*These stage 3 complaints escalated from the old complaints procedure

- 5.1. As indicated in **Table 1** there has been an overall increase (up 153) in the total number of complaints across all stages of the complaints procedure. As shown in **Chart 1** this is the first year there has been an increase since 2006/07.

**Chart 1: Total complaint numbers across all three stages for the years commencing 2006/07 to 2013/14**



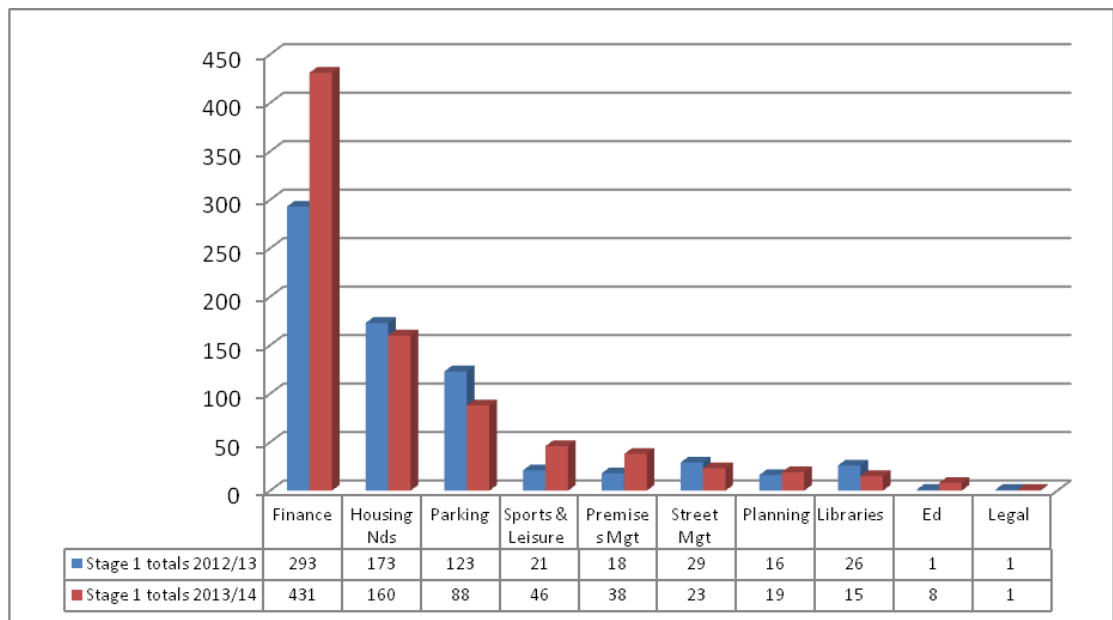
- 5.2. Given the data limitations, it is difficult to draw any firm conclusions from this increase. There could be a number of factors which could account for an increase in the stage 1 complaints such as the changes to housing benefits and the increase in homelessness and the shortage of housing. However as this report will demonstrate it is unlikely that the increase is due to a decline in service standards.

***Volumes by service areas across all stages of each complaints procedure***

***Stage 1***

- 5.3. It is difficult to report on complaint performance without reporting on complaint volumes. However, it should be noted that complaint volume is not a good indicator when trying to determine if services have been delivering good services or not. Complaint volumes need to be viewed with some context as the council successfully carries out the majority of transactions with its residents and customer, and very few requests enter the complaints procedure. For instance, there were a total of 67 stage 1 Council Tax complaints relating to 123,000 Council Tax properties (160,000 Council Tax accounts per annum), for Benefits the 351 stage 1 complaints needs to be taken in the context of there being 27,000 claimants in the borough. For Business Rates there were 13 stage 1 complaints relating to and 35,000 business rate properties.

**Chart 2: Comparison of stage 1 complaint totals for 2012/13 and 2013/14**



- 5.4. The volume of complaints comes from Finance which includes Housing Benefit (HB), Council Tax (CT) and Business Rates (NNDR), Housing Needs and Parking Services. This mirrors the previous financial year.
- 5.5. There has been a significant increase in the volume of complaints coming from Finance (up 138). There has been a slight decrease in

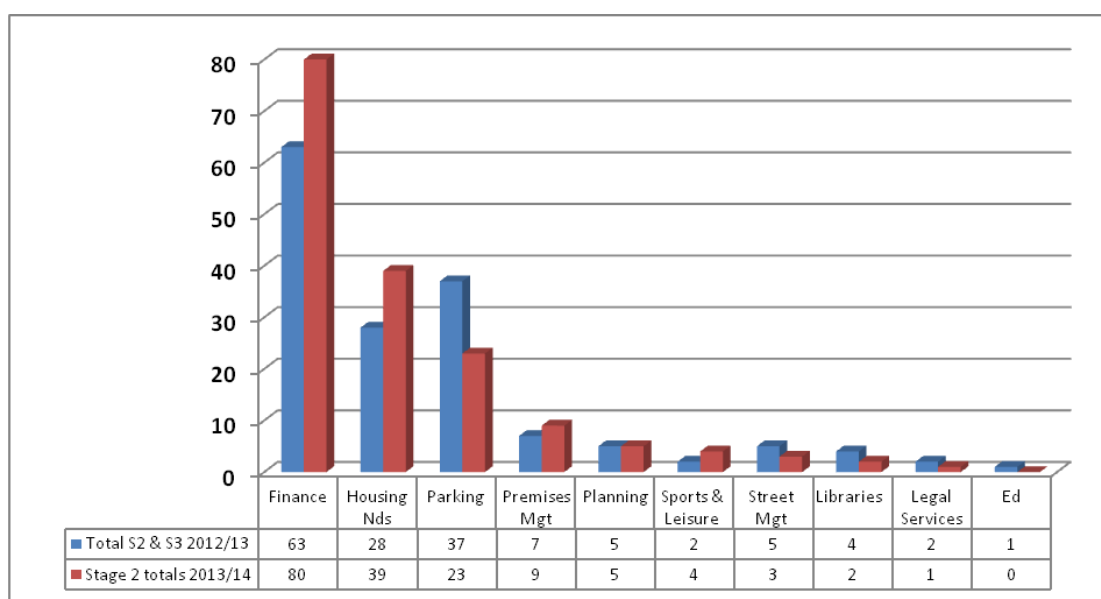
volume for Housing Needs and Parking Services when compared with the previous year. These totals need to be considered in the light of the information provided in item 5.3.

- 5.6. Finance cannot identify any specific cause for the increase although they have said that it is likely to be due to the nature of the services, the Welfare Reform changes and the fact that there is significant assistance available from third party advice agencies to signpost the complaint access route.

**Stage 2**

- 5.7. This is the second year the two stage complaints procedure has been in operation. However, in 2012/13 both old style stage 3 complaints and complaints which went to stage 2 of the new procedure were received. Therefore the totals for each have been added together to represent the full cross section of complaints received in 2012/13.

