

Meeting of the

# OVERVIEW & SCRUTINY COMMITTEE

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Monday, 25 February 2019 at 6.30 p.m.

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## SUPPLEMENTAL AGENDA ONE

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	PAGE NUMBER	WARD(S) AFFECTED
<b>4 .1 Independent Chair of Adults Safeguarding</b>		
The Committee will receive a presentation that will outline performance in terms of service delivery and the challenges the Council is facing.	<b>90 - 109</b>	<b>All Wards</b>
<b>4 .2 The Complaints and Information Annual Report 2017/18</b>		
The Committee will receive a presentation on trends and issues.	<b>110 - 177</b>	

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If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

David Knight, Democratic Services **Page 88**

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# Agenda Item 4.1

<b>Overview and Scrutiny Committee</b> 25 <sup>th</sup> February 2019		 <b>TOWER HAMLETS</b>
<b>Report of:</b> Denise Radley, Corporate Director Health, Adults & Community		<b>Classification:</b> Unrestricted
<b>Safeguarding Adults Board – Annual Report 2017-18</b>		

<b>Originating Officer(s)</b>	Shohel Ahmed, Joint Adults Safeguarding Governance and Strategy Manager
<b>Wards affected</b>	All wards

The Committee are asked to note the contents of the attached report

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# Safeguarding Adults Board

Making Safeguarding Personal



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## Annual Report 2017-18

Safeguarding is everyone's responsibility



INVESTORS  
IN PEOPLE | Silver



METROPOLITAN  
POLICE

TOTAL POLICING



**Tower Hamlets**  
Clinical Commissioning Group

# KEEPING ADULTS SAFE IN TOWER HAMLETS 2017-18

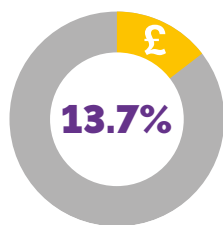
The SAB is a multi-agency board that oversees safeguarding arrangements for adults in the borough.



## POPULATION

**304,900**

We have the fastest growing population in the country



**49.7%** of older people live below the poverty line

**13.7%** of families have a household income of less than £15K

## HEALTH



**78.1** years – life expectancy for a man versus 79.6 years national average



**82.5** years – life expectancy for a woman versus 83.2 years national average



Severe mental illness is the **fifth** highest in London

## ACHIEVEMENTS IN 2017-18

A Keeping Safe in Tower Hamlets event for people with a learning disability in July 2017 raised awareness of safeguarding.

More than 80,000 households in London had a Home Fire Safety visit – a key way of protecting vulnerable people safe from the risk of fire.

63.5% of adult social care users said in February 2018 that they felt as safe as they wanted to, compared to 63% the year before.

New processes have been put in place to hear the views and experiences of people experiencing a safeguarding investigation.

## SAFEGUARDING ENQUIRIES

**699** safeguarding enquiries were conducted by adult social care teams to establish whether abuse has occurred

In **62%** of cases risks to the person were reduced and in **30%** of cases the risk was completely removed

**61%** of safeguarding issues occur in the adult's own home

**13%** of safeguarding issues occurred in care homes



The most common types of abuse investigated were:

**32%** neglect

**22%** financial abuse

**18%** physical abuse

## SAFEGUARDING ADULTS BOARD

Making Safeguarding Personal



6 key principles of safeguarding:

**Empowerment**

**Prevention**

**Proportionality**

**Protection**

**Partnership**

**Accountability**

“Going through the safeguarding process has made me feel stronger and I know now that I am not as vulnerable as people make me out to be.”

Safeguarding adults is everyone's responsibility

## PRIORITIES FOR 2018-19

We will focus awareness-raising activity on financial scamming and modern slavery.

We will learn from Safeguarding Adult Reviews at a national and regional level to understand local implications.

Minimise repeat safeguarding issues.

We will learn from health reviews (LeDeRs) in relation to the death of individuals with a learning disability.

We will continue to focus on making safeguarding personal.

We will continue to ensure effective holding to account of agencies.

## Foreword Independent Chair Christabel Shawcross



I am pleased to present the Tower Hamlets Safeguarding Adults Report for 2017-2018 to set out our achievements and what more needs to be done. We succeeded in achieving a number of ambitions over the last year. We raised awareness of under-reported hate crime in partnership with the Community Safety Partnership. A highly successful 'Keeping Safe' event for more than 70 people with learning disabilities took place in summer 2017, learning in an interactive way how to keep safe and report abuse.

A learning event organised by our lead GP, was attended by over 100 health and social care staff, focusing on self-neglect and hoarding, modern slavery and human trafficking. The feedback from frontline staff

was really positive, and it was clear that staff want more learning on these issues. This is a key priority for us in 2018, and across the partnership staff training on safeguarding remains a high priority.

Adult social care undertook qualitative audits last year. From this, they recognised the need to deepen understanding of Making Safeguarding Personal across all agencies, and a learning workshop on this issue was subsequently held for the Board. Our performance dashboard was improved this year, although changes in key personnel meant this happened later than we would have liked.

A key challenge for Safeguarding Adult Boards is to consider when multi-agency work appears not to be working. The Safeguarding Adult Reviews (SARS) we commissioned over the last year look at the unexpected deaths of those with learning disabilities, financial abuse, and cases where people have taken their own lives. At a regional level, the Board learnt from the London Review of SARS. Many reflect local learning on the sharing of information, mental capacity assessments, professional

curiosity and tenacity. In recognition of the highly challenging environment for staff and communities, a community multi-agency High Risk Panel has been formed in adult social to prevent escalation of safeguarding risks.

A key concern for SABs in ensuring residents are safeguarded is the commissioning of local services. The new commissioning of domiciliary care in Tower Hamlets is intended to improve quality and will be a priority in 2018 for the Board to review. Tower Hamlets has a small number of care homes: The Board was pleased to have one rated 'excellent' by the Care Quality Commission. Another was rated inadequate, and good work was done with the provider to improve this.

A priority for this year will be to focus more on preventing abuse, as well as ensuring protection is proportionate and appropriate. We want to be ambitious and will be ensuring multi-agency approaches are promoted to ensure frontline staff are equipped to respond and reduce abuse.

If you are concerned about an adult being abused or neglected, call the safeguarding adults hotline on 020 7364 6085.

## Joint foreword by Mayor of Tower Hamlets, John Biggs and Councillor Denise Jones, Cabinet Member for Health and Adult Services



We are pleased to endorse the Safeguarding Adults Board Annual Report for 2017-18.

The report reflects the ongoing commitment of partner agencies and the staff within them to prevent adult abuse and neglect as much as possible, and to tackle it swiftly and effectively when it occurs.

This report describes the activity and achievements of the Safeguarding Adults Board over the previous year. The achievements are presented under our six main priorities for safeguarding: Empowerment, prevention, protection, partnership and accountability. Much has been done under these areas. For example, under “prevention”, a focus on the experience of people with a learning

disability led to a successful awareness-raising event attended by over 70 people and a significant increase in the number of people with a learning disability getting annual health checks. Under “protection”, new multi-disciplinary panels have been set up in adult social care to look at high-risk safeguarding cases. This work will continue to be developed going forward, and Safeguarding Adult Board priorities for the coming year will continue to focus on empowerment, prevention, protection, partnership and accountability.

This Annual Report also sets out the Safeguarding Adult Review activity carried out over 2017-18. These reviews are to ensure lessons are learned in cases where

an adult has died or experienced significant harm or neglect. Over 2017-18, five of these reviews started or were ongoing and one was published. You can find published reviews [here](#), or by searching “Tower Hamlets Safeguarding Adult Review”.

The final part of this Annual Report sets out the structure of the Safeguarding Adults Board, setting out how the work is done and how the Board fits into the wider strategic picture in the borough. This vital area of work continues to be a priority for services in Tower Hamlets, and I hope you enjoy reading about how this commitment has been put into practice over the last year.



## Local Demographics

The estimated resident population of Tower Hamlets is

**304,900**



Tower Hamlets is the **10th most deprived** borough in the country.



Lowest disability-free life expectancy rates in London



Highest rate of social care need among older residents in England: **12,235 users per 100,000 population**



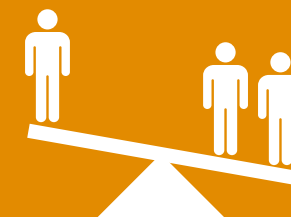
The profile of the borough is one of increasing diversity, with



**43%** of the population born outside of the UK.

There are sizeable Bangladeshi (**32%**) and White British communities (**31%**) and an increasing number of smaller ethnic groups in the resident population.

Reducing inequalities in health and wellbeing experienced by many Tower Hamlets residents is one of the biggest challenges facing the borough. Although life expectancy has risen over the last decade, it continues to be lower than the London and national averages, and significant health inequalities persist.



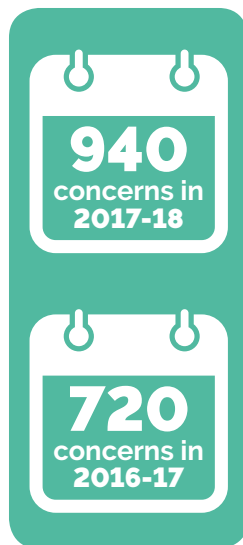
## Safeguarding adults performance data

This section of the report presents information for 2017-18 in relation to safeguarding adults. It gives an overview of the number of safeguarding concerns that have been received, and the number and type of enquiries (i.e. investigations) that have been concluded. The council, in its lead role for safeguarding, has an overview of all safeguarding concerns received within the area. As such, data from the council's system has been used to inform this section.

### Number of safeguarding concerns

In 2017-18, 940 concerns were recorded in Tower Hamlets.

- This represents a 31% per cent increase on the number of concerns received the year before.



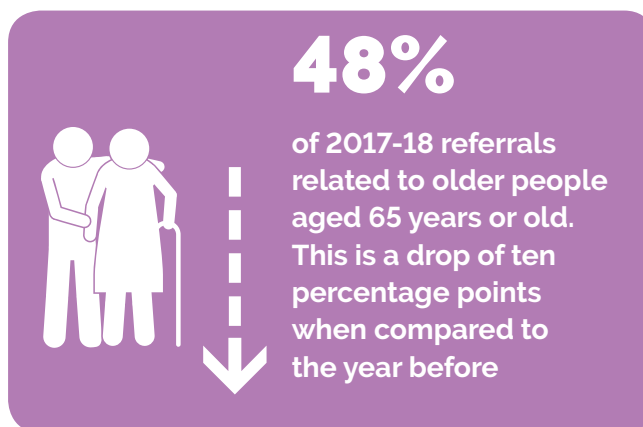
Whilst this increase may appear to be negative, we think it reflects an increased awareness of adult abuse and neglect amongst residents and staff. The figure is also likely to be impacted by the high rate of population growth in the borough.

### Who is being referred?

- 55% of 2017-18 referrals related to women, which is up three percentage points from last year. The proportion of the borough's adult population who

are female is 48%, suggesting an over representation of women in referrals.

- 48% of 2017-18 referrals related to older people aged 65 years or old. This is a drop of ten percentage points when compared to the year before, and it is different to the age profile of adult social care users, 62% of whom are over 65.



- 54% of 2017-18 referrals related to people from a 'white' ethnic background, which is in line with previous years. This figure is higher when compared against

the overall profile of the borough (45% 'white' in the last Census). However, the proportion of people from a 'white' ethnic background is higher for residents aged 65 years or older, and as previously noted, a significant proportion of safeguarding referrals come from this group.

- 52% of 2017-18 safeguarding concerns related to people who need physical support, down from 59% last year. 17% related to people with a learning disability, which is similar to last year. 19% related to individuals with a mental health issue – up from 13% last year.



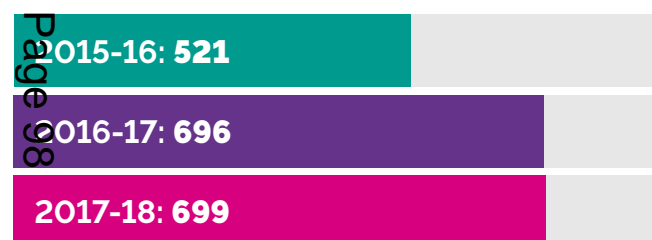
## Safeguarding adults performance data

### Safeguarding adults enquiries

Safeguarding adults enquiries are concerns received that have proceeded to a safeguarding investigation.

699 safeguarding adults enquiries were undertaken and concluded in 2017-18; similar to the figure of 696 the year before.

### Number of safeguarding enquiries



### Where the abuse takes place

Based on concluded safeguarding investigations, the majority of safeguarding issues take place in the alleged victim's own home. The figure is 61% in Tower Hamlets – up from 58% last year and 54% the year before. 13% of enquiries related to people in care homes, which is similar to previous years. The low proportion of enquiries from care homes has historically been much lower than the national average, which we think reflects the small number of homes in the borough.

### Types of abuse

Neglect was the largest single type of abuse investigated in Tower Hamlets in 2017-18 at 32%. Whilst this marks a decrease of 4 percentage points compared to last year, it is worth noting that self-neglect has increased this year from 3% to 7%. Financial abuse accounted for 22% of investigations, up from 20% last year. Physical abuse accounted for 18%, down from 20% last year.



### Safeguarding inquiries outcomes - managing risk

Safeguarding can be a complex process with a number of factors that will render a person or situation being at risk. Where risk cannot be completely removed, strategies are in place to monitor and inform the individual of what services are available to support them

In 63% of safeguarding enquiries the risk to the individual was reduced. In 28% of cases it was removed. It remained in 8% of cases. These figures are similar to last year.

### Deprivation of Liberty Safeguards performance data

The Deprivation of Liberty Safeguards is an amendment to the Mental Capacity Act 2005 (amended in 2007). The Mental Capacity Act allows restraint and restrictions to be used but only if they are in a person's best interests and they lack capacity to make decisions about their care or treatment. The Deprivation of Liberty Safeguards (DoLS) can only be used if the person will be deprived of their liberty in a care home or hospital. In other settings the Court of Protection can authorise a deprivation of liberty.

We think the closure of a service in the borough had a short-term impact on DoLS activity last year. This year, we are putting a particular focus on community-based DoLS as we know that this area requires attention.

	2017/18	2016/17
Total DoLS requests received	*741	**1076
DoLS Authorised	191	660
DoLS Not Authorised	40	106
DoLS Withdrawn	341	247

\* there were 610 applications from individuals

\*\* this figure includes 63 DoLS cases pending authorisation

### Funding arrangements for SAB

Funding of Tower Hamlets Safeguarding Adults Board is received both in monetary terms and in kind. It is acknowledged that every organisation faces financial challenges each year; therefore it is with appreciation that partner members give their time and resources to support the functioning of the board.

The following table sets out the budget for 2017/18.



### Training - Adults Safeguarding

Tower Hamlets provides a range of safeguarding adults training for staff at all levels. It ranges from basic awareness-raising training to training for managers of staff undertaking investigations. Bespoke training is provided on topics including domestic abuse, hoarding, human trafficking and female genital mutilation. Partner agencies also provide a range of training for their staff.

Safeguarding adults basic awareness e-learning is a web based training portal and is available to all Tower Hamlets staff and those working in the private, independent sectors, carers and volunteers working with adults. Training is provided free of cost to the recipient.

“A high number of safeguarding concerns relate to adult social care users. In a survey carried out in February 2018, 63.5% of respondents said they felt as safe as they wanted to, compared to 63% the year before. 86% said that care and support helps them to feel safe.”

“The service user found that the discussion and actions agreed at the safeguarding planning meeting made her feel as though that other people cared and she now knew where she could get help from.”



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	<b>Staffing</b>	<b>£37,000</b>
	<b>Safeguarding adult reviews</b>	<b>£14,000</b>
	<b>Total</b>	<b>£51,000</b>

	<b>Contributions from partner agencies</b>	<b>£12,800</b>
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## Tower Hamlets Safeguarding Adults Board Achievements over 2017-18

The priorities for 2017-18 came from the SAB annual workshop in May 2017 where partner agencies agreed the priorities for the forthcoming year. Each priority was built into the business plan relating to the six principles of safeguarding. The importance of supporting people in a personalised way runs throughout these principles. This is monitored by SAB and work undertaken via the sub groups. Each partner agency has worked to ensure their organisation continues to provide a service and that the workforce receives safeguarding training and understand how to recognise abuse respond to it. Here is a summary of work carried out.

### EMPOWERMENT

#### Our Goals

People being supported and encouraged to make their own decisions and give informed consent.

#### Outcomes for Adults in Tower Hamlets

*"I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens."*

#### What we achieved

**East London NHS Foundation Trust:** "We have developed 'Making Safeguarding Personal' evaluation forms with service users, for service users"

**Providence Row Housing Association:** "We have recruited peer mentors, and have included safeguarding within their role"

**Tower Hamlets Clinical Commissioning Group:** "We have explored the issue of empowerment with health colleagues, following recent work on a serious incident"

**National Probation Service:** "We are piloting new tools for working with adults with a learning disability"

**Adult Social Care:** "We are looking at person-centred working and use of advocates as areas for development, following an audit of safeguarding cases"

**Metropolitan Police:** "We have reinforced the expectation that officers take the wishes of vulnerable victims into account in training. We have carried out a survey to understand gaps in knowledge"

### PREVENTION

#### Our Goals

It is better to take action before harm occurs.

