

<b>COMMITTEE:</b> Overview and Scrutiny	<b>DATE:</b> July 2008	<b>CLASSIFICATION:</b> <b>UNRESTRICTED</b>	<b>REPORT NO.</b>	<b>AGENDA ITEM NO.</b>
<b>REPORT OF:</b>  MARTIN SMITH CHIEF EXECUTIVE		<b>TITLE:</b>  CORPORATE COMPLAINTS AND SOCIAL CARE COMPLAINTS ANNUAL REPORT		
<b>ORIGINATING OFFICER(S):</b>  RUTH DOWDEN CORPORATE COMPLAINTS MANAGER		Wards Affected: ALL		

## 1. Summary

- 1.1 This report contains a summary of complaints received by the Council in the period 1 April 2007 to 31 March 2008 through the Corporate Complaints Procedure, Children's Social Care and Adults Social Care Complaints Procedures and those received and determined by the Local Government Ombudsman in the same period. This report fulfils the statutory requirements under the Children Act 1989 to produce an annual report.
- 1.2 Under the Corporate Complaints procedure there are significant reductions in stage 2 and Ombudsman complaints, demonstrating lower escalation rates. This is a very positive outcome, indicating that complaints are being resolved closer to the point of service delivery and to the satisfaction of the customer.
- 1.3 Adults and Children's Social Care Complaints come under new statutory procedures. The Council has achieved significant improvements in response times to Social Care complaints.
- 1.4 The Local Government Ombudsman has commented positively in the Annual Letter to the Council regarding the Council's response times, willingness to take action to settle complaints, reduction in volumes of complaints and positive liaison with the Ombudsman's office.
- 1.5 The Service has received reaccreditation to British Standards Institute standard for Complaint Handling (ISO 100002).

## 2. Recommendations

- 2.1 Members are asked to note the content of the report.

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**Local Government Act 2000 (Section 97)**  
**List of Background papers used in the preparation of this report.**

## 1 INTRODUCTION

- 1.1 This report addresses sets out the volume of complaints received by the Council in the period 1 April 2007 to 31 March 2008, the outcomes and the standard of performance in dealing with them.
- 1.2 The Corporate Complaints Team work within the Customer Access division. The team comprises seven members of staff, registers complaints under all stages of the Council's Corporate Complaints Procedure (see section 2), the statutory Adults and Children's Social Care Complaints Procedures (see section 3), and those investigated by the Local Government Ombudsman (see section 4). The officers monitor complaint progression and provide management information on performance.
- 1.3 Officers also investigate stage 2 Adults Social Care complaints and Children's Social Care complaints, and stage 3 corporate complaints on behalf of the Chief Executive.
- 1.4 Most successful organisations encourage service users to complain, and as such a high volume of complaints is often an indication of a healthy relationship with service users. However, complaints should be resolved at the lowest possible point and the escalation of complaints can indicate difficulties in addressing matters at the service level.

The Complaints Team's role is to:-

- receive complaints, enquiries and representations from service users and carers across all Council services including Adults' and Children's Social Care;
- support front line services by advising on statutory duties, internal policies and procedures;
- offer training and support to staff in resolving complaints;
- undertake Stage 2 and 3 complaint investigations as appropriate;
- organise and facilitate Independent Review Panels;
- liaise with the Local Government Ombudsman, handling all such complaint enquiries;
- provide reports to Team Managers and the Directorate Management Teams on a regular basis regarding the trends and progress of complaints;
- facilitate advocacy and support to complainants, and;
- ensure effective access for all service users to the statutory and non-statutory processes.

## 1.5 THE CORPORATE COMPLAINTS PROCEDURE

- 1.5.1 The Corporate Complaints Procedure is a three stage process, accepting issues from anyone who wants or receives a service from the Council, except where the matter is covered by another channel of redress, such as a legal or appeal process (e.g. benefits, parking penalty charges, leasehold matters), or where a statutory procedure exists. The Complaints Team process and investigate complaints relating to non-statutory duties and school complaints reaching stage 3, on behalf of the Chief Executive.

## **1.6 THE ADULTS AND CHILDREN'S SOCIAL CARE PROCEDURES**

- 1.6.1 There is a legal requirement under the NHS and Community Care Act 1990 and the Children Act 1989 for Local Authorities to have a system for receiving representations and complaints by, or on behalf of people who use social care services, or their carers.
- 1.6.2 The revised statutory complaints procedures for Adults' and Children's Social Care came into force in September 2006.
- 1.6.3 The Council places a strong emphasis on the informal resolution of complaints and in assisting Social Care Teams in effectively managing and resolving complaints.
- 1.6.4 The main purpose of the complaints procedures are to ensure the voices and experiences of young people, vulnerable adults and their representatives are heard and to highlight where things have gone wrong in the system and help to ensure that the organisation learns from feedback from complaints.

## **1.7 THE LOCAL GOVERNMENT OMBUDSMAN**

1.8.1 The Local Government Ombudsman is an independent watchdog and considers complaints (usually) after the complainant has exhausted the internal complaints procedure and covers Education and Social Services matters.

## **1.8 ENQUIRIES, COMMENTS AND COMPLIMENTS**

- 1.8.1 In order to capture fully the team's contact with the public, all telephone and written enquiries are also recorded on the complaints component of the Council's Customer Relationship Management (CRM) database.

## 2 CORPORATE COMPLAINT STATISTICS AND ANALYSIS 2007 TO 2008

### 2.1 VOLUME OF COMPLAINTS

VOLUME OF COMPLAINTS						
	2006 / 2007		2007 / 2008		Variance	
<b>Stage 1</b>	1841		2141		300	14.0%
	80.5%		83.5%			
<b>Stage 2</b>	330		335		5	1.5%
	14.4%		13.0%			
<b>Stage 3</b>	116		88		-28	-32%
	5.1%		3.4%			
<b>Total</b>	<b>2287</b>		<b>2564</b>		<b>277</b>	<b>11%</b>
	100.0%		100.0%			

Table 2.1

2.1.2 Table 2.1 shows that the total number of complaints received by the Council in the year is slightly higher than in the previous year, but the escalation to stage 2 has reduced, indicating that resolution of stage one was prompt and comprehensive.

2.1.3 The volume of stage 3 complaints fell to 3.4% of all complaints. This is an improvement on the previous year and more complaints are being resolved at the early stages.

CORPORATE COMPLAINTS				
	2006 / 2007		2007 / 2008	
		Escalation Rate against stage 1 06/07		Escalation Rate against stage 1 07/08
<b>Stage 1</b>	1841		2141	
<b>Stage 2</b>	330	18%	335	16%
<b>Stage 3</b>	116	6%	88	4%
<b>Total</b>	<b>2287</b>		<b>2564</b>	

Table 2.2

2.1.4 In total, of the complaints recorded at stage 1, 16% progressed to stage 2, and 4% proceeded to stage 3, (table 2.2), indicating a lower overall progression rate than last year for each stage.

2.1.5 Chart 2.1 (below) demonstrates the seasonal trends and peaks in the reporting of complaints.

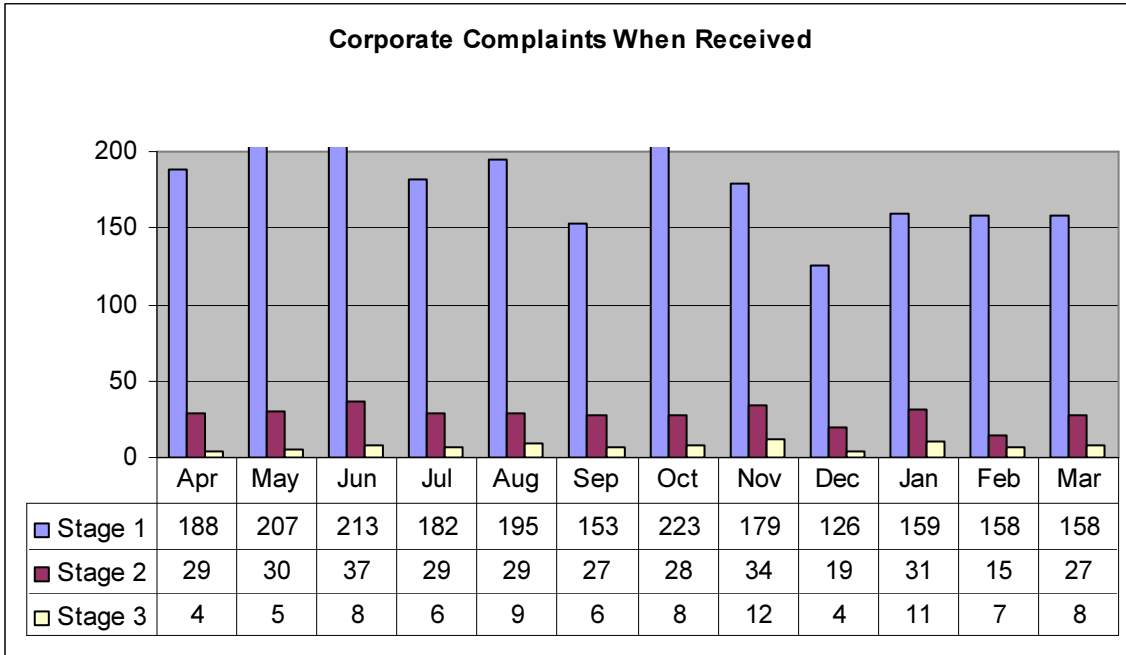


Chart 2.1

2.1.7 There is no obvious reason for the peaks which occur at different times year on year.

2.2 CORPORATE COMPLAINTS BY DIRECTORATE.

Corporate Complaints April 2007 to March 2008

Directorate	Total Received in 2006 / 2007	Total Received in 2007 / 2008	Upheld	Partially Upheld	Escalated to Next Stage (due to non response in time)	Not Upheld	Withdrawn or Closed	In Progress	Completed in Time	Average Days to Complete
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Stage 1

