

Complaints and Information Governance Annual Report

2016-2017

Draft Version 2

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1. INTRODUCTION

- 1.1. This report provides information regarding the Council's handling of complaints and information requests in the year 2016/17. 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 the volume of complaints and information requests received by the Council in the period 1 April 2016 to 31 March 2017,.
- 1.3. During 2016/207 the Council underwent a restructure of its Directorates and it should be noted that Communities Culture and Localities (CLC) ceased to exist as a directorate with their services distributed across other directorates. Development and Renewal became Place absorbing the majority of services from CLC and Adults Services became Health Adults and Communities. As far as it has been practicable adjustments have been made to reflect the new structure. Care should be taken in comparing cases and drawing conclusions with the volumes of cases and performance with historic data.
- 1.4. The highlights for 2016/2017–
- Information Governance

We previously met the compliance criteria for Health and Social Care Information Council Toolkit with 82% and in our self-evaluation indicated an increase to 90% compliance .
 - Freedom of Information (FOI)
 - One of the highest volumes in London.
 - 13% increase in request from 2015/2016
 - The rate of requests for internal reviews from information requests remained low (at 3.01%).
 - 2 cases out of the total 2191 requests the Council considered, were determined by the Information Commissioner (0.15%) and only 1 was upheld.
 - Response rate improved from 85% to 88%. The corporate target is 95%. Improvement made mid-year saw significant improvements in response rates.
 - Subject Access Requests (SAR)

- 95% were processed within target.
- Corporate Complaints
 - 2% decrease in Stage 1 complaints.
 - Improvements to response rates from 80% to 86% in time

- Adult Social Care

Increase in complaints of 13% in comparison to previous year. Improvements are underway to process complaint with

- Children's Social Care

- Decreased 9% less than previous year
- Improvements to turnaround time and continuous progress.

- Local Government Ombudsman (LGO)

- A decrease of 23% in volumes Benchmarking across London sees Tower Hamlets 14 out of 33 for fewest enquiries received by the LGO.
- 19 complaints were investigated and upheld in comparison to previous year's 22 upheld.
- 1 formal Report was made in respect of payments made for looking after a child.

- Housing Ombudsman (HO)

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

- 1.5. 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.
- 1.7 With volumes of complaints increasing, it is essential that the Council examines how to find effective resolution at the earliest opportunity. The Council continues to give consideration to improve the procedure, with a view to streamlining to two internal stages.
- 1.8 Work is underway to prepare the Council to meet the requirements of the General Data Protection Regulation (EU), and the UK Government's Data Protection Bill expected late in 2017.

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 and Monitoring Officer 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. The Council is a data controller within the meaning of the Data Protection Act 1998 and is required to process data in accordance with the data protection principles. These may be summarised as follows –
 - Personal data shall be processed fairly and lawfully and only where one of the conditions specified in the Data Protection Act is met.
 - Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
 - Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
 - Personal data shall be accurate and, where necessary, kept up to date.
 - Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
 - Personal data shall be processed in accordance with the rights of data subjects under this Act.
 - Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
 - Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
- 2.5. A number of developments took place in relation to information governance during 2016/2017.
 - Quarterly strategic Information Governance Board established in January 2017
 - Working group established to meet the General Data Protection Regulation (GDPR) requirements, with project management support from the Programme Office.

- Compulsory on-line training launched for all staff

2.6. 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.

2.7. A full review of our policies procedures and guidance was undertaken throughout the year and the documents updated.

2.8. The annual submission for the Health and Social Care Information Council (HSCIC) Toolkit (Information Governance assessment) was submitted in March 2017. The Council scored 90% which is an improvement over last year's 82%. Each year the Council aims to achieve greater compliance. The 28 assessed components are graded from 0 (not compliant) to 3 and attained level 2 (satisfactory) or above for every component. A certificate was also obtained for the Public Sector Network (PSN) in January 2016 valid for one year and a new certificate is currently being assessed.

2.9. **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 current spreadsheets will be transferred to the new system which will have 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).

2.10. **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. This is met in part and will be enhanced by use of a dedicated platform, Socrata which is in the final testing phase and publication will commence shortly.

2.11. **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.

2.12. Risk

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

2.13. 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.

2.14. Gap Analysis

In compiling this summary due consideration has been given to the General Data Protection Regulation (GDPR) which will come into effect in May 2018. A project group is working through a number of significant changes.

2.15. Proposed Solutions

a. Policy Acceptance & Training Compliance Software

The Council agreed to purchase 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 assessments due to the enormous amount of data held over the years. This is costly in terms of storage and should no longer be retained under data protection rules. Consideration is being given to engaging an external resource to complete the retention / deletion work and set up processes where by each Directorate can complete the processes in subsequent years. This will be effectively combined with the first iteration of the risk assessments work which has been done to combine this within the JCAD database within each information asset.

d. Internal Processes for Information Governance

There is significant work for 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 but will need to be integrated into established roles and responsibilities once processes and criteria are in place.

A new strategic Information Governance Board was established in December 2017 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 (the Service Manager -Complaints and Information) 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.

2.16. Legislative and Regulatory Changes

There are two significant changes pending in terms of Information Governance.

1. The first is the General Data Protection Regulation, European Union legislation that will come into effect in May 2018. Whatever the Government's Data Protection Bill anticipated for October 2017 brings, we know that we will need to demonstrate comparable safeguards and practice.
2. The National Data Guardian (known as the Caldicott Guardian) has issued a consultation on Data Security, Consent and Opt-outs of data sharing. This applies specifically to social care and health data. The Council addressed the consultation and is awaiting confirmation of the standards for integration into its governance framework.

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 2015/2016 and 2016/2017 are summarised in Figures 1 and 2.

Figure 1

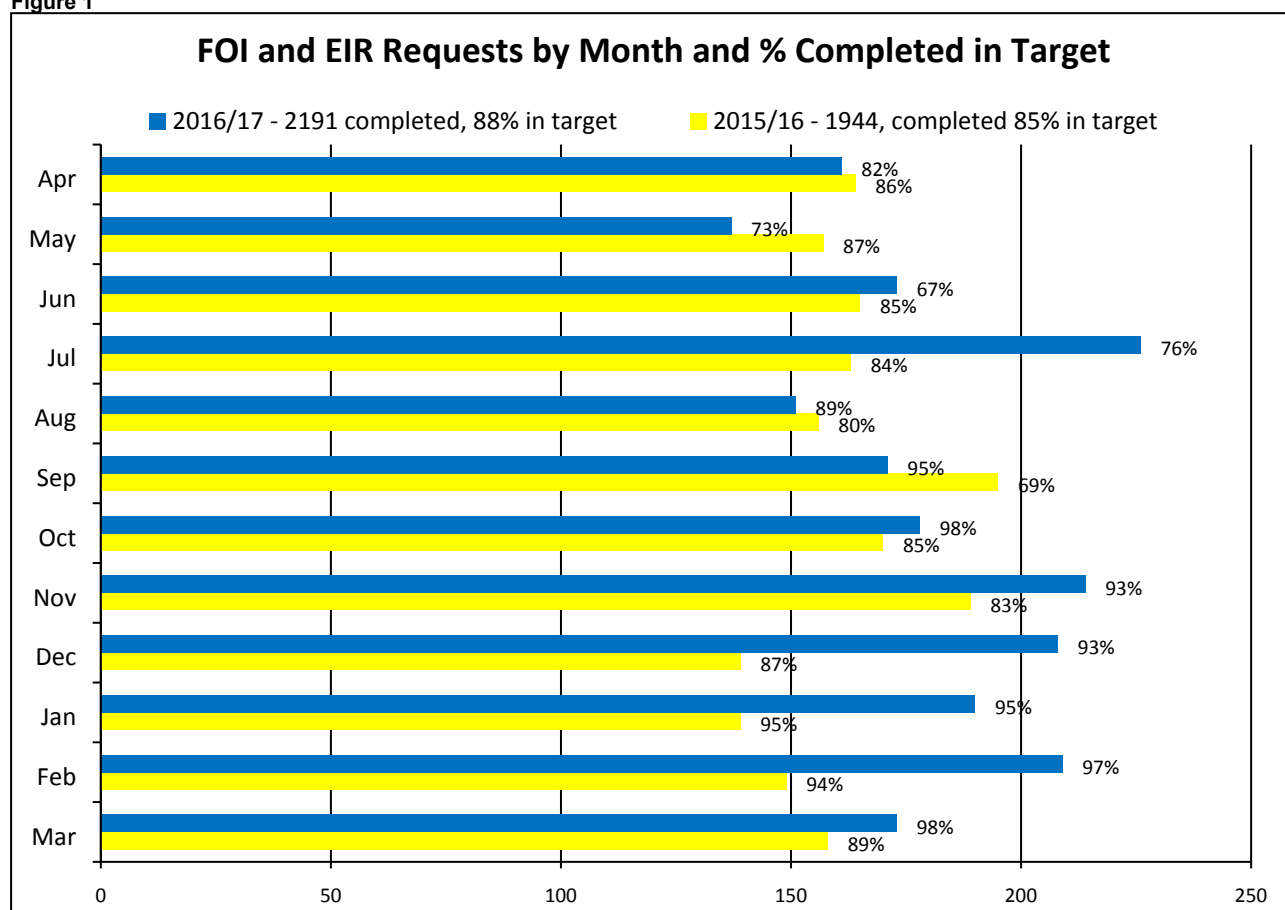


Figure 2

Figure 2

FOI and EIR Requests by Directorate and Performance								
	2015/16*			2016/17			Change in Volume	
	* For comparison purposes CLC & D&R have been combined into Place as most CLC services moved to Place							
	Completed	In Time		Requests	In Time			
Children's	263	227	86%	423	373	88%	160	61%
Governance	184	134	73%	228	209	92%	44	24%
Health Adults and Community	163	138	85%	191	150	79%	28	17%
Place	815	690	85%	783	686	88%	-32	-4%
Resources	392	359	92%	429	389	91%	37	9%
Tower Hamlets Homes	127	103	81%	137	128	93%	10	8%
Total	1944	1651	85%	2191	1935	88%	247	13%

3.7 The number of information requests increased by 13%

3.8 Performance in responding to requests within the 20 working day statutory deadline improved from 85% to 88%. This is attributed to increase in awareness and officers becoming more familiar with the new software.

3.9 Monitoring measures were emphasised to improve performance which was effective as the rate of responding in time improved throughout the year.

3.10 Internal Review

Figure 3

	2014/2015			2015/2016		
	Requests	Reviews	Escalation Rate	Requests	Reviews	Escalation Rate
Number Completed	1944	60	3.09%	2191	66	3.01%
% Completed in Time		78%			79%	
Number Upheld / Partly Upheld at Reviews		14			35	

3.11 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 from last year. Response performance has increased despite an increase in 10% of the volume of cases. A greater proportion of the cases were upheld or partially upheld a summary of which is set out below.

3.12 35 cases were upheld:

- Further information was made available in 14 cases,
- Withheld information should have been released in 9 cases
- Delays occurred in 6 cases
- Different exemptions or exceptions were required in 5 cases
- A Stronger Public Interest Test was required in 1 case

3.13 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 wrong exemption had been applied and another was upheld due to the delay in dealing with the request.

3.14 **Case ref FS50612782:** The complainant requested information about credit balances on business rates accounts. The Council refused to provide the information on the basis that sections 12 and 31 applied to the request. The Commissioner's decision is that the Council has correctly applied section 12 to the request but that it has not provided the complainant with appropriate advice and assistance under section 16. The Commissioner requires the Council to provide the complainant with appropriate advice and assistance in accordance with its obligations under section 16 of FOIA.