#### Outcomes for Adults in Tower Hamlets

*"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."*

#### What we achieved

**Tower Hamlets Clinical Commissioning Group and primary care:** "The proportion of adults with a learning disability having an annual health check has increased from 36% to 74%"

**Toynbee Hall:** "68 of our 70 staff and 40 volunteers have undertaken safeguarding training. We delivered 19 safeguarding awareness training sessions to around 200 attendees"

**East London NHS Foundation Trust:** "Over 90% of our staff have attended "level 1" safeguarding training, and over 80% have attended basic Prevent training"

**National Probation Service:** "There is mandatory safeguarding e-learning which all staff are expected to attend and classroom training for practitioners and first line managers."

**London Fire Brigade:** "We have an agreed Memorandum of Understanding between ourselves and the council to develop preventative work. We carry out more than 80,000 Home Fire Safety Visits across London each year. We have developed a safeguarding training package for all personnel"



## Tower Hamlets Safeguarding Adults Board Achievements over 2017-2018

## PROPORTIONALITY

## Our Goals

The least intrusive response appropriate to the risk presented.

## Outcomes for Adults in Tower Hamlets

*"I am sure that professionals will work in my best interests as I see them, and professionals will only get involved as much as needed."*

## What we achieved

**East London NHS Foundation Trust:** "We have developed evaluation forms for service users, which will enable the service to respond to people's experience of the safeguarding process"

**Providence Row Housing Association:** "We have embedded our programme of person-centred support and care planning"

**National Probation Service:** "We are developing a new safeguarding action plan and are reviewing our policy, practice guidance and process map"

**East London NHS Foundation Trust:** "We have revised our Safeguarding Adults Policy in line with the 2014 Care Act and Pan-London procedures"

**London Fire Brigade:** "We have reviewed our internal safeguarding policy and updated this in line with the Care Act and Pan-London procedures"

## PROTECTION

## Our Goals

Support and representation for those in greatest need.

## Outcomes for Adults in Tower Hamlets

*"I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want."*

## What we achieved

**Adult Social Care:** "We have started a High Risk Transition Panel and a High Risk Panel to consider and support agencies to manage risk when service users are transitioning between services, and when there is a high-risk safeguarding case"

**East London NHS Foundation Trust:** "Safeguarding is always part of staff monthly supervision discussions. Our Director produces quarterly reports on safeguarding concerns and reviews"

**Providence Row Housing Association:** "We have expanded the membership of our staff 'Safeguarding Good Practice' group: we have included the Peer Mentoring Coordinator, who is a former service user, and plan to include service users within the group"

**National Probation Service:** "We are producing a new risk register"

**Metropolitan Police:** "Tower Hamlets Police now host a dedicated Domestic Violence Protection Order case worker who provides support to vulnerable victims and helps officers in obtaining these orders against perpetrators"

## Tower Hamlets Safeguarding Adults Board Achievements over 2017-2018

## PARTNERSHIP

## Our Goals

Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.

## Outcomes for Adults in Tower Hamlets

*I am confident that professionals will work together, with me and my network, to get the best result for me. I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary."*

## What we achieved

**London Fire Brigade:** "As a result of a recommendation from a Safeguarding Adult Review the Brigade are delivering a project with London Ambulance Service to provide home fire safety visits to high risk hoarders"

**Toynbee Hall:** "We have delivered four safeguarding training sessions to partner organisations"

**Tower Hamlets Clinical Commissioning Group:** "The newly appointed a Joint Senior Strategic Safeguarding Adults sits on a number of multi-disciplinary groups, enabling better partnership working"

**Providence Row Housing Association:** "We took part in an event with housing providers to understand how we compared and share best practice"

**Metropolitan Police:** "We maintained our commitment to the One Stop Shop at Whitechapel Idea Store where members of the public can raise concerns about domestic abuse and get guidance in confidence"

## ACCOUNTABILITY

## Our Goals

Accountability and transparency in delivering safeguarding.

## Outcomes for Adults in Tower Hamlets

*"I understand the role of everyone involved in my life and so do they."*

## What we achieved

**Adult Social Care:** "We have carried out a programme of in-depth qualitative auditing of safeguarding cases and audited work around Deprivation of Liberty Safeguards. Learning from these audits is being taken forward"

**London Fire Brigade:** "Safeguarding concerns are audited by our safeguarding lead on a daily basis. The Brigade has undertaken a two-part safeguarding auditing process by MOPAC"

**Providence Row Housing Association:** "We completed our own internal audit of safeguarding. We are an active member of the London-wide Housing Care and Support Group in safeguarding"

**Tower Hamlets Clinical Commissioning Group:** "We hold bi-monthly Safeguarding Adults Committee meetings to provide assurance that the CCG has discharged its statutory duty to safeguard adults across commissioned health services"

**East London Foundation Trust:** "We commissioned an independent review of safeguarding services. The review highlighted the need to provide additional resource for the service. The findings are now being considered and taken forward"

**Metropolitan Police:** "We have developed a safeguarding dashboard and have a central auditing framework"

## Summary of achievements by the Safeguarding Adults Board and partner agencies

### Last year's priorities

### What we have done

Professionals to take a person centred and holistic approach to safeguarding

We provided training to staff and have better understood our approach through auditing and service user feedback

Ensure there is advocacy for people who lack mental capacity or have difficulty in decision-making

Advocacy was provided by an advocate, friend or family member in 95% of investigations where a person lacked mental capacity

Minimise repeat safeguarding issues

183 people had a repeat safeguarding concern in 2017-18, which represents 19.1% of all individuals - similar to the year before

Carry out robust risk assessments involving adults, their families and carers

Starting in adult social care, we are revamping forms so that risk is documented at the start of the process

Improve data analysis to measure outcomes

Performance information is received from key agencies and will continue to be developed

Increase engagement with adults

A successful Keeping Safe event to engage with adults with a learning disability took place in July 2017

Effectively hold agencies to account

The Board has sought and gained assurance that there are robust systems in place to monitor the quality of home care and care homes



## Safeguarding Adults Review

Section 44 of the Care Act 2014 places a duty on Safeguarding Adults Boards to arrange a Safeguarding Adults Review (SAR), in cases where an adult has died or experienced significant harm or neglect.

Over 2017-18, five SARs started or were ongoing and one SAR was published.

On conclusion of the SAR, an action plan will be drawn up to ensure the recommendations of the findings are implemented.

The executive summary of each SAR will be available on the council webpage and a full report is available on request from the Safeguarding Adults Board Coordinator.

### The purpose of the SAR is to:

- Establish what lessons are to be learnt from a particular case in which professionals and organisations work together to safeguard and promote the welfare of adults at risk.
- Identify what is expected to change as a result, to improve practice.
- Improve intra-agency working to better safeguard adults at risk.
- Review the effectiveness of procedures, both multi-agency and those of individual organisations.

### In 2017-18, one Safeguarding Adult Review was published

The Safeguarding Adults Board completed a review of Mrs Q in July 2017. The review investigated the events leading to Mrs Q being left without personal care services for several days. The review found that if there had been better communication between agencies, this would not have occurred. Working practices and operational procedures of key staff were reviewed as a result and in-depth learning events took place. Recommendations were agreed and are being put into place. The review and findings were also described in last year's Annual Report, and full details of the SAR can be found on our website using the following link or by searching "Tower Hamlets Safeguarding Adult Review":

[https://www.towerhamlets.gov.uk/ignl/health\\_social\\_care/safeguarding\\_adults/Safeguarding\\_Adults\\_Review.aspx](https://www.towerhamlets.gov.uk/ignl/health_social_care/safeguarding_adults/Safeguarding_Adults_Review.aspx)

### In 2017-18, five Safeguarding Adults Reviews commenced or were ongoing

Two of these involve people taking their own lives. Two of these relate to the unexpected death of individuals with a learning disability. The fifth involves financial abuse of an individual with a learning disability. These Safeguarding Adults Reviews have been or are expected to be completed and published in 2018-19.

To view the current set of published Safeguarding Adult Reviews, please visit our website by using the following link or by searching "Tower Hamlets Safeguarding Adult Review":

[https://www.towerhamlets.gov.uk/ignl/health\\_social\\_care/safeguarding\\_adults/Safeguarding\\_Adults\\_Review.aspx](https://www.towerhamlets.gov.uk/ignl/health_social_care/safeguarding_adults/Safeguarding_Adults_Review.aspx)

## Learning Disability Mortality Reviews

In addition to Safeguarding Adult Reviews, there is now a requirement for the death of every person with a learning disability to be subject to a Learning Disability Mortality Review so that lessons can be learned to make service improvements. 14 of these reviews took place in 2017-18. The reviews may or may not result in a referral for a Safeguarding Adult Review. The process is led by the Tower Hamlets NHS Clinical Commissioning Group (CCG) jointly with the Council, and findings are reviewed by the Safeguarding Adults Board. Actions are overseen by the Learning Disability Partnership Board, who work closely with the Safeguarding Adults Board. We are committed to learning from both local and national reviews on this issue.

## Our Priorities for 2018-19

Our priorities over 2017-18 reflect the priorities in our 2015-19 strategy. As we approach 2019 we will start work on our next Safeguarding Adults Strategy, focusing in on what our priorities need to be to prevent and tackle adult abuse over the next five years.



## Other areas for development and implementation

We will continue to monitor and act on any emerging areas of concern, including financial scamming, modern slavery and other forms of exploitation. We will also continue to focus on areas that require attention, such as ensuring that staff are taking a person-centred and personalised approach to safeguarding.

## Tower Hamlets Safeguarding Adults Board Governance and Accountability arrangements

The Care Act 2014, requires all local authorities to set up a Safeguarding Adults Board (SAB) with other statutory partners: the Police and Clinical Commissioning Group (CCG). Tower Hamlets Safeguarding Adults Board continues to work with partners to embed the requirements of the overarching Care Act to:

- Assure that local safeguarding arrangements are in place as defined by the Act
- Prevent abuse and neglect where possible
- Provide timely and proportionate responses when abuse or neglect is likely or has occurred.

The legal framework for the Care Act 2014 is supported by statutory guidance which provides information and guidance on how the Care Act works in practice. The guidance has statutory status which means there is a legal duty to have regard to it when working with adults with care and support needs and carers.

The SAB takes the lead for adult safeguarding across Tower Hamlets to oversee and co-ordinate the effectiveness of the safeguarding work of its members and partner organisations.

The SAB concerns itself with a range of matters which can contribute to the prevention of abuse and neglect such as:

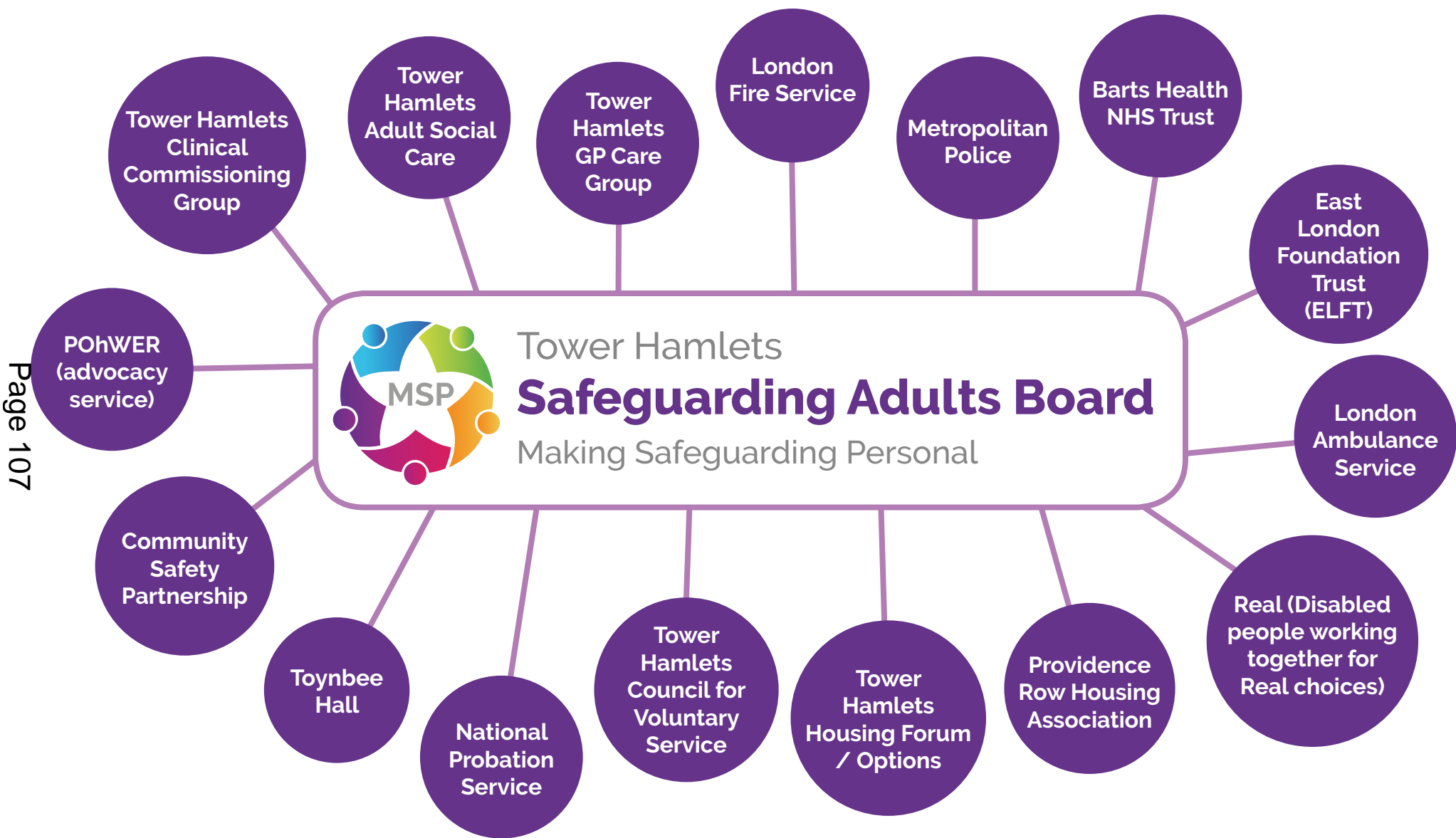
- Safety of patients in local health services
- Quality of local care and support services
- Effectiveness of prisons in safeguarding offenders and approved premises
- Awareness and responsiveness of further education services

Safeguarding Adults Boards have three core duties, they must:

- Develop and publish an Annual Strategic Plan setting out how they will meet their strategic objectives and how their members and partner agencies will contribute.
- Publish an annual report detailing how effective their work has been.
- Arrange safeguarding audit reviews for any cases which meet the criteria for such enquires, detailing the findings of any safeguarding adult review and subsequent action, (in accordance with Section 44 of the Act).

