

<b>COMMITTEE:</b> Overview and Scrutiny	<b>DATE:</b> 28 July 2009	<b>CLASSIFICATION:</b> <b>UNRESTRICTED</b>	<b>REPORT NO.</b>	<b>AGENDA ITEM NO.</b> <b>9.1</b>
<b>REPORT OF:</b> KEVAN COLLINS INTERIM CHIEF EXECUTIVE		<b>TITLE:</b>  CORPORATE COMPLAINTS AND SOCIAL CARE COMPLAINTS ANNUAL REPORT		
<b>ORIGINATING OFFICER(S):</b> RUTH DOWDEN CORPORATE COMPLAINTS MANAGER		Wards Affected: ALL		

## 1. Summary

- 1.1 This report contains a summary of complaints received by the Council in the period 1 April 2008 to 31 March 2009 through the Corporate Complaints Procedure, Children's Social Care and Adults Social Care Complaints Procedures and those received and determined by the Local Government Ombudsman in the same period. This report fulfils the statutory requirements under the Children Act 1989 to produce an annual report.
- 1.2 Under the Corporate Complaints procedure there are significant improvements in stage 1 response times and stage 2 complaints demonstrate lower escalation rates. This is a very positive outcome, indicating that complaints are being resolved closer to the point of service delivery and to the satisfaction of the customer.
- 1.3 Adults and Children's Social Care Complaints come under statutory procedures, revised in 2006. The Council has achieved significant improvements in response times to Social Care complaints.
- 1.4 The Local Government Ombudsman has commented positively in the Annual Letter to the Council regarding the Council's response times, willingness to take action to settle complaints, reduction in volumes of complaints and positive liaison with the Ombudsman's office.
- 1.5 The Service is part of Customer Access, amongst the first Local Authority to achieve the Customer Service Excellent Award.

## 2. Recommendations

- 2.1 Note the content of the report.
- 2.2 Comment on how the issues arising from the report could inform the Overview and Scrutiny work programme.
- 2.3 With reference to section 2.5, consider how this analysis could help develop the problem-solving community leadership role of councillors (with reference also to Agenda item 10.1)

### **Local Government Act 2000 (Section 97)**

#### **List of Background papers used in the preparation of this report.**

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

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

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

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

### **5. One Tower Hamlets.**

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

- 5.3 Children's Services also ensure that complainants are offered the opportunity of an interpretation service to assist them in making their complaint. Young people are always offered the opportunity of an advocate in line with the Children Act 1989.
- 5.4 The Social Care and Corporate complaints procedures provide an important mechanism for vulnerable service users to give feedback on services. Continuing publicity will ensure that all residents and service users will have better awareness of their right to voice any concerns.

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

- 6.1 There are no specific implications.

## 7. **Risk management implications.**

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

# **Complaints Annual Report**

## Contents

- Section 1 Introduction
- Section 2 Corporate Complaints
- Section 3 Adults Social Care Complaints
- Section 4 Children's Social Care Complaints
- Section 5 Ombudsman Complaints
- Section 6 Risk Assessment
- Section 7 Improvement Initiatives

## 1 INTRODUCTION

- 1.1 This report addresses the volume of complaints received by the Council in the period 1 April 2008 to 31 March 2009, the outcomes and the standard of performance in dealing with them.
- 1.2 The Corporate Complaints Team work within the Customer Access division. The team comprises six members of staff, who register complaints under all stages of the Council's Corporate Complaints Procedure (see section 2), the statutory Adults and Children's Social Care Complaints Procedures (see sections 3 & 4), and those investigated by the Local Government Ombudsman (see section 5). The officers monitor complaint progression and provide management information on performance.
- 1.3 Officers also investigate stage 2 Adults Social Care complaints and Children's Social Care complaints, and stage 3 corporate complaints on behalf of the Chief Executive.
- 1.4 Most successful organisations encourage service users to complain, and as such a high volume of complaints is often an indication of a healthy relationship with service users. However, complaints should be resolved at the lowest possible point and the escalation of complaints can indicate difficulties in addressing matters at the service level.

The Complaints Team's role is to:-

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

## 1.5 THE CORPORATE COMPLAINTS PROCEDURE

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

At stages 1 & 2, the matter is addressed by the relevant service managers, and the final stage is an independent investigation by the complaints team on behalf of the Chief Executive.

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

- 1.6.1 There is a legal requirement under the NHS and Community Care Act 1990 and the Children Act 1989 for Local Authorities to have a system for receiving representations and complaints by, or on behalf of, people who use social care services, or their carers.
- 1.6.2 The revised statutory complaints procedures for Adults' and Children's Social Care came into force in September 2006. Although not in place during the period this report covers, further significant changes came into place for Adults Social Care Complaints on 1 April 2009 and the new procedure can be found on the Council's website.
- 1.6.3 The Council places a strong emphasis on the informal resolution of complaints and in assisting Social Care Teams in effectively managing and resolving complaints.
- 1.6.4 The main purpose of the complaints procedures are to ensure the voices and experiences of young people, vulnerable adults and their representatives are heard and to highlight where things have gone wrong in the system and help to ensure that the organisation learns from feedback from complaints.
- 1.6.5 Both the Adults and Children's Complaints Procedure (until 1 April 2009) have 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.