- 5.8. **Chart 3: Comparison of Stage 2 complaint totals for 2013/14 and Stage 2 totals for 2012/13**



**NB: Data for 2012/13 is a mixture of old style stage 3 complaints as well as complaints made at stage 2 of the new procedure**

- 5.9. Overall there has been an increase (up 12) in to total number of stage 2 complaints when compared with the preceding year. One of the direct outcomes identified when switching to a two stage procedure was the potential for an increase in the number of complaints coming to final stage as there are only two stages in the procedure. So rather than volume what is more relevant in a two stage procedure is why the complaint escalated i.e. was there no change in the decision made between stage 1 and the stage 2 response, and was the reason for the escalation due to a poor stage 1 response. Complaint decisions and the escalation of complaints are discussed later in this report.

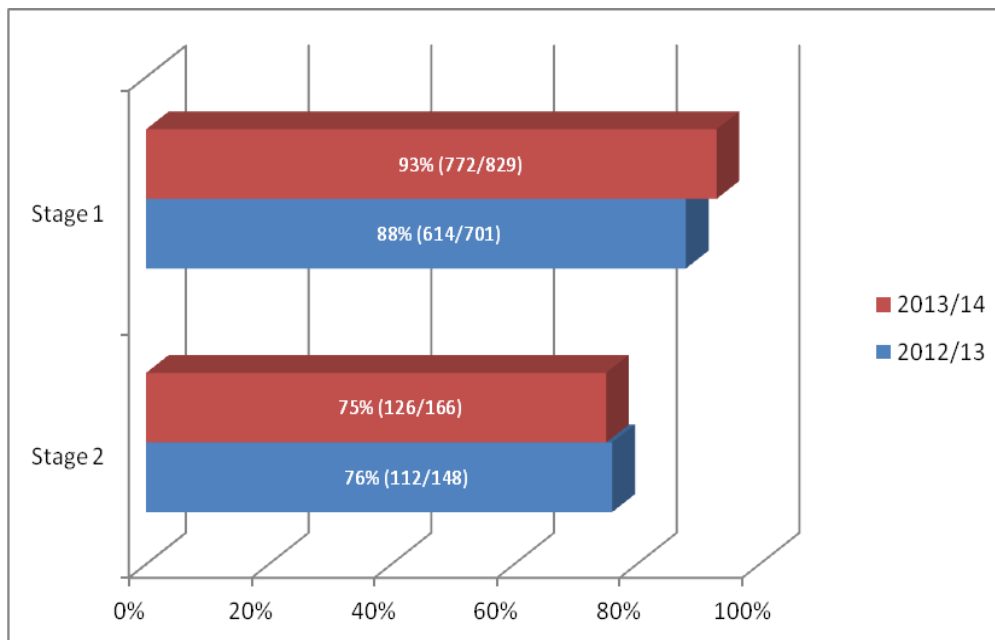
## Response Times

5.10. For complaints received in 2012/13 the target response time was 15 working days for both **stage 1** and **stage 2**. Performance is measured by responses completed:

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

5.11. As mentioned in item 3.1, in February 2014 the stage 2 target response time was reduced from 15 working days to 10 working days. This meant that for the last 6 weeks of the 2013/14 financial year a different target response time was in operation. The number of complaints this affected was small (27 complaints against 139 which had 15 working days as the target response time), and therefore the data in the graphs and charts represent those cases which met the target response time regardless of whether there was a 15 or 10 working day target in operation.

**Chart 4: A comparison of target response times for Stage 1 between 2012/13 and 2013/14 and Stage 2 for 2012/13 and 2013/14**



5.12. **Chart 4** above indicates that there has been an improvement (up 5%) in meeting the target response time at stage 1 when compared with performance for the previous year. Achieving an overall target response time of 93% for stage 1 complaints which represents a very good performance for the Council.

5.13. When comparing the performance of target response time at the final stage of the complaint procedure there was a slight decrease (1%) when compared with the previous year.

5.14. A more detailed breakdown of performance across the services can be found in **Table 2** (below)

**Table 2: Comparison of % of complaints answered within target response for 2012/13 & 2013/14**

	% Stage 1 completed within Target Response for 2013/14	% Stage 1 completed within Target Response for 2012/13	Performance indicator	% Stage 2 completed within Target Response 2013/14	% Stage 2 completed within Target Response 2012/13	Performance indicator
Housing Nds	90%	91%	▼	64%	54%	▲
Planning	74%	56%	▲	100%	40%	▲
Education	38%	100%	▼	0%	0%	▶
Parking	95%	78%	▲	78%	84%	▼
Finance	98%	96%	▲	79%	83%	▼
Legal	100%	100%	▶	100%	0%	▼
Libraries	93%	88%	▲	100%	100%	▶
Street Mgt	57%	45%	▲	67%	60%	▲
Sports & Leisure	96%	90%	▲	25%	100%	▼
Premises Mgt	81%	72%	▲	89%	100%	▼

▼	decline in performance
▲	improvement in performance
▶	no change

### ***Escalation rates (from stage 1 to Stage 2)***

5.15. As noted in item 5.3 complaint volume is not a good indicator when trying to determine if services have been delivering good services or not. As also mentioned in Item 5.8 what is of more value is the reason for the escalation of a complaint from stage 1 to stage 2 as what is more relevant in a two stage procedure is why the complaint escalated from stage 1 to stage 2 i.e. was the reason for the escalation due to a poor stage 1 response.

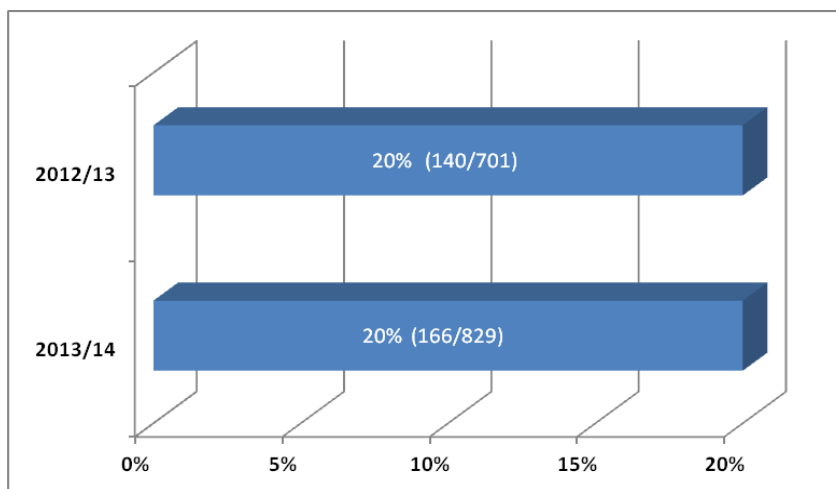
5.16. The Council's complaints procedure is open and welcomes residents wishing to make a complaint. The process is designed to learn from complaints so to improve service delivery and customer experience. The procedure has no bar to escalating a complaint so if a stage 1 complaint response has been received a stage 2 review is undertaken even if the complainant has not fully explained the reasons for escalating the matter. This approach allows the Complaints and Customer team the opportunity to review the stage 1 response to see if the response is robust. It also allows the complainant access to the



Local Government Ombudsman (LGO) if they are not satisfied with the stage 2 response. The LGO will not normally investigate a complaint unless it has been through both stages of the complaints procedure. This is why using the escalation rate from stage 1 to stage 2 as the benchmark for good complaint performance is not a good measure.