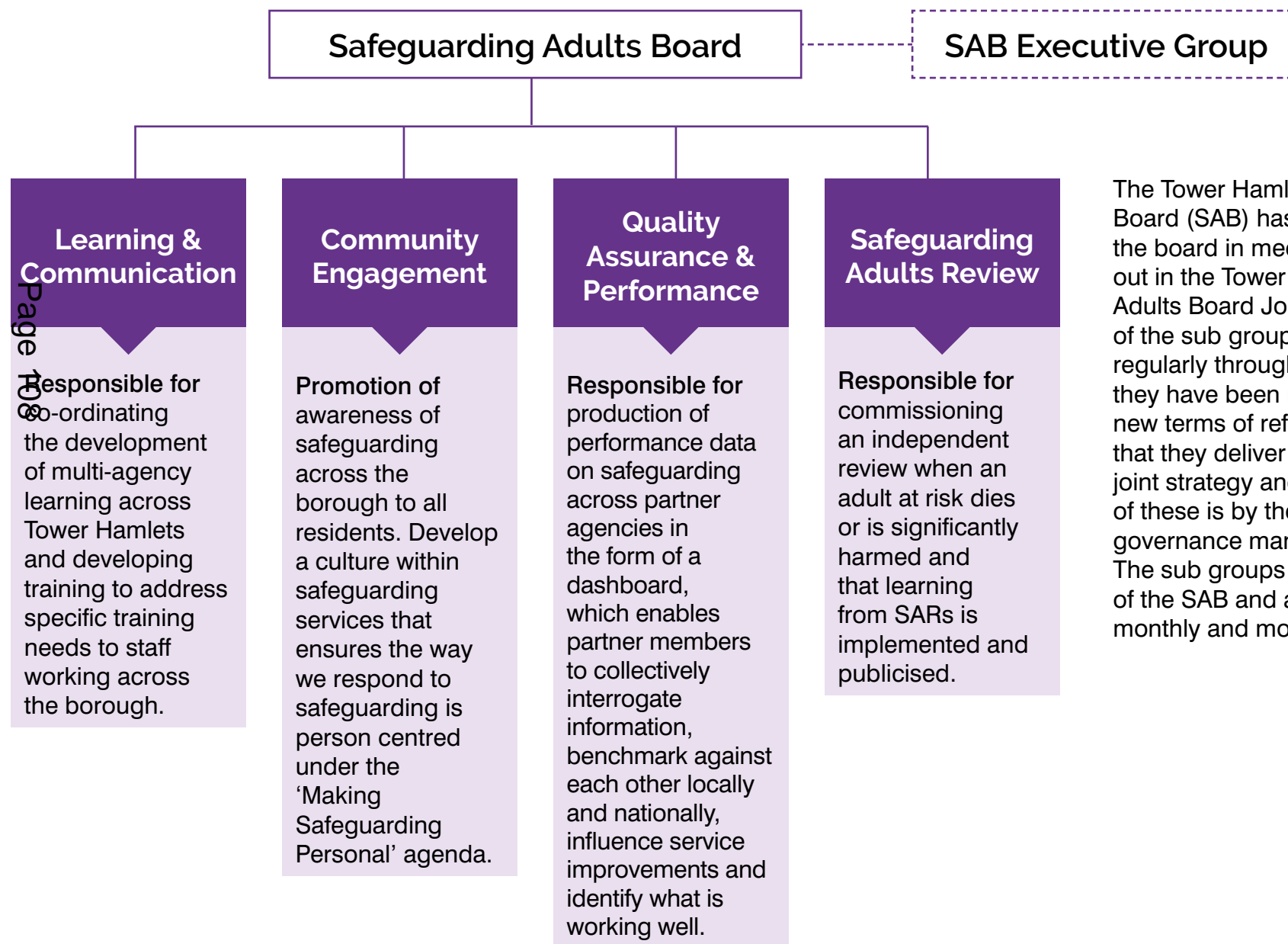


Tower Hamlets Safeguarding Adults Board partner members



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## Safeguarding Adults Board Structure



The Tower Hamlets Safeguarding Adults Board (SAB) has four sub groups that assist the board in meeting its obligations as set out in the Tower Hamlets Safeguarding Adults Board Joint Strategy 2015-19. Some of the sub groups have not been held regularly throughout the year, and as a result they have been revised and redesigned with new terms of reference with the expectation that they deliver specific key aspects of the joint strategy and business plan. Monitoring of these is by the joint strategy and governance manager who reports to the SAB. The sub groups are chaired by members of the SAB and are expected to meet bi-monthly and more frequently where required.



## These are the strategic boards linked to the Safeguarding Adults Board

### The Health and Wellbeing Board

Having a Health and Wellbeing Board is a statutory requirement for local authorities. The board brings together the NHS, the local authority and Health Watch to jointly plan how best to meet local health and care needs, to improve the health and wellbeing of the local population, reduce health inequalities and commission services accordingly.

### Local Safeguarding Children Board

The Local Safeguarding Children Board is a statutory requirement set out in the Children's Act 2004 which gives duties to ensure that all agencies work together for the welfare of children. There has been more focus on the two boards to work more closely together and this has resulted in shared areas being developed to improve responses to both children and adults safeguarding.

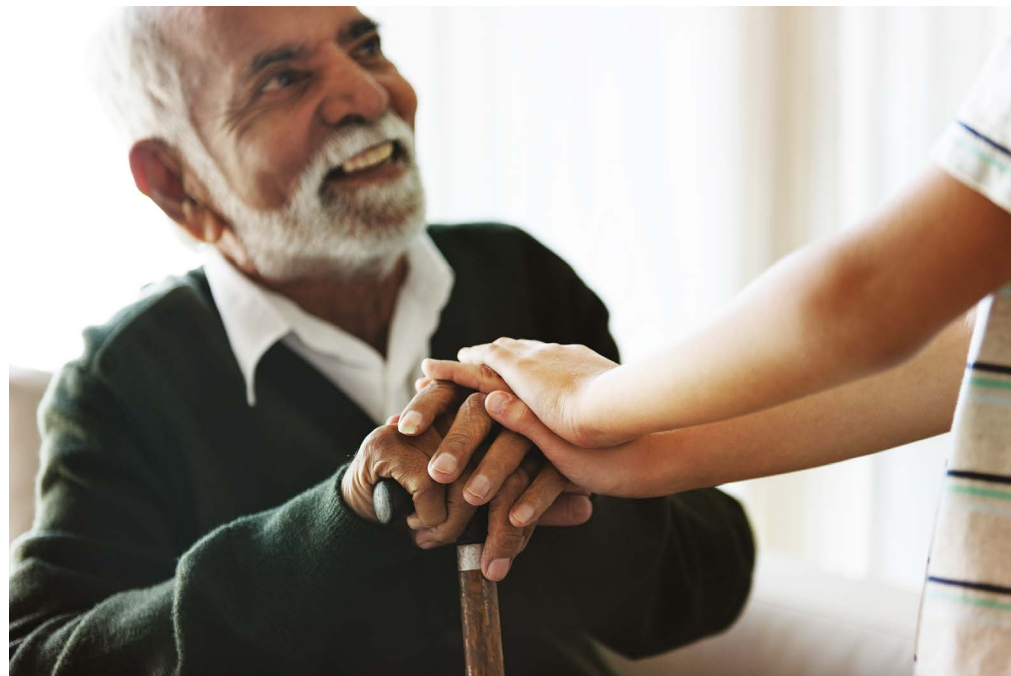
### Community Safety Partnership Board

The Community Safety Partnership Board is required by law to conduct and consult on an annual strategic assessment of crime, disorder, anti-social behaviour, substance misuse and re-offending within the borough and the findings are then used to produce the partnership's Community Safety Plan.

### Learning Disability Partnership Board

### Mental Health Partnership Board


These two boards lead on work to drive strategic improvements for adults with a learning disability or mental health issue in Tower Hamlets. The views and experiences of adults with a learning disability or mental health issue are fed into the work of the board.



### Prevent Board

The Prevent Board is a multi-agency board that meets regularly to work together to prevent and respond to radicalisation. The Counter Terrorism & Security Act 2015 places a legal duty on NHS Trusts and Foundation Trusts to consider the Prevent Strategy when delivering their services. The Counter-Terrorism and Security Act 2015 contains a duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. This is also known as the Prevent duty.

# Agenda Item 4.2

Non-Executive Report of the: Overview and Scrutiny Committee 25 February 2019	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Asmat Hussain, Corporate Director - Governance	<b>Classification:</b> Unrestricted
The Complaints and Information Annual Report 2017/18	

Originating Officer(s)	Ruth Dowden, Head of Information Governance
Wards affected	All wards

## Summary

The Complaints and Information Annual Report 2017/18 sets out the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

## Recommendations

The Overview and Scrutiny Committee is recommended to note priorities for action to improve performance and consider priorities for developments in practice for both information governance and complaints handling

### 1. INTRODUCTION/SUMMARY

- 1.1 The Complaints and Information Annual Report 2017/18 sets out the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

### 2. FOR MAYOR'S ADVISORY BOARD TO CONSIDER

- 2.1 MAB is recommended to note priorities for action to improve performance and consider priorities for developments in practice for both information governance and complaints handling.
- 2.2 This report is subsequently considered by Overview and Scrutiny Committee.

### 3. BACKGROUND

- 3.1 The Council receives an annual report on its complaints handling and information requests. This report accounts for the period 1 April 2017 to 31 March 2018.

- 3.2 The report's Introduction and Summary (section 1) sets out the key performance and activity points from the year.
- 3.3 Whilst the Council's escalation to internal process and to external regulators including the Information Commissioner and the Local Government and Housing Ombudsman are low, response rates could be improved in all areas of complaints and information requests.
- 3.4 The Corporate Complaints Procedure and Statutory Social Care Procedures seek to ensure that all people receiving or seeking to receive a service are treated in accordance with service standards and have an opportunity to address any concerns. The procedures are accessible to the community and can be accessed in a range of formats.
- 3.5 Responding to Information Requests and providing Council data through the Transparency and Open Data work stream promotes ease of access for the community to decision making processes and the activities of the Council.
- 3.6 The Complaints policies also address risk and provide the Council with a mechanism to identify issues that might otherwise lead to legal, reputational and other damage. This is enhanced by the policy on Compensation and Redress whereby a suitable settlement can be achieved commensurate with difficulties experienced.

## **1. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 This report provides the annual complaints and information report for the period 1st April 2017 to 31st March 2018. There are no financial implications arising from this report. However In the event that the Council agrees further action in response to this report, then approval for any further resources will need to be approved using existing financial procedure rules before any commitments can be made.

## **2. LEGAL COMMENTS**

- 5.1 The Council has a number of statutory duties regarding handling of information requests, including the time required to give responses. Sections 3 and 4 of the Complaints and Information Annual Report sets out the Council's performance against those required time limits.
- 5.2 The Council has statutory duties in respect of the handling of social care complaints as set out in the report. The proper handling of complaints and the consideration of information arising from a those complaints may also be consistent with good administration in the discharge of the Council's functions. It may contribute to improving the quality of services that the Council offers and hence to the Council's duty as a best value authority under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Proper complaints handling and review may also contribute to the avoidance of maladministration within the meaning of the Local Government Act 1974.
- 5.3 In carrying out its functions, the Council must comply with the public sector equality duty set out in section 149 Equality Act 2010, namely it must have due regard to the



need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and to foster good relations between persons who share a protected characteristic and those who do not.

**6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 The report sets out the Council's commitment to deal with all complaints, and information requests fairly and equally with the procedures themselves contributing to the positive opportunity for all residents and interested parties to raise concerns with service provision and gain a more detailed understanding of the Council's work.

**7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 The Council seeks to secure continuous improvement in service provision and effective complaints resolution is a key tool in this process.

**8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 There are no specific implications in this report.

**9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 The complaints procedure provides a means of identifying issue and mitigating risk from errors and omissions in service delivery. Effective Information Governance policies and processes also enable the organisation to monitor the effectiveness of its approach in mitigating information governance related risks.

**10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 There are no specific issues.

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# **Complaints and Information Governance Annual Report 2017-2018**

## Contents

Section 1	Introduction
Section 2	Information Governance
Section 3	Information Requests
Section 4	Subject Access Requests
Section 5	Corporate Complaints
Section 6	Adult Social Care Complaints
Section 7	Children's Social Care Complaints
Section 8	Ombudsman Complaints
Section 9	Improvement Initiatives

## 1. INTRODUCTION

1.1 This report provides information regarding the Council's handling of complaints and information requests in the year 2017/18. It covers –

- Information governance
- Information requests under the Freedom of Information Act and Environmental Information Regulations
- Subject access requests under the Data Protection Act
- Complaints handling at all stages of the Council's Corporate Complaints Procedure
- Complaints handling under the statutory Adults and Children's Social Care Complaints Procedures;
- Complaints to the Information Commissioner, Local Government Ombudsman and Housing Ombudsman

1.2 The report reviews the outcomes and performance of the Council as well as the volume of complaints and information requests received by the Council in the period 1 April 2017 to 31 March 2018.

1.3 The highlights for 2017/18 –

- **Information Governance**

- We previously met the compliance criteria for Health and Social Care Information Council Toolkit with 90% and increased this to 94% compliance.

- **Freedom of Information (FOI)**

- One of the highest volumes in London.
- 6% increase in requests from 2016/2017
- The rate of requests for internal reviews from information requests remained low (at 2.37%).
- 2 cases out of the total 2319 requests the Council considered, were determined by the Information Commissioner (0.15%) and neither were upheld.
- Response rate improved from 88% to 96%, exceeding the corporate target of 95%.

- **Subject Access Requests (SAR)**

- 91% were processed within target.

- **Corporate Complaints**

- 10% decrease in Stage 1 complaints.
- Significant improvements to response rates from 86% to 91% in time.

- **Adult Social Care**

- Increase in complaints to 17% compared to previous year.

- **Children's Social Care**

- Decreased 27% less than previous year

- **Local Government Ombudsman (LGO)**

- A decrease of 7% in volumes benchmarking across London sees Tower Hamlets 10 out of 31 for fewest enquiries received by the LGO.
- 17 complaints were investigated and upheld in comparison to previous year's 19 upheld.

- **Housing Ombudsman (HO)**

- 2 out of 37 cases closed were upheld and required remedy.

- 1.4 Successful organisations encourage service users to complain, and this is an indication of a healthy relationship with service users. 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 Council has adopted corporate performance standards, designed to ensure complaints are dealt with in a timely fashion. Performance is regularly reviewed by both the Corporate Leadership Team and elected Members and the Mayor. The Complaints and Information Team identifies themes and works with the service areas to bring about effective change.
- 1.5 With volumes of complaints increasing, it is essential that the Council examines how to find effective resolution at the earliest opportunity. The Council commenced preparation to streamline the process to two internal stages.
- 1.6 Significant work was undertaken to prepare the Council to meet the requirements of the General Data Protection Regulation (EU), and the UK Government's Data Protection Bill 2018.

## **2. INFORMATION GOVERNANCE**

- 2.1 Information governance encompasses the policies, procedures and controls designed to manage information across the Council. The Council has a framework of policies, procedures and guidance covering records management, information security and data protection. Information risk is managed within the Council's corporate risk management framework.
- 2.2 The Council's Senior Information Risk Officer (SIRO) has overall responsibility for information governance. Zena Cooke, Corporate Director – Resources, is the Council's SIRO.
- 2.3 The SIRO is supported by the Corporate Complaints and Information team, in the Governance Directorate. An Information Governance Group (IGG) of officers meets every six weeks to review information governance issues and to develop strategic approaches to legislation, policies, practice, risk management and quality assurance.
- 2.4 A number of developments took place in relation to information governance during 2017/18.
- Quarterly strategic Information Governance Board met and considered amongst other matters the council's preparation for General Data Protection Regulation and the Data Protection Act 2018
  - Working group was established to meet the General Data Protection Regulation (GDPR) requirements.
- 2.5 The Council's information governance structure and arrangements are important for ensuring that all staff understands their responsibilities under the relevant legislation and how this is carried forward in practice. Our governance arrangements are subject to review by the Information Commissioner should they wish to audit and are essential components of our submission to external accreditations.
- 2.6 A full review of our policies procedures and guidance was undertaken throughout the year and the documents updated.
- 2.7 The annual submission for the Health and Social Care Information Council (HSCIC) Toolkit (Information Governance assessment) was submitted in March 2018. The Council scored 94% which is again a year on year improvement (last year's 90%). A certificate was also obtained for the Public Sector Network (PSN).
- 2.8 **Information Asset Register**

The IGG embarked on a review of the Information Asset register to establish a single register for electronic and paper assets and to identify their properties, usage and potential risks. The new register was added to JCAD Core, the Council's risk management software in May 2017. The information from the existing spreadsheets was transferred to the new system which has additional new fields to be completed to comply with the GDPR legislation including conditions for processing, retention period and documents to be uploaded for assets (privacy notice and risk assessments). The system was launched in March 2018.

## 2.9 Transparency

The Council improved the availability and quality of information published and has met all the 2015 Government Code on Transparency data requirements. We are now pursuing the Mayor's agenda of transparency to a higher open data publication standard and increase the range of data.

Compliance with the publication formatting standard in the code has also been met. In order to meet the 4 star publication standard the Council required a software platform to provide these formats. 5 star publication standards require links to other web-sites and data sources for comparison.

## 2.10 Security incidents

Information security incidents are required to be reported to the Corporate Complaints and Information team. These are recorded and the register is reviewed periodically by the IGG. Two incidents registered resulted in reporting to the Information Commissioner.

## 2.11 Risk

The fitness or otherwise of the information governance framework is a corporate-level risk and is subject to regular review in accordance with the Council's risk management procedure. Risk controls are in place.

## 2.12 Training

Information Governance training continues to be promoted in order to minimise risks for the Council. This includes e-learning packages, group training sessions, face to face training sessions and security information governance in team meetings. A range of posters placed in print hubs, intranet messages and emails were used to raise awareness and bookable courses on FOI and Data Protection delivered.

## 2.13 Gap Analysis

The Council prepared its statement of compliance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and this was published in May 2018, indicating areas requiring further strengthening.

## 2.14 Proposed Solutions

### a. Policy Acceptance & Training Compliance Software

The Council purchased a software package that will distribute policy documents, briefings, training materials and record staff compliance has been delayed but is now being progressed. The solution will assist the Council in ensuring staff are compliant with its obligations under IG and replace the manual method..

### b. Audits and Spot Checks

Spot checks on handling personal data and system integrity will need to be enhanced with input from Internal Audit, the Complaints and Information team and services themselves.



Audits and monitoring will become a significant factor in letting tenders and contracts as suppliers will have to demonstrate their compliance to GDPR to us.