## **1.7 THE LOCAL GOVERNMENT OMBUDSMAN**

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

## 1.8 ENQUIRIES, COMMENTS AND COMPLIMENTS

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

## 2 CORPORATE COMPLAINT STATISTICS AND ANALYSIS 2008 TO 2009

### 2.1 VOLUME OF COMPLAINTS

VOLUME OF COMPLAINTS				
	2007 / 2008	2008 / 2009	Variance	
Stage 1	2152 83.7%	2333 83.4%	181	7.8%
Stage 2	333 12.9%	344 12.3%	11	3.2%
Stage 3	87 3.4%	120 4.3%	33	28%
<b>Total</b>	<b>2572</b> 100.0%	<b>2797</b> 100.0%	<b>225</b>	<b>8%</b>

Figure 2.1

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

2.1.3 However, the number of people taking the complaint further to stage 3 rose, with 120 stage 3 complaints in 2008/09, returning to a similar level as recorded in 2006/07 (116).

ESCLATION OF COMPLAINTS					
	Stage 1	Stage 2	Stage 3	Escalated to Stage 2	Escalated to Stage 3
2007/ 2008	2152	333	87	15.47%	4.04%
2008/ 2009	2333	344	120	14.74%	5.14%

Figure 2.2

2.1.4 In total, of the complaints recorded at stage 1, just under 15% progressed to stage 2, and 5% proceeded to stage 3, (Figure 2.2), indicating a lower overall progression rate than last year for each stage.



2.1.5 Figure 2.3 (below) demonstrates the seasonal trends and peaks in the reporting of complaints.

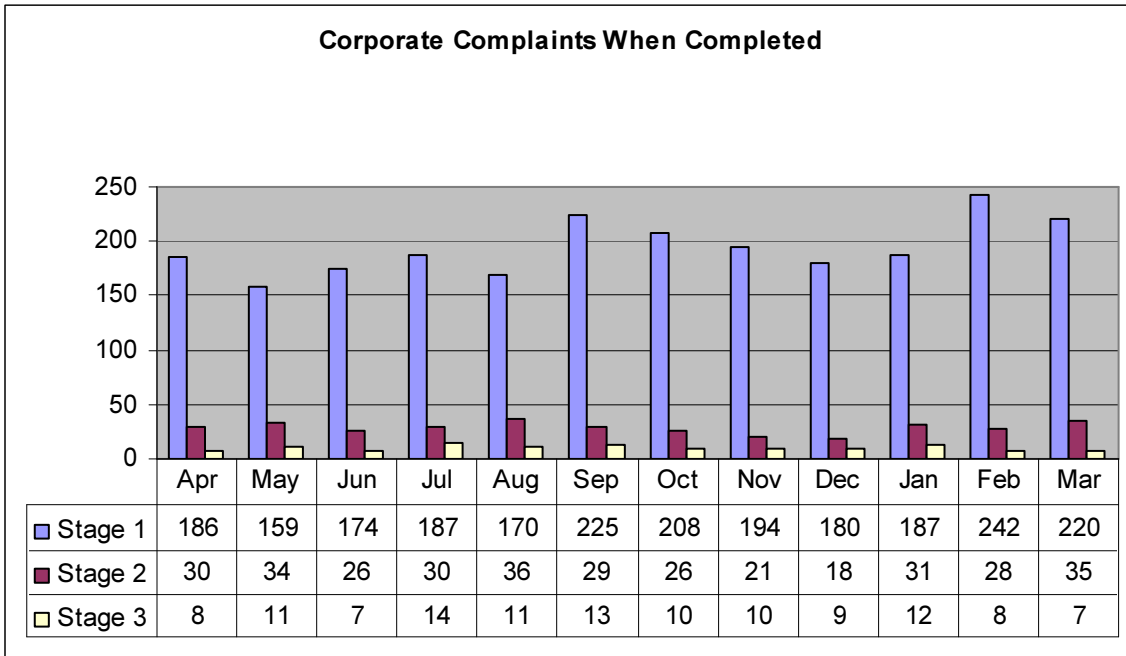


Figure 2.3

2.1.6 There is no obvious reason for the peaks which occur at different times year on year. Nevertheless any increases for individual services are discussed with the relevant managers and monitored.

2.1.7 The use of a weekly list of complaints due and outstanding, distributed to the Corporate Management Team, and monthly directorate performance figures, have effectively driven up response times. (see 2.2.3)

2.1.8 The Corporate Management Team and Directorate Management Teams review reports on complaints each quarter in order to focus on areas of concern, both in terms of performance and service quality. In addition, The Corporate Complaints Manager is commencing quarterly review meetings with Directors to facilitate directorate level learning from Complaints.