5.17. The **Chart 5** below indicates that the escalation percentage escalation rate for 2012/13 and 2013/14 remained the same at 20%. **Table 3** below provides a more detailed service comparison of the number and percentage of those complaints escalating from stage 1 to stage 2 (the final stage).

**Chart 5 Comparison of escalation rate from stage 1 to stage 2 for 2012/13 and 2013/14**








**Table 3: A comparison breakdown of complaints escalating from Stage 1 to Stage 2 for 2012/13 and 2013/14**

	Complaint nos 2012/13	Complaint nos 2013/14
	S1 to S2	S1 to S2
<b>Housing Nds</b>	26 (15%)	39 (24%)
<b>Planning</b>	3 (19%)	5 (26%)
<b>Education</b>	1 (100%)	None
<b>Parking</b>	34 (28%)	23 (26%)
<b>Finance (HN/CT/NNRD)</b>	58 (20%)	80 (19%)
<b>Legal</b>	None	1 (100%)
<b>Libraries</b>	4 (15%)	2 (13%)
<b>Street Mgt</b>	4 (14%)	3 (13%)
<b>Sports &amp; Leisure</b>	1 (5%)	4 (9%)
<b>Premises Mgt</b>	7 (39%)	9 (24%)
<b>Totals</b>	<b>140/701 (20%)</b>	<b>166/701 (20%)</b>

## Complaint decisions

- 5.18. An analysis of complaint decisions is a more reliable way of interpreting data when looking to see if concerns are being addressed within the complaints procedure.
- 5.19. An upheld complaint indicates that all the main component(s) of the complainant's dissatisfaction has been accepted by the service area. Therefore it is reasonable to conclude that high volumes of upheld complaints can be an indicator that there has been a problem with aspects of service delivery. If there is a small proportion of complaints being upheld against the total volume of complaints received this is an indicator that there is not a problem with service delivery.

**Table 4: Comparison of complaint decisions for 2012/13 & 2013/14**

	Stage 1	Stage 1		Stage 2	Stage 2	
	2012/13	2013/14		2012/13	2013/14	
Upheld	26% (183 of 701)	28% (234 of 829)		7% (10 of 140)	14% (23 of 166)	
Not Upheld	48% (334 of 701)	50% (416 of 829)		67% (94 of 140)	67% (111 of 166)	no change
Partially Upheld	26% (184 of 701)	21% (172 of 829)		26% (36 of 140)	19% (32 of 166)	

- 5.20. The data in **Table 4** (see above) indicates that there has been a slight increase (2%) in the percentage of Upheld decisions at stage 1 when compared with 2012/13.
- 5.21. It is worth noting that of the 234 complaints which were upheld at stage 1 of the complaints procedure 154 were related to mainly Finance (HB issues). The service area did undertake some analysis to see if there was a particular problem with any aspect of their service and they discovered that the team dealing with complaint correspondence were often being generous to the complainant in how they were classifying the complaint. In other cases the coding was incorrect. This has now been addressed and it is expected that the number of upheld complaints will fall significantly by the next review.
- 5.22. The percentage of upheld complaints is low (28% of stage 1 complaints and 14% of stage 2 complaints are upheld) and this indicates that overall there is not a problem with service delivery.
- 5.23. There has also been a slight increase in the percentage of Not Upheld complaints (2%) at stage 1, which is an improvement in performance when compared with the previous year.
- 5.24. 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 being more pro-active in communications.

- 5.25. There has also been a slight decrease (3%) in Partially Upheld complaints at stage 1 when compared with the previous year.
- 5.26. Overall, it seems that at stage 1 the levels of upheld complaints are not a cause for concern and when compared with the previous year the increase in the percentage of not upheld complaints and the decrease in partially upheld complaints support this finding.
- 5.27. When looking at the performance at the final stage (stage 2) of the complaints procedure **Table 4** revealed that there has also been an increase in upheld complaints at stage 2 (7%), and no change in performance for Not upheld complaints. There is also a reduction (7%) in partially upheld complaints.
- 5.28. Although there has been an overall increase in Upheld complaints when analysed it seems that 14 of the total of 23 Upheld decisions came from Finance and 11 of 14 related to HB. When these cases were analysed in 6 cases the change from stage 1 to stage 2 was minor in that a complainant asked for compensation which had not been offered at stage 1 even though the response accepted there were delays. HB has been reminded that if there have been delays in processing a claim they should take a view on whether the delay warrant an award of compensation and if not to explain why. Please note that compensation is paid by the relevant HB contractor and it does not come from Council revenue.
- 5.29. The percentage of upheld complaints is low and this suggests that the stage 2 investigation is finding very little fault in the stage 1 decisions across all services. Therefore the Council should have confidence that the standard of most stage 1 complaint responses is good.

### ***An analysis of Stage 2 complaints***

- 5.30. As mentioned in item 2.5 a more detail analysis of Stage 2 complaints can be made as this data is recorded by the Complaints and Customer team as it investigates the complaints on behalf of the Chief Executive. Having said that it should be noted that total complaint volume is low and only 20% (166 of 829) of stage 1 complaints escalated to Stage 2. The volume of these complaints coming from three services namely Finance, Housing Needs and Parking. Such a small proportion of complaints (20%) make it difficult to establish trends and/or generic service failings.
- 5.31. An analysis of all stage 2 complaints for 2013/14 revealed that there were no serious service failings in any of the 166 complaints. In many instances the various complaints were upheld because of human error, and not because there was something wrong with the way services have been delivered. While there were 23 (out of 166) upheld complaints as explained in item 5.28 of the 23 cases 11 came from one

service (HB). In 4 complaints compensation was awarded because of human error which caused a delay in the processing of claims. In two other complaints HB admitted not producing full responses. In another case there was a delay in assessing a claim but this was due to having to wait for the Rent officer to make a decision. Items 5.31 to 5.34 provide other examples of things that went wrong in other complaint responses.