**c. Review Retention of Electronic Data**

The Council is undertaking a full review of all electronic data assets, including risk of retaining data held over the years. This is costly in terms of storage and should not be retained under data protection and records management rules. An external resource was engaged to firstly scope this retention / deletion work and set up processes where by each Directorate can complete the processes in subsequent years. This work continues in to 2018/19.

**d. Internal Processes for Information Governance**

Significant work was undertaken by the IGG and the Complaints and Information Team in meeting the GDPR standards, include establishing Data Use guidance; data disposal processes; a full register of Data Sharing Arrangements; a full register of Privacy Notices; data sharing agreements; tender and contract clauses and contract monitoring; and records of all data processing transactions. This is significantly beyond business as usual and the process of integration into established roles and responsibilities has commenced now that processes and criteria are in place.

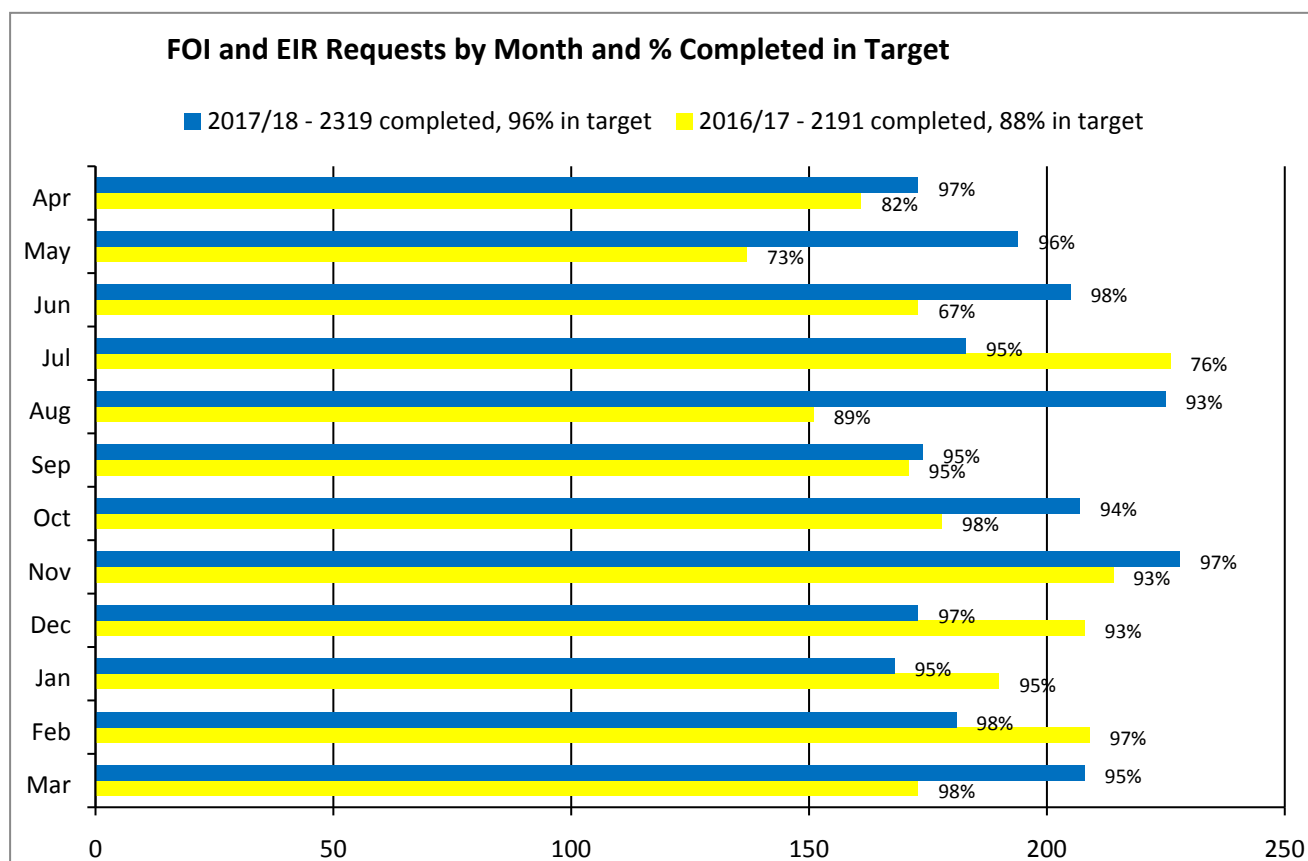
The strategic Information Governance Board, established in December 2016 and meets quarterly to oversee the direction and quality of information governance arrangements including the implementation of GDPR.

**e. Governance**

New projects and changes to processes involving personal data are referred to the Data Protection Officer (a new post advertised in September 2018) via the relevant project board . Information Governance and Privacy must be integrated in the planning and record keeping of any such changes. To this end the Data Protection Officer links to the Strategic Overview Board and is establishing a similar link to the Smarter Together programme office.

### 3. INFORMATION REQUESTS

- 3.1 The Council is required to respond to information requests under both the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
- 3.2 The Freedom of Information (FOI) Act 2000 was implemented in 2005 to help bring about a culture of openness within the public sector so that the information held by public authorities is available and accessible to all, both within and outside the communities they serve. It gives the public access to most structured information held by the Council unless it is appropriate for the Council to apply a legal exemption.
- 3.3 A separate but parallel process under the Environmental Information Regulations 2004 (EIR) provides for access to environmental information within the meaning of EU Directive 2003/4/EC. This covers information on –
- The state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements.
  - Factors affecting or likely to affect the elements of the environment, such as noise or waste.
  - Measures (including administrative measures), such as policies, legislation, plans, programs, environmental agreements, and activities affecting or likely to affect the elements of the environment and factors affecting them.
  - Cost-benefit and other economic analyses and assumptions used within the framework of these measures and activities.
  - Reports on the implementation of environmental legislation.
  - The state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment or, through those elements, by any of the factors, measures or activities referred to above.
- 3.4 The FOI Act and EIR both set a deadline of 20 working days for the Council to respond to written requests from the public. It is regulated by the Information Commissioner (ICO) and information on the ICO's investigations and decisions is set out below.
- 3.5 Information disclosed by the Council to applicants is usually also published on the Council's disclosure log, linked to the Council website. In this way a resource has been built up over time which is available to the public for reference.
- 3.6 Details of FOI and EIR requests closed by the Council in 2016/17 and 2017/18 are summarised in Figures 1 and 2.



**Figure 2**

FOI and EIR Requests by Directorate and Performance								
	2016/17			2017/18			Change in Volume	
	Requests	In Time		Requests	In Time			
Children's	423	373	88%	385	376	98%	-38	-9%
Governance	228	209	92%	209	191	91%	-19	-8%
Health Adults and Community	191	150	79%	184	171	93%	-7	-4%
Place	783	686	88%	927	895	97%	144	18%
Resources	429	389	91%	419	406	97%	-10	-2%
Tower Hamlets Homes	137	128	93%	195	181	93%	58	42%
	<b>2191</b>	<b>1935</b>	<b>88%</b>	<b>2319</b>	<b>2220</b>	<b>96%</b>	<b>128</b>	<b>6%</b>

3.7 The number of information requests increased by 6%.

3.8 Performance in responding to requests within the 20 working day statutory deadline improved from 88% to 96%. This is attributed to increase in awareness and officers becoming more familiar with the new software.

### 3.9 Internal Review

Figure 3

	2016/17			2017/18		
	Requests	Reviews	Escalation Rate	Requests	Reviews	Escalation Rate
Number Completed	2191	66	3.01%	2319	55	2.37%
% Completed in Time		79%			87%	
Number Upheld / Partly Upheld At Reviews		35			33	

3.10 On receipt of a response to an FOI or EIR request, an applicant may ask for an internal review (complaint) if they are dissatisfied with the response provided. Figure 3 shows the escalation rate has dropped to 2.37% since last year. Response performance has increased despite a 6% increase in the volume of cases. A slightly lower proportion of the cases were upheld or partially upheld, a summary of which is set out below.

3.11 33 cases were upheld:

- Further information was made available in 15 cases
- Withheld information should have been released in 5 cases
- Delays occurred in 6 cases
- Different exemptions or exceptions were required in 7 cases

### 3.12 Complaints to the Information Commissioner

The Information Commissioner issued two decision notices. The summaries from the ICO website are reproduced below, one of which found the appropriate exemption had been applied, and another found the request to be vexatious.

3.13 **Case ref FS50671834:** The complainant has requested information about credit balances on business rate accounts held by the Council. The Commissioner's decision is that the Council has appropriately applied section 31(1)(a) to withhold the requested information. The Commissioner considered that, in the particular circumstances of this case, the public interest in maintaining the exemption outweighs the public interest in disclosure.

3.14 **Case ref FS50687482:** In six requests, the complainant has requested information broadly about Balfron Tower, a residential tower block in Tower Hamlets. The Council indicated that it does not hold information within the scope of two of the requests, released information in response to another and refused to comply with other of the requests under section 12(1) of the FOIA (cost exceeds the appropriate limit). During the Commissioner's investigation the Council confirmed that its position now is that it is not obliged to comply with the requests because they are vexatious under section. The Commissioner's decision is that the complainant's requests are vexatious under section 14(1) of the FOIA and the Council is not obliged to comply with them.

## 4. SUBJECT ACCESS REQUESTS

- 4.1 The DPA governs the collection, storage, and processing of personal data, in both manual and electronic forms. It is regulated by the Information Commissioners Office ([www.ico.gov.uk](http://www.ico.gov.uk)). It requires those who hold personal data on individuals to be open about how the information is used, and requires the Council to process data in accordance with the principles of the Act. Individuals have the right to find out what personal data is held about them, and what use is being made of that information. These 'Subject Access Requests' (SAR) should be processed by the Council within a period of 40 calendar days. Details of the requests received in 2016/17 and 2017/18 are set out in Figures 4 and 5.

Figure 4

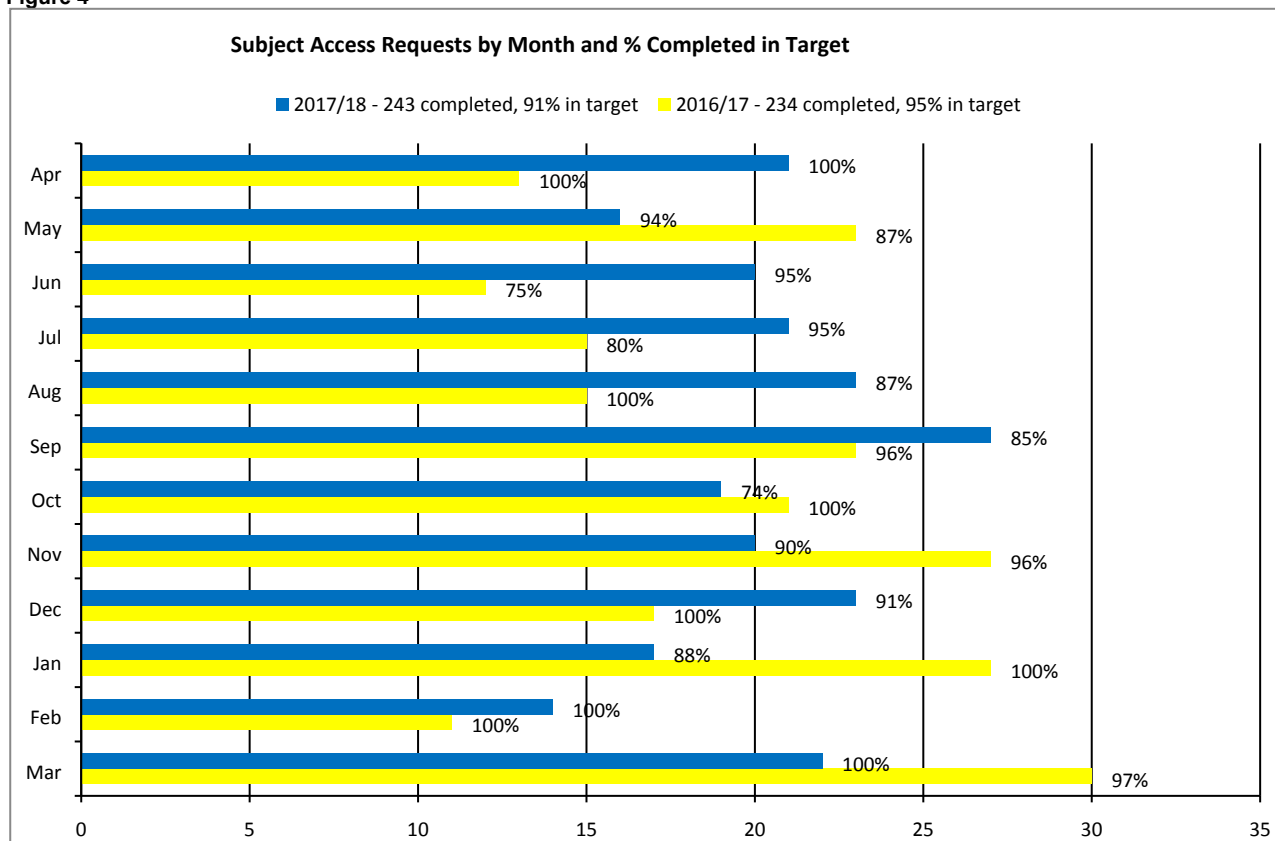


Figure 5

	2016/17			2017/18			Change in Volume	
	Requests	In Time		Requests	In Time			
Childrens	98	90	92%	104	90	87%	6	6%
Governance	21	20	95%	15	13	87%	-6	-29%
Health Adults and Community	18	18	100%	20	18	90%	2	11%
Place	29	28	97%	39	39	100%	10	34%
Resources	45	45	100%	40	37	93%	-5	-11%
Tower Hamlets Homes	23	21	91%	25	25	100%	2	9%
	<b>234</b>	<b>222</b>	<b>95%</b>	<b>243</b>	<b>222</b>	<b>91%</b>	<b>9</b>	<b>4%</b>

- 4.2 Requests for personal information held increased by 4% with response times falling to 91%.

- 4.3 Requests for personal identifiable information are collated by the relevant service area and assessed under the DPA criteria. The Corporate Complaints and Information Team advise on preparation of files for release, and ensure that appropriate action is taken to safeguard data pertaining to other people and ensure that third party data redacted.
- 4.4 Some of the files held can be large with significant amounts of data provided by third parties (e.g. medical reports) and / or relating to other people (e.g. family members / neighbours). In order for there to be a prompt response to all requests, consideration must be given to the resources required in each directorate or service area to meet the changing demand.
- 4.5 **Complaints to the Information Commissioner on Data Protection and SAR provisions**

These matters are not published, so reference numbers are not given in this report. 3 complaints were considered by the ICO:-

- Request for CCTV footage of a data subject under the subject access rights. Images were disclosed outside the statutory time-scales (breach of timescales)
- A subject access request was correctly refused by the council for a parent who had no rights to access his children's data. (no breach)
- A noise nuisance report containing details of the complainants was passed to the defendant company. Although this should not have occurred, the complainants were already known to the company. The Council retrieved the data, self-reported to the ICO and informed the complainants of the occurrence. (breach –no further action)

## **5. CORPORATE COMPLAINTS**

### **5.1 Corporate Complaints Procedure**

The Complaints Procedure is detailed on the Council's web site, where we state "we want to hear from you" and specifies –

- desire to give the best possible service;
- what needs to improve by listening to the views of service users and others;
- commitment to continuously improving services; and
- undertaking to act on what it is told.

- 5.2 The procedure is a three stage process, accepting issues from anyone who wants, or receives, a service from the Council. The exception is where the matter is covered by another channel of redress, such as a legal, or appeal process (e.g. benefits assessments, parking penalty charges, leasehold matters), or where a statutory procedure exists.

At Stages 1 and 2 of the complaints procedure, the matter is addressed by the relevant service managers. At the 3 and final stage, an independent investigation is conducted by the team on behalf of Corporate Director of Governance and Monitoring Officer.

Most Social Care complaints come under statutory procedures and are detailed in sections 6 and 7 of this report. Schools complaints fall under a separate procedure at Stages 1 and 2, with the final stage coming under the Corporate Complaints Procedure, at Stage 3

All matters concerning Whistleblowing are considered under a separate process.

### **5.3 Volume of complaints**

Figure 6 provides summary information about the total number of complaints. Overall, the number of complaints was significantly lower than last year. The closed in time rate has improved at Stages 1 and 2 of the complaints process.

- 5.4 Tower Hamlets population grew to an estimated 308,000 in June 2017 based on the latest figures available. It is projected to reach 317,500 by 2018. The rate of complaints has decreased from 12.8 complaints per 1,000 of population in the previous year to 10.7 per 1,000 in 2017/2018.
- 5.5 The 2018 Annual Residents Survey found that 63% of residents were very/fairly satisfied with the way we run things.