## 2.2 CORPORATE COMPLAINTS BY DIRECTORATE.

### Corporate Complaints 1 April 2008 to 31 March 2009

Directorate	2007 / 2008	Change	2008 / 2009	Upheld	Partially Upheld	Escalated to Next Stage	Not Upheld	Withdrawn or Closed	Completed in Time	Average Days to Complete						
<b>Stage 1</b>																
Adult Health and Wellbeing	49	22	45%	14	20%	8	11%	2	2.8%	46	65%	1	1%	58	82%	9
Chief Executive's	179			3	9%	9	26%	1	2.9%	18	53%	3	9%	25	74%	8
Resources	0			32	11%	118	40%	1	0.3%	135	46%	6	2%	280	96%	5
(Chief Executive's + Resources)	179	147	82%	35	11%	127	39%	2	0.6%	153	47%	9	3%	305	94%	5
Children's Services	29	0	0%	9	31%	1	3%	2	6.9%	14	48%	3	10%	23	79%	10
Communities Localities & Culture	722	97	13%	322	39%	102	12%	4	0.5%	365	45%	26	3%	691	84%	8
Development & Renewal	54	-10	-19%	7	16%	13	30%	2	4.5%	17	39%	5	11%	26	59%	12
Tower Hamlets Homes	1119	-75	-7%	510	49%	1	0%	5	0.5%	507	49%	21	2%	800	77%	9
<b>Total for Stage 1</b>	<b>2152</b>	<b>507</b>	<b>24%</b>	<b>932</b>	<b>35%</b>	<b>379</b>	<b>14%</b>	<b>19</b>	<b>0.7%</b>	<b>1255</b>	<b>47%</b>	<b>74</b>	<b>3%</b>	<b>2208</b>	<b>83%</b>	<b>8</b>
<b>Stage 2</b>																
Adult Health and Wellbeing	15	0	0%	1	7%	3	20%	0	0.0%	10	67%	1	7%	7	47%	22
Chief Executive's	20			0	0%	6	55%	0	0.0%	4	36%	1	9%	9	82%	9
Resources	0			3	13%	4	17%	0	0.0%	17	71%	0	0%	20	83%	15
(Chief Executive's + Resources)	20	15	75%	3	9%	10	29%	0	0.0%	21	60%	1	3%	29	83%	5
Children's Services	11	1	9%	5	42%	3	25%	0	0.0%	3	25%	1	8%	7	58%	24
Communities Localities & Culture	85	26	31%	19	17%	15	14%	1	0.9%	74	67%	2	2%	86	77%	17
Development & Renewal	11	9	82%	1	5%	2	10%	1	5.0%	13	65%	3	15%	14	70%	16
Tower Hamlets Homes	191	-40	-21%	58	38%	0	0%	3	2.0%	87	58%	3	2%	115	76%	16
<b>Total for Stage 2</b>	<b>333</b>	<b>46</b>	<b>14%</b>	<b>90</b>	<b>24%</b>	<b>43</b>	<b>11%</b>	<b>5</b>	<b>1.3%</b>	<b>229</b>	<b>60%</b>	<b>12</b>	<b>3%</b>	<b>287</b>	<b>76%</b>	<b>8</b>
<b>Stage 3</b>																
Adult Health and Wellbeing		11	-	1	9%	5	45%			5	45%	0	0%	7	64%	21
Chief Executive's	9			3	25%	3	25%			5	42%	1	8%	8	67%	23
Resources	0			1	10%	2	20%			7	70%	0	0%	6	60%	20
(Chief Executive's + Resources)	9	13	144%	4	18%	5	23%			12	55%	1	5%	14	64%	5
Children's Services	3	0	0%	1	33%	0	0%			2	67%	0	0%	1	33%	26
Communities Localities & Culture	13	18	138%	6	19%	4	13%			21	68%	0	0%	24	77%	17
Development & Renewal	4	4	100%	0	0%	3	38%			5	63%	0	0%	6	75%	18
Tower Hamlets Homes	58	-13	-22%	10	22%	7	16%			28	62%	0	0%	32	71%	20
<b>Figure 2.4 Total for Stage 3</b>	<b>87</b>	<b>55</b>	<b>63%</b>	<b>26</b>	<b>18%</b>	<b>29</b>	<b>20%</b>			<b>85</b>	<b>60%</b>	<b>2</b>	<b>1%</b>	<b>98</b>	<b>70%</b>	<b>8</b>

- 2.2.1 Figure 2.4 provides an overview of the complaints by directorate at each stage.
- 2.2.2 Given the creation of the Resources Directorate, comprising mostly of services previously in Chief Executives, the annual figures for the two directorates should be viewed together. Breakdowns below by service area (shown at section 2 3) will give a more detailed picture for the services concerned.
- 2.2.3 The cumulative annual figures for the percentage of complaints competed on time has risen significantly at stage 1, in comparison with last year.

In the process of achieving this overall progress with stage 1 complaints, there was some slippage with Stages 2 and 3. Having got the Stage 1 performance to a consistently high standard, a more concerted focus was placed on stage 2 and 3. The figures for the last quarter of 2008/09 indicate that all stages are now averaging above 80% competed in time.

	2007/08	2008/09	(final quarter 2008/09)
Stage1	63%	83%	88%
Stage 2	79%	76%	87%
Stage 3	73%	70%	81%

Figure 2.5

- 2.2.4 As stated earlier, most Social Care complaints come under their statutory procedure and are detailed in section 3. Most Education complaints also fall under a separate procedure at Stages 1 and 2, with the final stage coming under the Corporate Complaints Procedure, at stage 3.

### 2.3 Corporate Complaints by Service Area

- 2.3.1 The charts that follow provide a breakdown of the corporate complaints in each directorate by service area. For any service that moved into a new directorate structure, the year on year comparison is shown in the directorate current at 31 March 2009.