Adult's Health and Wellbeing	9	51	11 %	22 %	5	9.8 %	26 %	51 %	4	8%	0	0%	40	78%	8
Chief Executive's	169	177	33 %	19 %	2	1.1 %	77 %	44 %	9	5%	0	0%	149	84%	7
Children's Services	22	28	10 %	36 %	0	0.0 %	11 %	39 %	3	11 %	1	4%	16	57%	9
Communities Localities & Culture	571	714	344 %	48 %	3	0.4 %	199 %	28 %	34	5%	3	0%	350	49%	12
Development & Renewal	30	55	24 %	44 %	0	0.0 %	14 %	25 %	3	5%	0	0%	35	64%	10
Housing	1038	1116	482 %	43 %	10	0.9 %	587 %	53 %	32	3%	1	0%	769	69%	9
<b>Total for Stage 1</b>	<b>1839</b>	<b>2141</b>	<b>904 %</b>	<b>42 %</b>	<b>20</b>	<b>0.9 %</b>	<b>914 %</b>	<b>43 %</b>	<b>85</b>	<b>4%</b>	<b>5</b>	<b>0%</b>	<b>1359</b>	<b>63%</b>	<b>10</b>

Stage 2

Adult's Health and Wellbeing	3	16	1	6%	3	0.0 %	12 %	75 %	0	0%	0	0%	15	94%	15
Chief Executive's	25	20	3	15 %	1	5.0 %	10 %	50 %	0	0%	0	0%	17	85%	16
Children's Services	2	11	2	18 %	0	0.0 %	3 %	27 %	4	36 %	0	0%	9	82%	23
Communities Localities & Culture	60	82	26 %	32 %	0	0.0 %	38 %	46 %	5	6%	1	1%	55	67%	20
Development & Renewal	15	14	9 %	64 %	1	7.1 %	2 %	14 %	0	0%	0	0%	9	64%	20
Housing	264	192	73 %	38 %	1	0.5 %	108 %	56 %	7	4%	2	1%	160	83%	16
<b>Total for Stage 2</b>	<b>369</b>	<b>335</b>	<b>114 %</b>	<b>34 %</b>	<b>3</b>	<b>0.9 %</b>	<b>173 %</b>	<b>52 %</b>	<b>16</b>	<b>5%</b>	<b>3</b>	<b>1%</b>	<b>265</b>	<b>79%</b>	<b>16</b>

Stage 3

Adult's Health and Wellbeing	3	1	0	0%	1	100 %	0	0%	0	0%	0	0%	0	0%	30
Chief Executive's	14	9	2	22 %	2	22 %	4 %	44 %	0	0%	1	11%	5	56%	14
Children's Services	0	3	0	0%	1	33%	2 %	67 %	0	0%	0	0%	3	100 %	15
Development & Renewal	9	4	1	25 %	1	25%	2 %	50 %	0	0%	0	0%	3	75%	20

Housing	77	57	9	16 %	18	32%									28	49 %	1	2%	1	2%	42	74%	15
Communities Localities & Culture	17	14	3	21 %	3	21%									8	57 %	0	0%	0	0%	11	79%	18
<b>Total for Stage 3</b>	<b>120</b>	<b>88</b>	<b>15</b>	<b>17 %</b>	<b>26</b>	<b>30%</b>									<b>44</b>	<b>50 %</b>	<b>1</b>	<b>1%</b>	<b>2</b>	<b>2%</b>	<b>64</b>	<b>73%</b>	<b>16</b>

Provisional as of 7 May 2008

Table 2.3

- 2.2.1 Table 2.3 provides an overview of the complaints by directorate at each stage.
- 2.2.2 In order to provide a fuller analysis of complaints, Development and Renewal figures are divided into Housing and other complaints. This enables better comparison with previous years.
- 2.2.4 As stated earlier, most Social Care complaints come under their statutory procedure and are detailed in section 3. Similarly, Education complaints come under a separate procedure at Stages 1 and 2. The final stage comes under the Corporate Complaints Procedure, at stage 3.
- 2.2.5 The charts that follow provide a breakdown of the corporate complaints in each directorate by service area.

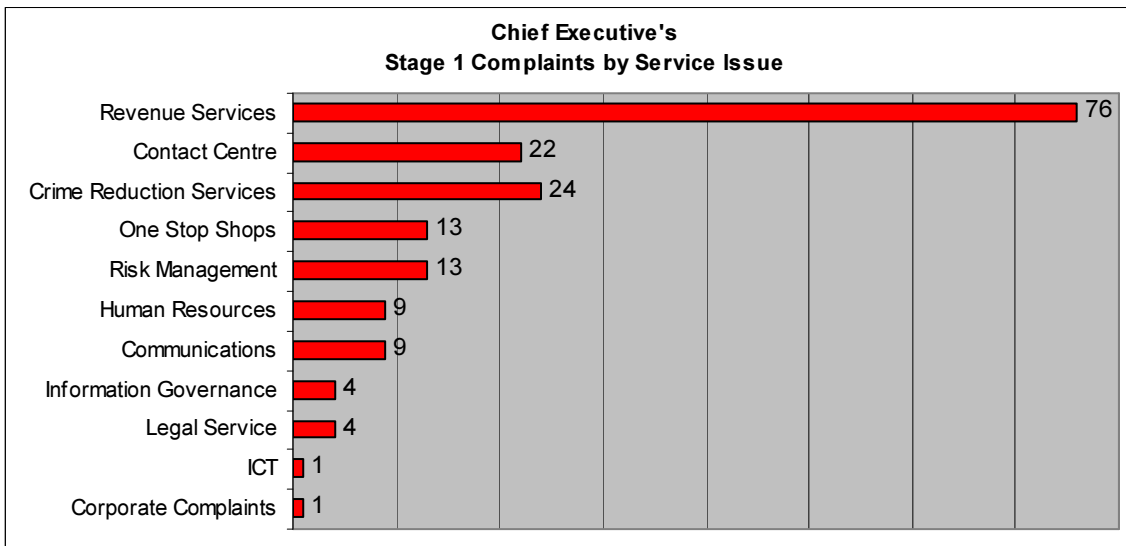


Chart 2.2

- 2.2.6 Although the volume of complaints regarding Revenue Service (chart 2.2) is higher than others in Chief Executives, when considered against the volume of transactions across all households, this volume is not unduly high.



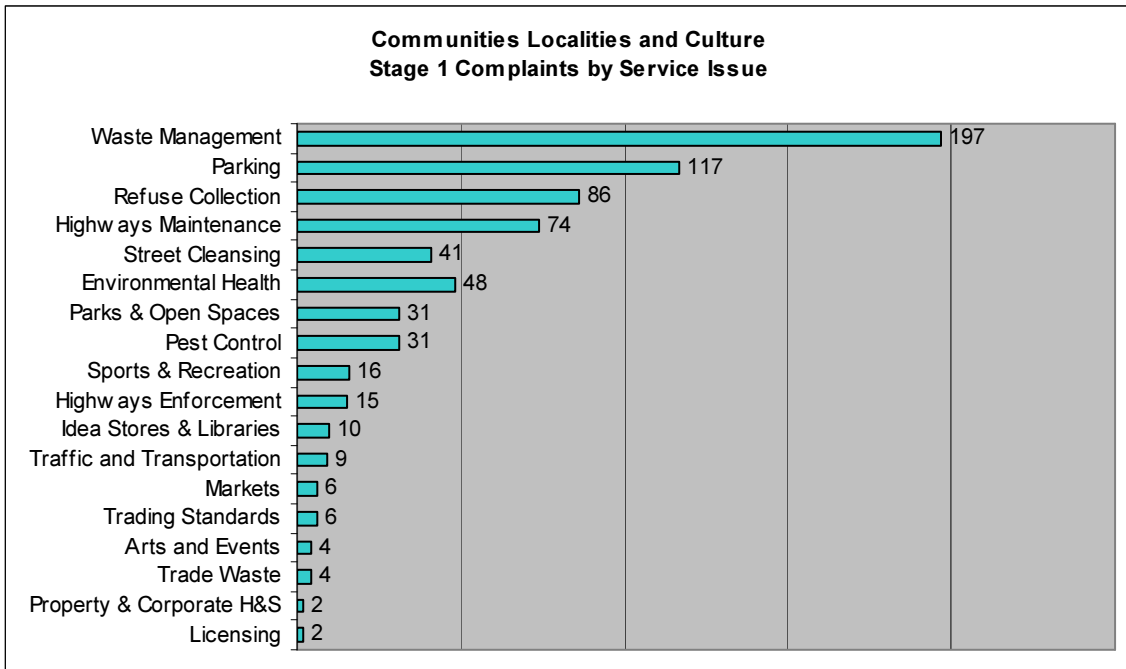


Chart 2.3

2.2.7 Complaints in Communities Localities and Culture (chart 2.3) are spread across a range of services. The volume of complaints regarding refuse collection and recycling (waste management) rose following the change of contactor in January 2007 and still remain a significant number for the directorate.

2.2.8 As stated earlier, Housing complaints are analysed separately to other Development and Renewal Complaints. The split of complaints regarding Planning applications and Building Control can be seen in chart 2.4.