Figure 6

Volume of Complaints by Stage								
	2016/17			2017/18			Volume Change	
	Answered	Answered In time	Upheld/ Partly Upheld	Answered	Answered In time	Upheld/ Partly Upheld		
<b>Stage 1</b>	3797	86%	44%	3403	91%	39%	-394	-10%
<b>Stage 2</b>	402	76%	41%	378	84%	41%	-24	-6%
<b>Stage 3</b>	142	87%	39%	161	83%	39%	19	13%

- 5.6 Figure 7 shows the escalation rates through the stages of the complaints process. Overall, 11% of Stage 1 complaints were escalated to Stage 2 of the complaints process, which is the same as the previous year. Escalation rates for Stage 1 complaints to Stage 3 have risen slightly to 5%.

Figure 7

Escalation Rates by Directorate 2017/18						
Directorate	Stage 1	Stage 2		Stage 3		
		Stage 2	Escalated from Stage 1	Stage 3	Escalated from Stage 2	Escalated from Stage 1
Children's	144	5	3%	4	80%	3%
Governance	57	8	14%	6	75%	11%
Health Adults and Community	20	1	5%	0	0%	0%
Place	1965	196	10%	68	35%	3%
Resources	391	45	12%	19	42%	5%
Tower Hamlets Homes	826	123	15%	64	52%	8%
<b>Totals</b>	<b>3403</b>	<b>378</b>	<b>11%</b>	<b>161</b>	<b>43%</b>	<b>5%</b>
<b>Escalation Rates 2016/17</b>			<b>11%</b>		<b>35%</b>	<b>4%</b>

## 5.7 Stage 1 Complaints

Figure 8 shows the rate at which complaints are received at Stage 1 and the percentage completed on time together with the percentage upheld and partly upheld.

- 5.8 Response times for Stage 1 complaints have improved significantly to 91%, the corporate target is 87%.
- 5.9 The number Upheld/ Partly Upheld has decreased.



Figure 8

Volume, Performance and Outcomes of Stage 1 Corporate Complaints								
Directorate	2016/17			2017/18			Volume Change	
	Answered	In time	Upheld/ Partly Upheld	Answered	In time	Upheld/ Partly Upheld		
Children's	126	75%	50%	144	82%	24%	18	14%
Governance	63	81%	27%	57	86%	26%	-6	-10%
Health Adults and Community	19	58%	42%	20	50%	60%	1	5%
Place	1993	90%	45%	1965	93%	35%	-28	-1%
Resources	404	92%	45%	391	91%	38%	-13	-3%
Tower Hamlets Homes	1192	79%	43%	826	89%	52%	-366	-31%
<b>Total</b>	<b>3797</b>	<b>86%</b>	<b>44%</b>	<b>3403</b>	<b>91%</b>	<b>39%</b>	<b>-394</b>	<b>-10%</b>

- 5.10 Figure 9 is a cross tab report of the Top 20 Stage 1 Complaints by Issue and Cause with performance and outcome.
- 5.11 The charts set out in Appendix 1 provide a breakdown of the complaints in each Directorate by reference to service issue against the cause at each stage.

Figure 9

## Top 20 Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
THH Repairs	2		135	5			58			21	98	12	331	91%	64%
Domestic refuse	21		136				10				26	7	200	95%	71%
Council Tax	2	78	14	3		1	6	23	6	25	13	10	181	90%	35%
Lettings			17	16			48		8	36	23	13	161	94%	29%
ASB and THEOs	26		2	7	1	9	8	1	94	1	1	5	155	92%	14%
Dry recycling	6		89	1		1	6		21	3	4	2	133	92%	68%
Parking Appeals	1	7	8	27	3		6	15	52	1	7	1	128	99%	9%
THH Housing Management	3		27	13		1	24	1	26	11	9	5	120	81%	28%
Waste and recycling other	17		26	2			15		19		9	16	104	94%	64%
THH Estate Parking	1	1	39	7		2	22		4	5	9		90	96%	34%
Parking Enforcement	2	1	18	11			7		8	2	20	17	86	100%	5%
Benefits Claimants		14	13	1	1			10	16	13	7	5	80	94%	41%
Parking Permits		11	8	5			2	8	34	3	6	2	79	100%	8%
THH Housing Service Centre	1		25				15		3	4	13	10	71	87%	56%
Fostering				1					61				62	100%	0%
Food and garden recycling	6		47				2		2	2	3		62	98%	76%
Road maintenance and repairs	11		22				3				15		51	84%	49%
THH Leasehold Service		8	13	1			9	2	2	5	10		50	100%	32%
THH Capital Delivery	1		14	4			6		1	1	16	2	45	89%	62%
Noise Nuisance	26		9				3		2	1		1	42	100%	7%

## 5.12 Stage 2 Complaints

Figure 10 shows the rate at which complaints are upheld and the percentage completed on time together with the percentage upheld and partly upheld.

5.13 The overall volume of complaints has decreased. Children's Directorate had a significant reduction of 71%.

5.14 Response times for Stage 2 complaints have improved; the corporate target is 87%.

5.15 The percentage Upheld/ Partly Upheld has remained the same.

**Figure 10**

<b>Volume, Performance and Outcomes of Stage 2 Corporate Complaints</b>								
<b>Directorate</b>	<b>2016/17</b>			<b>2017/18</b>			<b>Volume Change</b>	
	<b>Answered</b>	<b>In time</b>	<b>Upheld/ Partly Upheld</b>	<b>Answered</b>	<b>In time</b>	<b>Upheld/ Partly Upheld</b>		
Children's	17	47%	18%	5	80%	40%	-12	-71%
Governance	5	80%	0%	8	75%	50%	3	60%
Health Adults and Community	2	50%	0%	1	0%	100%	-1	-50%
Place	217	83%	35%	196	88%	33%	-21	-10%
Resources	51	76%	22%	45	91%	31%	-6	-12%
Tower Hamlets Homes	110	67%	65%	123	77%	58%	13	12%
<b>Total</b>	<b>402</b>	<b>76%</b>	<b>41%</b>	<b>378</b>	<b>84%</b>	<b>41%</b>	<b>-24</b>	<b>-6%</b>

5.16 Figure 11 is a cross tab report of the Top 20 Stage 2 Complaints by Issue and Cause with performance and outcome.

5.17 The charts set out in Appendix 1 provide a breakdown of the complaints in each Directorate by reference to service issue against the cause at each stage.

Figure 11

## Top 20 Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
THH Repairs			18				12			4	21	2	57	81%	63%
Lettings			2	1			7		2	8	6	3	29	97%	38%
Benefits Claimants		3	2		1			2	4	6	2	2	22	100%	23%
Domestic refuse	1		12				1				5	1	20	80%	75%
THH Leasehold Service		4	8				1	1		3	2		19	95%	58%
Council Tax		8					1	2	1	3	2		17	88%	35%
Parking Appeals			1	1			1	1	9	2	1		16	100%	6%
THH Capital Delivery	1		5				2				7		15	60%	80%
Parking Permits		3		1					8	1		1	14	93%	7%
Dry recycling			9						1		1		11	73%	82%
Personalised Disabled Bay							1		10				11	100%	0%
Parking Enforcement			2				1		2		2	3	10	100%	0%
THH Leasehold RTB and Resales			6		1		1				1		9	89%	33%
THH Housing Management			3	1			2			1	1		8	38%	63%
Legal Services			4		1				2				7	71%	43%
Planning Development Management						1	3			2			6	50%	50%
Other Housing Options Issues			1			1	1		1		1		5	100%	0%
THH Estate Parking			3							1	1		5	60%	40%
Street cleansing			5										5	60%	40%
PCN Debt Recovery					1		1		2			1	5	100%	20%

## 5.18 Stage 3 Complaints

Figure 12 shows the rate at which complaints are upheld and the percentage completed on time together with the percentage upheld and partly upheld. Stage 3 is an important review, as this is the last internal stage before the Local Government Ombudsman or Housing Ombudsman.

5.19 The overall volume has increased by 13%.

5.20 Response times have decreased to 83%, the corporate target is 87%.

5.21 The percentage Upheld/ Partly Upheld has remained the same.

Figure 12

Volume, Performance and Outcomes of Stage 3 Corporate Complaints								
Directorate	2016/17			2017/18			Volume Change	
	Answered	In time	Upheld/ Partly Upheld	Answered	In time	Upheld/ Partly Upheld		
Children's	4	50%	25%	4	100%	25%	0	0%
Governance	4	100%	50%	6	50%	17%	2	50%
Health Adults and Community	0	na	0%	0			0	0%
Place	73	92%	30%	68	87%	32%	-5	-7%
Resources	17	100%	24%	19	95%	32%	2	12%
Tower Hamlets Homes	44	75%	59%	64	78%	50%	20	45%
<b>Total</b>	<b>142</b>	<b>87%</b>	39%	<b>161</b>	<b>83%</b>	39%	19	13%

5.22 Figure 13 is a cross tab report of the Top 20 Stage 3 Complaints by Issue and Cause with performance and outcome.

5.23 The charts set out in Appendix 1 provide a breakdown of the complaints in each Directorate by reference to service issue against the cause at each stage.

Figure 13

## Top 20 Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
THH Repairs			7				5			3	13		28	86%	64%
Lettings							3		2	3	1	1	10	80%	30%
Benefits Claimants					1				3	3	1	1	9	89%	33%
THH Leasehold Service			3				1	1		2	2		9	44%	44%
THH Capital Delivery	1				1		1				5		8	88%	63%
Personalised Disabled Bay							1		7				8	100%	13%
Development Management				1			1			3	1		6	100%	17%
Parking Appeals			1	1					3	1			6	100%	17%
THH Leasehold RTB and Resales			4								1		5	100%	20%
Council Tax		3								1	1		5	100%	60%
THH Housing Management			1	1			1			1			4	75%	50%
Legal Services			2		1				1				4	75%	25%
Parking Enforcement											2	2	4	75%	50%
Other Housing Options Issues			1			1			2				4	100%	50%
Parking Permits		1							3				4	75%	0%
PCN Debt Recovery			1						1			1	3	100%	33%
THH Estate Services							1	1		1			3	100%	33%
Pollution	1	1								1			3	100%	67%
Domestic refuse	1		1										2	0%	100%
Health and Housing			1								1		2	50%	0%

## 5.24 Compensation

Compensation is paid where a complaint is upheld and an apology or some other action is considered to be an insufficient remedy. Figure 14 shows a summary of compensation payments made at Stage 3 during the previous 3 years.

Figure 14

	Number of Stage 3 cases warranting compensation	Total value of Compensation
2017/18	16	£2,900
2016/17	17	£3,605
2015/16	21	£10,142
2014/15	23	£8,186

## 5.25 Summary of key issues in upheld/partly upheld Stage 3 complaints

### Place

There were 69 complaints for the Place Directorate of which 19 were upheld.

- 6 related to parking and mobility,
- 4 related to environmental health and trading standards,
- 1 related to planning and building control,
- 4 related to housing options,
- 1 related to waste and recycling.
- 2 related to streets and highways,
- 1 related to street cleansing.

5.26 One complaint was about a permit application in a car free zone. Due to a breakdown in communication within council departments, information was not updated to record the property as car –free. One final permit was issued to the complainant. Two complaints were about a lack of enforcement. The Council will carry out a review of its policy.

5.27 Two complaints were about noise nuisance, one from a business and the other from buskers. An apology was given for not addressing all the points raised previously and advice given on how to report noise. Two complaints were about a breach of privacy when a noise monitoring machine recorded personal conversations within the property. An apology was given as the instructions for use could have been made clearer.

5.28 One complaint in Housing Options was about poor communication. Two were about delays in processing applications. Apologies were given.

5.29 One complaint related to non-collection of waste. Apologies were given and increased monitoring of the site.

5.30 One complaint was about anti-social behaviour in a no through road and officers not providing an update on road design consultation. An apology was given and a consultation with residents will be carried out. One complaint was from Bellway Homes about the delay in processing a naming proposal, since October 2016. An apology was given and £700 was reimbursed for the application fee and £810 for street order fee.

## 5.31 Resources

There were 6 complaints upheld in the Resources Directorate.

- 3 related to benefits, and
- 3 related to revenues.

5.32 One complaint was about administrative errors and delays made by officers in Benefits. An apology was given and overpayment of Housing Benefit was written off.

5.33 One complaint was about a lapse in service, including incorrect advice and incorrect assessments. An apology was given and £50 for time and trouble pursuing the complaint.

5.34 One complaint was about Benefits failing to notify the resident of housing and council tax reduction decisions, using inaccurate information.

5.35 One complaint was about council tax letters being sent to the wrong address and an officer failed to notice a single-person's discount was still being applied despite confirming that the resident was living with a partner. An apology was given, and overpayment was written off. Complainant was given £100 as a gesture of goodwill.

5.36 One complaint was about the complainant being billed for council tax before the completion of the property. An apology was given.

5.37 One complaint was due to a lapse in communication between Benefits and Council Tax, which led to an enforcement agent visiting the complainant's home for 3.5 hours. An apology was given and compensation of £300 paid.

## 5.38 Tower Hamlets Homes

Of the 64 stage three complaints answered, 30 complaints were upheld/partly upheld.

- 3 related to Decent Homes Work,
- 11 related to Repairs and General Build,
- 3 related to Repairs Mechanical and Technical,
- 1 related to the Housing Service Centre (HSC),
- 5 related to Leasehold Services
- 1 related to Housing Management
- 2 related to Neighbourhoods
- 1 related to ASB
- 2 related to Capital Delivery and
- 1 related to New Build

5.39 Of the Decent Homes complaints, one resident was offered £750 in compensation due to issues with boiler. Two complaints were about windows / doors not being replaced as part of Decent Homes work.

5.40 Two of the Repairs and General Build complaints were in relation to delays addressing leaks in property. In one of the cases £150 compensation was offered.

5.41 One of the Repairs and Mechanical Repairs complaints was in relation to contractors causing damage to resident's property. Contractors offered £100 for resident's carpet to be cleaned and THH offered £40 compensation.



- 5.42 Two of the Leasehold Services complaints were in relation to Right to Buy. In one of the cases £1557.12 rent rebate was offered due to the Right to Buy application being wrongly denied.
- 5.43 The two Capital delivery complaints were in relation to delays carrying out works. One of the complaints was partly upheld due to lack of correspondence with resident.
- 5.44 ASB complaint was upheld due to the service not escalating complaint when requested by resident resulting in poor communication.
- 5.45 **Children's**

One complaint was partly upheld due to complainant not being notified sooner of the Hockey Pitch Slot that was allocated for Complainant's team.

#### **5.46 General Commentary by Directorate**

#### **5.47 Governance**

- There was a 10% decrease in the number of Stage 1 Complaints received during 2017/18 as opposed to 2016/17. Response times improved with a 5% increase in numbers responded to in time.
- The number of Stage 2 Complaints saw a slight increase, 8 in 2017/18 from 5 in 2016/17, and there was a 5% decline in performance in providing responses within the published response times.
- The overall volume of complaints decreased within the directorate by approximately 10%. Many of the complaints dealt with within Governance are in effect corporate issues and not issues relating sole to a service provided by Governance.
- The total number of complaints for Electoral Services was 10 which is very low given the scale of the electorate (191,000), the elections held in this year and the electoral canvass.

#### **5.48 Place**

- The Place Directorate covers a wide range of services in the borough, including the provision of waste and recycling, housing options and parking which have a high take-up and therefore are more likely to generate a high volume of complaints compared with services with a low usage.

#### **5.49 Resources**

- The overall volume of complaints for this Directorate remains very similar to last year, with highest volume of complaints relating to council tax and benefits.

#### **5.50 Tower Hamlets Homes (THH)**

- The number of Stage 1 complaints received has reduced by 28% (332 cases) compared to the same period last year.
- Performance for the number of Stage 1 complaints being responded to in target is currently at 88%, a 9 percentage point improvement compared to our performance at the end of 2016/17.
- The percentage of complaints escalating to a Stage 2 has reduced from 17% to 10% in Q4. The end of year performance currently stands at 14% compared to 8% in 2016/17.
- The number of complaints escalating to Stage 3 increased from 44% in Q3 to 54% in Q4. The end of year performance stands at 55% compared to 53% in 2016/17.

- The number of cases being upheld at Stages 2 and 3 continues to improve. The end of year performance for Stage 2 complaints currently stands at 59% compared to 69% in 2016/17. For Stage 3, this stands at 42% compared to 68% in 2016/17.

The Complaints team continues to work with service areas to reduce the volume of complaints and prevent the number of cases escalating. The team have introduced in depth audits in Q4, checking all cases to ensure cases are closed down correctly, corrective actions have been recorded and actioned. The main issues identified have been:

- Some cases should have been logged as complaints not comments – this was a training issue and has been resolved
- Cases still being closed down in individual names affecting the ability of the complaints team to monitor a case if re-opened – this has been flagged up
- Cases rejected for no reason due to a training issue – now resolved
- Failure to record actions taken to resolve the complaint – raised with individuals
- Follow up actions not logged – raised with individuals
- A few comments not responded to in time so escalated to complaints
- Failure to keep residents updated – flagged up with individuals
- We need a more streamlined way to process missed payment appointments – see Service Improvement Plan for progress update

### 5.51 Complaints Service User Profiles

The complaints service can be accessed by email, in person, phone, post, and web-form. A breakdown of access methods is provided in Figure 15 below.