- 5.32. There were 3 upheld complaints from Parking Services and two of these involved the issue of Disabled White and Blue badges. In both cases the badges were reissued as in one case a decision as to whether the applicant was still entitled to DLA was still being investigated by the DWP. Once the DWP finishes its investigation the Council will decide if the applicant is still entitled to the badges. In the other case the applicant had the badges owing to mobility problems as he waited for various operations. It was decided the badges could be kept for a further two years while the applicant awaited additional surgery.
- 5.33. There was 1 Planning case upheld at stage 2, and this involved the submission of an application to discharge conditions set by the Planning Inspectorate's decision and the complainant had not received the necessary approval by February 2014. The Planning Department accepted responsibility for some of the delays in processing the application, apologised and gave detailed advice which has resulted in the application being amended. It is very rare for a complaint about a Planning matter to be upheld.
- 5.34. There was 1 upheld complaint from Premises Management and this involved a complaint about noise being created by the early morning refuse collections at the Tate Britain. Although this was initially a noise concern the Noise Team involved the relevant local Warden and as a result the Council's refuse collection contractor Veolia and its crews were advised that there should be no collections prior to 8am to avoid any future noise disturbance.
- 5.35. When reviewing the partly upheld complaints most involved matters such as fuller explanations could have been provided, or additional communications could have been sent to keep the complainant informed of developments. Generally they are small oversights but need to be acknowledged so that the services can improve and provide the high standard of customer care the Council expects from its service delivery.

### ***Compensation***

- 5.36. When investigating a complaint if the council has found it did something wrong it will offer a remedy with the aim of putting the complainant back in the position he/she was in before the error occurred. It is not always possible to do that and sometimes an

apology is not enough. In such circumstances, and where appropriate, Officers can make an offer of financial compensation.

**Table 5: Comparison of compensation offered at the final stage of the complaints procedure for 2013/14 & 2012/13**

	2013/14		2012/13	
Stage 3 Compensation	Totals (£) offered in 2013/14	Nos of cases compensation was offered in 2013/14	Totals (£) offered in 2012/13	Nos of cases compensation was offered in 2012/13
Parking	£50	1	£535.00	3
Finance	£1,150	10	£4,725.00	4
Housing Needs	£1,400	1	£50.00	1
Premises Mgt			0	0
Education			0	0
Planning			0	0
Libraries			0	0
One Stop			0	0
Sports & Leisure			0	0
Street Mgt			0	0
Legal			0	0
<b>Totals</b>	<b>£2,600</b>	<b>12</b>	<b>£5,310.00</b>	<b>8</b>

5.37. As shown **Table 5**, when compared with the previous year there has been a decrease in the amount of compensation offered although there has been an increase in the number of individual cases where a financial remedy is required.

5.38. Data in **Table 5** indicates that the total compensation payment for Housing Needs was £1,400, and this was for one complaint. The case involved a disabled applicant who did not have her application updated to reflect her mobility points and this led to her missing out on bidding for a property. The issue was resolved at stage 1 and an offer of compensation for £280 was made. The complainant went to stage 2 as she wanted compensation in the amount of £10,000. At stage 2 the Complaints team looked at the guidance offered by the LGO and liaised with the service area regarding our findings and the offer was increased to £1,400. The complainant went to the LGO as he was still not happy with the offer however the LGO was satisfied with the Council's actions and offer of compensation made at stage 2.

5.39. A total of £1,150 was offered by Finance for HB/CT and NNDR complaints for 10 cases. The amounts were small and were generally made to reflect short delays in the claim process. However, this report notes that the compensation paid did not come from Council revenue and was paid by the Revenue and Benefit contactor as they were responsible for the original errors/delays.

## 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. This is known as first time inquiries. The volume and average response times of first time inquiries are used as the performance measures for both the LGO and the council.
- 6.2. The data in **Table 6** shows a decrease (down 16) in the number of first time enquiries when compared with the preceding year. This report also notes that these first time enquiries include 6 cases from Adults Social Care which were not investigated under the Council's Corporate Complaints Procedure, 3 cases from CWH of which 2 were investigated under CWH's own complaints procedure and 4 other cases from various services which had not entered the complaints procedure at all. Therefore 12 of the 31 first time enquiries did not escalate from complaints which had been through the Council's corporate complaints procedure, and 19 that did.
- 6.3. **Table 6: LGO total First Time Inquiries for the years 2012/13 & 2013/14**

	First Time enquiries Totals 2012/13	First Time enquiries Totals 2013/14	Variance
CityWest Homes	13	3	-10
Premises Mgt	2	0	-2
Education	1	0	-1
Street Mgt	0	1	1
Sports & Leisure	0	1	1
Finance-CT& NNRD	2	2	0
Finance - HB	8	4	-4
Housing Nds	11	9	-2
Parking	3	4	1
Planning	0	1	1
Adult's Social Care	5	6	1
Children's Social Care	2	0	-2
Legal	0	0	0
<b>Totals</b>	<b>47</b>	<b>31</b>	<b>-16</b>

- 6.4. **Table 7** provides a comparison of all LGO complaints received (including the 31 first time enquiries) for 2013/14 and 2012/13 against each service area, and this indicates that there has been an overall reduction of 8 complaints.

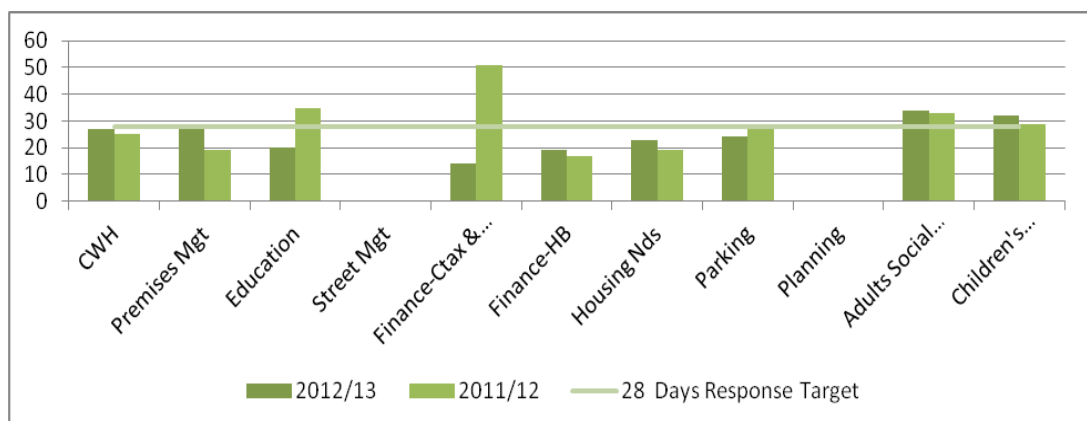
**Table 7: A comparison of all LGO complaints received for 2012/13 & 2013/14**