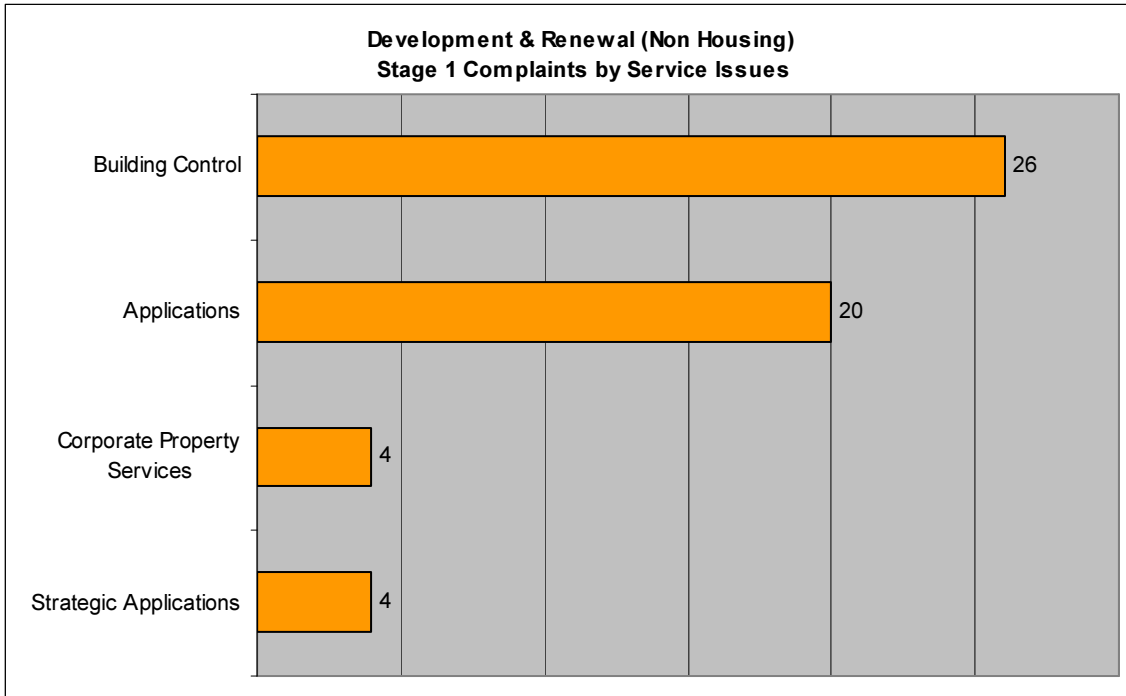


Chart 2.4

2.2.9 Housing related complaints fall into a number of areas, with repair issues comprising the highest volume (chart 6). These issues are reviewed under contract monitoring.

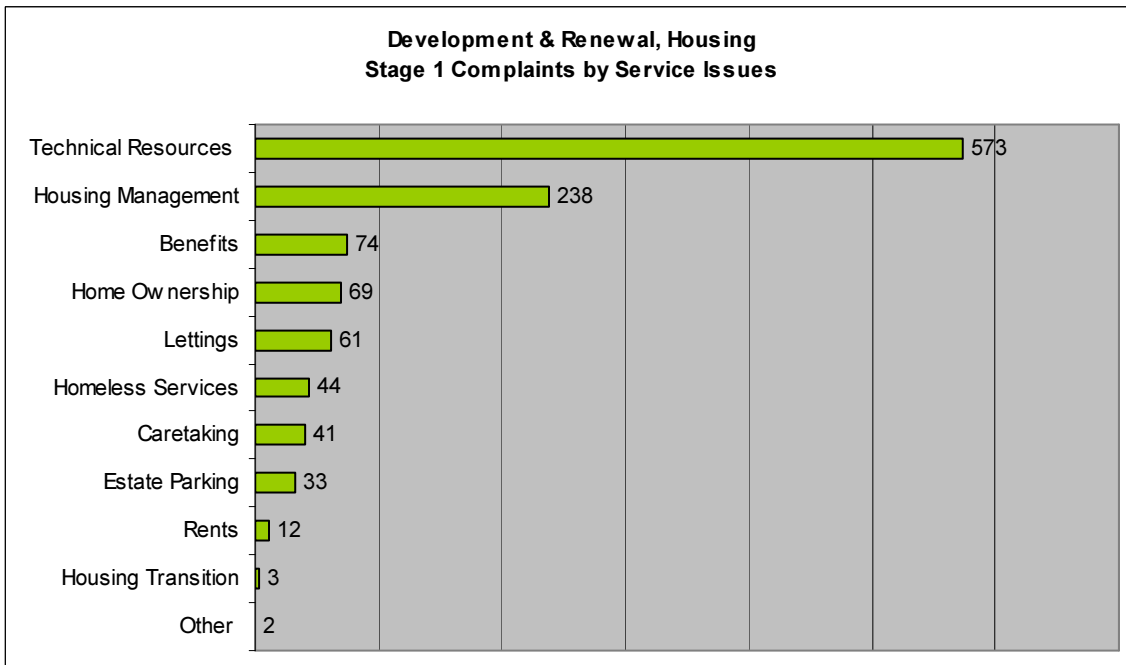


Chart 2.5

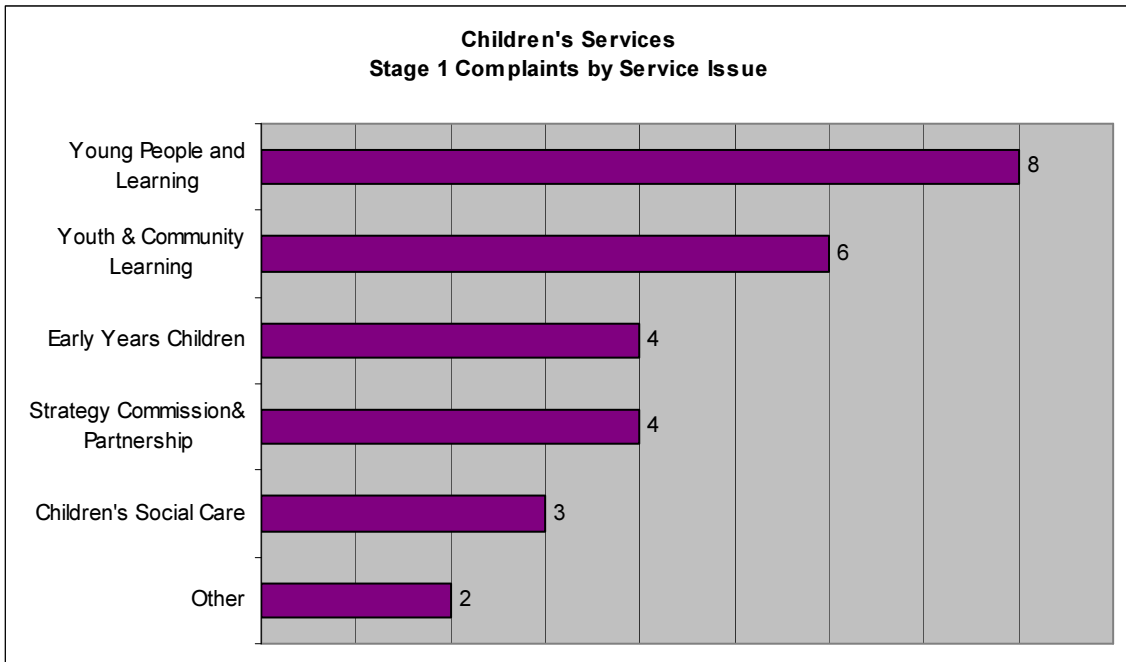


Chart 2.6

2.2.10 Corporate Complaints against both Adults Health and Wellbeing and Children's Services (charts 7 & 8) are few in number and relate to non-statutory processes.

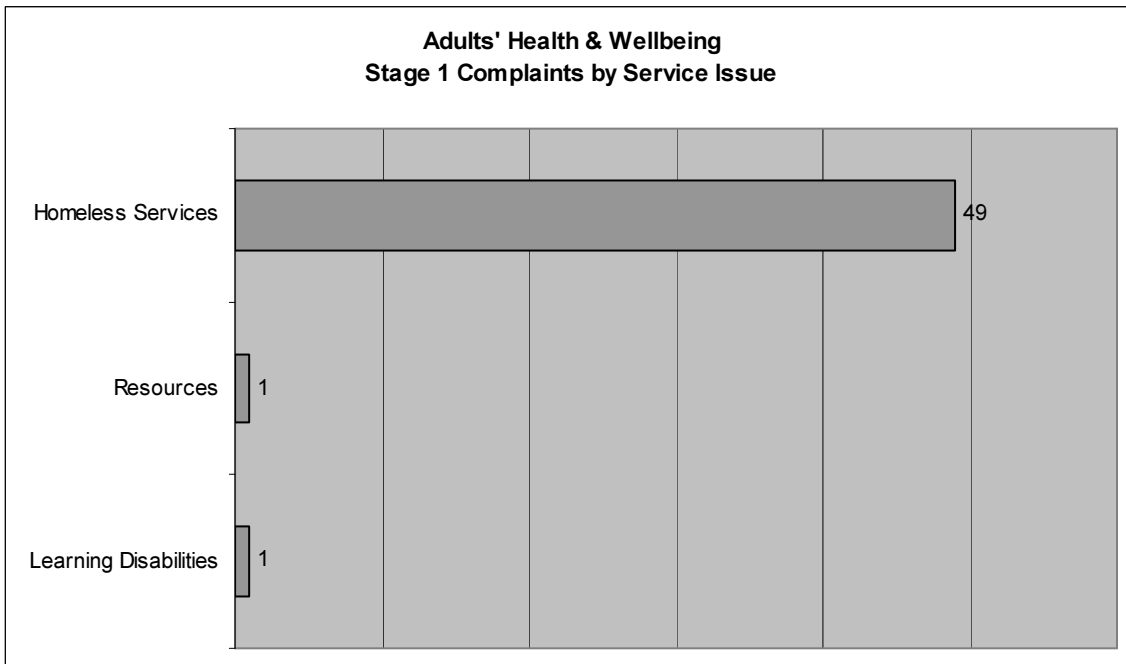


Chart 2.7

2.2.11 Tables 2.4 and 2.5 below compare the complaint volumes stage 2 and 3 for 2007/08 with the previous year for each directorate.