Figure 15

Breakdown of Stage 1 how complaints are received				
	2016/17		2017/18	
Email	1501	40%	1332	39%
Web / Self Service	1404	37%	1590	47%
Post	101	3%	25	1%
Phone	778	20%	449	13%
In Person	13	0%	7	0%
<b>Total Complaints</b>	<b>3797</b>		<b>3403</b>	

- 5.52 Web usage increased significantly has been driven by the new software with its web form. Email usage dipped by 1%. Combined email and web form submitted complaints for 2016/17 was 77% and this has now increased in 2017/18 to 86%. Phone contact still remains a significant part of the service however it would appear that the drop of 7% has been the increase in the use of the internet.
- 5.53 Equality data is difficult to obtain to undertake detailed analysis and collection rates vary. Despite the option to submit data on the complaint web-form, the data gathered is low to enable a meaningful analysis for some strands (e.g. religion and sexual orientation).
- 5.54 The level of non-response presents challenges in terms of equality analysis. For example, Figure 16 sets out a breakdown of complaints by reference to ethnicity and information is only available for 21% of complainants. This means that this dataset is not robust enough to allow any conclusions to be drawn. However, with the increase use of the web form, which has a monitoring section, it is evident that many people are unwilling to complete this information.

Figure 16

Stage 1 Complaints by Ethnicity			
	2017/18		Borough Projection
Asian	91	2.67%	41%
Black	25	0.73%	7%
Mixed /Dual Heritage	235	6.91%	4%
Other	22	0.65%	2%
White	333	9.79%	45%
<b>Sub Total</b>	<b>706</b>	<b>20.75%</b>	
Prefer Not to Say	59	1.73%	
Not Known	2638	77.52%	
<b>Total</b>	<b>3403</b>		

## 5 ADULTS SOCIAL CARE COMPLAINTS

### 6.1 Procedure, volumes and timeliness

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009, made under the Health and Social Care (Community Health and Standards) Act 2003, set out the process for considering adult social care and health complaints. The key principles require Local Authorities to:-

- consider adult social care complaints once only;
- involve the complainant in agreeing the method and likely timeframe for the investigation;
- establish desired outcomes; and
- Provide a unified approach to joint investigations with partner bodies.

6.2 The current statutory complaint procedure can be found on the website. There is a strong emphasis on the informal resolution of complaints and in assisting social care teams in effectively managing and resolving complaints.

6.3 Some matters will be raised directly with the service and resolved without recourse to a formal complaint procedure. These can include concerns made to commissioned providers that require investigation or action to be taken by a Council service. These locally resolved concerns may address different issues to those raised through the statutory process.

6.4 The statutory procedure allows one stage of investigation only, although the form this takes is agreed in the light of the issues raised. A variety of methods have been used, including round table meetings, formal interview and file reviews, and liaison between the service manager and the complainant. Key to resolving matters has been the emphasis on identifying a resolution plan with the complainant.

6.5 Figure 17 below compares the year on year volumes, showing a 17% increase.

Figure 17

Volume of Adult Social Care Complaints				
	2016/17	2017/18	Variance	
Total Complaints	59	69	10	17%

Figure 18

Adults Social Care Complaints Volume and Outcomes 2017/18											
	Charges	Failure / Delay to deliver service	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	Upheld & Partly Upheld	
Community Learning Disabilities	1	1	2	2		3	4	4	17	15	0.88 235 3
Community Mental Health		2	2			1			5	1	20%
Delivery Transformation and Independence		2							2	2	100%
Hospital and Community Integrated Services		6	2		2	4	6	4	24	13	54%
Occupational Therapy							1		1	0	0%
Personalisation Resources and Review	2	7	3	1	1	1	2	1	18	12	67%
Strategic Commissioning			1						1	0	0%
Vulnerable Adults								1	1	0	0%
<b>Grand Total</b>	<b>3</b>	<b>18</b>	<b>10</b>	<b>3</b>	<b>3</b>	<b>9</b>	<b>13</b>	<b>10</b>	<b>69</b>	<b>43</b>	<b>62%</b>

6.6 Figure 18 above is a cross-tab report by Service and Cause with outcomes shows the breakdown by service issue and cause.

6.7 The Complaints Procedure does not specify timescales for completion, as these are agreed at the outset of each case. In order to provide monitoring information we are capturing data of complaints closed within 10 working days, 20 working days and those over this. 28 (41%) of the complaints were completed within 20 working days.

Figure 19

Adults Social Care Stage 1 Complaints - By Performance										
Complaints Answered	Totals	Answered within 10 working days		Answered within 20 working days		Answered over 20 working days		Average Days to Complete		
2016/17	59	13	22%	26	44%	33	56%	31		
2017/18	69	13	19%	28	41%	41	59%	27		

6.8 Figure 19 demonstrates that the average number of working days to complete has decreased from 31 to 27.

## 6.9 Access and Profiles

The method of how people are making complaints has changed slightly, but as the numbers involved are relatively small it is difficult to draw any conclusions on this.

## 6.10 Summary of key issues in upheld/partly upheld cases

There were 43 complaints upheld/partly upheld:

- 3 related to charges,
- 13 related to a failure/delay in service
- 3 related to payments,
- 6 related to poor communications
- 9 related to poor quality of work/service
- 7 related to rudeness/conduct of staff
- 1 related to safeguarding
- 1 related to personalisation

#### 5.55 **General Commentary**

Although the increase in volume of complaints may appear higher at 17%, given the low overall volume of complaints for this service in proportion to the quantity of services provided, it should not be read as alarming.

## 7. CHILDREN'S SOCIAL CARE COMPLAINTS

### 7.1 Procedures

There is a legal requirement under 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 and their carers.

### 7.2 The Children's Complaints Procedure has 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:** 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. The report is passed to the Head of Service and an internal adjudication meeting is held before the report and outcomes are shared with the service user.
- **Stage 3 Complaints – Independent Review Panel:** An Independent Review Panel can review the case in the presence of the complainant and Service Head, and where appropriate make recommendations to the relevant Director.

### 7.3 Complaint volumes

The number of children's social care complaints fell in 2017/18 as shown in Figure 20, there is no clear explanation for this.

Figure 20

Volume of Children's Social Care Complaints				
Year	2016/17	2017/18	Variance	
Stage 1	55	40	-15	-27%
Stage 2	12	10	-2	-17%
Review Panel	2	3	1	50%

### 7.4 Complaint Response Times

Figure 21 sets out the response times for Stage 1 complaints. It shows that 33% of Stage 1 complaints in Children's Social Care were answered within the 10 working day time scale, and 65% completed in the extended time scale. This is a drop compared to last year.

Figure 21

Children's Social Care Stage 1 Complaints - By Performance								
Complaints Answered	Totals	Answered within 10 working days		Answered within 20 working days		Answered outside timescale		Average Days to Complete
2016/17	55	20	36%	40	73%	15	27%	17
2017/18	40	13	33%	26	65%	14	35%	17



- 7.5 There were 10 Stage 2 complaints this period with an average response time of 170 working days.

**Figure 22**

Children's Social Care Stage 2 Complaints - By Performance								
Complaints Answered	Totals	Answered within 25 working days		Answered within 65 working days		Answered outside timescale		Average Days to Complete
2016/17	12	1	8%	3	25%	8	67%	130
2017/18	10	1	10%	1	10%	9	90%	170

- 7.6 Complaints in Children's Social Care are often complex and the regulations require the Council to appoint an independent person to oversee the investigation. This can create challenges in managing response times. However, the Complaints and Information Team continues to strive to improve this performance and works closely with the Children's Rights Officer to ensure effective liaison with the young person.

- 7.7 There were 2 Stage 3 review panels in 2017/18. One complaint in the Assessment and Early Intervention Service was partly upheld due to failure/delay to deliver service. One complaint in the Children's Specialist Service was partly upheld with the root cause being poor quality of work or service.

## 7.8 Complaints by Service

The areas on which complaints have been recorded at each stage are set out in figure 23 below.

**Figure 23**

Children's Social Care Stage 1 Complaints Volume and Outcomes 2017/18										
	1st Time Service Request via Complaint or Enquiry	Failure / Delay to deliver service	Other service issues	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	Upheld & Partly upheld	
Assessment and Early Intervention	1	1	2	1	1	1	6	13	7	54 %
Child Protection and Reviewing		1		2		2	2	7	3	43 %
Children Specialist Services			2	2	1	1	2	8	4	50 %
Family Support and Protection		1	1		2	2	6	12	7	58 %
<b>Total</b>	1	3	5	5	4	6	16	40	21	53 %

Children's Social Care Stage 2 Complaints Volume and Outcomes 2017/18										
	1st Time Service Request via Complaint or Enquiry	Failure / Delay to deliver service	Other service issues	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	Upheld & Partly upheld	
Assessment and Early Intervention		3				1		4	3	75%
Children Specialist Services						1		1	1	100%
Family Support and Protection		1	2		2			5	2	40%
<b>Total</b>		4	2		2	2		10	6	60%

Children's Social Care Stage 3 Complaints Volume and Outcomes 2017/18										
	1st Time Service Request via Complaint or Enquiry	Failure / Delay to deliver service	Other service issues	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	Upheld & Partly upheld	
Assessment and Early Intervention		1						1	1	100%
Children Specialist Services						1		1	1	100%
Family Support and Protection			1					1	0	0%
<b>Total</b>		1	1			1		3	2	67%

## 7.9 Summary of key issues in Stage Two upheld complaints

There were 6 complaints upheld or partly upheld.

7.10 Two complaints in Assessment and Early intervention were partially upheld due to failure/ delay to deliver service. One complaint was due to poor quality of work or service. This complaint was regarding a child being in an unsafe environment

7.11 Two cases in Family Support and Protection were partly upheld. One complaint was due to poor communications and the other due to failure/delay to deliver service. There was a delay in convening a health assessment.

7.12 In Children's Specialist Service a complaint was partly upheld due to poor quality of work or service. This case was escalated to stage 3 and is mentioned above.

## 7.13 General Commentary

It is encouraging to see that the volume of complaints has fallen for Children's Services. Regrettably, the time taken to complete investigations has increased, however social services complaints are often complex and require the involvement of multiple parties which can also add to the time needed to complete thorough investigation.

## 8 LOCAL GOVERNMENT OMBUDSMAN AND HOUSING OMBUDSMAN COMPLAINTS

8.1 The Local Government Ombudsman is an independent watchdog appointed to oversee the administration of local authorities. The LGO considers complaints (usually) after the complainant has exhausted the internal complaints procedure, or the adults' or children's complaints procedures, as appropriate. The LGO also deals with education matters.

8.2 In 2017/18 the LGO received 106 complaints, and compared to London Boroughs (with 1<sup>st</sup> as high volume) Tower Hamlets ranked 10<sup>th</sup> position. The volumes fell from 114 to 106 which is a 7% decrease.

8.3 Figure 24 is a breakdown of complaints received from the LGO with their categories.

Figure 24

	LGO Complaints and Enquiries Received									
	Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environmental Services	Highways and Transport	Housing	Planning and development	Other	Total
2017/18	6	15	6	10	13	20	32	4	0	106
2016/17	10	13	10	14	12	14	33	7	1	114
2015/16	10	19	11	22	13	19	48	6	1	149

### 8.4 Complaints Closed by the Ombudsman

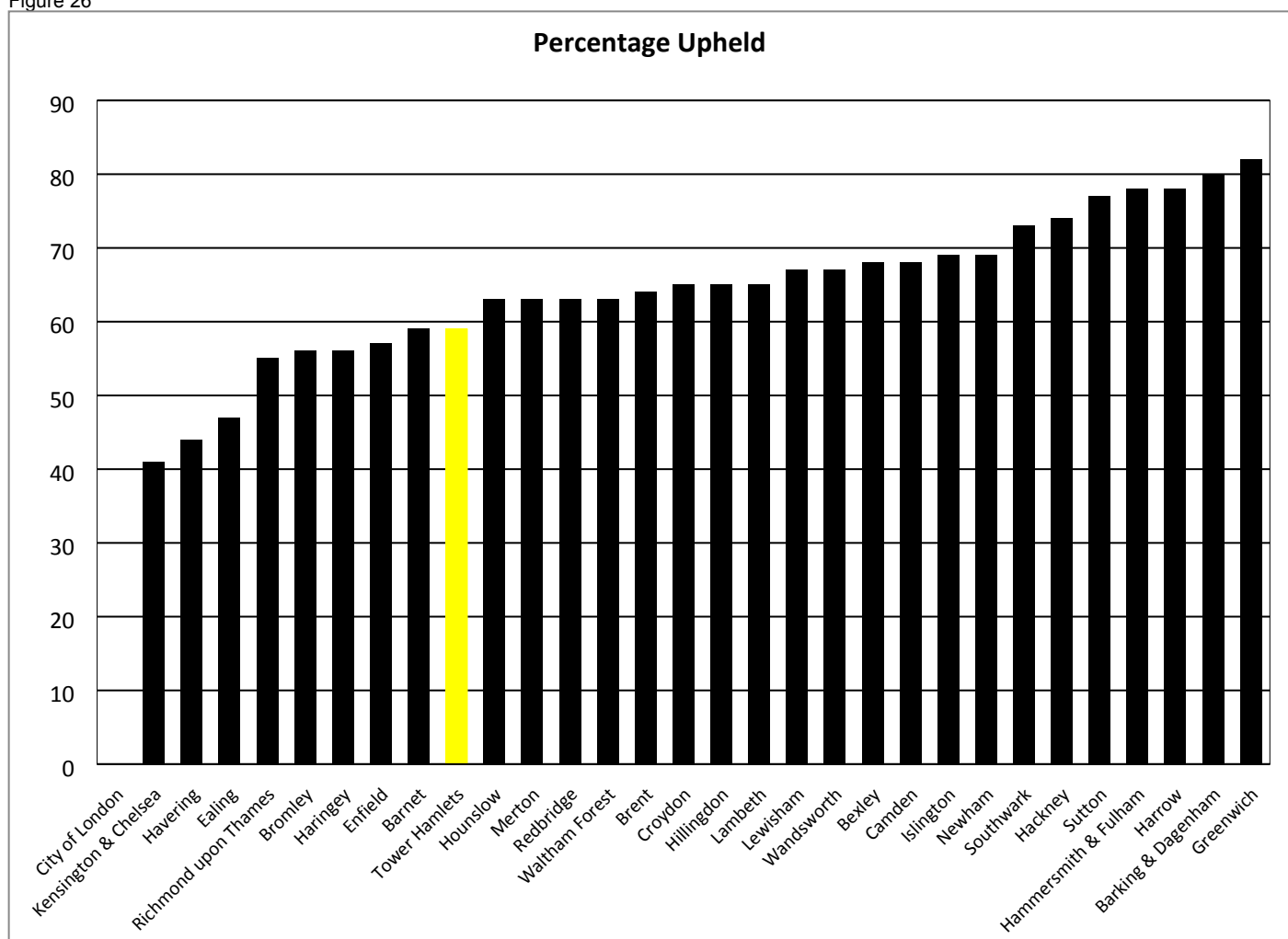
As can be seen in Figure 25, 100 complaints were determined, which is a reduction from the previous year. The LGO's focus is on where an investigation took place. These are then noted as upheld or not upheld. In 17 of these 29 cases some element of the complaint was upheld and 12 were not upheld. 38 cases were referred back to the Council as premature. 26 cases were dismissed after preliminary enquiries with the Council or on the basis of the information provided by the complainant.