3.15 **Case ref FS50635529:** The complainant has requested information relating to personal data which may have been lost or stolen and what financial training has the youth service managers received. The Commissioner's decision is that the Council did not deal with the request for information in accordance with section 10 of the FOIA in the following way: It failed to provide a response to the request within that statutory time frame of 20 working days. The Commissioner requires the Council to issue a response under the FOIA.

- 3.16 There were three other cases where the information was supplied and the ICO closed the cases as agreement had been found informally. A further case was found not to be a valid complaint as it concerned the logging of a Members Enquiry and not an FOI request.

DRAFT

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). 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 2015/2016 and 2016/2017 are set out in Figures 4 and 5.

Figure 4

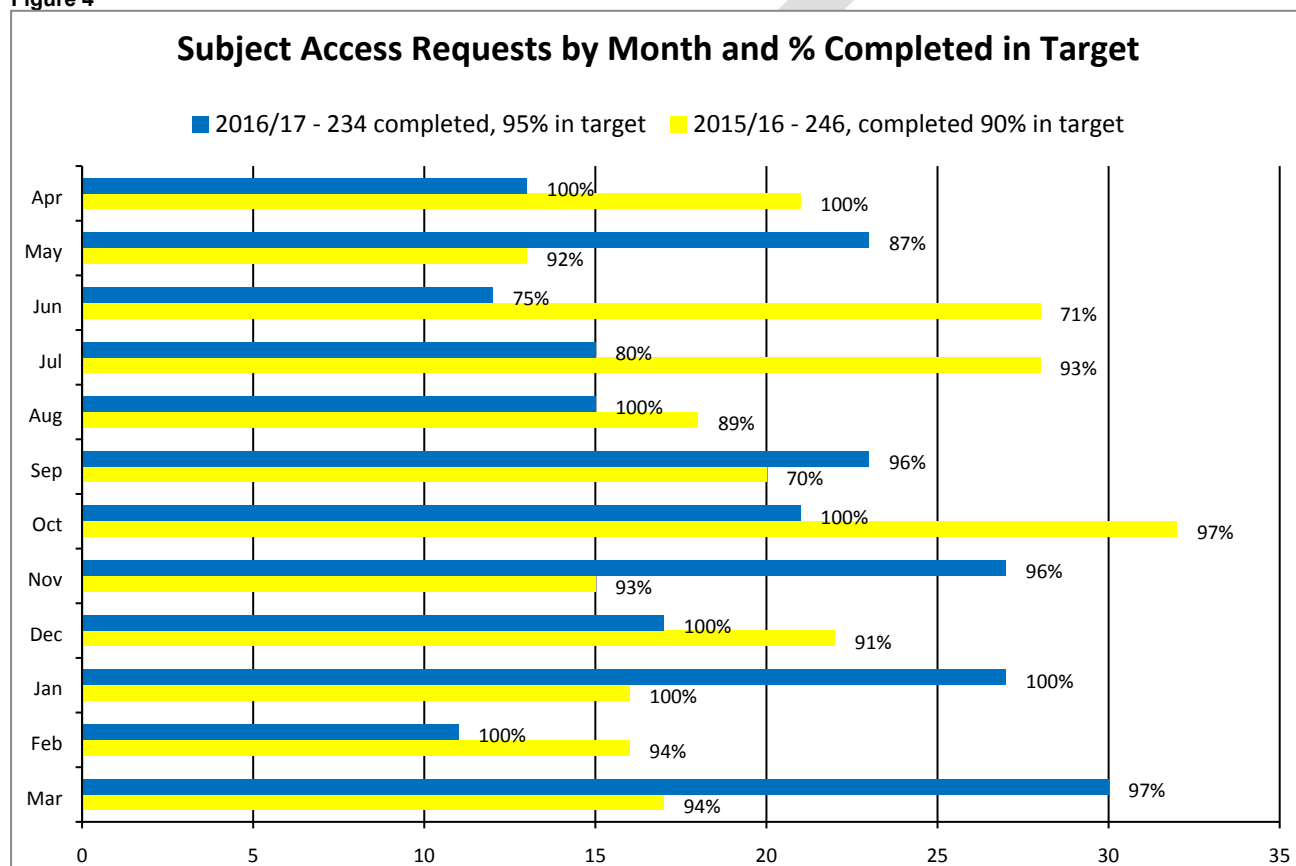


Figure 5

Figure 5

Subject Access Requests by Directorate and Performance								
	2015/16*			2016/17			Change in Volume	
	* For comparison purposes CLC & D&R have been combined into Place as most CLC services moved to Place							
	Completed	In Time		Requests	In Time			
Children's	62	55	89%	98	90	92%	36	58%
Governance	16	16	100%	21	20	95%	5	31%
Health Adults and Community	47	37	79%	18	18	100%	-29	-62%
Place	41	39	95%	29	28	97%	-12	-29%
Resources	51	48	94%	45	45	100%	-6	-12%
Tower Hamlets Homes	29	26	90%	23	21	91%	-6	-21%
Total	246	221	90%	234	222	95%	-12	-5%

- 4.2 Requests for personal information held fell by 5% with response times improving to 95%. Some of this performance improvement can be attributed to the use of the new software iCasework and using Adobe Professional.
- 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 SAR provisions**

These matters are not published, so reference numbers are not given in this report. 4 complaints were considered by the ICO:-

- The disclosure of information to a partner without permission was not upheld.
- The disclosure of officers names in an organisation chart provided under FOI that was inadequately redacted. The ICO was satisfied that steps had been taken to mitigate this breach and reduce the risk reoccurring.
- Two SAR complaints were upheld due to the delay in the response.

4.6 **Information Requests and SAR comparing volumes and performance**

This is the first full year that all cases have been recorded using iCasework, which permits a manual extraction of the data, allowing directorates and services to adjust and meet the new Council structure. Information for 2015/16 derives from three systems which did not have the same functionality for analysis data creating to match the new structure. Therefore, care should be taken when evaluating the changes in the data at a directorate level. In order to try and do some comparisons Communities, Localities and Culture and Development and Renewal have been combined into Place for 2015/2016 as most CLC services moved to Place, however some services that were in Communities, Localities and Culture moved to Children's, Health Adults and Community, Governance and Resources. Tower Hamlets Homes has a like for like comparisons.

5. CORPORATE COMPLAINTS

5.1. The 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 all stages of the complaints process.

- 5.4. Tower Hamlets population grew to an estimated 304,900 in June 2016 based on the latest figures available. The rate of complaints has decreased from 13.1 complaints per 1,000 of population in the previous year to 12.6 per 1,000 in 2016/2017.
- 5.5. The 2017 Annual Residents Survey found that 72% of residents being very/fairly satisfied with the way we run things.
- 5.6. This is the first full year that all cases have been recorded using iCasework, which permits a manual extraction of the data, which has allowed us to adjust the directorates and services to meet the new structure. However, information for 2015/16 came from three systems which did not have the same detail of reporting breakdown and thus it has not been possible to adjust this to match the new structure. Therefore, care should be taken when evaluating the changes in volumes and performance at a directorate level due to the restructuring that has occurred.

Some services that had a high level of cases have now moved into a directorate that had a lower level of cases and thus the comparison figures are somewhat skewed.

Figure 6

Volume of Complaints by Stage								
	2015/16			2016/17			Volume Change	
	Answered	Answered In time	Upheld/ Partly Upheld	Answered	Answered In time	Upheld/ Partly Upheld		
Stage 1	3870	80%	36%	3797	86%	44%	-73	-2%
Stage 2	394	75%	33%	402	76%	41%	8	2%
Stage 3	191	75%	47%	142	87%	39%	-49	-26%

5.7. 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 a 1% increase in escalation rates from the previous year. Escalation rates for Stage 1 complaints to Stage 3 have fallen to 4% which is encouraging.

Figure 7

Escalation Rates by Directorate 2016/17						
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	126	17	13%	4	24%	3%
Governance	63	5	8%	4	80%	6%
Health Adults and Community	19	2	11%	0	0%	0%
Place	1993	217	11%	73	34%	4%
Resources	404	51	13%	17	33%	4%
Tower Hamlets Homes	1192	110	9%	44	40%	4%
Totals	3797	402	11%	142	35%	4%
Escalation Rates 2015/16			10%		48%	5%

5.8. Stage 1 Complaints

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

5.9. Response times for Stage 1 complaints have improved to 86%, the corporate target is 87%

5.10. The number Upheld/ Partly Upheld has increased.

Figure 8

Figure 6

Volume, Performance and Outcomes of Stage 1 Corporate Complaints								
Directorate	2015/16*			2016/17			Volume Change	
	* For comparison purposes CLC & D&R have been combined into Place as most CLC services moved to Place							
	Answered	In time	Upheld/ Partly Upheld	Answered	In time	Upheld/ Partly Upheld		
Children's	36	58%	28%	126	75%	50%	90	250%
Governance	41	71%	32%	63	81%	27%	22	54%
Health Adults and Community	6	0%	50%	19	58%	42%	13	217%
Place	1801	90%	36%	1993	90%	45%	192	11%
Resources	364	91%	41%	404	92%	45%	40	11%
Tower Hamlets Homes	1622	67%	37%	1192	79%	43%	-430	-27%
Total	3870	80%	36%	3797	86%	44%	-73	-2%

5.11. Figure 9 is a cross tab report of the Top 20 Stage 1 Complaints by Issue and Cause with performance and outcome.

5.12. Set out in Appendix 1 are charts providing a breakdown of complaints in each directorate by reference to service issue against

Figure 9

Top 20 Stage 1 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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
Parking	2	40	137	3	15	3	4	9	158	12	36	29	448	99%	10%
Dry recycling	2		176		6	2	31		17	6	11	3	254	88%	83%
Domestic refuse	3		131			9	28		3	6	23	4	207	90%	77%
Street cleansing	5		22	28		15	15		2	6	27	2	122	95%	52%
Waste and recycling other			20	6		7	19		17	27	8	4	108	90%	69%
ASB and THEOs	11		7	41	3	9	4		8	6	1	2	92	84%	10%
Food and garden recycling	1		54	1			7		3	10	2		78	94%	83%
Lettings		1	15	7	1	1	5		10	23	8	5	76	89%	45%
Road maintenance and repairs	22		9	4	1	13	16				5		70	87%	33%
Bulk waste			56	1			2		2	8			69	94%	80%
Other Housing Options Issues			6	11	1	1	2		4	11	3	18	57	81%	30%
Planning			3	15	3		5		13	10	4	1	54	46%	28%
Pest Control	1	2	10				3		1	11	5	6	39	97%	38%
Pollution	6		3	11	3	2	2		2	4			33	91%	21%
Permissions and Licences	1		2	12		6	7		1	1	1		31	84%	13%
Building Control			11	6		2				7	2	1	29	31%	72%
Health and Housing	3		2	2	9	2		1	1	5	2		27	96%	30%
Road Design	6		2	4		5	4			2	1		24	79%	25%
Streets & Highways	5		5	4		5	2			2		1	24	96%	29%
Housing Management and Procurement			8	1					2	7	3	1	22	91%	50%

5.13. 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.

- 5.14. The overall volume of complaints has remained almost the same, however with a distribution of these has changed with Tower Hamlets Homes having a significant reduction of 30%. (??/doesn't read well)
- 5.15. Response times have remained unchanged and we have met the corporate target of 87%.
- 5.16. The percentage Upheld/ Partly Upheld has increased services have been asked to review these cases.