# Adults Health and Wellbeing

Stage 1 Adult's Health and Wellbeing by Service Issue

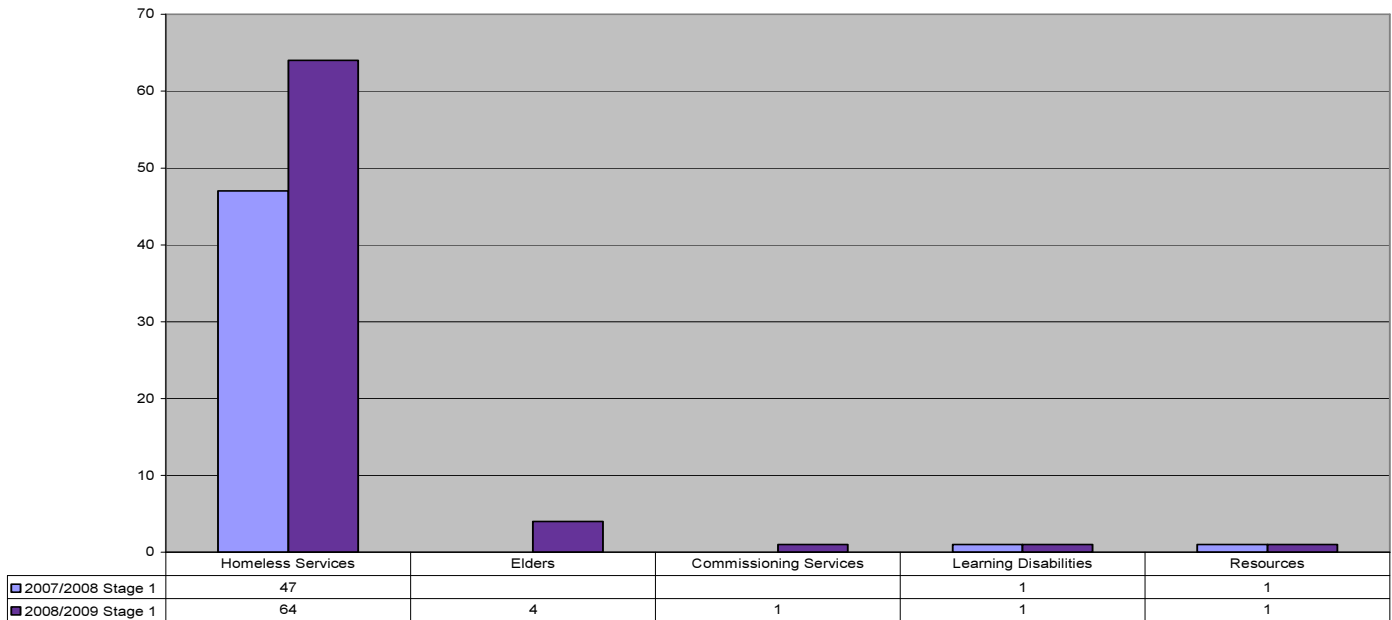


Figure 2.6

2.3.2 Corporate Complaints against both Adults Health and Wellbeing and Children's Services (Figures 7 & 8) are few in number and relate to non-statutory processes. Homeless & Housing Advice Services introduced a new Housing Options & Support Team in late 07/08 that only became fully operational in 08/09. This team deals with single, non-statutory homeless households. This was a completely new client group for us. The service saw 1169 more new customers in 2008/9 than in 2007/8.

In addition, the service's "Great to Excellent" programme of service improvements included awareness campaigns on "Complaints, Comments & Compliments" may have also contributed to the increased number of representations through the complaints procedure.