Figure 25

	LGO Decisions Made						
	Detailed investigation		Other				
	Upheld	Not upheld	Advice given	Closed after initial enquiries	Incomplete /Invalid	Referred back for local resolution	Total
2017/18	17	12	3	26	4	38	100
2016/17	19	12	11	22	2	40	106
2015/16	9	13	11	35	7	78	153

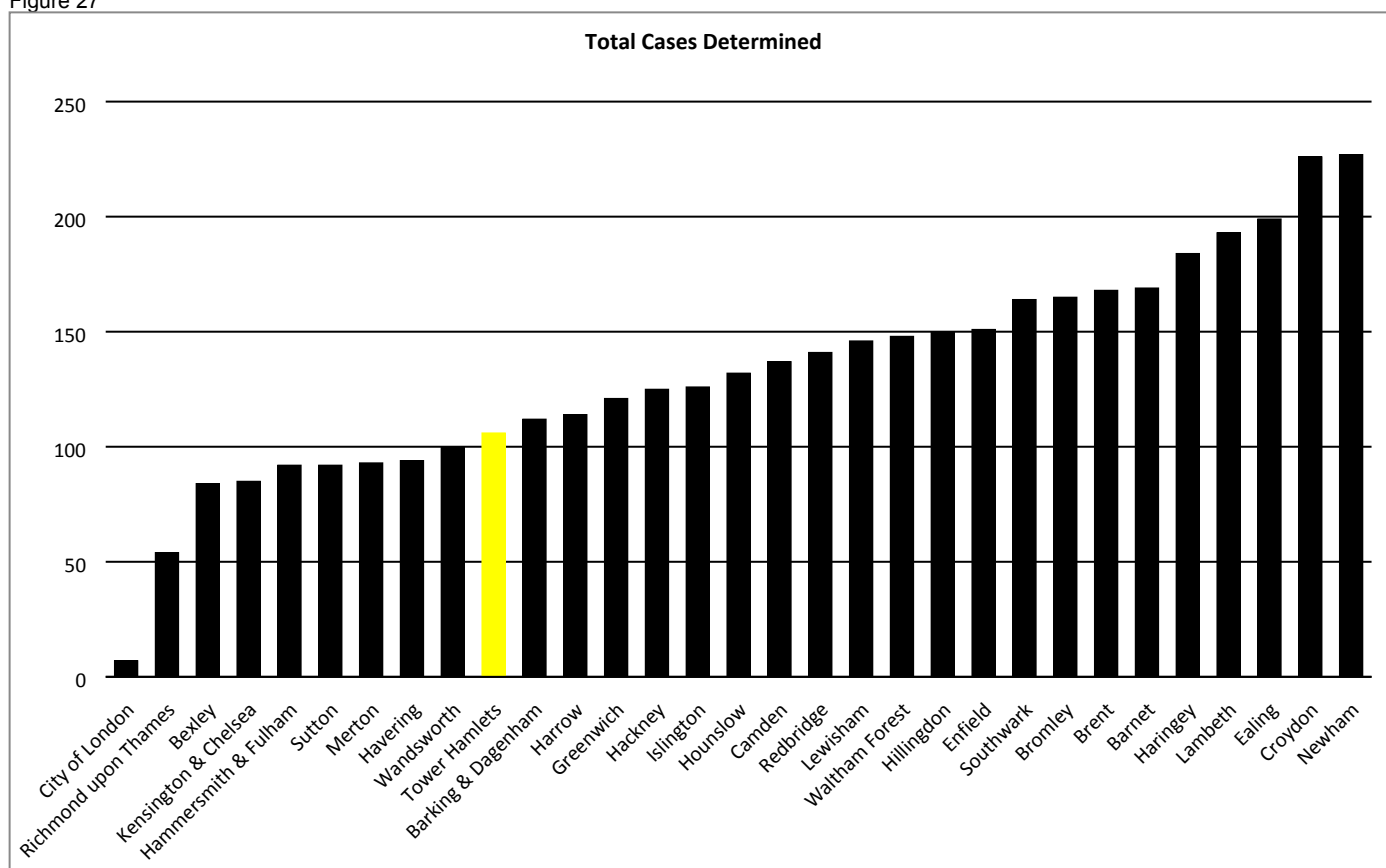
8.5 The Ombudsman ranks Local Authorities on the percentage of the complaints they formally investigate that were upheld.

Figure 26



- 8.6 Figure 26 shows that Tower Hamlets had 59% of those case investigated upheld, with the highest percentages reaching 82%. Tower Hamlets is now ranked 10<sup>th</sup> as lowest upheld compared to 18<sup>th</sup> in 2015/16. Please note this will also include complaints where the Council had already recognised the issue and remedied it.
- 8.7 The overall volume of complaints considered varies across the boroughs. Tower Hamlets ranks 10<sup>th</sup> out of 31 for the fewest Ombudsman enquiries and complaints, as shown in figure 27 below.

Figure 27



8.8 A report on the upheld Ombudsman complaints is appended, where details of the issues and action taken are set out.

8.9 The Housing Ombudsman considers most housing complaints, and in particular tenancy issues. The Housing Ombudsman's Office do not classify complaint outcomes in the same way as the LGO, and prefer to seek local resolution in as many cases as possible.

8.10 Figure 28 shows the changes in volumes over the last 3 years

Figure 28

Housing Ombudsman Complaints	2015/16	2016/17	2017/18
Enquiry	17	19	8
Premature	16	17	15
Determination	2	13	16
<b>Total</b>	<b>35</b>	<b>49</b>	<b>39</b>

8.11 Below in Figure 29 is a breakdown of the cases determined by the Housing Ombudsman for 2017/18. There were 3 more cases determined in 2017/2018 compared to the previous year. 1 less case (5) was determined as Maladministration. The most significant change is that 7 cases were determined as No Maladministration compared to 1 last year.

Figure 29

	<b>Cases Determined by Housing Ombudsman in 2017/18</b>						
	Maladministration	Partial Maladministration	No Maladministration	Redress	Resolved With Intervention	OSJ	Total Determinations
2016/2017	6	1	1	3	1	1	13
2017/2018	5	1	7	0	1	1	16

## **9 IMPROVEMENT INITIATIVES**

### **9.1 External relationships**

We participate in the Data Share London, a London Councils initiative and Information Security for London, the London Information Rights Forum and the Information and Records Management Society Local Government group meetings to share good practice and guidance's

9.2 As members of the Public Sector Complaints Network (for Corporate Complaints), and regional networks for Social Care complaints, the team work with other authorities on key policy and practice issues in terms of complaints handling.

9.3 The team is the organisation's link point to the Local Government Ombudsman, Housing Ombudsman and Information Commissioner's Office, leading on all communication, case management and best practice updates.

### **9.4 Monitoring Complaints**

Weekly outstanding lists for complaints and information requests are available for Directors and Service Heads. Detailed monthly monitoring is also provided to the Corporate Management Team and Directorate Leadership Teams.

### **9.5 Publicity**

Complaints publicity is widely available to ensure effective access across the community. This includes linking with the voluntary sector or third sector agencies 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.

9.6 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. We have a role in informing people of their right to complain and in empowering them to use the procedure effectively. To this end we engage with community groups to promote access and have joint publicity with NHS partners for social care, and working with the Children's Rights Officer. .

### **9.7 Effective Learning Outcomes from Complaints**

We ensure 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, and the summaries of upheld cases are set out in this document. Lessons learned from complaint investigations are also fed back to staff in supervision to enable discussion about improvements, any additional training required and learning points.

### **9.8 Equalities**

Issues and concerns on equalities issues are explored on an individual case basis and reported to the appropriate Corporate Director and there has been during this period.

## Linked Reports, Appendices and Background Documents

### Linked Report

- NONE

### APPENDICES

Appendix A – Corporate Complaints by Directorate charts

Appendix B – Ombudsman’s Annual Letter

Appendix C – Upheld Ombudsman Complaints

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### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- NONE

### **Officer contact details for documents:**

- Ruth Dowden x4162



## APPENDIX A – CORPORATE COMPLAINTS BY DIRECTORATE

Children's Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018															
Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Fostering				1					61				62	100%	0%
Arts and Events	5		3	1			2		3	2	7		23	61%	17%
Leisure Centres	2		2				1	1	1			3	10	50%	60%
Park Management	2					1			1		3		7	57%	57%
Pupil Admissions	1		2				1		3				7	86%	29%
Family Support and Protection							1		3	1		1	6	100%	17%
Assessment and Early Intervention			2				1		1	1			5	80%	80%
Education Psychology and SEN			1				1			1		1	4	100%	75%
Primary Achievement and Early Years									2			1	3	33%	100%
Sports Development	1								1				2	50%	50%
Childrens Social Care			1				1						2	50%	50%
School Issue						1						1	2	100%	0%
Children Specialist Services							1					1	2	100%	100%
Attendance and Welfare			1			1							2	100%	0%
Youth Services							2						2	100%	100%
School Governance						1							1	100%	0%
Resources Children Social Care							1						1	0%	0%
Education and Partnership												1	1	0%	100%
Arts and Events			1										1	0%	100%
<b>Total</b>	<b>11</b>		<b>13</b>	<b>2</b>		<b>4</b>	<b>12</b>	<b>1</b>	<b>76</b>	<b>5</b>	<b>10</b>	<b>9</b>	<b>143</b>	<b>82%</b>	<b>24%</b>

### Children's Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Leisure Centres			1									1	2	100%	50%
Sports Development									1				1	0%	0%
Arts and Events									1				1	100%	100%
Family Support and Protection							1						1	100%	0%
<b>Total</b>			<b>1</b>				<b>1</b>		<b>2</b>			<b>1</b>	<b>5</b>	<b>80%</b>	<b>40%</b>

### Children's Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Youth Services							1		1				2	100%	0%
Children Specialist Services							1						1	100%	0%
Sports Development									1				1	100%	100%
<b>Total</b>							<b>2</b>		<b>2</b>				<b>4</b>	<b>100%</b>	<b>25%</b>

Governance Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Legal Services			4	1	1				4	2	2	1	15	73%	40%
Electoral Services			1	2	1						2	3	9	89%	22%
Complaints and Information Customer Relations						6				1			7	100%	0%
Customer relations				1		1	3					1	6	100%	17%
Corporate communications			1	2			1				1		5	60%	60%
Registrars				1						3			4	100%	0%
East End Life									1	1	1		3	67%	67%
Committee Services						1			1				2	100%	0%
Non-Council Issues						1							1	100%	0%
Members Support			1										1	100%	100%
Internal communications											1		1	100%	0%
Mayors Office				1									1	100%	0%
Information management						1							1	100%	0%
<b>Total</b>			<b>7</b>	<b>8</b>	<b>2</b>	<b>10</b>	<b>4</b>		<b>6</b>	<b>7</b>	<b>7</b>	<b>5</b>	<b>56</b>	<b>86%</b>	<b>27%</b>

Governance Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Legal Services			4		1				2				7	71%	43%
Electoral Services						1							1	100%	100%
<b>Total</b>			<b>4</b>		<b>1</b>	<b>1</b>			<b>2</b>				<b>8</b>	<b>75%</b>	<b>50%</b>

Governance Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Legal Services			2		1				1				4	75%	25%
Customer Relations					1		1						2	0%	0%
<b>Total</b>			<b>2</b>		<b>2</b>		<b>1</b>		<b>1</b>				<b>6</b>	<b>50%</b>	<b>17%</b>

# Place Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Domestic refuse	21		136				10				26	7	200	95%	71%
Lettings			17	16			48		8	36	23	13	161	94%	29%
ASB and THEOs	26		2	7	1	9	8	1	94	1	1	5	155	92%	14%
Dry recycling	6		89	1		1	6		21	3	4	2	133	92%	68%
Parking Appeals	1	7	8	27	3		6	15	52	1	7	1	128	99%	9%
Waste and recycling other	17		26	2			15		19		9	16	104	94%	64%
Parking Enforcement	2	1	18	11			7		8	2	20	17	86	100%	5%
Parking Permits		11	8	5			2	8	34	3	6	2	79	100%	8%
Food and garden recycling	6		47				2		2	2	3		62	98%	76%
Road maintenance and repairs	11		22				3				15		51	84%	49%
Noise Nuisance	26		9				3		2	1		1	42	100%	7%
Street cleansing	13		25			1					1	1	41	98%	37%
Pollution	20	1	2	2			4		3	2	3		37	97%	11%
Bulk waste	4		26				2		1	1	3		37	95%	57%
Other Housing Options Issues		1	4	5		1	8		1	4	5	7	36	86%	31%
PCN Debt Recovery		2	2	7	1		1	4	15	1		2	35	100%	3%
Road Design	15		6	1			4				8		34	82%	35%
Health and Housing	17		9		2		2			1	1	1	33	97%	6%
Planning Development Management			4	10		1	9			5	2	1	32	72%	28%
Streets and Highways Other	14		5		1		1			3	2		26	88%	38%
Pest Control	5		14				2				4		25	100%	24%
Parks upkeep	7		7	1	1		2		1		4	2	25	76%	80%
General street cleansing	6		13							2	2	2	25	100%	24%
Markets Service	5		2	2	1	1	4		2	1	2	3	23	70%	26%
Permit Transfer Scheme	1			3					15				19	100%	0%
Homeless			3	3			4		1	5	1	1	18	89%	33%
Permissions and Licences	3		4				3				7		17	94%	35%

Licensing - Commercial	9		4		2		2						17	100%	41%
Trading Standards	10		1	1	1		2			1			16	100%	25%
Cleansing other	4		3	1		1	2					3	14	93%	21%
Streets and Highways Permissions and Licences	7		3	1			1			1	1		14	93%	50%
Parking signs posts bays and lines			2	2				4	1		5		14	100%	7%
Planning	1		1	3			4			3	2		14	79%	43%
Building Control			3	5			1		1	2	1		13	54%	54%
Commercial waste			4		4	1	1		1		2		13	100%	69%
Fly tipping / flyposting	2		7				1						10	100%	30%
Waste contract	2		3			1	2					2	10	100%	10%
Suspensions Dispensations and Skip Licence				2					1	2	5		10	100%	0%
Car Free Developments				2					8				10	100%	10%
Parking Scratchcards			5						3	1	1		10	100%	0%
Parking Development			2	2			2	2	1		1		10	100%	0%
Trees upkeep	4		3								1	1	9	100%	44%
Corporate Property and Capital Delivery Other			1	2			4				1	1	9	56%	22%
Mobility Support			1		1				3	2	2		9	100%	0%
Controlled Parking Zones							2	4	3				9	89%	0%
Trees	5		3										8	100%	50%
Highways Planning and Legal Status	1		2			1	2				1		7	86%	57%
Development Management			1	1			2		1	1	1		7	86%	43%
Clinical waste	2		5										7	100%	71%
Passenger Transport												5	5	40%	40%
Animal Wardens	1		1	1						1			4	100%	100%
Street cleansing Enforcement	1		1		1		1						4	100%	50%
Personalised Disabled Bay									1		3		4	100%	0%
Abandoned Vehicles									1	1	2		4	100%	25%
Parking			1			1			1		1		4	100%	0%
Strategy Regeneration and Sustainability			1				1			1			3	67%	33%
Strategic Housing	1		1						1				3	0%	67%
HS at Work - External	1		1										2	100%	0%

Street Naming and Numbering				1					1				2	100%	50%
Food Safety							1					1	2	100%	0%
Road Construction Projects	2												2	100%	50%
Facilities Management				1								1	2	50%	100%
Graffiti	1		1										2	100%	50%
THEOs									1			1	2	0%	50%
Affordable Housing and Private Sector Housing				1	1								2	100%	50%
Park Management	1						1						2	100%	50%
Complaints Investigations							1						1	100%	0%
CCTV												1	1	0%	0%
Apprenticeships /Training										1			1	100%	0%
Safe Travel	1												1	100%	0%
Housing Management and Procurement				1									1	100%	0%
Place Resources												1	1	100%	0%
Laundry			1										1	100%	0%
Civil Protection and Business Continuity							1						1	100%	0%
Asset Management							1						1	0%	0%
Cycle routes	1												1	0%	0%
Non-Council Issues							1						1	100%	0%
<b>Total</b>	<b>283</b>	<b>23</b>	<b>570</b>	<b>130</b>	<b>20</b>	<b>19</b>	<b>192</b>	<b>38</b>	<b>308</b>	<b>91</b>	<b>189</b>	<b>101</b>	<b>1964</b>	<b>93%</b>	<b>35%</b>

# Place Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Lettings			2	1			7		2	8	6	3	29	97%	38%
Domestic refuse	1		12				1				5	1	20	80%	75%
Parking Appeals			1	1			1	1	9	2	1		16	100%	6%
Parking Permits		3		1					8	1		1	14	93%	7%
Personalised Disabled Bay							1		10				11	100%	0%
Dry recycling			9						1		1		11	73%	82%
Parking Enforcement			2				1		2		2	3	10	100%	0%
Planning Development Management						1	3			2			6	50%	50%
Street cleansing			5										5	60%	40%
PCN Debt Recovery					1		1		2			1	5	100%	20%
Waste and recycling other	1		3									1	5	100%	80%
Other Housing Options Issues			1			1	1		1		1		5	100%	0%
Permit Transfer Scheme									4				4	100%	0%
Noise Nuisance	1		1		2								4	100%	50%
Health and Housing			1		1					1	1		4	100%	50%
Building Control			2	1					1				4	75%	75%
Pollution	1		1							1			3	67%	0%
ASB and THEOs	1					1	1						3	67%	0%
Markets Service					1		1					1	3	100%	0%
Mobility Support									3				3	100%	0%
Car Free Developments									2				2	50%	0%
Development Management										1	1		2	100%	0%
Suspensions Dispensations and Skip Licence										1	1		2	100%	0%
Permissions and Licences			1								1		2	50%	100%
Food and garden recycling			2										2	50%	100%
Corporate Property and Capital Delivery Other							2						2	100%	0%