<b>COMPARISON OF STAGE 2 COMPLAINTS BY DIRECTORATE FOR LAST YEAR</b>			
<b>Directorate</b>	<b>2006/ 2007</b>	<b>2007/ 2008</b>	<b>Variance</b>
Chief Executive's	20 6.1%	20 6.0%	0 0.0%
Development & Renewal, Non Housing	12 3.6%	14 4.2%	2 16.7%
Development & Renewal, Housing	232 70.3%	192 57.3%	-40 -17.2%
Children's Services	3 0.9%	11 3.3%	8 266.7%
Communities Localities & Culture	61 18.5%	82 24.5%	21 34.4%
Adults Health and Wellbeing	2 0.6%	16 4.8%	14 700.0%
<b>Total</b>	<b>330</b>	<b>335</b>	<b>5</b>

Table 2.4

<b>COMPARISON OF STAGE 3 COMPLAINTS BY DIRECTORATE FOR LAST YEAR</b>			
<b>Directorate</b>	<b>2006/ 2007</b>	<b>2007/ 2008</b>	<b>Variance</b>
Chief Executive's	18 15.5%	9 10.2%	-9 -50.0%
Development & Renewal, Non Housing	10 8.6%	4 4.5%	-6 -60.0%
Development & Renewal, Housing	73 62.9%	57 64.8%	-16 -21.9%
Children's Services	1 0.9%	3 3.4%	2 200.0%
Communities Localities & Culture	14 12.1%	14 15.9%	0 0.0%
Adults Health and Wellbeing	0 0.0%	1 1.1%	1
<b>Total</b>	<b>116</b>	<b>88</b>	<b>-28</b>

Table 2.5

## 2.3 STAGE 3 COMPLAINTS

COMPARISON OF STAGE 3 COMPLAINTS								
	Total	Upheld	Partially Upheld	Not Upheld	Withdrawn or Closed	In Progress	Completed in Time	Average Days to Complete
2006 / 2007	116	28	23	61	4	0	87	19
		24.1%	19.8%	52.6%	3.4%	0.0%	75.0%	
2007/2008	88	15	26	44	1	2	64	16
		17%	29%	50%	1%	2%	73%	
Variance	28	13	-3	17	3	-2		3
	24.1%							15.8%

Table 2.6

2.3.1 The average days to complete stage 3 investigations fell to 19 days, continuing the improvement from last year, falling within the corporate target of 20 days (table 2.6). However there is a small decrease in the proportion completed, at 73%. A target of 80% is set again for 2008/09, and case management is closely monitored.

2.3.2 Although the escalation rate of complaints is consistently decreasing year on year, further efforts must be made to ensure that complaints are resolved at an early stage.

2.3.3 In 2006/07 payments were made in 20 cases, totalling £4,260, an average payment of £213. In two cases accounts were adjusted and in a further case a recharge was removed.

2.3.4 In 2007/08 payments were made in 9 cases, totalling £1,374.74, averaging £144.

2.3.5 A summary of complaints upheld at stage 3 contained in Appendix 1 and information on lessons learned/ to be learnt from these and upheld ombudsman complaints for the year is contained in Appendix 2.

## 2.4 Monitoring

2.4.1 Service improvements have been made to help track complaints at all levels.

2.4.2 Weekly list of complaints due and outstanding are distributed to the Corporate Management Team, and monthly directorate performance figures are also used to monitor response times.

2.4.3 The Corporate Management Team and Directorate Management Teams review reports on complaints each quarter in order to focus on areas of concern. There are also regular meetings of Directorate Complaints officers lead by the Corporate Complaints Manager

## 2.5 COMPLAINTS SERVICE USER PROFILES

2.5.1 The service continues to provide bi-lingual access

2.5.2 The service can be accessed by phone, minicom, fax, post, email, web-form and in person, and a breakdown of access points is provided in table 2.7 below.

BREAKDOWN OF HOW COMPLAINTS RECEIVED								
How Received	2006 / 2007				2007 / 2008			
	Stage 1	Stage 2	Stage 3	Total	Stage 1	Stage 2	Stage 3	Total
Email	356 19.3%	72 21.8%	32 27.6%	<b>460</b> 20.1%	567 26.5%	83 24.8%	25 28.4%	<b>675</b> 26.3%
Web Form	359 19.5%	22 6.7%	2 1.7%	<b>383</b> 16.7%	318 14.9%	14 4.2%	0 0.0%	<b>332</b> 12.9%
Complaint Form or Letter	553 30.0%	151 45.8%	73 62.9%	<b>777</b> 34.0%	480 22.4%	149 44.5%	58 65.9%	<b>687</b> 26.8%
Fax	19 1.0%	3 0.9%	4 3.4%	<b>26</b> 1.1%	14 0.7%	6 1.8%	0 0.0%	<b>20</b> 0.8%
Telephone	533 29.0%	82 24.8%	5 4.3%	<b>620</b> 27.1%	746 34.8%	80 23.9%	4 4.5%	<b>830</b> 32.4%
In Person	21 1.1%	0 0.0%	0 0.0%	<b>21</b> 0.9%	16 0.7%	3 0.9%	1 1.1%	<b>20</b> 0.8%
<b>Total</b>	1841	330	116	<b>2287</b>	2141	335	88	<b>2564</b>

Table 2.7

2.5.3 Web form and email are increasing in popularity and now count for 41.5% stage 1 complaints, from 37% in 2006/07 and 22.3% in 2005/06. It should also be noted that the use of the phone (34.8%) and post (22%) are still significant access routes.

## 2.5.4 EQUAL ACCESS TO THE SERVICE

BREAKDOWN OF COMPLAINTS BY ETHNICITY							
Ethnicity	2006 / 2007			Borough Population Projection	2007 / 2008		
	Stage 1	Stage 2	Stage 3		Stage 1	Stage 2	Stage 3
<b>Asian Total</b>	<b>280</b>	<b>56</b>	<b>20</b>		<b>245</b>	<b>37</b>	<b>8</b>
% (where ethnicity known)	<b>29.3%</b>	<b>31.3%</b>	<b>25.6%</b>	<b>36.6%</b>	<b>34%</b>	<b>28%</b>	<b>22%</b>
Bangladeshi	253	52	18		226	36	6
Chinese	8	0	0		3	1	1
Indian	11	3	2		6	0	0
Pakistani	1	1	0		1	0	0
Vietnamese	2	0	0		0	0	0
Asian Other	5	0	0		2	0	0
<b>Black Total</b>	<b>66</b>	<b>10</b>	<b>10</b>		<b>41</b>	<b>8</b>	<b>2</b>
	<b>6.9%</b>	<b>5.6%</b>	<b>12.8%</b>	<b>6.0%</b>	<b>5.5%</b>	<b>6%</b>	<b>5%</b>
African	18	1	2		10	3	1
Caribbean	24	6	6		23	4	1
English	0	0	0		1	0	0
Somali	11	2	0		1	0	0
Black Other	13	1	2		1	1	0
<b>Mixed Heritage</b>	<b>29</b>	<b>4</b>	<b>3</b>		<b>16</b>	<b>5</b>	<b>0</b>
	<b>3.0%</b>	<b>2.2%</b>	<b>3.8%</b>		<b>2%</b>	<b>3.7%</b>	<b>0%</b>
<b>Other ethnic background</b>	<b>2</b>	<b>2</b>	<b>0</b>		<b>3</b>	<b>0</b>	<b>0</b>
	<b>0.2%</b>	<b>1.1%</b>	<b>0.0%</b>		<b>0.003%</b>	<b>0.0%</b>	<b>0.0%</b>
<b>White</b>	<b>578</b>	<b>107</b>	<b>45</b>		<b>459</b>	<b>82</b>	<b>27</b>
	<b>60.5%</b>	<b>59.8%</b>	<b>57.7%</b>	<b>51.0%</b>	<b>60%</b>	<b>62%</b>	<b>73%</b>
English	465	90	35		358	9	14
Irish	19	5	1		13	2	0
Jewish	4	0	0		0	0	0
Scottish	14	3	1		5	0	0
Welsh	2	0	0		13	4	3
White Other	74	9	8		70	17	10
Sub total (where ethnicity known)	<b>955</b>	<b>179</b>	<b>78</b>		<b>764</b>	<b>132</b>	<b>37</b>
<b>Not Known</b>	<b>783</b>	<b>137</b>	<b>33</b>		<b>1323</b>	<b>196</b>	<b>51</b>
<b>Declined</b>	<b>103</b>	<b>14</b>	<b>5</b>		<b>54</b>	<b>7</b>	<b>0</b>
<b>Total</b>	<b>1841</b>	<b>330</b>	<b>116</b>		<b>2141</b>	<b>335</b>	<b>88</b>

Table 2.8

2.5.5 The team continue to make every effort to collate equalities information from service users (table 2.8). There is a slightly higher representation from white service users accessing the complaints service.