Figure 10

Figure 10

Volume, Performance and Outcomes of Stage 2 Corporate Complaints								
Directorate	2015/16*			2016/17			Volume Change	
	* For comparison purposes CLC & D&R have been combined into Place as most CLC services moved to Place							
	Answered	In time	Upheld/ Partly Upheld	Answered	In time	Upheld/ Partly Upheld		
Children's	1	100%	100%	17	47%	18%	16	1600%
Governance	4	75%	25%	5	80%	0%	1	25%
Health Adults and Community	1	0%	0%	2	50%	0%	1	100%
Place	202	86%	21%	217	83%	35%	15	7%
Resources	29	93%	14%	51	76%	22%	22	76%
Tower Hamlets Homes	157	57%	52%	110	67%	65%	-47	-30%
Total	394	75%	33%	402	76%	41%	8	2%

- 5.17. Figure 11 is a cross tab report of the Top 20 Stage 2 Complaints by Issue and Cause with performance and outcome.
- 5.18. Set out in Appendix 1 are charts providing 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 Cause showing performance and outcome 2016-2017

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
Parking		11	19		3			1	33	2	4	2	75	99%	12%
THH Repairs	1		30				6		4	9	9	3	62	79%	65%
Benefits		3	6		1				8	5	2	1	26	81%	8%
Domestic refuse			12			1	2			1	3		19	68%	79%
Lettings		1	3				1		5	5	1		16	81%	38%
THH Decent Homes		1	3							6	4	1	15	73%	73%
Planning				1	1		1		3	5		1	12	67%	25%
Council Tax		7						1	2	1	1		12	75%	50%
Dry recycling			7							3	1		11	64%	100%
Waste and recycling other			2			2	3			2	1		10	90%	50%
Other Housing Options Issues			2				2		1	1	1	2	9	100%	11%
Food and garden recycling			6							2	1		9	44%	78%
THH Housing Management			2						2	3		1	8	25%	50%
THH Leasehold Services	1		2	1	1					1	2		8	50%	88%
THH RTB and Resales			4				2			1			7	29%	57%
Building Control			4	1						1			6	33%	50%
Mobility			2	1					3				6	100%	17%
Street cleansing	1			1			1		1	1	1		6	83%	50%
Housing Management and Procurement			2	1						2			5	80%	40%
Road maintenance and repairs			2				2		1				5	40%	20%

5.19. Stage 3 Complaints

Figure 12 shows the rate at which complaints are 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

5.20. The overall volume has fallen by 26%.

5.21. Response times have significantly improved to 87% meeting the corporate target.

5.22. The percentage Upheld/ Partly Upheld has decreased

Figure 12

Figure 12

Volume, Performance and Outcomes of Stage 3 Corporate Complaints								
Directorate	2015/16*			2016/17			Volume Change	
	* For comparison purposes CLC & D&R have been combined into Place as most CLC services moved to Place							
	Answered	In time	Upheld/ Partly Upheld	Answered	In time	Upheld/ Partly Upheld		
Children's	1	100%	100%	4	50%	25%	3	300%
Governance	1	100%	0%	4	100%	50%	3	300%
Health Adults and Community	0	na	0%	0	na	0%	0	0%
Place	86	76%	35%	73	92%	30%	-13	-15%
Resources	9	67%	11%	17	100%	24%	8	89%
Tower Hamlets Homes	94	76%	61%	44	75%	59%	-50	-53%
Total	191	75%	47%	142	87%	39%	-49	-26%

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

5.24. Appendix 1 provides a full breakdown for each directorate at each stage.

5.25. Set out in Appendix 1 are charts providing a breakdown of the Corporate 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 Cause showing performance and outcome 2016-2017

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
Parking		8	8						9	1	1	2	29	100%	24%
THH Repairs	1		9				1		2	6	3		22	73%	64%
Benefits		1	2						3	1	1	1	9	100%	33%
Other Housing Options Issues			2				2			1		1	6	83%	0%
Lettings		1					1		2	2			6	83%	33%
THH Decent Homes			1							2	3		6	67%	83%
Food and garden recycling			4							1			5	100%	100%
THH Leasehold Services	1				1					1	1		4	75%	100%
THH RTB and Resales			3							1			4	75%	25%
ASB and THEOs			1						2				3	100%	33%
Domestic refuse			3										3	100%	33%
Health and Housing										3			3	100%	0%
Planning									1	2			3	67%	33%
Council Tax		3											3	100%	0%
THH Housing Management			1						1	1			3	100%	33%
Legal Services			1							1			2	100%	50%
Children Social Care			1								1		2	50%	0%
Building Control			1							1			2	50%	50%
Mobility			2										2	100%	50%
Road maintenance and repairs							1		1				2	100%	0%

5.26. 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
2016/17	17	£3,605
2015/16	21	£10,142
2014/15	23	£8,186

5.27. Summary of Key Issues in Upheld Stage 3 Complaints

5.28. Place

There were 73 complaints for the Place Directorate of which 22 were upheld.

- 8 related to parking and mobility,
- 3 related to housing options,
- 2 related to planning and building control,
- 1 related to anti-social behaviour,
- 5 related to food and garden recycling,
- 1 related to domestic refuse, and
- 2 related to street cleansing.

5.29. One complaint of the 22 concerned two parking bays in the borough which were re-designated to ambulance bays two years ago but had since been exclusively used by a funeral director with no parking enforcement. The service confirmed that the informal parking arrangement was not ideal and would be looking at a more permanent solution. Enforcement of funeral director's vehicles would resume.

5.30. Two complaints were about enforcement. One was about abandoned vehicles on the street for which the service apologised and remedial action was explained. The other was about Controlled Parking Zone times and the current speed limit on a road. The service is looking to undertake an informal public consultation.

5.31. One complaint related to incorrect advice given to the resident about transferring a parking permit following a number plate change. The resident was offered an apology and given £25 as a gesture of goodwill for the inconvenience.

5.32. One complaint was about a resident over 60, who was eligible for free scratch cards but had been paying for them for four years. Resident was given an apology and reimbursed £100.

5.33. One complaint was due to delay in processing a personalised disabled bay application and installation of the bay. The service gave an estimated date of installation once the legal process is completed.

5.34. Five complaints were about non collection of food and garden waste. One was about a missed collection of domestic waste. Apologies were given and increased monitoring of the site.

- 5.35. One complaint was about noise emanating from an underground carpark, which was believed to be coming from the Road Sweeper's storeroom. It was found that the noise was ASB and the service implemented security measures and evening patrols.
- 5.36. Two complaints were about Lettings Service, one of which was due to a delay in arranging an appointment with an Occupational Therapist. Apologies were given and a date to be arranged.
- 5.37. One complaint was about a neighbour dispute regarding the responsibility/ownership of a fence. The Council has no statutory duty to arbitrate on the ownership of structures and boundaries as it is not in possession of the land ownership records.

5.38. **Resources**

There were 4 complaints upheld in the Resources Directorate.

- 3 related to benefits and
- 1 was about Idea Stores Learning.

As above

- 5.39. Two complaints were in relation to a delay in processing and determining housing benefit entitlement. The reasons for the delay were explained and apologies were given. One complaint was about housing benefit payment not being directly paid to an estate agent as the tenant was in rent arrears. Apologies were given and payment was made.
- 5.40. One complaint was about a learner certificate being sent to an old address and poor delivery of a course. The correct address was on the system, but an old address list was used when sending out learner certificates. Apologies were given and certificate posted to correct address. Due to personal issues, the original tutor was unable to complete assessments and feedback and subsequently resigned, which caused a delay. £50 was offered to learners as a gesture of goodwill.

5.41. **Tower Hamlets Homes**

How many in total – can we be consistent on the reporting please

Of the 44 considered, 26 THH complaints were upheld/partly upheld.

- 5 related to Decent Homes Work,
- 9 related to Repairs and General Build,
- 5 related to Repairs Mechanical and Technical,
- 1 related to the Housing Service Centre (HSC),
- 1 related to Right to Buy (RTB),
- 4 related to Leasehold Services and
- 1 related to Housing Management.

As above

- 5.42. Of the Decent Homes complaints, one resident was offered £1,150 in compensation for delays in completing kitchen renewal works and damage to their kitchen appliances. Three complaints were about poor quality of work, for which remedial actions were taken. One complaint was about the length of time scaffolding had been up, which was due to a delay in obtaining a crane license. Apologies were offered to the resident and reassurance given that no financial loss was incurred, and that it would be removed once works were completed.

- 5.43. One complaint was about unfair allocation of THH storage sheds and those that are let, not being regulated properly. As a result, THH intended to carry out a major review of estate facilities in 2017/18 and draft a Shed Policy, which did not exist.
- 5.44. One complaint was about a consultation on additional parking facilities on an estate for which the resident did not receive the results. THH agreed that 3 new resident's bays would be created/re-designated, with scope for a further 3 bays.
- 5.45. Three complaints were about leasehold service charges, one of which was offered £500 compensation for time and trouble.
- 5.46. Five complaints were in relation to water penetration, and a total of £770 was offered in compensation as recorded on iCasework.
- 5.47. One complainant was credited £270.81 to his garage account for incorrectly carrying out a force entry in his garage.
- 5.48. One Complainant was offered £379.08 in compensation for the delay in decommissioning a boiler.
- 5.49. A total of £625 was offered in compensation for complaints that were logged on iCasework for Repairs Mechanical and Electrical.

5.50. **Children's**

One complaint was upheld in the Children's Directorate. This was in relation to a delay in receiving reimbursement for travel expenses to London for contact with their children.

5.51. **Governance**

One complaint was upheld in the Governance Directorate. This was about a delay in completing a RTB application. The reasons for the delay was explained and apologies given.

5.52. **General Commentary by directorate**

5.53. **Children's Services**

Pupil Admissions and Education Psychology and SEN

- Often the focal point for complainants is that they did not get the outcome they wanted, e.g. failure/delay to deliver service, and this includes tribunal/appeal processes. However compared to the average number of complaints nationally and within that context the number is relatively low.

The Parent & Family Support Service

- Eligibility criteria for free childcare is agreed by central government and not accessible to all. Holiday childcare provision is not a statutory LA service and places are limited. Demand is increasing locally as more parents move into employment often into low paid jobs. The

service has also seen an increase in the number of parents frustrated by the support available in schools for children with special educational needs/disabilities (SEND). The Parent Advice Centre (PAC) service can provide mediation and support however cannot influence the organisation of a school or overturn decisions made by a school governing body.

- The volume of complaints is small in relation to the service provided. In 2016-17 the Family Information Service received 15,600 calls requesting information, advice and brokerage services. The PAC responded to 1192 requests for information and support in relation to SEND and 518 families were allocated a caseworker to support complex issues in relation to Education, Social Care and Health.

5.54. Heath, Adults and Community

Hospital and Community Integrated Services

- The main trend in complaints for this service area relates to staff. This is an area that has been raised with improvement board as it is felt that we need some service standards agreed across adult social care particularly around information giving and general communication and hopefully we are taking that forward.
- There have been two about the length of time Assessment and Intervention took to complete an assessment or answer the phones, surprisingly given the length of wait. We have learned from this and have used resources to make more social workers available and have introduced a duty and triage on the phones to reduce call wait times which is working. Reducing the waiting time for assessment is a work in progress but we are putting plans in place.

Personalisation Resources and Review

- Bearing in mind the size of the Personalisation and Review teams and the volumes of users, the number of complaints is small although as a service area, the highest number of complaints is recorded.
- The communication to users about the proposal to introduce charging for services resulted in 2 complaints which is to be expected. The impact of the Care Act 2014 implementation has resulted in a small number of challenges arising from a reassessment of needs that resulted in a reduction of care and support which I would expect to see. There are delays in undertaking annual reviews which has in part arisen from the Care Act implementation and then the implementation of the revised Practice Framework.