## Chief Executive's

Stage 1 Chief Executive's by Service Issue

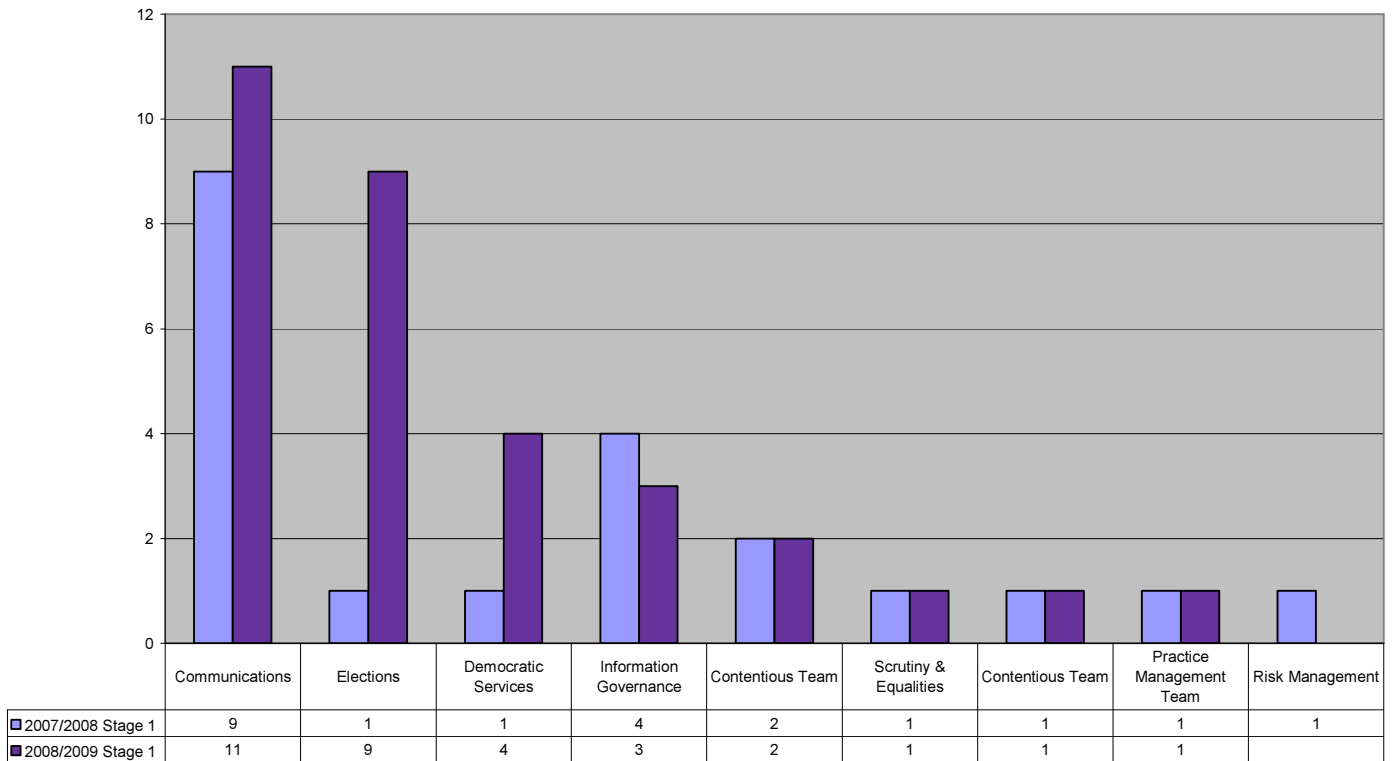


Figure 2.7

2.3.3 Although the volume of complaints is low in all sections, the most significant increase is for elections, and was affected by the occurrence of an election within the year reported.