2.5.6 Table 2.9 below shows the volume of complaints by ward and LAP for stage 1.

BREAKDOWN OF STAGE 1 COMPLAINTS BY LAP AREA FOR THE YEAR 2007 / 2008												
LAP Area	Ward	Total 2006 / 2007	Change		Total 2007 / 2008	Upheld	Partially Upheld	Escalated to Next Stage	Not Upheld	Withdrawn or Closed	Closed in Time	Average Days to Close
1	Bethnal Green North	91	22	24%	113	53	8	1	49	2	54	15
1	Mile End & Globetown	121	58	48%	179	80	9	0	86	4	95	14
1	Weavers	121	65	54%	186	96	16	2	70	2	105	13
<b>Total For LAP Area 1</b>		<b>333</b>	<b>145</b>	<b>44%</b>	<b>478</b>	<b>229</b>	<b>33</b>	<b>3</b>	<b>205</b>	<b>8</b>	<b>254</b>	<b>14</b>
2	Bethnal Green South	108	21	19%	129	53	10	3	59	4	79	12
2	Spitalfields & Banglatown	72	14	19%	86	27	21	1	35	2	53	14
<b>Total for LAP Area 2</b>		<b>180</b>	<b>35</b>	<b>19%</b>	<b>215</b>	<b>80</b>	<b>31</b>	<b>4</b>	<b>94</b>	<b>6</b>	<b>132</b>	<b>12</b>
3	St Dunstan's & Stepney Green	124	38	31%	162	76	14	3	66	3	91	14
3	Whitechapel	133	26	20%	159	58	16	2	80	3	96	12
<b>Total for LAP Area 3</b>		<b>257</b>	<b>64</b>	<b>25%</b>	<b>321</b>	<b>134</b>	<b>30</b>	<b>5</b>	<b>146</b>	<b>6</b>	<b>187</b>	<b>12</b>
4	Shadwell	82	25	30%	107	49	6	2	49	1	54	14
4	St Katharine's & Wapping	79	13	16%	92	40	10	0	40	2	58	12
<b>Total for LAP Area 4</b>		<b>161</b>	<b>38</b>	<b>24%</b>	<b>199</b>	<b>89</b>	<b>16</b>	<b>2</b>	<b>89</b>	<b>3</b>	<b>112</b>	<b>13</b>
5	Bow East	126	-19	-15%	107	47	11	1	46	2	58	14
5	Bow West	118	13	11%	131	58	12	1	58	2	63	15
<b>Total for LAP Area 5</b>		<b>244</b>	<b>-6</b>	<b>-2%</b>	<b>238</b>	<b>105</b>	<b>23</b>	<b>2</b>	<b>104</b>	<b>4</b>	<b>121</b>	<b>15</b>
6	Bromley-By-Bow	80	-15	-19%	65	35	7	2	19	2	38	16
6	Mile End East	50	-16	-32%	34	14	9	4	7	0	17	17
<b>Total for LAP Area 6</b>		<b>130</b>	<b>-31</b>	<b>-24%</b>	<b>99</b>	<b>49</b>	<b>16</b>	<b>6</b>	<b>26</b>	<b>2</b>	<b>55</b>	<b>16</b>
7	East India & Lansbury	92	-3	-3%	89	31	11	2	43	2	54	13
7	Limehouse	122	20	16%	142	66	2	3	69	2	98	11
<b>Total for LAP Area 7</b>		<b>214</b>	<b>17</b>	<b>8%</b>	<b>231</b>	<b>97</b>	<b>13</b>	<b>5</b>	<b>112</b>	<b>4</b>	<b>152</b>	<b>12</b>
8	Blackwall & Cubitt Town	93	-18	-19%	75	36	11	0	28	0	40	13
8	Millwall	65	4	6%	69	27	9	1	31	1	38	13
<b>Total for LAP Area 8</b>		<b>158</b>	<b>-14</b>	<b>-9%</b>	<b>144</b>	<b>63</b>	<b>20</b>	<b>1</b>	<b>59</b>	<b>1</b>	<b>78</b>	<b>13</b>
<b>Out of Borough</b>		<b>164</b>	<b>52</b>	<b>32%</b>	<b>216</b>	<b>59</b>	<b>34</b>	<b>14</b>	<b>98</b>	<b>11</b>	<b>135</b>	<b>10</b>
<b>Total for Stage 1</b>		<b>1841</b>	<b>300</b>	<b>16%</b>	<b>2141</b>	<b>905</b>	<b>216</b>	<b>42</b>	<b>933</b>	<b>45</b>	<b>1226</b>	<b>13</b>

Table 2.9



### **3 THE ADULTS AND CHILDREN'S SOCIAL CARE PROCEDURES**

3.1 The Adults and Children's Complaints Procedure follow a similar framework, each having three stages.

#### **Stage 1 Complaints – Initial**

Team Managers are required to provide a written response to complaints within 10 working days. There is a possible extension to 20 working days to allow for a local resolution and where complaints are complex.

#### **Stage 2 Complaints – Formal**

If complainants are not satisfied with the Stage 1 response they have a right to go to Stage 2 investigation. Complaints are generally investigated internally by Complaints Officers, however in exceptional circumstances external investigators are used. Investigations should be completed within 25 working days. However this can be extended to 65 working days in negotiation with the complainant due to the complexity of complaints.

An Independent Person is appointed to oversee formal complaints at Stage 2 relating to children and young people. This is a legislative requirement under the Children Act (1989) and ensures that there is an impartial element.

Following thorough investigation of complaints, the investigator produces a report making recommendations, including any changes in service delivery, departmental policy and procedure etc. to the relevant Head of Service. An internal adjudication meeting is held and following this a copy of the report is sent to the service user and relevant managers within the Directorate.

#### **Stage 3 Complaints – Independent Review Panel.**

The complainant has a right to request an appeal to an Independent Review Panel if they don't agree with the findings of the Stage 2 investigation. This is chaired by an Independent Person and at least two other people who are independent of the Council.

The Panel will review the case and where appropriate make recommendations to the Director of Adult Health and Wellbeing or the Director of Children's Social Care.

### **3.2 General Trends in Complaints.**

It is important to note that during 2007/08 there was a total of 4753 service users in Adult Health & Wellbeing and 3303 service users in Children's Social Care. Only 2.2% of service users made a complaint. In this context the Directorates receive only a small number of complaints.

### 3.3 Complaints registered

#### 3.3.1 Adults Social Care

ADULT SOCIAL CARE COMPLAINTS			
Stage	2006 / 2007	2007 / 2008	Percentage Variance
Stage 1	64	103	60.93%
Stage 2	8	18	125.00%
Stage 3	3	2	-33.33%
<b>Total Complaints</b>	<b>75</b>	<b>123</b>	<b>64.00%</b>

Table 3.1

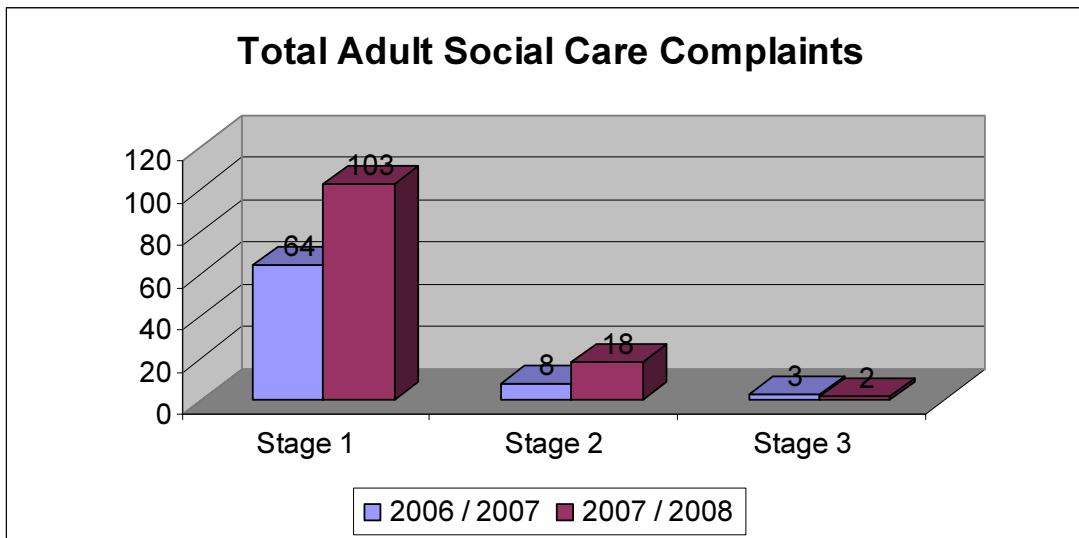


Chart 3.1

3.3.1.1 Table 3.1 above shows that the number of Stage 1 complaints increased by 61% in 2007/08 and the number of Stage 2 complaints increased by 125%.

3.3.1.2 The reasons for an increase in complaints in some service areas are explained in section 3.5.

3.3.1.3 The number of complainants going to Stage 3 of the complaints procedure remains a small proportion. This suggests better resolution at earlier stages.

### 3.3.2 Children's Social Care

CHILDREN'S SOCIAL CARE COMPLAINTS			
Stage	2006 / 2007	2007 / 2008	Percentage Variance
Stage 1	44	45	2.27%
Stage 2	11	9	-18.18%
Stage 3	0	0	Nil
<b>Total Complaints</b>	<b>55</b>	<b>54</b>	<b>-1.81%</b>

Table 3.2

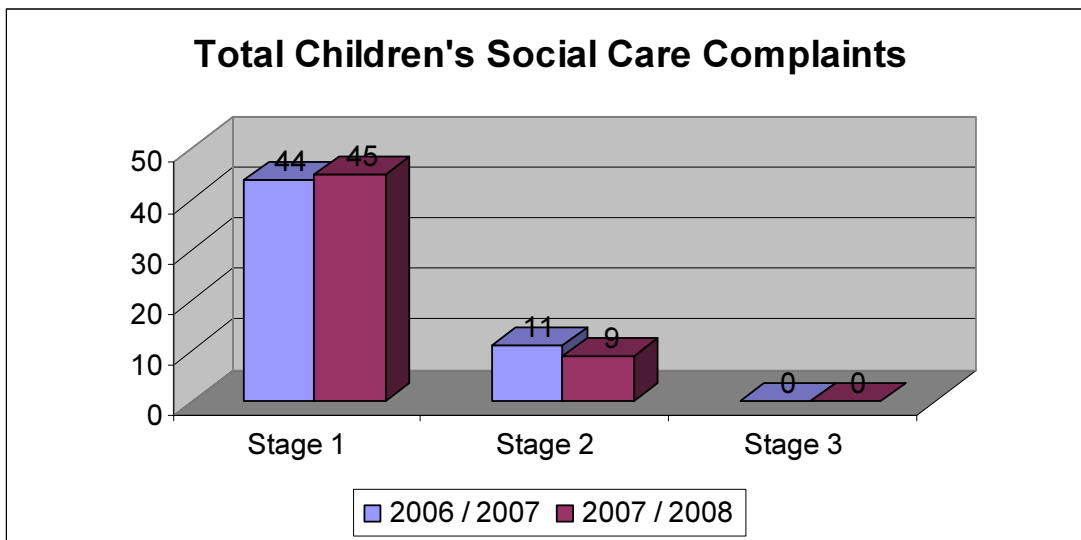


Chart 3.2

3.3.2.1 There has been a small increase in Stage 1 complaints this year (2%), as shown in table 3.2. However the number of Stage 2 complaints decreased by 18%. The lower rate of Stage 2 complaints suggests that there is more effective resolution of complaints at Stage 1 of the process. However the number remains very low.

3.3.2.2 There were no review panels in Children's Social Care this year which suggests that complainants were satisfied with the way their complaints were investigated at Stage 2.