	LGO All Complaint totals for 2012/13	LGO All Complaint totals for 2013/14	Variance
<b>Adults Social Care</b>	6	7	1
<b>Children's Social Care</b>	2	3	1
<b>CityWest Homes</b>	20	8	-12
<b>Education</b>	2	0	-2
<b>Finance (HB/CR/NNDR)</b>	17	25	8
<b>Housing Needs</b>	16	17	1
<b>Legal</b>	1	1	0
<b>Libraries</b>	1	1	0
<b>Parking</b>	22	17	-5
<b>Planning</b>	1	1	0
<b>Premises Mgt</b>	5	4	-1
<b>Street Mgt</b>	1	3	2
<b>Sports &amp; Leisure</b>	2	2	0
<b>Corporate Property</b>	1	0	-1
<b>Total</b>	<b>97</b>	<b>89</b>	<b>-8</b>

- 6.5. Looking at the 19 cases which escalated from the corporate complaints procedure (see item 6.2) the LGO found fault in 7 cases and findings of upheld and maladministration with injustice were issued. This classification of decision should not be confused with the issue of a formal report finding maladministration with injustice. From April 2014 the LGO changed the way it classifies its complaint decisions, and in particular a decision which was previously recorded as Investigation complete and satisfied with authority actions or proposed actions and not appropriate to issue report S30(1B), is now recorded as Upheld maladministration with injustice, or Upheld maladministration no injustice. If a formal report is issued the decision finding would be recorded as *Report issued: Upheld; maladministration and injustice*.
- 6.6. However, the new decision classifications do not reflect if the LGO has found any addition fault not identified in the Council's stage 2 investigation, and this is something for the local authority to advise and comment.

- 6.7. Of the 7 decisions where the LGO found maladministration with injustice there were 3 cases where the LGO agreed with the Council's stage 2 findings and the remedy offered at stage 2, and no additional fault was found. In two other cases the LGO asked for additional compensation to be paid, and in two remaining cases it asked two service areas to review some of its procedures. Housing Options was asked to look at information in their flyers relating to the advertising properties on choice based lettings so it is clear if the property is a one bed or studio flat. Parking Services was asked to review why it took so long to find out what payments had been received and how it can ensure payments are assigned to the right accounts quickly. This related to payments made direct to the Council when the matter was at bailiff stage. Usually all payments are made direct to the bailiff.
- 6.8. This does suggest that the stage 2 procedure is working and the LGO is not finding additional fault with the majority of cases which have been through the complaints procedure.
- 6.9. 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.
- 6.10. Data in **Chart 6** provides a comparative breakdown of the average number of days taken to reply based on the Council's records. The Council's calculation of 22 days for 2013/14 is well within the LGO benchmark of 28 days.

**Chart 6: Comparison of average response times for first time enquiries (2012/13 & 2011/12)**



- 6.11. The LGO produce an Annual Review/Letter which used to set 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. The LGO has taken a decision not to provide comment on a Council's performance in the way it used to. A copy of the Annual Review Letter can be found in **Appendix B**.



6.12. The Annual Review letter for 2013/14 provided no comments on performance although it did provide two tables which show the number of complaints and enquiries this Council has received. The table includes all enquiries as well as complaints that have been issued a decision. However, it is worth drawing to your attention that while the tables say that 208 complaints and enquiries were received this figure does not represent actual formal investigations. Records show that the LGO sent decision letters in 89 cases (**see Table 7**). Of the 89 decisions 31 of these were first time enquiries discussed in items 6.2.

**Table 8: A comparison of all LGO decisions received for 2013/14 & 2012/13**

	2013/14	2012/13
Investigation complete and satisfied with authority actions or proposed actions	<b>16 (18%)</b>	7 (7%)
Investigation complete: No Maladministration	<b>1 (1%)</b>	*
Not investigated	<b>21 (24%)</b>	18 (19%)
Not upheld; no Maladministration	<b>5 (6%)</b>	*
Out of jurisdiction and no discretion	<b>30 (34%)</b>	17 (18%)
Premature Complaint	<b>3 (3%)</b>	13 (13%)
To discontinue investigation	<b>5 (6%)</b>	31 (38%)
Upheld Maladministration & Injustice	<b>7 (8%)</b>	*
Formal report finding maladministration with injustice	<b>1 (1%)</b>	0
Cases not completed (awaiting final decision)	<b>0</b>	5 (5%)

\* decision classification not in use in that financial year

6.13. The data in **Table 8** sets out all the decisions made in the 89 cases the LGO decided in 2013/14. This indicates that the LGO did not investigate 51 cases as (30 were out of jurisdiction and 21 were recorded as simply “not investigated”. In 29 out of the remaining cases the LGO found no fault in the Council’s actions, and they closed a further 8 cases with the council agreeing to a remedy.

6.14. **Table 8** also indicates that as at the end of 2012/13 there were 5 cases still waiting final decision. One of these cases was closed on 24 September 2013 as the LGO published a formal report finding maladministration with injustice following their investigation into complaints against the City Council’s Homelessness Service. The complaint concerned the Council housing homeless families in non self-contained accommodation for more than 6 weeks. The law says that when families apply as homeless councils should avoid using B&B. If there is no alternative, councils should use it for no longer than six weeks.

6.15. A copy of the LGO report was sent to all Members under cover of the Report by the Monitoring Officer on 14 October 2013.

- 6.16. The report dealt with two complaints (Mrs A and Mrs B in the report); however the problems experienced by the complainants were not unique and in February 2013 the Council had 171 families in non self-contained accommodation for more than 6 weeks. This was due to an increase in homelessness since 2011 and this demand for housing from homeless households for whom the Council had a statutory duty exceeding both the available permanent social housing stock and the supply of self-contained Temporary Accommodation (TA.)
- 6.17. The Ombudsman found against the City Council on the grounds of maladministration with injustice because the Council did not comply with its statutory duties and used non self-contained accommodation for families in excess of six weeks.
- 6.18. At the time the report was published the problem of a shortage of supply of self contained temporary accommodation had been resolved, and the report notes the reasons behind the increase in homelessness and the actions taken by the Council to remedy the situation and concludes that:  
*'I am in no doubt that the Council has taken seriously its obligations to the homeless... The effect of the Housing Benefit cap has been acute in Westminster. And uncertainties over the (Temporary Accommodation) subsidy have made it difficult to procure accommodation from the private sector. The Council implemented various strategies...to prevent homelessness and to increase its supply of self-contained accommodation. By July 2013 there were no families who had been in B&B for more than six weeks (not under review or with an offer of accommodation.)'*
- 6.19. The report also acknowledged that the Council *'has always been committed to avoiding using B&B and accepts that it is not suitable for families.'*
- 6.20. As the report concluded that there had been an injustice as the two complainants, and other families, remained in bed and breakfast accommodation beyond the statutory 6 week period it *recommended* a compensation payment of £500 to Ms A and Ms B to acknowledge that it was unable to provide self-contained accommodation after the initial six-week period. Also to pay an extra £500 for each additional six-week period and to provide a similar remedy to the other 38 people who have complained to the LGO that they have suffered the same injustice.
- 6.21. There was a requirement for the LGO report to be considered by Cabinet and a formal decision taken whether to approve the report and accept the recommendations. This report was taken to Cabinet on 14<sup>th</sup>

October 2013 along with the report of the Monitoring Officer, and the following recommendations were endorsed:

- That the Cabinet notes and approves the contents of the Ombudsman's Report.
- That the Cabinet authorises that £500 is paid to Ms A and Ms B to acknowledge that it was unable to provide self-contained accommodation after the initial six-week period. And to pay an extra £500 for each additional six-week period and to provide a similar remedy to the other 38 people who have complained to the LGO that they have suffered the same injustice.
- That the Cabinet agrees to contact each effected household and will take the same approach to compensate those who have suffered an injustice as a result of being accommodated in non self-contained accommodation for more than six weeks.