Community Learning Disabilities

Themes to complaints in CLDS are delays; attitudes of staff and communication difficulties/ accessibility of service.

Various reasons:

- complexity of need
- High volume of work with Duty to due capacity issues in service

How we are addressing it:

- Reviewing our operational policy, streamlining practices and realigning teams.
- Reviewing Duty process
- Addressing staff issues through supervision and appropriate HR policies, social work supervision/professional forum.
- Robust management of sickness
- Recruitment drive - pooling resources with other services in Directorate.
- Dedicated mobile phone for carers to call – access to a Bengali speaker.

Community Mental Health & Mental Health Older People

- Hard to distinguish who is responsible between ELHT and LBTH, need protocol to establish who is responsible /accountable.

5.55. Governance

- Despite a 54% increase in the number of Stage 1 Complaints received during 2016/17 as opposed to 2015/16, there was an improvement in response times with a 10% increase in numbers responded to in time.
- The number of Stage 2 Complaints also saw a slight increase, 5 in 2016/17 from 4 in 2015/16 but again there was a 5% improvement in performance in providing responses within the published response times

5.56. Place

- Overall, complaints for the Place Directorate have increased by 10%.
- There has been an increase of 11% at stage 1, 7% at Stage 2. However, complaints at stage 3 have decreased by 15% which does show an improvement in the stage 2 responses.
- A vast majority of the complaints received are in the Public Realm division and surround issues such as Parking, Waste Management, THEO's as well as Housing Options (Lettings/Homeless) and It is important to note that the on time response rate for all of these were an average of 92%.
- High levels of complaints in the Housing Options department are to be expected due to the continuing Housing Crisis not only in Tower Hamlets but across London.
- It has been noticed that there are a large number of upheld complaints in Clean & Green, and there are many contributing factors - vehicle break downs on the Recycling Service (prior to the new contract and new vehicles being delivered June 2017), issues with Underground Refuse System and also the change to pink recycling sack provision standard.
- The highly publicised Lemonade incident, resulted in complaints in excess of 100 being recorded as partially upheld.

5.57. Resources

- While there has been an increase in FOI requests of 9% from 392 in 2015/16 to 429 in 2016/17, this small increase remains broadly in line with historic levels (409 in 2014/15). The percentage of FOIs responded to on time remains high at 91%.
- There has been a small reduction in the number of SAR from 51 in 2015/16 to 45 in 2016/17. This again is in line with historic levels of SARs (49 in 2014/15). 100% of SARs were responded to on time.
- The changes in volume mirror the changes for the organisation as a whole.
- Overall, there has been an 11% increase in the number of complaints received by the Resources Directorate from 364 in 2015/16 to 404 in 2016/17. However, on time performance remains very high at 92%. Stage 1 complaints upheld have increased from 41% to 45%.
- There has been a significant increase of 76% in complaints being escalated to Stage 2. However, in numerical terms this represents an increase from 29 to 51, meaning overall numbers remain low and in line with escalation rates for the organisation as a whole. Unfortunately, on time performance for Stage 2 has fallen significantly short of the corporate target and the Directorate will carry out a more detailed review of its complaints handling to understand the reasons for this. The number of complaints escalated to Stage 3 has nearly doubled from 9 to 17. All were responded to on time.
- Increased escalation to Stages 2 and 3 was also associated with a higher level of complaints upheld at these stages, indicating that resolution could have been achieved earlier in the complaints process, thus preventing escalation. The reasons for this will be investigated as part of the Directorate's review of complaints handling.
- The number of complaints received by different services within the Directorate varies greatly, with predominantly internal facing services receiving relatively few complaints whilst services receiving a higher number of complaints tend to be customer facing. The exception to this is the Idea Store service, which despite receiving nearly 2m visits per year, received only 14 complaints, reflecting high levels of customer satisfaction as reported in the Annual Residents Survey.
- For most services within the Directorate (Insurance, HR, ICT, Audit, Business Rates, Idea Store) complaint numbers are not sufficiently high to draw strategic conclusions about service performance. The forthcoming review of complaints handling in the Directorate will therefore primarily focus on customer facing areas with higher levels of complaints. The Directorate is leading the corporate improvement work in relation to customer access through the contact centre integration and changes to face to face services by drawing on the high levels of customer satisfaction with Idea Stores. These projects are expected to

significantly improve the customer experience. A quality assurance process has also been introduced to ensure complaints' responses are of the highest standard.

5.58. Tower Hamlets Homes (THH)

- There has been a significant reduction in the complaints for Decent Homes and also for Repairs Mechanical and Electrical team. The largest proportions of complaints relate to the repairs service – This reflects the fact that the majority of transactions dealt with by THH relate to this service area and to place the level of complaints with in context it is of note that in 2016/17 the repairs call centre dealt with 115210 calls and raised 59,575 repair orders. There has been an increase in complaints for Housing Service Centre and this is mainly due to parking issues and also Leasehold Services.
- There has been a significant reduction in Stage 2 complaints in 2016/17 compared to 2015/16. This has been achieved by recording and tracking follow up actions in iCasework for Stage 1 complaints. This has been across all service areas with the exception of Repairs Mechanical and Electrical mainly due to delays in repairing door entry systems due to obsolete parts, failure of communal heating and hot water systems and noise issues from plant rooms.
- There were fewer Stage 3 complaints in 2016/17 compared to 2015/16. There has been an increase in Stage 3 Repairs Mechanical and Electrical cases. Again this is mainly regarding delays in repairing door entry systems due to obsolete parts, failure of communal heating and hot water systems and noise issues from plant rooms.

Some of the key areas of focus from THH in the year ahead will be:

- Emphasis for all service areas on 'Getting It Sorted' to ensure complaints are resolved quickly and efficiently without the need for investigations or written response.
- Train the Housing Service Centre to log, assess and acknowledge complaints and Member Enquiries via iCasework before implementation of the proposed Business Development restructure which recommends a smaller central Complaints and Members Enquiry Team.
- Service areas to robustly monitor and manage team performance to prevent cases missing target and completing corrective actions.

5.59. 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				
	2015/16		2016/17	
Email	1787	46%	1515	40%
Web / Self Service	839	22%	1404	37%
Post	170	4%	101	3%
Phone	1054	27%	778	20%
In Person	20	1%	13	0%
Total Complaints	3870		3811	

- 5.60. Web usage and email increased significantly and this has been driven by the new software with its web form. Combined email and web form submitted complaints for 2015/16 was 68% and this has now increased in 2016/17 to 77%. 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.
- 5.61. 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 is gathered is low to enable a meaningful analysis for some strands (e.g. religion and sexual orientation).
- 5.62. 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 22% 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			
	2016/17		Adult 2011 Census
Asian	126	3.31%	35.2%
Black	44	1.15%	6.7%
Mixed /Dual Heritage	266	6.98%	3.2%
Other	23	0.60%	2.4%
White	376	9.87%	52.5%
Sub Total	835	21.91%	
Prefer Not to Say	812	21.31%	
Not Known	2164	56.78%	
Total	3811		

6 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 13% increase..

Figure 17

Volume of Adult Social Care Complaints				
	2015/16	2016/17	Variance	
Total Complaints	52	59	7	13%

Figure 18

Adults Social Care Complaints Volume and Outcomes									
	Communication cause	Payments / Charges	Policy / Procedure	Service Issues	Service quality	Staff conduct cause	Total	Upheld & Partly upheld	
Community Learning Disabilities	1			5		2	8	7	0.875
Community Mental Health				5	1		6	2	33%
Delivery Transformation and Independence	1						1	1	100%
Hospital and Community Integrated Services	4		2	9			15	11	73%
Mental Health Older People	1			3			4	4	100%
Occupational Therapy				6	1		7	3	43%
Personalisation Resources and Review	2	2	2	11		1	18	13	72%
Total	9	2	4	39	2	3	59	41	69%

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. 30 (44%) of the complaints were completed within 20 working days. This is a drop against last year's performance.

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
2015/16	52	23	44%	31	60%	21	40%	29
2016/17	59	13	22%	26	44%	33	56%	31

6.8 Figure 19 also demonstrates that the average number of working days to complete has increased from 29 to 31.

6.9 Access and Profiles

6.10 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.

6.11 Summary of key issues in upheld cases

6 cases were partly upheld due to a failure or delay in delivering a service and 1 was upheld.

1 complaint concerned the procedure in which a request for an assessment was handled.

There were 2 complaints about poor communication in keeping family members informed about the service user's care.

1 case concerned the actions and statements of an officer during a home visit.

One complaint highlighted mistakes and lack of clarity in relation to the referral process.

DRAFT

7. CHILDREN'S SOCIAL CARE COMPLAINTS

8.6 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.

8.7 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.

8.8 Complaint volumes

The number of children's social care complaints fell in 2016/2017 as shown in Figure 20, there is no clear explanation for this.

Figure 20

Volume of Children's Social Care Complaints				
Year	2015/16	2016/17	Variance	
Stage 1	64	55	-9	-14%
Stage 2	8	12	4	50%
Review Panel	2	2	0	0%

8.9 Complaint Response Times

Figure 21 sets out the response times for Stage 1 complaints. It shows that 36% of Stage 1 complaints in Children's Social Care were answered within the 10 working day time scale, and 73% completed in the extended time scale. This is an improvement 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
2015/16	64	21	33%	32	50%	32	50%	34
2016/17	55	20	36%	40	73%	15	27%	17

8.10 There were 12 Stage 2 complaints this period with an average response time of 130 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
2015/16	8	1	13%	1	13%	7	88%	112
2016/17	12	1	8%	3	25%	8	67%	130

8.11 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.

8.12 There were 2 Stage 3 review panels in August 2016 and September 2016. The complaint in the Children Specialist Services was upheld. The complaint in the Child Protection and Reviewing Service was partly upheld.

8.13 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 2016/17										
	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	
Assessment & Early Intervention	2				3	3	4	12	5	42%
Attendance & Welfare					1			1	0	0%
Child Protection & Reviewing						1	3	3	0	0%
Children Specialist Services	4		2	1	5	2	2	16	5	31%
Family Intervention	2							2	2	100%
Family Support & Protection	4	1	2	1	7	2	2	19	9	47%
Resources Children Social Care							1	1	0	0%
Youth Offending	1							1	0	0%
Total	13	1	4	2	16	8	12	55	21	38%

8.14 Summary of key issues in upheld complaints

There were 10 complaints upheld or partly upheld.

8.15 Four complaints for Assessment and Early intervention were partially upheld due to staff conduct.

8.16 Two cases in Family Support and Protection and the Leaving Care Service were upheld due to payments for Family and Friends Allowance and savings for a care leaver not being made.

8.17 A further complaint in Child Protection and Reviewing concerned a delay in replying and resolving payments relating to Residence Order Allowance.

8.18 In a Looked After Children case there were communication problems regarding contact visits for the grandparents.

8.19 On the stage 2 complaints

One upheld concern was that a report for review meeting was not provided with sufficient time for the parent to prepare for the meeting and the parent has a known learning difficulty.

8.20 Another complex case found that there were delays in resolving concerns with managers at a local level which could have prevented escalation and a failure of the IRO to discuss the proposed content of a report with a foster parent before it was committed to writing.

8.21 One of the two stage 3 panels was upheld in part.

It was found, that there was a lapse in service in providing support and practical assistance to a mother when her disabled child was not in school, transport to school for another child and consulting the mother and providing a copy of the Carer's assessment and keeping her updated on the referral to another borough.