### 3.4 Complaint Response Times, Complaints Concluded in 2007/08

<b>STAGE 1 COMPLAINTS – RESPONSE TIMES FOR ADULT COMPLAINTS</b>				
	<b>Answered within 10 working days</b>	<b>Answered within 20 working days</b>	<b>Answered outside timescale</b>	<b>Average response time (days)</b>
<b>108</b>	77	11	20	12
2006/2007*	71.3%	(Cumulative) 81.5%	18.5%	
<b>102</b>	66	32	4	9.1
2007/2008	64.7%	(Cumulative) 96.1%	3.9%	

\*2006/07 figures combined Adults' & Children's Social Care complaints

**Table 3.3**

- 3.4.1 It is not possible to readily compare performance from last year because Adult and Children's Social Care were combined.
- 3.4.2 A target was set for 2007/08 to increase the proportion of Stage 1 responses answered within 10 working days to 80%. However the timescales can be increased to 20 working days with the agreement of the complainant. This is to allow for local resolution.
- 3.4.3 Table 3.3 above shows that 66 complaints (65%) within Adult Health & Wellbeing were answered within the 10 day time scales and only 4 complaints (4%) were answered outside the extended time scales.
- 3.4.4 Whilst the majority of complaints were answered within timescales there is a need to improve performance in responding to complaints within the 10 day time limit.
- 3.4.5 It is positive that 32 complaints (96.1%) were answered within the 20 working day time scales. The fact that Team Managers are taking longer to respond to complaints may also be a positive indication that attempts are being made at local resolution.

<b>STAGE 1 COMPLAINTS – RESPONSE TIMES FOR CHILDREN'S SOCIAL CARE COMPLAINTS</b>				
<b>TOTAL</b>	<b>Answered within 10 working days</b>	<b>Answered within 20 working days</b>	<b>Answered outside timescale</b>	<b>Average response time (days)</b>
<b>108</b>	77	11	20	12
2006/2007*	71.3%	(Cumulative) 81.5%	18.5%	
<b>42</b>	17	17	8	16.3
2007/2008	40.5%	(Cumulative) 81%	19%	

\*2006/07 figures combined Adults' & Children's social care complaints

**Table 3.4**

- 3.4.6 There is an expectation that Team Managers will endeavour to answer complaints within the 10 working day time scales.

3.4.7 The above table (3.4) shows that only 17 (40.5%) of the complaints in Children's Social Care were answered within the 10 working day time scales. It also shows that 8 complaints (19%) were answered outside of the timescales. There is a need to improve performance in answering Stage 1 complaints within Children's Social Care.

3.4.8 However, it is positive that 81% of complaints were answered within the 20 working days timescales. It should also be noted that complaints in Children's Social Care are often complex and may require the Team Manager meeting with the young person, appointing an advocate etc in order to resolve complaints.

3.4.9 The Complaints Team has a role in monitoring complaints and ensuring that they are responded to in a timely manner and send early reminders for over-due complaints and a weekly list of overdue complaints to Heads of Service and Directors.

3.4.10. **Stage 2 Complaints Response Times**

<b>STAGE 2 COMPLAINTS – RESPONSE TIMES FOR ADULTS' AND CHILDREN'S SOCIAL CARE COMPLAINTS</b>				
<b>TOTAL</b>	<b>Answered within timescale</b>	<b>Answered within 65 days</b>	<b>Answered outside timescale</b>	<b>Average response time (days)</b>
19 2006/2007	1 5.3%	12 (Cumulative) 68.4%	6 31.6%	55
21 2007/2008	6 28.6%	12 (Cumulative) 85.7%	3 14.3%	44.6

**Table 3.5**

3.4.10.1 The Complaints Team aims to respond to 15% of complaints with 25 working days and to 80% within 65 working days.

3.4.10.2 Table 3.5 shows that 6 complaints (29%) were answered within the 10 day statutory time scales for the year 2007/08 and 12 complaints (86%) were answered within the 65 day time scale. 3 complaints were answered outside the time scales.

3.4.10.3 Social care complaints are often complex and involve interviewing staff and service users. However, there is a significant improvement in performance for the year 2007/08 and the Complaints Team have met their targets for responding to complaints within the 10 day time scales. Performance has improved in relation to the 65 working day time scales. Also average response times have improved. However, the Complaints Team continue to strive to improve performance.

### 3.5 Adults Social Care Reason For Complaint And Service Area

<b>ADULT SOCIAL CARE COMPLAINTS (Stages 1 and 2)</b>		
<b>REASON FOR COMPLAINT</b>	<b>2006 / 2007</b>	<b>2007 / 2008</b>
Appropriateness of service	2 2.8%	1 0.8%
Attitude of staff	5 6.9%	3 2.5%
Breach of confidentiality	1 1.4%	0 0%
Challenge assessment decisions	40 55.6%	94 77.7%
Change in service provider	0 0%	0 0%
Competence of service	6 8.3%	12 9.9%
Delays in service provision	6 8.3%	3 2.5%
Discriminatory practice	0 0%	0 0%
Failure to provide a service	8 11.1%	6 5%
Lack for information	3 4.2%	1 0.8%
Other reason	1 1.4%	1 0.8%
<b>Total</b>	<b>72</b>	<b>121</b>

Table 3.6

3.5.1 There were 94 complaints in 2007/08 challenging assessment decisions, (see table 3.6). The high percentage (78%) of complaints in this area is likely to be due to an increased focus within Adults Health & Wellbeing on the consistent application of the Council's eligibility criteria for community care services and the implementation of the policy decision taken in the budget setting for 2007/08 in relation to Older People's Services.

### 3.5.2 Comparison of Adult Health & Wellbeing Complaints by Section

COMPARISON OF ADULT SOCIAL CARE COMPLAINTS BY SECTION						
	Stage 1			Stage 2		
SECTION	2006 / 2007	2007 / 2008	Variance	2006 / 2007	2007 / 2008	Variance
Disabilities	24	24	0	5	3	-2
	37.5%	23.3%	Nil	62.5%	16.6%	-40%
Elders	23	66	+43	1	11	+10
	35.9%	64.1%	187%	12.5%	61.1%	1000%
Learning Disabilities	0	4	+4	0	2	+2
	0%	3.9%	N/A	0%	11.1%	N/A
Homeless Service	0	1	+1	0	0	0
	0%	1%	N/A	0%	0%	Nil
Mental Health	1	0	-1	0	1	+1
	1.6%	0%	-100%	0%	5.6%	N/A
OT Services	10	5	-5	2	1	-1
	15.6%	4.8%	-50%	25%	5.6%	-50%
Resources	6	3	-3	0	0	0
	9.4%	2.9%	-50%	0%	0%	Nil
<b>Total</b>	<b>64</b>	<b>103</b>	<b>60.9%</b>	<b>8</b>	<b>18</b>	<b>125%</b>

Table 3.7

3.5.2.1 It is evident from table 3.7 that the Elders Teams received the highest number of complaints at Stage 1 and Stage 2 this year. This is consistent with the fact that they are the largest single service within Adult Health & Wellbeing.

3.5.2.2 However there was a very large increase in complaints for this service both at Stage 1 and at Stage 2 for the year 2007/08. The decision that a need for a small amount of domestic home care assistance would not normally be taken as an indicator of substantial or critical risk under the Council's Fair Access to Care Services Eligibility Criteria is likely to have impacted on this number. 625 such cases were reviewed during 2007/8, and of these 486 people had their services withdrawn while a further 47 had services reduced.

3.5.2.3 Information was sent to service users in a letter prior to the review and information about the complaints procedure was also given to service users during contact. The fact that there is an increase in complaints in this area is a positive indication that service users and carers were given clear information about their right to complain if they were dissatisfied with the outcome of the review.

### 3.6 Children's Social Care - Reason For Complaint And Service Area

CHILDREN'S SOCIAL CARE COMPLAINTS BY SECTION						
SECTION	Stage 1			Stage 2		
	2006 / 2007	2007 / 2008	Variance	2006 / 2007	2007 / 2008	Variance
Child Protection & Reviewing	3 6.80%	1 2.20%	-66.6%	0 0%	0 0%	N/A
Children Looked After	2 4.50%	7 15.60%	250%	0 0%	0 0%	N/A
Children's Resources	2 4.50%	4 8.90%	100%	0 0%	3 33.30%	Nil
Fieldwork Services	24 54.60%	29 64.40%	20.8%	5 45.50%	6 66.70%	20%
Integrated Services	13 29.60%	4 8.90%	-69.2%	6 54.50%	0 0%	-100%
<b>Total</b>	<b>44</b>	<b>45</b>	<b>2.3%</b>	<b>11</b>	<b>9</b>	<b>-18.2%</b>

Table 3.8

3.6.1 Fieldwork services have received the highest number of complaints at Stage 1 and Stage 2 as is expected (see table 3.8). This is due to the potentially contentious nature of the service and the large number of service users.

3.6.2 There has been an increase in complaints at Stage 1 for Children Looked After Teams. However no complaints were escalated to Stage 2. This is an indication that there is resolution at earlier stages.



<b>COMPARISON OF CHILDREN'S SOCIAL CARE COMPLAINTS BY REASON FOR COMPLAINT (Stage 1 and 2)</b>		
<b>REASON FOR COMPLAINT</b>	<b>2006 / 2007</b>	<b>2007 / 2008</b>
Appropriateness of service	1 1.8%	1 1.9%
Attitude of staff	7 12.7%	12 22.2%
Breach of confidentiality	0 0%	1 1.9%
Challenge Assessment decision	23 41.8%	17 31.5%
Competence of service	10 18.2%	10 18.4%
Delays in service provision	4 7.3%	4 7.4%
Discriminatory practice	2 3.6%	0 0%
Failure to provide a service	3 5.5%	5 9.3%
Lack of information	4 7.3%	4 7.4%
Other reason	1 1.8%	0 0%
<b>Total</b>	<b>55</b>	<b>54</b>

Table 3.9

3.6.3 Table 3.9 indicates that the highest number of complaints in Children's Social Care remains "challenging assessments decisions".