- 6.22. Payment has been made to those affected by this decision and this includes writing to those other the other families who had not made a complaint and who were in bed and breakfast for more than 6 weeks and who were accepted as homeless and did not receive an offer of alternative accommodation.
- 6.23. The additional 38 cases referred to in the report are not recorded in the charts and graphs in this item. This is because the cases did not come through the normal route and would distort the figures that are usually reported.
- 6.24. A finding of maladministration with injustice by the LGO is not a common occurrence and the last time such a report was issued was in October 2009 and was a complaint about Parking Services.

### **Compensation**

- 6.25. The LGO 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 LGO's satisfaction during the investigation so allowing the complaint to be closed. These remedies can include the payment financial settlements.
- 6.26. A comparative breakdown of LGO financial remedies for the years 2013/14 and 2012/13 can be found below (**Table 9**).
- 6.27. It is difficult to make performance comparisons between financial years as each complaint is dealt with on its merits. However, the **Table 9** (below) indicates there has been a decrease in the amount of financial

remedies. The amount of ££3,950 was offered in 2013/14 against £13,340 in 2012/13.

**Table 9: Comparison of Financial Local Settlements 2013/14 & 2012/13**

Financial Local settlements	Totals 2013/14	nos of cases		Totals 2012/13	Nos of cases
CWH	£0	0		£3,790	6
Parking	£0	0		£100	1
Finance (HB, CT & NNRD)	£1,450	3		£150	2
Premises Mgt	£0	0		£0	0
Housing Nds	£2,500	4		£2,800	3
Planning	£0	0		£0	0
Adults Social Care	£0	0		£6,000	2
Education	£0	0		£0	0
Children's Social care	£0	0		£500	1
Sports & Leisure	£0	0		Nil	0
Street Mgt	£0	0		Nil	0
Legal	£0	0		Nil	0
<b>Totals</b>	<b>£3,950</b>	<b>7</b>		<b>£13,340</b>	<b>14</b>

6.28. Of the 3 cases where a financial remedy was offered for Finance there was 1 award of £1,150. This was a case where a claimant was more than 8 weeks in arrears and the Landlord asked if his HB could be paid direct to him. The cheque for the back rent went to the claimant in error. The contractor agreed to pay the Landlord all of back rent, save the £1,000 which HB said the landlord could recover from his tenant's deposit. When the matter went to the LGO they decided that all should be repaid and they also requested a further £150 be paid to the Landlord for time and trouble. It is important to remember that the Council's Housing Benefit contractor pays for all compensation payments and the payments do not come from Council revenue.

## **7. Leader and Cabinet Members Correspondence**

- 7.1. Correspondence addressed to the Leader and Cabinet 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.
- 7.2. The Cabinet Support section of the Cabinet Secretariat is responsible for the management of and collation of the statistical information about Cabinet Members' correspondence, and they have provided the relevant data.

- 7.3. The team had hoped to have installed a correspondence software system by now. The installation of a SharePoint system, developed by the Complaints Team, was significantly delayed, and the Tri-Borough Administrative Services Review – part of the Corporate Services Review – is now exploring the possibility for a single piece of software to log and manage correspondence across each of the Tri-Borough Councils (NB only members of Westminster’s Cabinet Secretariat team would have access to correspondence with Westminster’s Members).
- 7.4. The data provided in Table 10 indicates that there has been a reduction (down 95) in the volume of correspondence received.

**Table 10: A breakdown of correspondence totals received by Cabinet Portfolio**

<b>Portfolio</b>	<b>2013/14</b>	<b>2012/13</b>
<b>Adult Services</b>	<b>16</b>	27
<b>Planning</b>	<b>131</b>	133
<b>Housing</b>	<b>131</b>	171
<b>City Management and Transport</b>	<b>43</b>	30*
<b>Sustainability (est. as a Cabinet Portfolio in May 2014)</b>	<b>7</b>	-
<b>Business</b>	<b>41</b>	52
<b>Parking</b>	<b>56</b>	93
<b>Children &amp; Young People</b>	<b>54</b>	68
<b>Premises Management</b>	<b>9</b>	15
<b>Finance</b>	<b>7</b>	23
<b>Public Protection</b>	<b>16</b>	11
<b>Sports, Leisure &amp; Parks</b>	<b>11</b>	-
<b>Libraries, Culture &amp; Registrar Services</b>	<b>6</b>	0
<b>Totals</b>	<b>528</b>	623

\* (inc. Environment)

- 7.5. In the meantime, a more rigorous monitoring system has been put in place for logging correspondence, but it is still limited to providing details of the total volume of correspondence.
- 7.6. A review of policies and procedures for all Members correspondence, including Cabinet Members, is also being undertaken by the team, with improvements planned to accompany the installation of the new system.

# **APPENDIX A1**

**CityWest Homes - Customer Services Committee Yearly Report 2013/14**

## Customer Services Committee Yearly Report 2013/14

<b>Report title:</b>	<b>Service improvement performance report for 2013/14</b>
<b>Lead officer:</b>	Clare Maslin
<b>Circulation:</b>	For general circulation
<b>Report outline:</b>	This report presents the key learning's from complaints, satisfaction surveys and the service excellence programme
<b>Recommendations:</b>	The committee notes the contents of this report
<b>Financial Implications: Is the proposal budgeted:</b>	No N/A
<b>Risk Management Undertaken: Mitigations/actions included in report</b>	Yes No
<b>Resident Consultation:</b>	N/A
<b>Impact on Equalities (direct/indirect):</b>	Yes
<b>Attachments:</b>	

If you have any questions about this report please contact Clare Maslin  
Tel: 020 7245 2064 or email [cmaslin@cwh.org.uk](mailto:cmaslin@cwh.org.uk)

### Complaints by area

The table below shows complaints received at all stages for the frontline teams by area and also comparison between the complaints