The service sent a further specific letter of apology acknowledging where actions could have better completed and offered compensation for the stress caused and disruption to the children's educational needs.

7 LOCAL GOVERNMENT OMBUDSMAN AND HOUSING OMBUDSMAN COMPLAINTS

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.

8.6 In 2016/17 the LGO received 114 complaints, and compared to London Boroughs (with 1st as high volume) Tower Hamlets ranked 14th. The volumes fell significantly from 149 to 114 which is a 23% decrease

8.7 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
2016/17	10	13	10	14	12	14	33	7	1	114
2015/16	10	19	11	22	13	19	48	6	1	149
2014/15	12	15	7	13	6	29	9	37	0	128

8.8 Complaints Closed by the Ombudsman

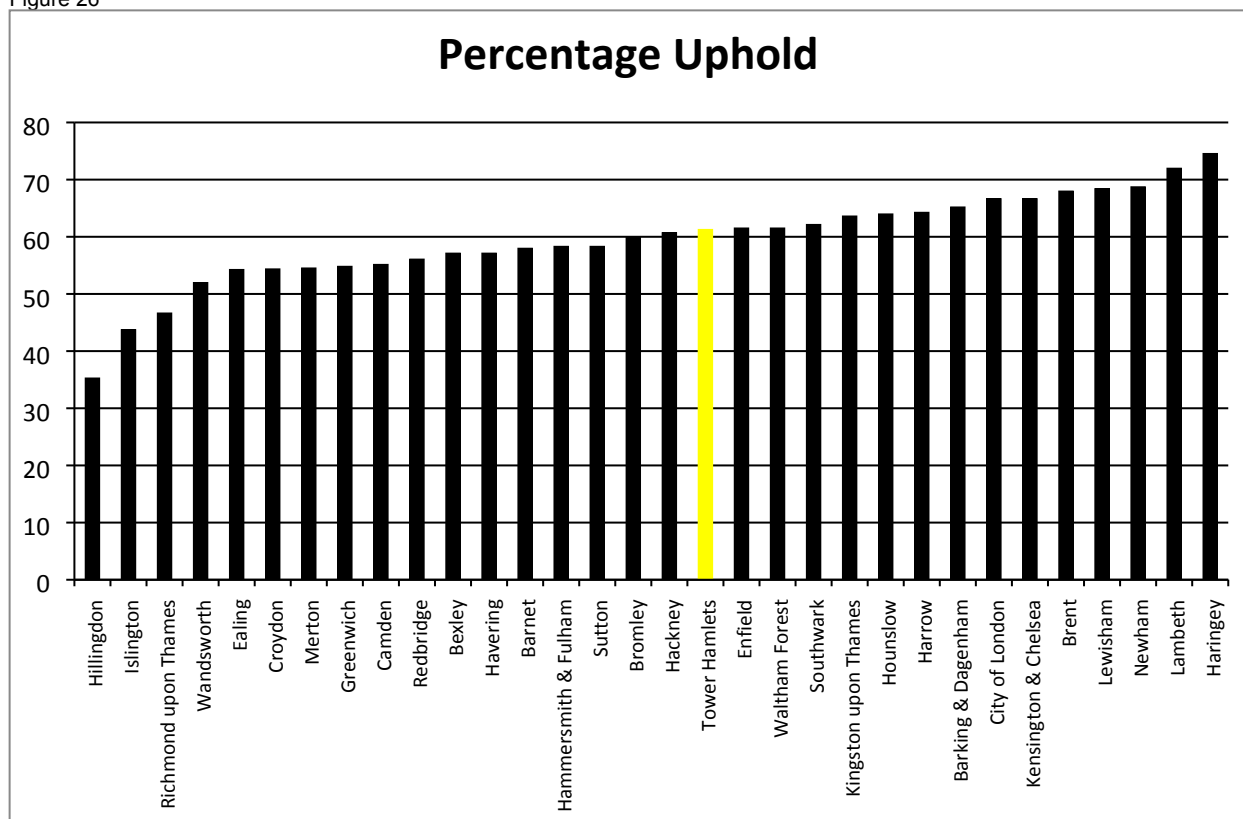
As can be seen in Figure 25, 106 complaints were determined, which is a significant reduction from the previous year, The LGO's focus is on where an investigation took place. These are then noted as upheld or not upheld. In 19 of these 31 cases some element of the complaint was upheld and 12 were not upheld. 40 cases were referred back to the Council as premature. 22 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				Total
	Upheld	Not upheld	Advice given	Closed after initial enquiries	Incomplete /Invalid	Referred back for local resolution	
2016/17	19	12	11	22	2	40	106
2015/16	9	13	11	35	7	78	153
2014/15	11	12	4	34	4	57	122

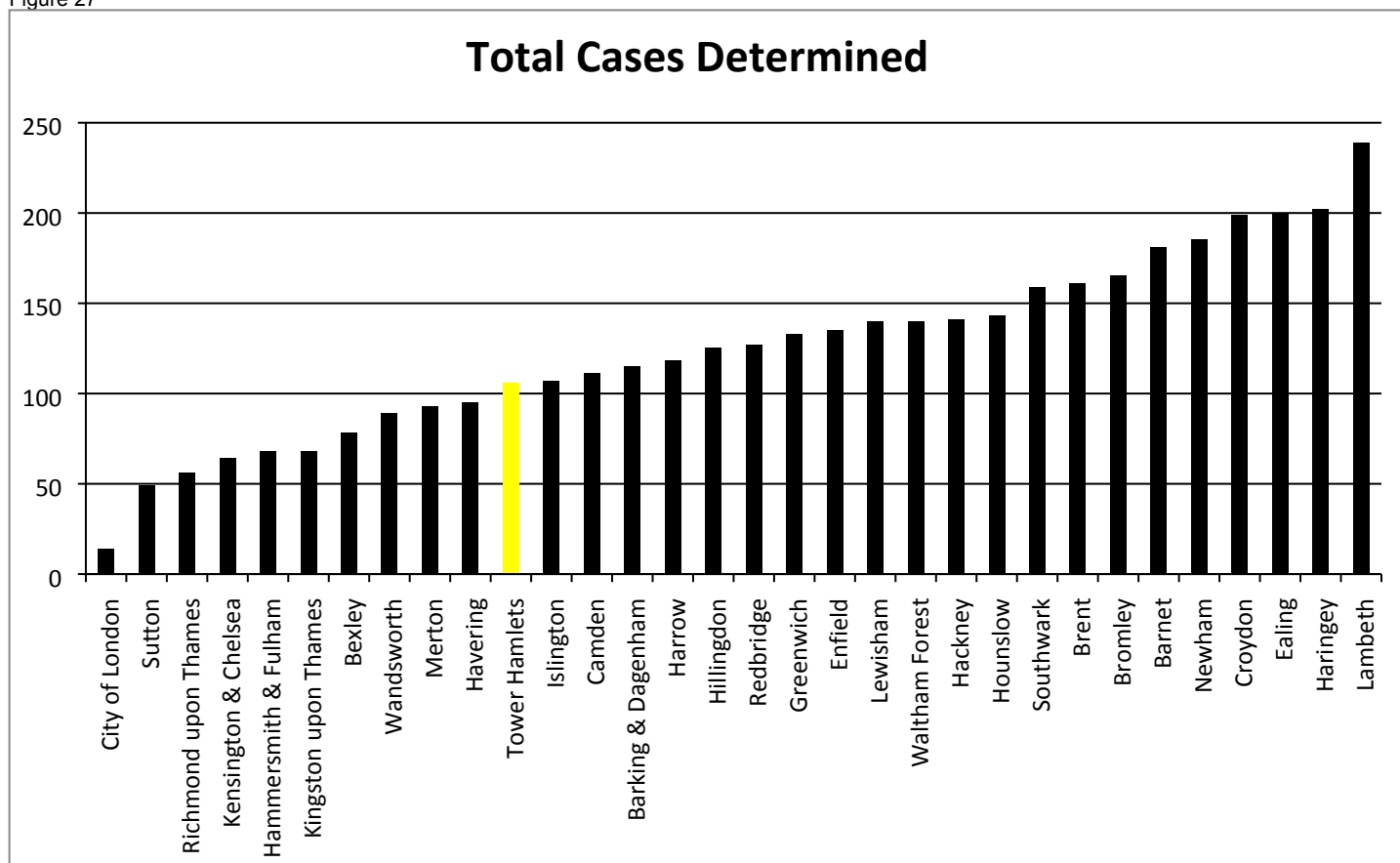
8.9 The Ombudsman ranks Local Authorities on the percentage of the complaints they formally investigate that were upheld.

Figure 26



- 8.10 Figure 26 shows that Tower Hamlets had 61% of those case investigated upheld, with the highest percentages reaching 75%. Tower Hamlets is now ranked 18th as lowest upheld compared to 13th in 2015/16. Please note this will also include complaints where the Council had already recognised the issue and remedied it.
- 8.11 The overall volume of complaints considered varies across the boroughs. Tower Hamlets ranks 27 out of 33 for the fewest Ombudsman enquiries and complaints, as shown in figure 29 below.

Figure 27



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

8.13 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.

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

Figure 28

Housing Ombudsman Complaints	2014/15	2015/16	2016/17
Enquiry	1	17	20
Premature	3	16	18
Determination	0	2	13
Total	4	35	51

8.15 Below in Figure 29 is a breakdown of the cases determined by the Housing Ombudsman for 2016/17. The Housing Ombudsman has changed the outcomes categories in 2016/17 so it is not possible to carry out a comparison.

Figure 29

Cases Determined by Housing Ombudsman in 2016/17						
Maladministration	Partial Maladministration	No Maladministration	Redress	Resolved With Intervention	OSJ	Total Determinations
6	1	1	3	1	1	13

8 IMPROVEMENT INITIATIVES

8.1 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

8.2 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.

8.3 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.

8.4 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.

8.5 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.

8.6 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. .

8.7 Effective Learning Outcomes from Complaints

8.8 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.

8.9 Equalities

8.10 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.