## Children's Services

2.3.4 Children's Services Complaints are also low in number, see figure 2.8 overleaf.

### Stage 1 Children's Services by Service Issue

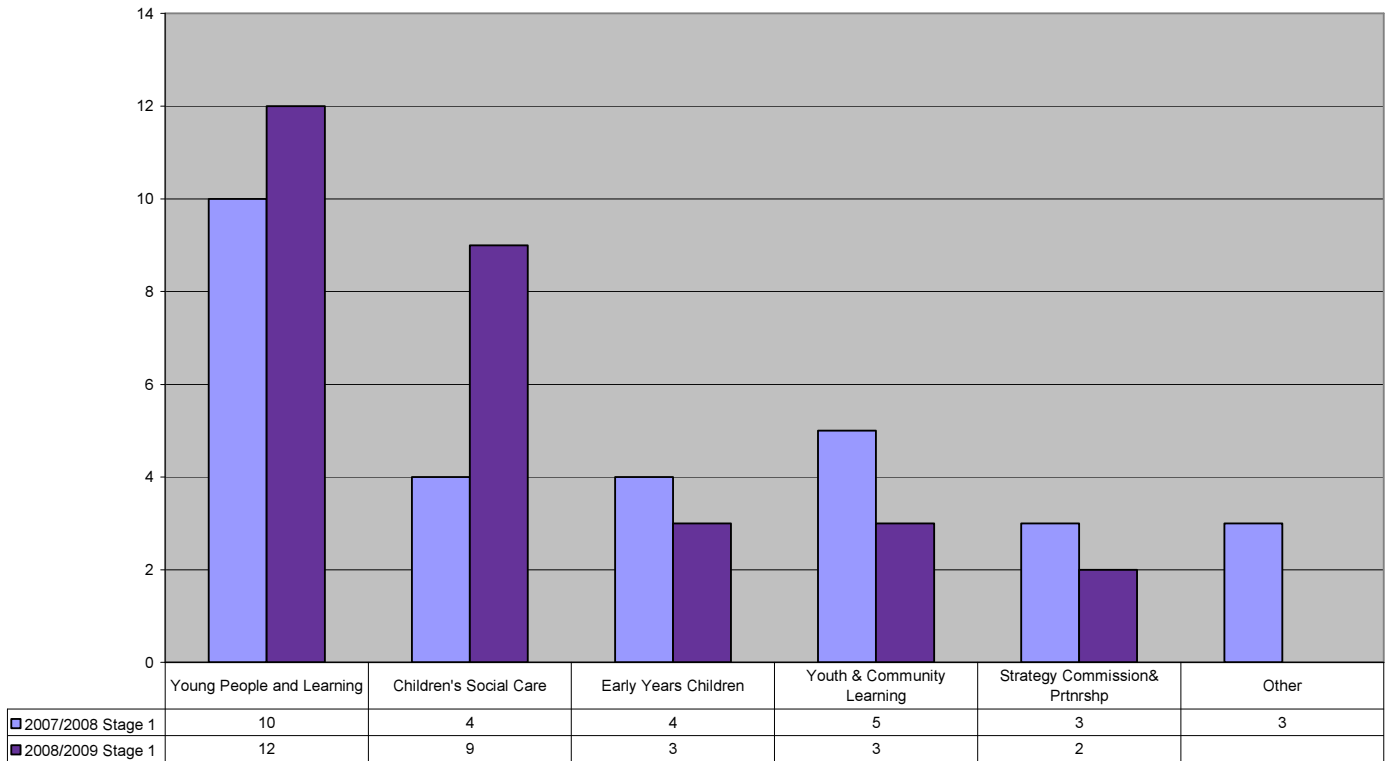
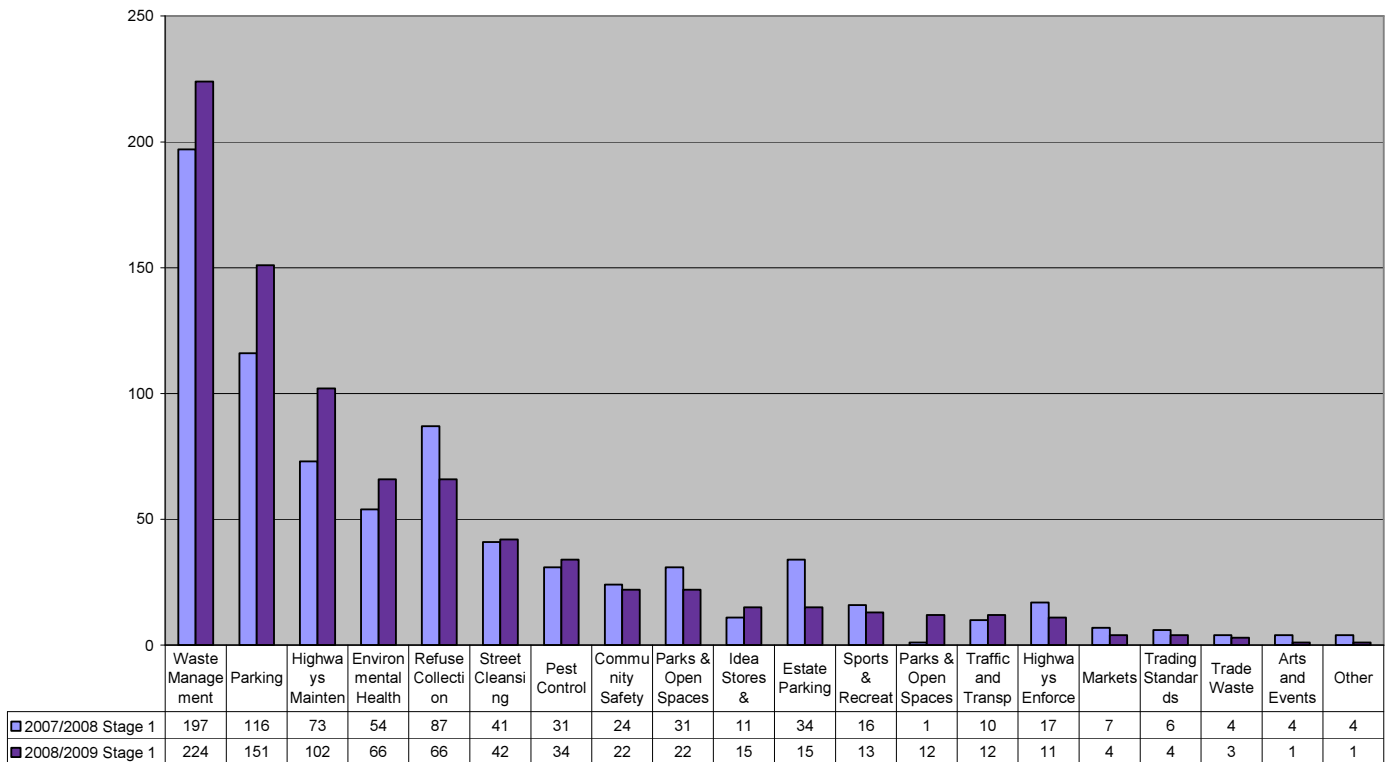


Figure 2.8 above and Figure 2.9 below

### Stage 1 Communities Localities & Culture by Service Issue



2.3.5 Complaints in Communities Localities and Culture (Figure 2.9) are spread across a range of services. The volume of complaints regarding refuse collection and recycling (waste management) rose following the change of contractor in January 2007 and still remain a significant number for the directorate.