## Service improvement monthly performance

April  
2014

### Complaints received

	Total 2012/13	March 2014	March 2013
Stage 1	310	24	23
Stage 2	38	2	1
LGO	10	0	1
<b>Total</b>	<b>358</b>	<b>26</b>	<b>25</b>

### Complaints received YTD

	Tenants	Lessees	YTD 2013/14	YTD 2012/13
Stage 1	144	162	306	310
Stage 2	22	23	45	38
LGO	3	3	6	10
<b>Total</b>	<b>169</b>	<b>188</b>	<b>357</b>	<b>358</b>

#### Performance against WCC targets.

Performance indicator	Target	March	YTD	Target
Escalation to LGO	8	0	6	▲

#### Stage 2 performance

Performance indicator	Target	March	YTD	Target
Response rate at stage 2 Option 1 - written response	100%	100%	100%	▲
Response rate at stage 2 Option 2 - panel	100%	100%	100%	▲

#### Councillor and MP enquiries

Performance indicator	Target	March	YTD	Target
Response rate Cllr enquiries	95%	96%	95%	▲
Response rate MP enquiries	95%	100%	100%	▲



On target and upwards trend



Missed target and downwards trend

### Complaints received by service area (housing management issues only)

	South		Central		North		West	
	March 2014	YTD	March 2014	YTD	March 2014	YTD	March 2014	YTD
Stage 1	3	26	0	16	2	10	3	19
Stage 2	0	5	0	1	0	2	0	3
LGO	0	1	0	0	0	2	0	1
<b>Total</b>	<b>3</b>	<b>32</b>	<b>0</b>	<b>17</b>	<b>2</b>	<b>14</b>	<b>3</b>	<b>23</b>



2	<b>Results</b>
2.1	<p><b>Complaints Yearly Stats</b></p> <ul style="list-style-type: none"> <li> <b>Local resolutions</b>  Throughout the year, we have witnessed a substantial increase in local resolutions being logged. In 2012/13, 196 were recorded, however this increased by 69% to 332 for this year. Of those 332 local resolutions, only 26 were escalated to stage 1.   The reason for this is team are continuing their training with estate teams at a local level to ensure they are fully aware of how to log and resolve complaints a local level. Each month, we visit different estate offices and spend time talking through Orchard and in particular the logging of complaints which goes some way to explain the slight increases in local resolutions logged throughout the year.   Furthermore, it provides us with the opportunity to engage with estate team and to emphasise the importance of logging and resolving issues at the initial point of contact. In addition, by dealing with issues at a local level, the estate office can establish relationships with residents that ensure they have trust and confidence in their local team to sort out any minor issues that they may encounter.   However, there are still certain areas of the business that are reluctant to engage with residents and this has resulted in escalations to stage 1's. It may be prudent to consider further briefings or training for teams in relation to local resolutions to reinforce that at this informal stage it is the responsibility of the service area to respond and to try and resolve. </li> <li> <b>Stage 1 complaints</b>   Compared with the previous year, we have seen a slight decrease of 1% of stage 1's from 310 in 2012/13 to 306 this year. However, as has been the pattern for most of the year, repairs complaints have actually increased from 219 in 2012/13 to 228 this year. In addition, last year saw 70% of the stage 1 complaints attributed to repairs issues, however despite the total number of complaints falling this year, the percentage of those that were for repairs increased to 74%   The majority of stage 1's concerned building and property services, most of which related to leaks. The other common theme continues to be residents unwilling to make claims on their household contents insurance believing we should replace their personal items when they are damaged.   The increase in repairs stage 1 is mainly a result of the relentless stream of wet weather during the winter exposed a number of frailties in the stock and stretched resources.   This was not a situation that was unique to CityWest Homes however, as we were recently contacted by The Public Complaints Sector Network concerning the increase in repairs complaints through the winter period. In addition, they also requested a total number of repairs complaints stage 1's that we received throughout the year and compared them to Islington, Southwark, Hackney, Camden and Greenwich. In comparison with these other boroughs we did have the lowest complaint rate in relation to households with one repairs complaint for each 128 properties.   There has of course been a recent restructuring of the repairs call centre which we hope will engage with residents regularly, provide them with updates and provide a frontline service that residents find helpful. After the first quarter of this year, we will be able to ascertain the kind of impact this has had on the number of complaints regarding repairs. </li> </ul>

We have continued benchmarking through Housemark into others ALMO's and Councils timelines on complaints. The majority of the feedback suggested that the majority of councils and ALMO's do not consider complaints that relate to events that occurred more than 12 months ago. However, discretion to consider complaints beyond this depending on whether the impacts of the event have only just come to light (i.e. new bathroom installed over a year ago however the tenant has since been experiencing damp and transpires that there has been an underlying leak since the install of the bathroom).

In addition, a number of organisations do not allow stage 1's to be escalated to stage 2 immediately, but rather advise that this needs to be done after a certain amount of days ranging from ten working days to twenty. The feedback suggested that some organisations do not automatically escalate complaints as they want to understand whether more could be done at stage 1 or whether the customer is not providing sufficient evidence to escalate their complaint, which is a problem that we regularly encounter.

Both of the above issues are ideas that I would like to implement this year to determine whether it leads to a decrease in complaints but also to ensure that recommendations are followed through at stage 1.

- **Stage 2 complaints**

We received ten complaints in quarter four, meaning that our total for the year was 45 stage 2 complaints, compared with 38 for 2012/13. The yearly target was 35 stage 2 complaints. Whilst it is disappointing that we have exceeded our target for the year, the number of complaints has been exacerbated by a number of our prominent complainants raising issues with us this year.

Year to date, five of our prominent and repetitive complainants account for eleven of the 45 stage 2's received this year. One resident in particular has accounted for seven stage 2 complaints, which is just over 15% of the total received this year. The main issues that she raised concerned repairs and ASB and despite offers to meet with the resident she advised that she wished for all her concerns to be formally logged as stage 1's or stage 2's.

Furthermore, this is the second year that we operated without a stage 3; therefore, it may take us another year to really determine what kind of numbers we can expect annually from stage 2 complaints. However, despite the increase in stage 2's, we have reduced the number of ombudsman enquiries to six this year, which is two less than our target of 8. We believe that this figure is low in comparison with some other ALMO's and Councils although we are awaiting confirmation from the Ombudsman on this.

In a similar vein to the stage 1 complaints, the most recurring theme of the stage 2's were leaks and complainants requesting compensation for damage to items within their home following these leaks that should normally be claimed through their contents insurance.

I have also conducted some benchmarking into this issue and a number of respondents noted that if a resident makes what they deem to be a claim then it is treated as such. At the moment, our stance is that any claim for compensation is treated as a complaint and there is no real distinction between a claim and a complaint.