DRAFT

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

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 Cause showing performance and outcome 2016-2017

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
Parks & Trees	7		8	8		2	10		2	2	6	3	48	77%	63%
Arts and Events			1		4	1	3		13		4	2	28	75%	25%
Children Social Care			1		1	2			4	1	1	1	11	64%	9%
Leisure Centres							2					6	8	75%	100%
Pupil Admissions			3	1			1		1		1		7	86%	57%
Education Psychology and SEN			2						1		2		5	60%	20%
Youth Services							2	1	2				5	80%	40%
Early years support										1		2	3	67%	100%
Parent and Family Support Services										1	1	1	3	33%	100%
Children's All Other Issues								1				1	2	100%	50%
Contract Services Schools			1									1	2	100%	50%
Primary Achievement and Early Years							1					1	2	100%	0%
School Governance						1				1			2	50%	100%
Total	7	0	16	9	5	6	19	2	23	6	15	18	126	75%	50%

Children's Stage 2 Complaints by Issue and Cause showing performance and outcome 2016-2017

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
Children Social Care									2		2		4	25%	0%
Youth Services							1		1	1			3	67%	67%
Education Psychology and SEN			1								1		2	100%	0%
Parks & Trees	1										1		2	50%	0%
Pupil Admissions									1		1		2	0%	0%
Children's All Other Issues							1						1	100%	100%
Leisure Centres												1	1	0%	0%
Parent and Family Support Services											1		1	0%	0%
Primary Achievement and Early Years									1				1	100%	0%
Total	1	0	1	0	0	0	1	1	5	1	6	1	17	47%	18%

Children's Stage 3 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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
Children Social Care			1								1		2	50%	0%
Children's All Other Issues								1					1	100%	100%
Primary Achievement and Early Years									1				1	0%	0%
Total	0	0	1	0	0	0	0	1	1	0	1	0	4	50%	25%

Governance Stage 1 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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
Complaints & Information			2			9	3		2	1	2	1	20	95%	5%
Legal Services			10		1				1	3	2		17	76%	47%
Registrars Office					4				1	6			11	55%	45%
Electoral Services			3	1	1		1					1	7	100%	14%
Corporate Communications			1				1		3	1			6	67%	0%
Committee Services							1						1	100%	100%
Governance All Other Issues										1			1	100%	100%
Total	0	0	16	1	6	9	6	0	7	12	4	2	63	81%	27%

Governance Stage 2 Complaints by Issue and Cause showing performance and outcome 2016-2017

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					1					1			2	50%	0%
Corporate Communications										1			1	100%	0%
Member Support									1				1	100%	0%
Monitoring Officer Complaint												1	1	100%	0%
Total	0	0	0	0	1	0	0	0	1	2	0	1	5	80%	0%

Governance Stage 3 Complaints by Issue and Cause showing performance and outcome 2016-2017

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			1							1			2	100%	50%
Complaints & Information											1		1	100%	100%
Registrars Office										1			1	100%	0%
Total	0	0	1	0	0	0	0	0	0	2	1	0	4	100%	50%

Health Adults and Community Stage 1 Complaints by Issue and Cause showing performance and outcome 2016-2017

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
Adults Social Care		1					2				4	3	10	60%	60%
Commissioning and Health							3	1	1			1	6	67%	17%
Community Safety	1			1									2	50%	0%
Health Adults Community All Other Issues							1						1	0%	100%
Total	1	1	0	1	0	0	6	1	1	0	4	4	19	58%	42%

Health Adults and Community Stage 2 Complaints by Issue and Cause showing performance and outcome 2016-2017

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
Adults Social Care		1											1	0%	0%
Commissioning and Health												1	1	100%	0%
Total	0	1	0	0	0	0	0	0	0	0	0	1	2	50%	0%

Health Adults and Community Stage 3 Complaints by Issue and Cause showing performance and outcome 2016-2017

Total	0	0	0	0	0	0	0	0	0	0	0		0	na	0%
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Place Stage 1 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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
Parking	2	40	137	3	15	3	4	9	158	12	36	29	448	99%	10%
Dry recycling	2		176		6	2	31		17	6	11	3	254	88%	83%
Domestic refuse	3		131			9	28		3	6	23	4	207	90%	77%
Street cleansing	5		22	28		15	15		2	6	27	2	122	95%	52%
Waste and recycling other			20	6		7	19		17	27	8	4	108	90%	69%
ASB and THEOs	11		7	41	3	9	4		8	6	1	2	92	84%	10%
Food and garden recycling	1		54	1			7		3	10	2		78	94%	83%
Lettings		1	15	7	1	1	5		10	23	8	5	76	89%	45%
Road maintenance and repairs	22		9	4	1	13	16				5		70	87%	33%
Bulk waste			56	1			2		2	8			69	94%	80%
All Other Housing Options Issues			6	11	1	1	2		4	11	3	18	57	81%	30%
Planning			3	15	3		5		13	10	4	1	54	46%	28%
Pest Control	1	2	10				3		1	11	5	6	39	97%	38%
Pollution	6		3	11	3	2	2		2	4			33	91%	21%
Permissions and Licences	1		2	12		6	7		1	1	1		31	84%	13%
Building Control			11	6		2				7	2	1	29	31%	72%
Health and Housing	3		2	2	9	2		1	1	5	2		27	96%	30%
Road Design	6		2	4		5	4			2	1		24	79%	25%
Streets & Highways	5		5	4		5	2			2		1	24	96%	29%
Housing Management and Procurement			8	1					2	7	3	1	22	91%	50%

Markets Service			2	2	4	1	2		2	2		3	18	78%	11%
Homeless				4	4		3		1	3		1	16	100%	25%
Mobility			8						4	1	3		16	100%	13%
Waste contract			3		1	1	3				1	3	12	75%	83%
Car Free Developments					1				7	3			11	100%	0%
Commercial waste			2	1	2	2	1						8	100%	50%
Licensing - Commercial			3		2				1	2			8	100%	13%
Animal Wardens			1	2		1			1				5	60%	80%
Clinical waste			2				1			2			5	100%	80%
Corporate Property & Capital Delivery			1	2			1				1		5	80%	40%
Strategic Housing				3						2			5	80%	80%
Trading Standards	1				1					1		1	4	100%	25%
Economic Development									1	2			3	67%	67%
Food Safety				1	2								3	100%	0%
Road Construction Projects	1			1			1						3	67%	0%
Parks & Trees Upkeep							1					1	2	0%	100%
CCTV				1									1	0%	100%
Energy and Sustainable Development										1			1	0%	100%
Environmental Health & Trading Standards	1												1	100%	0%
Facilities Management				1									1	100%	0%
Passenger Transport												1	1	0%	0%
Total	71	43	701	175	59	87	169	10	261	183	147	87	1993	90%	45%

Place Stage 2 Complaints by Issue and Cause showing performance and outcome 2016-2017

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
Parking		11	19		3			1	33	2	4	2	75	99%	12%
Domestic refuse			12			1	2			1	3		19	68%	79%
Lettings		1	3				1		5	5	1		16	81%	38%
Planning				1	1		1		3	5		1	12	67%	25%
Dry recycling			7							3	1		11	64%	100%
Waste and recycling other			2			2	3			2	1		10	90%	50%
All Other Housing Options Issues			2				2		1	1	1	2	9	100%	11%
Food and garden recycling			6							2	1		9	44%	78%
Building Control			4	1						1			6	33%	50%
Mobility			2	1					3				6	100%	17%
Street cleansing	1			1			1		1	1	1		6	83%	50%
Housing Management and Procurement			2	1						2			5	80%	40%
Road maintenance and repairs			2				2		1				5	40%	20%
ASB and THEOs			1	1					2				4	100%	25%
Health and Housing					1			1		2			4	100%	25%
Pest Control			2				1				1		4	100%	75%
Markets Service					2		1						3	100%	0%
Pollution										2			2	50%	100%
Road Design				1						1			2	100%	100%
Streets & Highways				1			1						2	100%	0%
Waste contract					1		1						2	100%	50%

Bulk waste			1										1	100%	0%
Car Free Developments									1				1	100%	0%
Commercial waste							1						1	0%	0%
Licensing - Commercial										1			1	100%	0%
Permissions and Licences							1						1	0%	0%
Total	1	12	65	8	8	3	18	2	50	31	14	5	217	83%	35%

Place Stage 3 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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
Parking		8	8						9	1	1	2	29	100%	24%
All Other Housing Options Issues			2				2			1		1	6	83%	0%
Lettings		1					1		2	2			6	83%	33%
Food and garden recycling			4							1			5	100%	100%
ASB and THEOs			1						2				3	100%	33%
Domestic refuse			3										3	100%	33%
Health and Housing										3			3	100%	0%
Planning									1	2			3	67%	33%
Building Control			1							1			2	50%	50%
Mobility			2										2	100%	50%
Road maintenance and repairs							1		1				2	100%	0%
Street cleansing							1				1		2	100%	100%
Car Free Developments									1				1	0%	0%
Commercial waste							1						1	100%	0%
Homeless										1			1	0%	100%
Housing Management and Procurement				1									1	100%	0%
Pest Control											1		1	100%	0%
Strategy Regeneration & Sustainability							1						1	100%	0%
Streets & Highways				1									1	100%	0%
Total	0	9	21	2	0	0	7	0	16	12	3	3	73	92%	30%

Resources Stage 1 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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	1	65	10	9	3	2	4	14	15	17	11	8	159	89%	35%
Benefits		11	22	1	9		2	7	30	17	4	8	111	97%	38%
Contact Centre			6	3			3			14	9	3	38	95%	63%
One Stop Shops		1	4				2		1	1	6	15	30	100%	70%
Insurance		3	1	5	1		3	1	2	1	2		19	89%	68%
Idea Stores			1		1		2			6	1	3	14	71%	71%
Human Resources			1		4					2	2	2	11	91%	45%
Risk Management & Audit				1	2	1	2			1	1	2	10	90%	20%
Business Rates		4				1			1	2		1	9	89%	67%
ICT										1	1		2	100%	50%
Resources All Other Issues										1			1	100%	100%
Total	1	84	45	19	20	4	18	22	49	63	37	42	404	92%	45%

Resources Stage 2 Complaints by Issue and Cause showing performance and outcome 2016-2017

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		3	6		1				8	5	2	1	26	81%	8%
Council Tax		7						1	2	1	1		12	75%	50%
Idea Stores			1		1					1	1		4	75%	25%
One Stop Shops									1			2	3	100%	33%
Risk Management & Audit												2	2	50%	0%
Business Rates										1			1	0%	0%
Human Resources												1	1	100%	0%
ICT										1			1	0%	100%
Insurance											1		1	100%	0%
Total	0	10	7	0	2	0	0	1	11	9	5	6	51	76%	22%

Resources Stage 3 Complaints by Issue and Cause showing performance and outcome 2016-2017.

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		1	2						3	1	1	1	9	100%	33%
Council Tax		3											3	100%	0%
Business Rates									1	1			2	100%	0%
Idea Stores			1										1	100%	100%
Insurance											1		1	100%	0%
Risk Management & Audit												1	1	100%	0%
Total	0	4	3	0	0	0	0	0	4	2	2	2	17	100%	24%

Tower Hamlets Homes Stage 1 Complaints by Issue and Cause showing performance and outcome 2016-2017

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	10	1	240	5	3	2	27		18	100	119	20	545	79%	46%
THH Decent Homes	3	1	59	10	3		14			27	33	2	152	84%	43%
THH Housing Management	11		26	7	3		14		6	27	13	5	112	85%	36%
THH Leasehold Services	1	6	13	4	2		3	3	4	17	8	5	66	71%	45%
THH Estate Parking	2		29		1		4		9	8	7	1	61	72%	43%
THH All Other Issues	9		10	4	2	5	4		2		2		38	95%	0%
THH RTB and Resales			18		2		10		1	3	1		35	31%	46%
THH ASB	12		11				5		1	2	1	2	34	65%	26%
THH Estate Facilities	1		7	3			2	1	2	6	8	2	32	75%	41%
THH Caretaking			10	3			6		1		7	1	28	96%	46%
THH Housing Service Centre			7				1			9	2	7	26	81%	69%
THH Rents			1	1	3		1	1	2	1	1	8	19	95%	21%
THH Drainage	1		9							1	4		15	73%	80%
THH New Build	1		2	1			2				3		9	67%	22%
THH Customer Resolutions Team			2			1				3	1		7	86%	43%
THH Estate Services			2							2		1	5	100%	40%
THH Environmental Services							1				1	2	4	75%	50%
THH Planned Maintenance			3				1						4	100%	75%
Total	51	8	449	38	19	8	95	5	46	206	211	56	1192	79%	43%

Tower Hamlets Homes Stage 2 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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	1		30				6		4	9	9	3	62	79%	65%
THH Decent Homes		1	3							6	4	1	15	73%	73%
THH Housing Management			2						2	3		1	8	25%	50%
THH Leasehold Services	1		2	1	1					1	2		8	50%	88%
THH RTB and Resales			4				2			1			7	29%	57%
THH Estate Parking			1						1				2	50%	100%
THH New Build			1	1									2	100%	50%
THH All Other Issues						1							1	0%	100%
THH ASB							1						1	100%	0%
THH Customer Resolutions Team										1			1	100%	100%
THH Drainage			1										1	100%	100%
THH Environmental Services												1	1	0%	0%
THH Estate Facilities									1				1	0%	0%
Total	2	1	44	2	1	1	9	0	8	21	15	6	110	67%	65%

Tower Hamlets Homes Stage 3 Complaints by Issue and Cause showing performance and outcome 2016-2017															
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	1		9				1		2	6	3		22	73%	64%
THH Decent Homes			1							2	3		6	67%	83%
THH Leasehold Services	1				1					1	1		4	75%	100%
THH RTB and Resales			3							1			4	75%	25%
THH Housing Management			1						1	1			3	100%	33%
THH Customer Resolutions Team										1			1	100%	0%
THH Drainage			1										1	100%	0%
THH Estate Facilities									1				1	100%	100%
THH Estate Parking									1				1	100%	0%
THH New Build									1				1	0%	0%
Total	2	0	15	0	1	0	1	0	6	12	7	0	44	75%	59%

Local Government & Social Care OMBUDSMAN

20 July 2017

By email

Will Tuckley
Chief Executive
London Borough of Tower Hamlets

Dear Will Tuckley,

Annual Review letter 2017

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGO) about your authority for the year ended 31 March 2017. 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.