## Development and Renewal

Stage 1 Development & Renewal by Service Issue

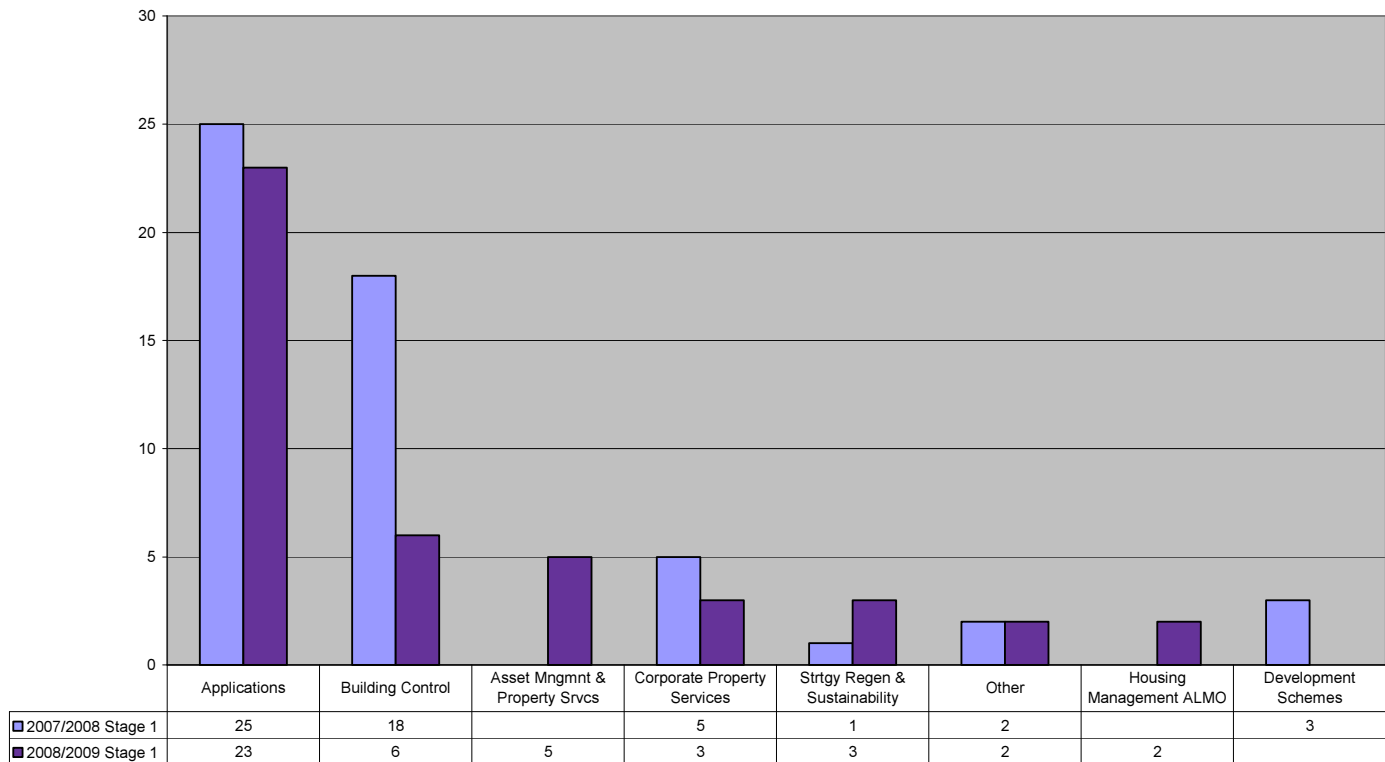


Figure 2.10

2.3.6 Development and Renewal Complaints relate mostly to planning applications and Building Control, with both services experiencing a reduction in numbers in 2008/09.

## Resources

2.3.7 In the Resources directorate, services with a high rate of direct customer contact have the highest volume of complaints. Council Tax is higher than others but, when considered against the volume of transactions across all households, this volume is not unduly high. Over the last year the number of visitors to our One Stop Shops has risen from 14,699 in April 08 to 21,736 in March 09. While part of this increase is due to the introduction of Parking Services into the One Stop Shops, if parking transactions are excluded there is still an 11% increase from 14,699 to 16,367.

In order to reduce the consequent length in queues a number of actions have been put in place including increasing staff numbers and counter spaces. In addition, new Customer Services Attendants "meet and greet" customers, giving out forms, recycling bags and general advice with the aim of keeping those customers with only short enquires out of the queue. These staff

will be in post by the end of April 09. Under the Council's Channel Strategy (which THH is party to) processes currently being undertaken by the One Stop Shop could be provided via the telephone, are being reviewed.