### 3.7 Breakdown of Complaints by Ethnicity.

<b>COMPLAINTS BY ETHNICITY IN PROPORTION TO NUMBER OF SERVICE USERS (ADULTS' &amp; CHILDREN'S SOCIAL CARE)</b>					
	No. of service users in 2007-08	No. of complaints received	Percentage of service users by ethnicity	Percentage of complaints by ethnic group	Variance
Asian	2231	40	27.7%	22.9%	<b>-4.8%</b>
Black	780	20	9.7%	11.4%	<b>1.7%</b>
White	3917	103	48.6%	58.9%	<b>10.3%</b>
Mixed Race	290	2	3.6%	1.1%	<b>-2.5%</b>
Other	190	0	2.4%	0.0%	<b>-2.4%</b>
Not Stated	648	10	8.0%	5.7%	<b>-2.3%</b>
<b>Totals</b>	<b>8,056</b>	<b>175</b>	<b>100%</b>	<b>100%</b>	

Table 3.10

3.7.1 Table 3.10 shows the number of service users by ethnicity and the volumes of complaints for each group. There is a higher proportion of complaints per head of the service user population for white clients and to a lesser degree black service users.

3.7.2 Work on analysing this further will indicate if this is due to the types of services accesses or differential treatment.

### 3.8 How Complaints Were Made.

<b>CONTACT CHANNEL (ADULTS' &amp; CHILDREN'S SOCIAL CARE COMPLAINTS)</b>			
Contact Channel	Number of Complainants (2007/2008)	Percentage of Total Contact (2006/2007)	Percentage of Total Contact (2007/2008)
Phone	98	52.7%	56%
Post	63	40.2%	36%
In Person	1	3.9%	0.6%
Email	11	2.4%	6.3%
Fax	2	0.8%	1.1%
<b>Total Complaints</b>	<b>175</b>	<b>100%</b>	<b>100%</b>

Table 3.11

3.8.1 The above table (3.11) shows that the majority of complainants prefer to make complaints by telephone, and it is noticeable that the trend of email and web form usage noted for corporate complaints is not repeated for social care complaints.

### 3.9 Who Made the Complaint.

<b>WHO MADE THE COMPLAINT (ADULTS' &amp; CHILDREN'S SERVICES)</b>		
<b>Complainant</b>	<b>Number of Complaints</b>	<b>Percentage of Complaints</b>
Advocate - Advice Worker	3	1.7%
Advocate - Family Member	30	17.2%
Advocate - Solicitor	4	2.3%
Service User (Adult)	87	49.7%
Service User (Living out of Borough)	2	1.1%
Service User (Child)	13	7.4%
Service User (Carer)	2	1.1%
Other	1	0.6%
Parent / Carer of Child	33	18.9%
<b>Total Complaints</b>	<b>175</b>	<b>100%</b>

Table 3.12

3.9.1 The largest single source of complaints about Adults' Services is from service users direct. For Children's Social Care complaints it is the parent/carer of the child, (see table 3.12).

### 3.10 Breakdown of Complaints by LAP Area

<b>BREAKDOWN OF COMPLAINTS BY LAP AREA 2007 / 2008</b>		
<b>LAP Area</b>	<b>Ward</b>	<b>No. Complaints</b>
1	Bethnal Green North	5
	Mile End & Globetown	16
	Weavers	11
<b>Total For LAP Area 1</b>		<b>32</b>
2	Bethnal Green South	8
	Spitalfields & Banglatown	6
<b>Total for LAP Area 2</b>		<b>14</b>
3	St Dunstan's & Stepney Green	10
	Whitechapel	9
<b>Total for LAP Area 3</b>		<b>19</b>
4	Shadwell	3
	St Katharine's & Wapping	10
<b>Total for LAP Area 4</b>		<b>13</b>
5	Bow East	13
	Bow West	13
<b>Total for LAP Area 5</b>		<b>26</b>
6	Bromley-By-Bow	4
	Mile End East	7
<b>Total for LAP Area 6</b>		<b>11</b>
7	East India & Lansbury	15
	Limehouse	11
<b>Total for LAP Area 7</b>		<b>26</b>
8	Blackwall & Cubitt Town	9
	Millwall	7
<b>Total for LAP Area 8</b>		<b>16</b>
<b>Out of borough</b>		<b>18</b>
<b>TOTAL COMPLAINTS AT STAGES 1 AND 2</b>		<b>175</b>

Table 3.13

3.10.1 The above table (3.13) indicates the number of complaint by ward and LAP. As the numbers are relatively small it is difficult to identify any real trends.

## 4 LOCAL GOVERNMENT OMBUDSMAN (LGO) COMPLAINTS

4.1 The LGO statistics for 2006/07 show the number of complaints received by the LGO reduced for the third year (see table 4.1 below). Housing complaints remained the largest volume, but is significantly lower than 2005/06.

LGO Complaints Received by Subject Area											
	Adult Care	Benefits	Children and Family	Education	Housing	Other	Planning / Building Control	Public Finance	Social Services - other	Transport and Highways	Total
2005/06	14	10	0	0	68	25	14	7	1	10	149
2006/07	7	7	4	0	47	18	12	5	0	12	112
2007/08	2	7	4	4	51	13	6	2	0	16	105

Table 4.1

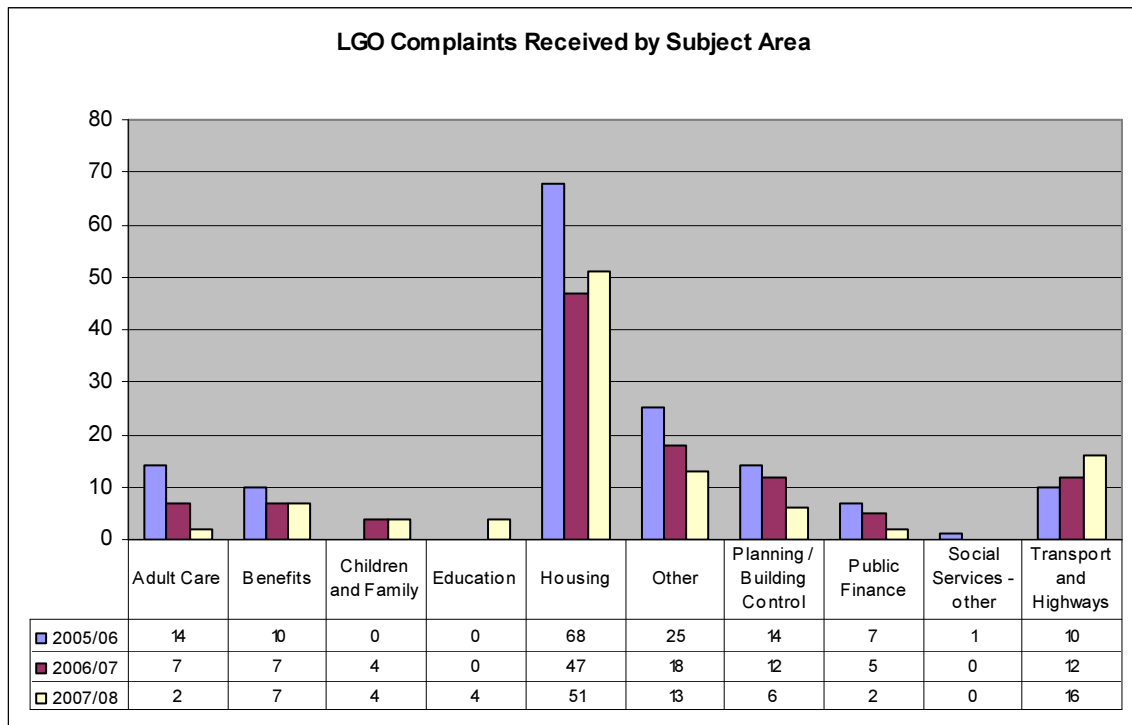


Chart 4.1

## 4.2 Complaints determined by the Ombudsman.

Determination	2005/06	2006/07	2007/08
Maladministration causing injustice	1	0	0
Local Settlement	31	24	16
No maladministration	46	24	37
Ombudsman's discretion	21	15	12
Out of jurisdiction	18	19	23
Premature complaints	50	29	33
Total excluding premature complaints	117	82	88
Total	167	111	121

Table 4.2

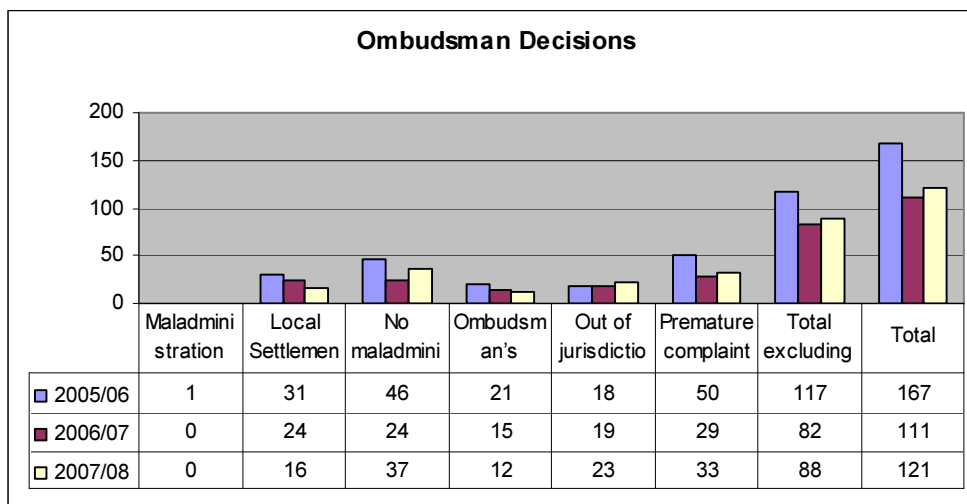


Chart 4.2

- 4.2.1 The Ombudsman determined (or closed) 88 complaints in 2007/08, see table 4.2 and chart 4.2 above.
- 4.2.2 Premature complaints are those directed to the LGO without prior reference to the Council's complaints procedure. In 27% of cases the ombudsman referred the matter to the Council to consider under the corporate or statutory social care complaints procedures.
- 4.2.3 The Council has sought the early resolution of complaints where there is either some indication of fault or where a gesture of goodwill may be appropriate to promote a positive relationship. These are recorded as Local Settlements and amount to 18% of the total (excluding premature complaints), a significant improvement on 29% last year.
- 4.2.4 In 23 cases the matter was considered to be outside the Ombudsman's jurisdiction or a matter they otherwise determined not to consider.
- 4.2.5 There were no findings of maladministration with injustice, for the second successive year.