The reporting year saw the retirement of Dr Jane Martin after completing her seven year tenure as Local Government Ombudsman. I was delighted to be appointed to the role of Ombudsman in January and look forward to working with you and colleagues across the local government sector in my new role.

You may notice the inclusion of the '*Social Care Ombudsman*' in our name and logo. You will be aware that since 2010 we have operated with jurisdiction over all registered adult social care providers, able to investigate complaints about care funded and arranged privately. The change is in response to frequent feedback from care providers who tell us that our current name is a real barrier to recognition within the social care sector. We hope this change will help to give this part of our jurisdiction the profile it deserves.

Complaint statistics

Last year, we provided for the first time statistics on how the complaints we upheld against your authority were remedied. This year's letter, again, includes a breakdown of upheld complaints to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us.

We have chosen not to include a 'compliance rate' this year; this indicated a council's compliance with our recommendations to remedy a fault. From April 2016, we established a new mechanism for ensuring the recommendations we make to councils are implemented, where they are agreed to. This has meant the recommendations we make are more specific, and will often include a time-frame for completion. We will then follow up with a council and seek evidence that recommendations have been implemented. As a result of this new process, we plan to report a more sophisticated suite of information about compliance and service improvement in the future.

This is likely to be just one of several changes we will make to our annual letters and the way we present our data to you in the future. We surveyed councils earlier in the year to find out, amongst other things, how they use the data in annual letters and what data is the most useful; thank you to those officers who responded. The feedback will inform new work to

provide you, your officers and elected members, and members of the public, with more meaningful data that allows for more effective scrutiny and easier comparison with other councils. We will keep in touch with you as this work progresses.

I want to emphasise that the statistics in this letter comprise 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, but who may never contact you.

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

During the year we issued one public report against your Council. The report concerned a complaint from a woman who had taken on the care of another woman's three children because their mother was no longer able to provide them with suitable care due to drug and alcohol dependency and health problems. The woman was neither a friend nor relative of the mother, but knew a family member. A month later, two of the children went to live with aunts, but the youngest stayed with the woman.

The Council had refused to accept it had placed the three vulnerable siblings with the complainant. The Council left the complainant with no support for six years despite her repeated complaints that she was not caring under a private arrangement with the children's mother.

Our investigation found the Council was responsible for placing the three children with her, which meant the Council was responsible for their accommodation and welfare. The Council had failed to recognise this. The youngest child was fortunate to have been placed with someone, by accident rather than design, who could provide her with a stable, caring and long term home.

We recommended the Council should apologise and pay the costs the complainant incurred when she initially took on the care of the three children, and for the legal advice she obtained, plus £500 for her frustration in pursuing her complaint with the Council for so long. We also recommended the Council pay her what it should have paid her as a friend and family foster carer for the last six years. In addition, we recommended the Council take action to prevent a repeat of this fault by improving its procedures. We asked it to review whether the two older children and their carers were adversely affected by these faults after the complainant stopped caring for them in late 2010.

I am pleased to report the Council has acted on our recommendations and the complainant has received her apology and payments. However, there remain some outstanding actions that we are continuing to monitor before I can be satisfied the Council has completed them all.

The statutory duty to report Ombudsman findings and recommendations

As you will no doubt be aware, there is a duty under section 5(2) of the Local Government and Housing Act 1989 for your Monitoring Officer to prepare a formal report to the council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGO has conducted an investigation in relation to the matter.

This requirement applies to all Ombudsman complaint decisions, not just those that result in a public report. It is therefore a significant statutory duty that is triggered in most authorities

every year following findings of fault by my office. I have received several enquiries from authorities to ask how I expect this duty to be discharged. I thought it would therefore be useful for me to take this opportunity to comment on this responsibility.

I am conscious that authorities have adopted different approaches to respond proportionately to the issues raised in different Ombudsman investigations in a way that best reflects their own local circumstances. I am comfortable with, and supportive of, a flexible approach to how this duty is discharged. I do not seek to impose a proscriptive approach, as long as the Parliamentary intent is fulfilled in some meaningful way and the authority's performance in relation to Ombudsman investigations is properly communicated to elected members.

As a general guide I would suggest:

- Where my office has made findings of maladministration/fault in regard to routine mistakes and service failures, and the authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, I feel that the duty is satisfactorily discharged if the Monitoring Officer makes a periodic report to the council summarising the findings on all upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report on complaints to members, for example.
- Where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of the fault or injustice, or the number of people affected, I would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.
- In the unlikely event that an authority is minded not to comply with my recommendations following a finding of maladministration, I would always expect the Monitoring Officer to report this to members under section five of the Act. This is an exceptional and unusual course of action for any authority to take and should be considered at the highest tier of the authority.

The duties set out above in relation to the Local Government and Housing Act 1989 are in addition to, not instead of, the pre-existing duties placed on all authorities in relation to Ombudsman reports under The Local Government Act 1974. Under those provisions, whenever my office issues a formal, public report to your authority you are obliged to lay that report before the council for consideration and respond within three months setting out the action that you have taken, or propose to take, in response to the report.

I know that most local authorities are familiar with these arrangements, but I happy to discuss this further with you or your Monitoring Officer if there is any doubt about how to discharge these duties in future.

Manual for Councils

We greatly value our relationships with council Complaints Officers, our single contact points at each authority. To support them in their roles, we have published a Manual for Councils, setting out in detail what we do and how we investigate the complaints we receive. When we surveyed Complaints Officers, we were pleased to hear that 73% reported they have found the manual useful.

The manual is a practical resource and reference point for all council staff, not just those working directly with us, and I encourage you to share it widely within your organisation. The manual can be found on our website www.lgo.org.uk/link-officers

Complaint handling training

Our training programme is one of the ways we use the outcomes of complaints to promote wider service improvements and learning. We delivered an ambitious programme of 75 courses during the year, training over 800 council staff and more 400 care provider staff. Post-course surveys showed a 92% increase in delegates' confidence in dealing with complaints. To find out more visit www.lgo.org.uk/training

Yours sincerely

A handwritten signature in black ink, appearing to read 'M King', with a stylized flourish at the end.

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

Local Authority Report: London Borough of Tower Hamlets
For the Period Ending: 31/03/2017

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
10	13	10	14	12	14	33	7	1	114

Decisions made

				Detailed Investigations			Total
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	
2	11	40	22	12	19	61%	106

Notes		Complaints Remedied	
<p>Our uphold rate is calculated in relation to the total number of detailed investigations.</p> <p>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.</p>		by LGO	Satisfactorily by Authority before LGO Involvement
		12	0

Appendix C – Upheld Ombudsman Complaints 2016 - 2017

Reference	Complaint	Council Remedy / Action
Housing		
201516869	The complainant is a former leaseholder of 17 Longford House and his complaint is about the ALMO's handling of reports of a leak at the property and the amount of compensation offered.	<p>Action</p> <p>ALMO was found to have delayed action to be taken to deal with the reported leak but this was acknowledged at stage three and the compensation offered was reasonable.</p> <p>No further action by the Ombudsman was needed.</p> <p>Service Comments:</p> <p>No further comments</p>
201514966	<p>Resident raised complaint about THH's response to her reports of asbestos in her property during Decent Homes works and the removal of her children's toys from the property.</p> <p>THH delayed removing asbestos from the property and did not provide evidence that a full investigation had taken place on the issue.</p> <p>THH failed to take responsibility for the removal of the children's toys and instead referred resident to the contractors.</p>	<p>Action</p> <p>THH undertaking another asbestos survey and air test by an independent contractor with provision of report to the complainant within six weeks.</p> <p>THH to write to complainant apologising and acknowledging the distress and inconvenience caused by its failings within 28 days.</p> <p>THH to pay the £1000 compensation offered in its letter to the Ombudsman within 28 days.</p> <p>THH to pay £250 for the distress and inconvenience caused by failings in handling complaint.</p> <p>THH to take steps that complainant receives response regarding compensation for lost toys</p>

		<p>THH to carry out review of complaint with steps to be taken to avoid re-occurrence and provide this report to Ombudsman by 16 February 2017</p> <p>Service Comments:</p> <p>No further comments</p>
16006931	<p>Ms X alleges the Council failed to act on her behalf when she left and was evicted from a former tenancy and alleges fault in the Council's handling of her complaint afterwards. There was fault because the Council's recordkeeping was inadequate.</p>	<p>Action</p> <p>Fault was found with the Council as recordkeeping was inadequate. However the identified fault did not cause Ms X significant injustice to warrant any further actions.</p> <p>Service Comments:</p> <p>No further comments</p>
15019907	<p>Mr Y complained that the Council's decision to cancel his Right to Buy (RTB) application was procedurally incorrect. Mr Y says that would have been able to complete his purchase within the required timeframe, had the Council followed the correct procedures. Mr Y has since submitted a new RTB application but the value of his property has increased by £80,000.</p>	<p>Action</p> <p>The Council to place Mr Y back into initial position and issue him with an offer to purchase the property at original valuation.</p> <p>Service Comments:</p> <p>The Council failed to issue a reminder letter once the deadline for Mr Y's RTB acceptance had lapsed. This caused Mr Y to lose the opportunity to proceed with the sale at the agreed price.</p> <p>The Council should remind its officers of the importance of issuing reminder letters, in line with the published</p>

		Government guidance.
Environmental Services and Public Protection and Regulation		
16011465	Ms X says the Council is at fault in its handling of her reports of noise nuisance and ASB from her neighbours. She says the Council refused to accept her reports and referred them to her RSL. Ms X also says the Council wrongly refused her request for a Community Trigger.	<p>Action:</p> <p>Some evidence of fault by the Council in how it considered Ms X's request for a Community Trigger. However fault is not considered to alter the outcome of Ms X's appeal as she did not meet the criteria.</p> <p>Service Comments:</p> <p>No further comments.</p>