Streets and Highways Other										1			1	100%	0%
Road maintenance and repairs							1						1	100%	0%
Civil Protection and Business Continuity							1						1	100%	0%
Trading Standards							1						1	100%	100%
Parking Development							1						1	100%	0%
Licensing - Commercial			1										1	100%	100%
Controlled Parking Zones								1					1	100%	0%
Laundry			1										1	100%	100%
Road Design			1										1	100%	100%
Homeless							1						1	0%	100%
Strategy Regeneration and Sustainability			1										1	100%	0%
Housing Management and Procurement									1				1	100%	0%
Street Naming and Numbering			1										1	100%	100%
Affordable Housing and Private Sector Housing				1									1	100%	0%
Cleansing other			1										1	0%	0%
Planning			1										1	100%	0%
Devoplment										1			1	100%	0%
Parking signs posts bays and lines			1										1	0%	0%
Parks upkeep							1						1	100%	0%
<b>Total</b>	<b>5</b>	<b>3</b>	<b>51</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>26</b>	<b>2</b>	<b>46</b>	<b>19</b>	<b>20</b>	<b>11</b>	<b>196</b>	<b>88%</b>	<b>33%</b>

# Place Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Lettings							3		2	3	1	1	10	80%	30%
Personalised Disabled Bay							1		7				8	100%	13%
Development Management				1			1			3	1		6	100%	17%
Parking Appeals			1	1					3	1			6	100%	17%
Parking Permits		1							3				4	75%	0%
Parking Enforcement											2	2	4	75%	50%
Other Housing Options Issues			1			1			2				4	100%	50%
PCN Debt Recovery			1						1			1	3	100%	33%
Pollution	1	1								1			3	100%	67%
Planning Development Management										2			2	100%	0%
Health and Housing			1								1		2	50%	0%
Domestic refuse	1		1										2	0%	100%
Markets Service												1	1	100%	0%
Street cleansing			1										1	100%	100%
Car Free Developments									1				1	100%	0%
ASB and THEOs				1									1	100%	0%
Suspensions Dispensations and Skip Licence										1			1	100%	0%
Controlled Parking Zones									1				1	100%	0%
Dry recycling			1										1	100%	100%
Building Control			1										1	100%	100%
Licensing - Commercial										1			1	100%	0%
Idea Store										1			1	100%	0%
Streets and Highways Other										1			1	100%	100%
Laundry			1										1	100%	100%
Waste and recycling other			1										1	0%	100%
Permissions and Licences			1										1	0%	100%

Permit Transfer Scheme									1				1	100%	0%
Total	2	2	11	3		1	5		21	14	5	5	69	87%	32%

Resources Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018															
Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Council Tax	2	78	14	3		1	6	23	6	25	13	10	181	90%	35%
Benefits Claimants		14	13	1	1			10	16	13	7	5	80	94%	41%
Contact Centre			3		1		1		1	9	11	2	28	96%	54%
Insurance			1	12	6		1				2		22	100%	9%
One Stop Shops			2	1			1		1		7	7	19	95%	74%
Business Rates		9		1			2			3			15	100%	27%
Idea Store							2		2		3	3	10	80%	40%
Corporate Finance	1	2		2			2	1			1		9	44%	56%
Audit		1			2		3	1		1	1		9	89%	0%
Human Resources				1	1					1	3	1	7	86%	29%
IT											3		3	100%	33%
Benefits All other issues			1		1								2	100%	50%
Housing Fraud Investigations					2								2	100%	0%
Idea Store Learning			1										1	0%	100%
Automated Phone System			1										1	100%	100%
Social Care Financial Assessments		1											1	100%	0%
Benefits Landlords					1								1	100%	100%
<b>Total</b>	<b>3</b>	<b>105</b>	<b>36</b>	<b>21</b>	<b>15</b>	<b>1</b>	<b>18</b>	<b>35</b>	<b>26</b>	<b>52</b>	<b>51</b>	<b>28</b>	<b>391</b>	<b>91%</b>	<b>38%</b>

## Resources Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Benefits Claimants		3	2		1			2	4	6	2	2	22	100%	23%
Council Tax		8					1	2	1	3	2		17	88%	35%
Insurance			1		1			1					3	100%	67%
Human Resources					1								1	0%	0%
Business Rates		1											1	0%	0%
Corporate Finance								1					1	100%	100%
<b>Total</b>		<b>12</b>	<b>3</b>		<b>3</b>		<b>1</b>	<b>6</b>	<b>5</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>45</b>	<b>91%</b>	<b>31%</b>

## Resources Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018.

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Benefits Claimants					1				3	3	1	1	9	89%	33%
Council Tax		3								1	1		5	100%	60%
Insurance					1								1	100%	0%
Idea Store					1								1	100%	0%
Business Rates		1											1	100%	0%
Human Resources					1								1	100%	0%
<b>Total</b>		<b>4</b>			<b>4</b>				<b>3</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>18</b>	<b>94%</b>	<b>33%</b>

## Health Adults and Community Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Hospital and Community Integrated Services							1			2	4	1	8	63%	63%
Commissioning and Health							2	2		1			5	40%	60%
Public Health			1				1						2	50%	50%
Occupational Therapy			2										2	100%	50%
Personalisation Resources and Review			1										1	0%	0%
Social Care Financial Assessments		1											1	0%	100%
Adults Social Care										1			1	0%	100%
<b>Total</b>		<b>1</b>	<b>4</b>				<b>4</b>	<b>2</b>		<b>4</b>	<b>4</b>	<b>1</b>	<b>20</b>	<b>50%</b>	<b>60%</b>

## Health Adults and Community Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Occupational Therapy			1										1	0%	100%
<b>Total</b>			<b>1</b>										<b>1</b>	<b>0%</b>	<b>100%</b>

Health Adults and Community Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018															
Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
Total	0	0	0	0	0	0	0	0	0	0	0		0	na	0%

# Tower Hamlets Homes Stage 1 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
THH Repairs	2		135	5			58			21	98	12	331	91%	64%
THH Housing Management	3		27	13		1	24	1	26	11	9	5	120	81%	28%
THH Estate Parking	1	1	39	7		2	22		4	5	9		90	96%	34%
THH Housing Service Centre	1		25				15		3	4	13	10	71	87%	56%
THH Leasehold Service		8	13	1			9	2	2	5	10		50	100%	32%
THH Capital Delivery	1		14	4			6		1	1	16	2	45	89%	62%
THH ASB	3		14	1			8			3	1	1	31	65%	55%
THH Leasehold RTB and Resales	1		12		1		6		1	1	2		24	83%	75%
THH Estate Services			10				8			1	3		22	86%	50%
THH Caretaking			4	2						1	5		12	100%	67%
THH Environmental Services			3	1			1			1	1	3	10	100%	60%
THH Finance and Rents			2				3						5	80%	80%
THH Rents			1	1			1			1			4	75%	50%
THH Drainage			1							1	1		3	67%	33%
THH New Build			1				1			1			3	33%	33%
THH Strategic Engagement										1			1	100%	0%
THH Chief Executive										1			1	100%	0%
THH Unallocated Work												1	1	100%	0%
THH Fire Safety							1						1	100%	0%
THH Complaints Team			1										1	100%	0%
<b>Total</b>	<b>12</b>	<b>9</b>	<b>302</b>	<b>35</b>	<b>1</b>	<b>3</b>	<b>163</b>	<b>3</b>	<b>37</b>	<b>59</b>	<b>168</b>	<b>34</b>	<b>826</b>	<b>89%</b>	<b>52%</b>



# Tower Hamlets Homes Stage 2 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
THH Repairs			18				12			4	21	2	57	81%	63%
THH Leasehold Service		4	8				1	1		3	2		19	95%	58%
THH Capital Delivery	1		5				2				7		15	60%	80%
THH Leasehold RTB and Resales			6		1		1				1		9	89%	33%
THH Housing Management			3	1			2			1	1		8	38%	63%
THH Estate Parking			3							1	1		5	60%	40%
THH Estate Services			1				1			1			3	67%	33%
THH ASB			2										2	100%	0%
THH Fire Safety							1						1	100%	0%
THH Strategic Engagement										1			1	100%	0%
THH Drainage			1										1	100%	100%
THH Customer Resolutions Team										1			1	100%	0%
THH Finance and Rents							1						1	0%	0%
<b>Total</b>	<b>1</b>	<b>4</b>	<b>47</b>	<b>1</b>	<b>1</b>		<b>21</b>	<b>1</b>		<b>12</b>	<b>33</b>	<b>2</b>	<b>123</b>	<b>77%</b>	<b>58%</b>

# Tower Hamlets Homes Stage 3 Complaints by Issue and Root Cause showing performance and outcome 2017-2018

Service Issue	1st Time Service Request via Complaint or Enquiry	Charges	Failure / Delay to deliver service	General Enquiry	Legal / Regulatory	Non Council Issues	Other service issues	Payments	Policy / Procedure	Poor communications	Poor quality of work or service	Rudeness or conduct	Total	In time	Upheld/ Partly Upheld
THH Repairs			7				5			3	13		28	86%	64%
THH Leasehold Service			3				1	1		2	2		9	44%	44%
THH Capital Delivery	1				1		1				5		8	88%	63%
THH Leasehold RTB and Resales			4								1		5	100%	20%
THH Housing Management			1	1			1			1			4	75%	50%
THH Estate Services							1	1		1			3	100%	33%
THH ASB			1				1						2	0%	50%
THH Strategic Engagement										1			1	100%	0%
THH Estate Parking			1										1	100%	0%
THH Drainage			1										1	100%	0%
THH Finance and Rents							1						1	100%	0%
THH Environmental Services												1	1	100%	0%
<b>Total</b>	<b>1</b>		<b>18</b>	<b>1</b>	<b>1</b>		<b>11</b>	<b>2</b>		<b>8</b>	<b>21</b>	<b>1</b>	<b>64</b>	<b>80%</b>	<b>50%</b>

## Local Government & Social Care OMBUDSMAN

18 July 2018

*By email*

Will Tuckley  
Chief Executive  
London Borough of Tower Hamlets

Dear Will Tuckley,

### Annual Review letter 2018

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGSCO) about your authority for the year ended 31 March 2018. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

### Complaint statistics

In providing these statistics, I would stress that the volume of complaints does not, in itself, indicate the quality of the council's performance. High volumes of complaints can be a sign of an open, learning organisation, as well as sometimes being an early warning of wider problems. Low complaint volumes can be a worrying sign that an organisation is not alive to user feedback, rather than always being an indicator that all is well. So, I would encourage you to use these figures as the start of a conversation, rather than an absolute measure of corporate health. One of the most significant statistics attached is the number of upheld complaints. This shows how frequently we find fault with the council when we investigate. Equally importantly, we also give a figure for the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. Both figures provide important insights.

I want to emphasise the statistics in this letter reflect the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, some of whom may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website, alongside an annual review of local government complaints. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

Last year we commented on a public report against your Council. The Council acted on our recommendations but, at the time of last year's annual letter, some matters remained outstanding. We are pleased to record that, shortly afterwards, we were able to confirm compliance with our recommendations.

#### **Future development of annual review letters**

Last year, we highlighted our plans to move away from a simplistic focus on complaint volumes and instead turn focus onto the lessons that can be learned and the wider improvements we can achieve through our recommendations to improve services for the many. We have produced a new [corporate strategy](#) for 2018-21 which commits us to more comprehensively publish information about the outcomes of our investigations and the occasions our recommendations result in improvements to local services.

We will be providing this broader range of data for the first time in next year's letters as well as creating an interactive map of local authority performance on our website. We believe this will lead to improved transparency of our work, as well as providing increased recognition to the improvements councils have agreed to make following our interventions. We will be seeking views from councils on the future format of our annual letters early next year.

#### **Supporting local scrutiny**

One of the purposes of our annual letters to councils is to help ensure learning from complaints informs scrutiny at the local level. Sharing the learning from our investigations and supporting the democratic scrutiny of public services continues to be one of our key priorities. We have created a dedicated section of our website which contains a host of information to help scrutiny committees and councillors to hold their authority to account – complaints data, decision statements, public interest reports, focus reports and scrutiny questions. This can be found at [www.lgo.org.uk/scrutiny](http://www.lgo.org.uk/scrutiny). I would be grateful if you could encourage your elected members and scrutiny committees to make use of these resources.

#### **Learning from complaints to improve services**

We share the issues we see in our investigations to help councils learn from the issues others have experienced and avoid making the same mistakes. We do this through the [reports](#) and other resources we publish. Over the last year, we have seen examples of councils adopting a positive attitude towards complaints and working constructively with us to remedy injustices and take on board the learning from our cases. In one great example, a county council has seized the opportunity to entirely redesign how its occupational therapists work with all of its districts, to improve partnership working and increase transparency for the public. This originated from a single complaint. This is the sort of culture we all benefit from – one that takes the learning from complaints and uses it to improve services.

#### **Complaint handling training**

We have a well-established and successful training programme supporting local authorities and independent care providers to help improve local complaint handling. In 2017-18 we delivered 58 courses, training more than 800 people. We also set up a network of council link officers to promote and share best practice in complaint handling, and hosted a series of seminars for that group. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

Local Authority Report: London Borough of Tower Hamlets  
For the Period Ending: 31/03/2018

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

### Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
6	15	6	10	13	20	32	4	0	106

### Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
4	3	38	26	12	17	59%	100

#### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.  
The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

#### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
12	1

## Appendix C – Upheld Ombudsman Complaints 2017 – 2018

Reference	Complaint	Council Remedy / Action
<b>Planning and Building Control</b>		
16002489	The Council did not properly investigate or take effective enforcement action for noise nuisance from Unauthorised air conditioning units on the roof of an Industrial building near the complainant's home.	<p>Action</p> <p>The Council will give a formal apology for its delay, failure to properly consider the complaint about the diesel generators and its poor complaint handling.</p> <p>Pay £750 to the complainant for the time and trouble in pursuing the complaint and poor handling of complaints.</p> <p>Investigate whether fumes or noise from the diesel generators cause a statutory nuisance and consider appropriate enforcement action if necessary.</p>
1-89353729	The Council delayed responding to the complainant about a blocked path. Bu there was no fault in its decision not to take enforcement action.	The Council was at fault for avoidable delays in responding, however no injustice was caused.
<b>Housing Options</b>		
16015036	The Council delayed in making a decision on a homeless application. It also treated the complainant less favourably than female single parent applicants as it made different enquiries because he was male.	<p>Apologise to the complainant</p> <p>Pay the complainant £1500 to recognise the delay in determining his homelessness application.</p> <p>Review homelessness procedure to ensure it is meeting the requirements of the Equality Act 2000 in how it deals with male single parent applicants.</p>
16016309	The complaint is about the way the Council has handled the complainants application to join its Private Rented Scheme and the poor service he received as he tried to rent accommodation.	Pay the complainant £300 and apologise to him for the delay and poor communication.

17007469	There were some delays and other faults in the Council's handling of the complainant housing application.	Apologise for the faults which caused some injustice
	Complaint about the handling of a homelessness application	Maladministration and Injustice. Should have explained why 3 officers involved and checked whether home visit was acceptable.
	The Council delayed in adding a disabled family member to the housing application.	Complaint was not pursued further as the complainant was not significantly affected as a result of the fault.
<b>Waste and Recycling</b>		
17002764	When responding to disruption to waste collections the Council took too long to introduce new parking restrictions to prevent disruption to collections caused by parking by a disabled driver displaying a blue badge and to consider alternative collections.	<p>Apologise to the complainant for the delay and disruption.</p> <p>Pay £200 to complainant in recognition of the disruption and inconvenience.</p> <p>Monitor collections for two months following the completion of road markings.</p>
<b>Repairs</b>		
	Allegation of outstanding repair works Poor communication	<p>THH acted inappropriately, unreasonably and treated the complainant unfairly after the leak and during the compensation claim process.</p> <p>THH to apologise and pay complainant £550 compensation.</p> <p>The ALMO to pay £510.99 compensation.</p>

201608771	How THH handled leaks to the complainants property	Maladministration in relation to how it handled the leaks and her complaints. THH to review leaks and access procedures.  Pay £150 compensation for inconvenience caused by failure (in addition to the £200 offered previously)
	There was maladministration by THH in its handling of reports of disrepair at the Property.	Pay £750 in recognition of the ongoing delays
	Service failure by the landlord in the time taken to diagnose and address the noise and heat issues that the complainant raised.	Pay £500 in recognition of time taken to diagnose and address the issues.
	Maladministration by THH in its handling of the complaint about the hot water pressure at the property.	Pay £210 in compensation for the delay in remedying the hot water supply £50 in compensation for the time and trouble £10 compensation for each missed appointment
	Maladministration with regard to complaints about lift noise and the landlord's impartiality.  Service failure with regard to the complaints about silverfish and the shower.	Pay complainant £50 for the for the distress, inconvenience and time and trouble
<b>Benefits</b>		
17006047	The Council was at fault for failing to notify the complainant of housing benefit and council tax reduction decisions, using inaccurate information, and expecting him and his son to provide evidence that was not theirs to provide.	The Council agreed to pay a total of £150 to acknowledge the worry, frustration and time and trouble caused by its faults. The Council has also agreed to review its procedures to prevent recurrence of such faults.



<b>ASB and THEOs</b>		
	The Council was wrong to dismiss the complaint as noise nuisance without providing further diary sheets and undertaking further investigation.	Pay £100 for time and trouble pursuing the complaint.

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