Going forward, it may be appropriate to create a clear separate processes for complaints and claims, however, this would need to involve the governance team who themselves may incur financial costs such as increased premiums should the number of claims increase. Furthermore, we should strive to create better awareness for tenants and lessees at sign up regarding contents insurance and the protection that it offers. I would like to pursue these ideas with the estate offices and the governance team to first of all determine if it is feasible and what kind of issues that they believe we may encounter.

## Housing Ombudsman Complaints

Despite the increase in stage 2 complaints this year, we have actually seen a decrease in the number of these which have been escalated to the ombudsman. In 2012/13, ten of the thirty eight stage 2's were escalated to the Ombudsman compared with only six of 45 this year. What this clearly highlights is our ability to resolve these issues in house and to provide complainants with recommendations and actions which they are happy with. In addition, our continued communication with the resident after the stage 2 ensures that they are kept up to date and it allows us to follow the process right through to its completion and ensures that we carry out the recommendations that we made.

In the last 5 years, the number of escalations has decreased fairly dramatically. For example in 2008/2009, 21 complaints were escalated to the next stage, so our continued commitment to ensure complainants are satisfied at stage 2 has certainly contributed to the continual decrease in escalations.

This is the first year that we have worked with the housing Ombudsman and we are building a steady relationship with them, although there are some concerns over the length of their investigations and some of their findings.

## Councillor and MP Enquiries

This year we received a total of 111 councillor enquiries, a 22% increase on last year's total. This can be mainly attributed to the fact that as of November 2013, we are logging all councillor enquiries which are sent to estate office staff as well as the service improvement team. The main cause of Councillor enquiries was around repairs with Councillor Dimoldenberg responsible for over half the enquiries made.

MP Enquiries rose slightly to 119 from 117 last year with over 98% of these coming from Karen Buck MP. Again this was primarily in relation to repairs; however, from October 2013 to March 2014, 65% of those repairs enquiries concerned the north of the borough.

## Service excellence quarterly performance

2013/14

### Visits to estate offices to test our service standards

Our service standards	Target	2012/13	2013/14	Trend
Accessibility	100%	99%	98%	▼
Cleanliness	100%	99%	98%	▼
Tidiness	100%	98%	95%	▼
Name badge worn and visible	100%	76%	78%	▲
Seen within five minutes	100%	94%	91%	▼
Staff member welcoming	100%	94%	93%	▼
Ready to help	100%	87%	90%	▲
Dealt with query at first point of contact	100%	100%	100%	▲

### Telephone calls to test our service standards

Our service standards	Target	2012/13	2013/14	Trend
Answered call within four rings	100%	90%	91%	▲
Name given	100%	91%	98%	▲
Service area given	100%	93%	96%	▲
Dealt with query at first point of contact	100%	99%	100%	▲



On target and upwards trend



Missed target and downwards trend

Our service standards for 2013/14 are fairly consistent with the previous year, although we have seen a large increase of staff members giving their name when answering the phone, something that had been regularly highlighted by the shoppers in the past as not happening.

Concerning visits throughout the year, the table above is slightly misleading with the number of red arrows that are visible. Whilst the overall scores for accessibility, cleanliness and tidiness have fallen below last year, they still paint a picture of estate offices which are accessible with friendly staff that can help our residents with any queries they have.

Whilst these scores are useful and help us better understand the service being provided throughout the organisation, there is only so much we can take from these scenarios. As such, we have introduced an 'aspirational piece' for our shoppers to complete. This is a survey which we have asked them to fill out when they contact their estate offices or a team at 21GP out with their role as a mystery shopper.

This will give us a clearer indication of the type of service that we are providing on a day to day basis. We will analyse the responses at the end of the first quarter and will be forwarded onto the area managers.

# **APPENDIX B**

**A copy of the LGO Annual Letter for 2013/14**

7 July 2014

*By email*

Mr Charlie Parker  
Chief Executive  
Westminster City Council

Dear Mr Charlie Parker

### **Annual Review Letter 2014**

I am writing with our annual summary of statistics on the complaints made to the Local Government Ombudsman (LGO) about your authority for the year ended 31 March 2014. This is the first full year of recording complaints under our new business model so the figures will not be directly comparable to previous years. This year's statistics can be found in the table attached.

A summary of complaint statistics for every local authority in England will also be included in a new yearly report on local government complaint handling. This will be published alongside our annual review letters on 15 July. This approach is in response to feedback from councils who told us that they want to be able to compare their performance on complaints against their peers.

For the first time this year we are also sending a copy of each annual review letter to the leader of the council as well as to the chief executive. We hope this will help to support greater democratic scrutiny of local complaint handling and ensure effective local accountability of public services. In the future we will also send a copy of any published Ombudsman report to the leader of the council as well as the chief executive.

### ***Developments at the Local Government Ombudsman***

At the end of March Anne Seex retired as my fellow Local Government Ombudsman. Following an independent review of the governance of the LGO last year the Government has committed to formalising a single ombudsman structure at LGO, and to strengthen our governance, when parliamentary time allows. I welcome these changes and have begun the process of strengthening our governance by inviting the independent Chairs of our Audit and Remuneration Committees to join our board, the Commission for Administration in England. We have also recruited a further independent advisory member.

### ***Future for local accountability***

There has been much discussion in Parliament and elsewhere about the effectiveness of complaints handling in the public sector and the role of ombudsmen. I have supported the creation of a single ombudsman for all public services in England. I consider this is the best way to deliver a system of redress that is accessible for users; provides an effective and comprehensive service; and ensures that services are accountable locally.

To contribute to that debate we held a roundtable discussion with senior leaders from across the local government landscape including the Local Government Association, Care Quality Commission and SOLACE. The purpose of this forum was to discuss the challenges and opportunities that exist to strengthen local accountability of public services, particularly in an environment where those services are delivered by many different providers.

Over the summer we will be developing our corporate strategy for the next three years and considering how we can best play our part in enhancing the local accountability of public services. We will be listening to the views of a wide range of stakeholders from across local government and social care and would be pleased to hear your comments.

Yours sincerely

A handwritten signature in black ink that reads "Jane Martin". The signature is written in a cursive style with a long horizontal flourish at the end.

Dr Jane Martin  
Local Government Ombudsman  
Chair, Commission for Local Administration in England

## Local authority report – Westminster City Council

For the period ending – 31/03/2014

For further information on interpretation of statistics click on this link to go to <http://www.lgo.org.uk/publications/annual-report/note-interpretation-statistics/>

### Complaints and enquiries received

Local authority	Adult care services	Benefits and tax	Corporate and other services	Education and children's services	Environmental services and public protection and regulation	Highways and transport	Housing	Planning and development	Total
Westminster City C	11	55	6	8	12	25	87	4	208

### Decisions made

Local authority	<u>Detailed investigations carried out</u>		Advice given	Closed after initial enquiries	Incomplete/Invalid	Referred back for local resolution	Total
	Upheld	Not upheld					
Westminster City C	18	57	9	53	7	77	221