16007428	<p>Mr A complained about ongoing failure to collect rubbish and failure to respond to reports for missed collections. This is despite previous complaint being raised in 2015. There has also been failure to respond to complaints regarding vermin in the bin store.</p> <p>Council has apologised and has put future measure in place to improve accessibility by removing a crossing on the road and minimise further injustice.</p>	<p>Action</p> <ul style="list-style-type: none"> • Mr A advised to report any further problems to the Council and back to the ombudsman who will consider reopening the complaint if appropriate. • Council has taken appropriate action to resolve vermin issue and no further fault needed on this complaint <p>Service comments:</p> <p>No further comments.</p>
Parking		
16009283	<p>Mr X complains that the Council provided incorrect information to him about transferring his parking permit which caused him to surrender his parking permit earlier than necessary and he was not entitled to a refund.</p>	<p>Action</p> <p>Investigation discontinued as any fault by the Council will not have caused significant enough injustice to Mr X to warrant pursuing his complaint any further.</p> <p>Service Comments:</p> <p>No further comments.</p>
16009283	<p>Mrs C complained about the way the council dealt with her application for a parking permit scheme. Mrs C says that she met all the relevant criteria but was refused a permit when she moved to a new property. There was fault found by the Council which caused injustice. Agreed action should be able to remedy Mrs</p>	<p>Action</p> <ul style="list-style-type: none"> • Provide Mrs C with a permit at her current property • Pay Mrs C £500 for the additional costs and inconvenience suffered during the period without

	C's injustice.	<p>reasonable access to car</p> <p>Service Comments:</p> <p>No further comments.</p>
Lettings and Homeless Services		
16002048	<p>Mr A is complaining about losing out on properties which he has bid for due to the Council forgetting to email him viewing appointment letters. The Council offered Mr A property which was unsuitable, will not let him have a property with internal stairs and temporarily removed his medical priority in May 2016.</p> <p>Mr A has been in position for three properties and twice missed out on viewings through no fault of his own.</p>	<p>Action</p> <p>The Council has accepted fault and apologised to Mr A but this does not remedy the injustice to him.</p> <p>The Council reinstated Mr A's medical priority and did not penalise him for refusing one offer.</p> <p>No fault found with the Council refusing to let Mr A have a property with internal stairs as the Council is entitled to follow recommendations from the medical adviser.</p> <p>Council to offer Mr A the next suitable property he bids on as long as it meets any recommendations by the Council's health adviser and there are no applicants in priority Band 1A ahead of him who have bid on the property.</p> <p>Service Comment:</p> <p>No further comments</p>
15020475	<p>Mr A complained about the Council not dealing with his and his mother's application for rehousing properly and raised the following points:</p> <p>a. The response to the problem of disrepair and rodents has been inadequate.</p>	<p>Action</p> <p>Points c, d and e to be investigated by the Council using the complaints procedure as Mr A did not pursue this initially for these parts.</p> <p>Point a should be referred by Mr A to the Housing</p>

	<p>b. A previous carer reused disposable gloves and did not fill in the records properly. The agency sent this carer in May 2016 when the new regular carer was off.</p> <p>c. The Council did not deal with him properly as a care leaver.</p> <p>d. Mrs C's mental health nurse was unsympathetic when he raised concerns about her environment including concerns about gangs and a smashed oven door. The nurse only stays 5 minutes when she visits.</p> <p>e. There has not been a review of Mrs C's care since August 2015.</p>	<p>Ombudsman</p> <p>Point b and c do not warrant grounds for injustice to be investigated and as Mr A left care in 2010, it is too late and Mr A should have complained sooner.</p> <p>Service Comments:</p> <p>No fault found in the way the Council dealt with Mr A's application for rehousing. Council acted in line with its published policy by refusing Mr A's application due to previous eviction for rent arrears.</p> <p>Fault found in the way an officer applied council policy for applicants seeking to move on welfare grounds. But this is not found to have caused and injustice and therefore no actions needed.</p>
16006012	<p>Mr J complained about the Council not giving him medical priority on its housing register. Mr J has depression and believes he should be in band 1 for medical needs. However the Council has placed in band 2 for overcrowding. Mr J does not have his own accommodation and says the Council has not considered his situation properly. He is worried that he will not be able to bid successfully for a property from band 2.</p>	<p>Action</p> <p>There was some fault in the Council's review decision. However, the Council reconsidered the decision with the relevant information which means Mr J did not experience in justice.</p> <p>Service Comments:</p> <p>No further comment</p>

15013063	Ms X made a homeless application in May 2015 to which the Council took too long in reaching a proper decision. Overall the delay took over 9 months in reaching a decision before which Ms X could have been housed in permanent accommodation. Ms X had accommodation during this period but suffered significant distress and anxiety as a result of the ongoing uncertainty created by the delay. Ms X was also put to the time and trouble of a third review which was unnecessary.	<p>Action</p> <p>The council has already apologised to Ms X via Q Solicitors but will write directly to Ms at her new address apologising for the delay and the distress and anxiety caused.</p> <p>The Council will offer Ms X a payment of £500 for the distress and anxiety suffered and to recognise the time and trouble spent with the third review.</p>
Education & Children Services		
16000520	Miss B complained that the Council failed to provide her and her nephew with appropriate support, including financial support, after he came to live with her in 2010. The Council agreed to investigate Miss B's complaint further.	<p>Action</p> <p>Ombudsman investigation to cease whilst Council undertakes an investigation of Ms B's complaint.</p> <p>Service Comments:</p> <p>No further comments.</p>
15018561	Ms X complains the Council has refused to accept that in November 2010 it placed Y and her two brothers with her following concern that Y's mother was unable to provide the children with suitable care. This would make the children 'looked after children' and Ms X their 'Family and Friends' foster carer. From late December 2010, Y continued to live with Ms X but she complains the Council failed to provide Y and her with appropriate support, including financial support. Fault has been found with the Council causing injustice.	<p>Action</p> <ul style="list-style-type: none"> - Council to apologise to Ms X and Y for failings identified - Council to pay Ms X as if she had been a family and friends foster carer (less any state benefits provided to Ms X for the children) for three children from 29 November 2010 to 22 December 2010 and for one child from 23 December 2010 to the present day - Council to pay Ms X £300 for the additional initial costs of caring for three children in November 2010 to reimburse her for expenses for items such as bedding

		<p>and clothes and petrol to ensure children kept attending school not local to Ms X.</p> <ul style="list-style-type: none"> - Council to pay Ms X £500 for the legal advice she obtained in 2013 and 2014 for the Special Guardianship Order - Council to meet Ms X to decide way forward regarding parental responsibility and check if Ms X still wishes to pursue a Special Guardianship Order - Council to pay Ms X £500 for time and trouble caused with complaint not being resolved sooner <p>Service Comments:</p> <p>Council should ensure it properly records requests for section 17 child in need support and how it assessed the situation before refusing to provide support.</p> <p>Hold a management review to look at the impact of ombudsman's findings on the decisions and placements made for the two older children. The children and their carers may have been adversely affected by the Council's wrong assumption that it was a private family arrangement. The Council should assess if any injustice was caused and suggest an appropriate remedy for the carer and the children. Council to report findings back to the Ombudsman.</p>
Benefits and Tax		
16012694	Mr and Mrs X complained about the Council's assessment of her benefit entitlement. The Council say that an overpayment of housing benefit was created from March 2016 to November 2016 because of the Council's understanding of the financial position of their children. However Council now accepts this was an error and have reversed the decision with no financial	<p>Action:</p> <p>Ombudsman did not investigate the complaint due to insufficient injustice to warrant investigation and a right to appeal existed but was not pursued by Mr and Mrs X.</p>

	loss caused to Mr and Mrs X.	
16007892	<p>Ms B complains that the Council failed to deal with council tax matters properly. In particular the Council:</p> <ul style="list-style-type: none"> - wrongly transferred council tax liability to her when her company went into liquidation - did not respond to her emails from early 2104 – January 2016 - has not taken into account that she is not personally liable for the company arrears and so is not liable for council tax on these properties - continued to take bailiff action despite assuring that it would not <p>Council has admitted that it failed to respond to Ms B's correspondence and took too long to investigate her liability for council tax. It was also unclear as to how long it would suspend bailiff action. The Council's offer to waive enforcement fees and to review her accounts is a reasonable settlement of her complaint.</p>	<p>Action</p> <p>There is fault by the Council because it took too long to respond to Ms B's concerns and allowed its bailiffs to continue collecting the arrears when it said it would suspend recovery action. The Council's offer to waive the enforcement fees and to review her accounts is a reasonable settlement of her complaint.</p> <p>Service Comments:</p> <p>No further comments.</p>
15018440	<p>Mrs X complained that the Council wrongly decided that her son was living with her between 2001 and January 2015 and therefore wrongly pursued her for Council Tax arrears and housing benefit overpayment.</p> <p>The Council failed to deal with Mrs X's appeal against its decision that she had been overpaid. As a result Mrs X lost the opportunity to appeal to an independent tribunal. Council agreed to remedy this injustice by dealing with Mrs X's appeal.</p>	<p>Action</p> <p>Council to deal with Mrs X's letter of 2 February 2015 as an appeal against the decision that she has been overpaid housing and council tax benefit and council tax reduction and forward it to the appropriate tribunals.</p> <p>Service Comments:</p> <p>No further comments.</p>
Planning and Development		
15017453	Mr A says the Council has failed to resolve problems caused by a neighbouring restaurant. Mr A says that issues have been ongoing since 2014 and include the venue operating outside the permitted hours causing	<p>Action</p> <ul style="list-style-type: none"> • Sending a letter of apology to Mr A • Share the lessons learnt with Officers to prevent

	<p>parking congestion in his street and his disabled parking bay has been used by people visiting the restaurant. Evidence of fault has been found on part of the Council with the significant delay referring the case to Planning which meant Mr A had to wait several months longer than necessary to find out whether Planning could assist him. That delay and poor service is not acceptable.</p>	<p>similar failings re-occurring</p> <ul style="list-style-type: none"> • Explain whether delays with planning investigations have now been rectified • Level of injustice is limited as once Planning Officer carried out the investigation it was clear there was no enforcement case to be pursued <p>Service Comments:</p> <p>The Council confirmed action is being taken about delays which were caused by an increase in workloads.</p>
Corporate and other services		
16002250	<p>Mr Y says Council Officers failed to correctly assess his bid for a contract to sell ice cream in a park. Mr Y states his bid was unsuccessful because of fault and unprofessional conduct by Officers. Significant fault found with the Council. The Council agreed to reopen the tendering process and compensate Mr X for his time, trouble and lost opportunity.</p>	<p>Action</p> <ul style="list-style-type: none"> - Council already agreed to re-tender for the ice cream pitches. Mr Y was invited to submit his bid. - Council agreed to pay Mr Y £250 for time and trouble and £750 for lost opportunity - Council to reconsider whether it is able to look at original tenders submitted in 2015 for the pitches Mr Y bid for to determine successful applicant had their scoring completed correctly - Council to write to Mr Y and explain if re-evaluation will happen and reasons for decision. - Council to discuss additional financial redress for lost earnings with Mr Y if found to have been successful in bid - Issue Mr Y with a letter of apology and offer a meeting with senior officer to discuss any outstanding questions/concerns <p>Service Comments:</p>

		Council put together a report recommending actions to improve future tendering and evaluation processes. The Council has provided ombudsman with an action plan which shows those recommendations are being processed.
15018820	Mr R complained about the Council's delay in allocating his flat with a number. He also complained about lack of updates from the Council which has caused him problems with a credit check and a letter the Royal Mail lost. Council apologised for the periods it did not keep Mr R updated but also faced challenges in finding the person (freeholder) whose authority it needed before it could begin the process of allocating a number.	<p>Action</p> <p>There was delay and lack of communication from the Council that amounts to fault. But the injustice from this is not enough to warrant a remedy as the Council has already made apologies.</p> <p>Service comments:</p> <p>No further comments.</p>