### 4.3 Response times

4.3.1 The Ombudsman maintains statistics of the time taken for the first response from the initial enquiry, which are published nationally. Only 45% of London Boroughs achieve an average response time within their target of 28 days. The Council's performance has remained well within target at 17.6 days.

Response Times		
	No of First Enquiries	Average no of days to respond
2005/06	65	17.7
2006/07	48	18.6
2007/08	49	17.6

Table 4.3

4.3.2 The Ombudsman congratulated the Council on its response rate in the 2006/07 Annual Letter to the Council, and the prompt turn-around times have continued.

## 5 RISK ASSESSMENT

5.1 Areas of risk that the Council may face can be summarised as follows:

<b>Project / Issue</b>	<b>Pen Picture</b>	<b>Value £m's</b>	<b>Risks / Comments</b>
Complaints handling	The complaints procedure is explained in section 2 of this report. The volume of complaints is also contained in this report.	Difficult to quantify but includes officer time, cost of making good and compensation payments (the latter being the most easily measured). Reputation is also to be considered.	A complaint may lead to an Ombudsman ruling, judicial review or other legal remedy over justified complaints. The Council is also at risk from spurious or malicious complaints if these are not identified and handled appropriately.
<b>Probability</b>	<b>Impact</b>	<b>Recommended Mitigating Action</b>	<b>Risk Owner</b>
Low	Medium	The Complaints process should encourage the earliest possible resolution of complaints. Tracking first Stage complaints through the Siebel database will encourage and support officers to do this. The back up and co-ordinated working of Corporate Complaints, Insurance and Legal Services serve to support decision-making within Directorates on complaint issues. Policies on Complaint Handling, Compensation and Redress, and Dealing with Persistent Complainants are in place.	The relevant Corporate Director

## 6 IMPROVEMENT INITIATIVES

### 6.1 British Standards Institute

The Council achieved British Standards Institute Accreditation for Complaints Handling [CMS 86:2000] in March 2005. There is an annual reaccreditation and in March 2007, the Council achieved the revised higher ISO 10002 accreditation and was reaccredited to this in 2008. This standard recognises the complaint handling processes, publicity and customer care. Few Local Authorities have achieved this accreditation. The inspection covered all elements of central complaint recording and monitoring; staff induction, training and customer care skills; the Council's monitoring of the quality of complaint response and resolution; senior management involvement in and support for effective complaints management; directorate processes for recording and monitoring complaints; escalation monitoring and handling of



outstanding issues; customer information, publicity and access and learning from customer feedback.

## **6.2 Staff Training and Development.**

The Complaints Team has commission training from an external provider for general complaints handling and resolution, and specifically for Social Care complaints. This will continue throughout 2008/09. The training is aimed at Service Managers and Team Managers and covers all aspects of complaint handling. The training has received positive feedback.

The Complaints Team also continues to provide training workshops, advice and information sessions to teams. Direct feedback is also given to assist managers to improve the quality of their investigations and responses.

## **6.3 Monitoring Complaints.**

Weekly outstanding lists are circulated to Directors and the Chief Executive. Detailed monthly monitoring is also distributed. Quarterly reports on quality issues and service improvements arising from complaints are discussed at the Corporate Management Team and Directorate Management Teams. Twice each year, information is submitted to the Overview and Scrutiny Committee and the Standards Committee.

## **6.4 Publicity.**

The Complaints Team ensures that publicity is widely distributed to ensure effective access across the community. This includes linking with advocacy agencies and support groups to promote access. In addition the team measure knowledge within the local community of how to access the procedures to ensure the effectiveness of publicity.

The complaints procedures for Adults' and Children's Social Care place an increased emphasis on publicity in order to ensure that service users have a voice. The Complaints Team have a role in informing people of their right to complain and in empowering them to use the complaints procedure effectively.

In conjunction with Children's Services, the team designing a new leaflet for young people following consultation with young people led by the Children's Rights Officer.

In 2008/09 the Communication and Publicity Strategy will be reviewed to take account of the new children's leaflet and the Adults and Children's Complaints Procedures.

## **6.6 Effective Learning Outcomes from Complaints.**

Effective complaints procedures can help the whole authority improve the delivery of services by highlighting where change is needed.

Lesson learnt from complaints are considered by the Corporate Management Teams in quarterly monitoring reports.

The Complaints Team ensures that lessons learned from complaints are highlighted and fed back to improve service delivery. For example complaints investigations have highlighted the need to review policy guidance. Lessons learned from complaints investigations are also fed back to staff in supervision to enable discussion about improvements, any additional training required and learning points.

The Complaints Team has also produced two Complaints Bulletins for Adults' and Children's Social Care, to help Team Managers identify future trends, awareness about complaints handling and offer advice on matters such as monitoring complaints more effectively, strategies to resolve complaints and learning outcomes from complaints.

APPENDIX 1

**SUMMARY OF UPHELD STAGE 3 COMPLAINTS BY DIRECTORATE AND TYPE OF COMPLAINT 2006/2007**

Service		Complaint & Reasons to Uphold	Redress
<b>Adults Health and Wellbeing [1]</b>			
1	Homeless Services	File lost	Apology and case processed
<b>Chief Executive's [4]</b>			
2	FOI	Appeal against exemptions	Information provided (in full in one case and with redactions for the other)
1	Legal Services	Failure to deal with correspondence in respect of a complaint	Address issues and apologies for delay
1	Revenues	Council tax recovery for previous years – billing unclear	Waiver fees
<b>Children's Services [1]</b>			
1	Meals on Wheels	Wrong meals being delivered	Resolve service delivery issues
<b>Communities Localities and Culture [5]</b>			
1	Idea Stores	Not safeguarding use of designated disabled parking bays	Procedures and facilities reviewed
2	Parking	1 Lack of clarity on documents required to obtain Public Services Permit 2 Appeal removal of vehicle as insufficient evidence	Rationalise application process  Refund
1	Street Cleansing	Street not cleaned – Contractor records not comprehensive	Apology and require better record keeping
1	Refuse Collection	Collections occurring before 7am	Apology and contractor warned
<b>Development and Renewal [1]</b>			
1	Development Decisions	Delay in dealing with building not progressing in accordance with plans	Progress action and explain to resident
<b>Housing [26]</b>			
3	Home Ownership	Service Charge against Service Quality	Adjustments made
5	Housing Management	Various administrative issues	Resolve
1	Home Ownership	Major works billing delay	Compensation for delay
12	Technical Resources	Delay with various repairs – communal and individual	Complete works and where appropriate compensate
5	Caretaking	Quality of service	Improve service and apologise

The most common issues arising are failure to follow procedures and the time taken to identify the true source of the problem.

## APPENDIX 2 – Lessons Learnt

Monitoring of the upheld stage 3 and Ombudsman complaints allows for trends to be identified and lessons to be learnt. Below is a list of the key issues and actions to be taken for the complaints monitored in this period. Implementation of these actions will be monitored over the coming months.

Issue	Action
Missed appointments and consequent delay in repairing properties	Regular and effective contract monitoring. Additionally, consideration of calling a sample of residents to check if appointments were met and work completed is being considered.
Web data out of date or contradictory to other published data.	Services to integrate processes for updating different publicity materials.
Record keeping – file notes and visit records are not always kept making it difficult to establish an audit trail.	All officers should take notes on site visits and on ad-hoc encounters with service users – protocol to be publicised
Errors in processes (e.g. schools admissions, Homeless & Lettings) not rectified immediately notified	Ensure that consideration of remedy is applied at the earliest stage

## **2. Comments of the Chief Financial Officer**

- 2.1 This report recommends that the Overview and Scrutiny Committee notes the contents of the annual review of the complaints procedure report, a statutory requirement under the Children Act 1989.
- 2.2 There are no significant financial implications arising from the recommendations in this report that impact on the Children's Services and Adult's Health and Well Being Services Revenue or Capital Budgets, or other directorate budgets, in current and future years.
- 2.3 Corporate Complaints procedures and quality checks are designed to minimise the cost of making good and compensation, but where this is necessary, payment is contained within the Directorate budget.

## **3. Concurrent report of the Assistant Chief Executive (Legal Services)**

- 3.1 Local authorities are required by an Order made under Section 7B Local Authority Social Services Act 1970 to establish a complaints procedure relating to their Social Services functions.
- 3.2 Complaints which relate to the exercise of a local authority's exercise of its child care functions are required to be considered under a procedure established by Section 26(3) Children Act 1989. An annual report on the operation of that procedure is required under the Representations Procedure (Children) Regulations 1991.
- 3.3 Advice is tendered as required on any potential service breach of statutory or other responsibilities and local settlement advocated to avert other legal action. This has been successful to date.

## **4. Equal opportunities Implications.**

- 4.1 The Annual Report provides a breakdown of the ethnicity and gender of complainants and other aspects such as age and disability are collated. Corporate Complaint Procedures have been subject to Equalities Impact Assessments and action to increase the collection of equalities monitoring data, for comparison against borough profiles, has been successful. The Social Care complaints procedure is an important mechanism to ensure that vulnerable members of the community being assisted by the Council are able to voice their concerns.
- 4.2 There is a Social Care complaints leaflet available in five community languages and on tape in both English and Sylheti, which is widely distributed through out the Directorate and within the local voluntary sector agencies. There is also a leaflet for children and young people which is in community languages. This publicity ensures that all members of the community are made aware of the procedure.

4.3 The Directorate also ensures that complainants are offered the opportunity of an interpretation service to assist them in making their complaint. Young people are always offered the opportunity of an advocate in line with the Children Act 1989.

**5. Anti-poverty implications**

5.1 The Social Care and Corporate complaints procedures provide an important mechanism for vulnerable service users to give feedback on services. Continuing publicity will ensure that all residents and service users will have better awareness of their right to voice any concerns.

**6. Sustainable action for a greener environment**

6.1 There are no specific implications.

**7. Risk management implications.**

7.1 The Complaints Team looks at means of redress where complaints are upheld. This successfully reduces the risk of Ombudsman Enquiries findings of maladministration, and compensation claims.