Stage 1 Resources by Service Issue

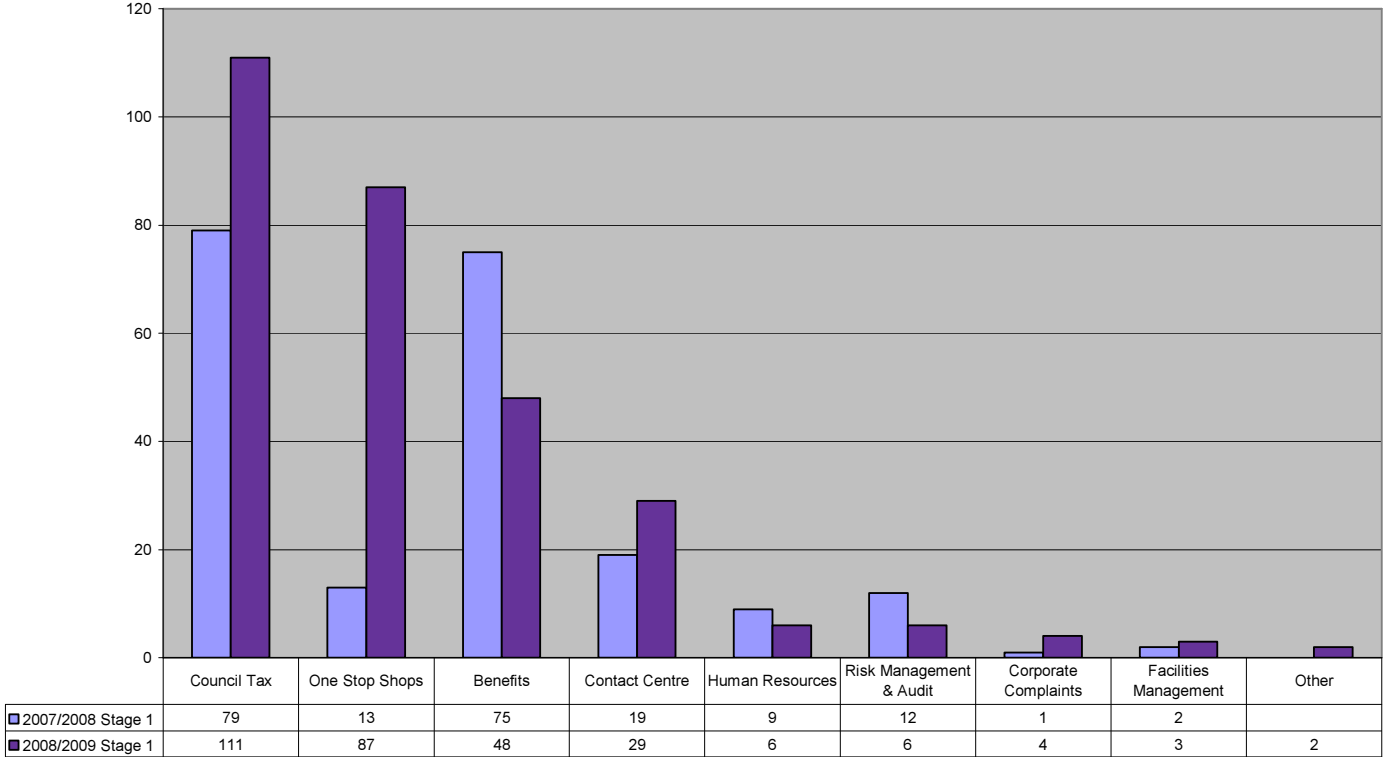


Figure 2.11



## Tower Hamlets Homes

Stage 1 Tower Hamlets Homes by Service Issue

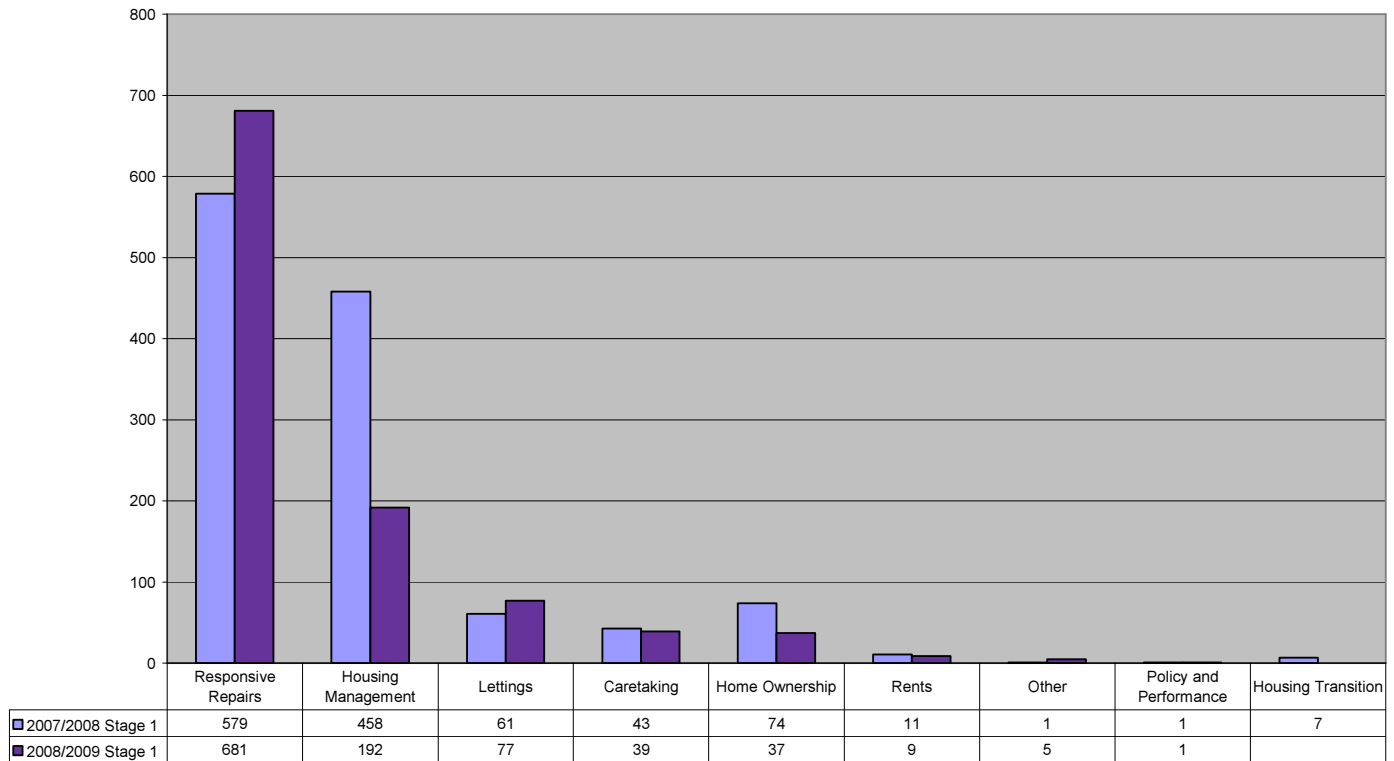


Figure 2.12

2.3.8 Housing related complaints fall into a number of areas, with repair issues comprising the highest volume (Figure 6). These issues are reviewed under contract monitoring. Technical Services have raised more jobs in 2008/09 than in 2007/09. This in part explains the rise in complaints under responsive repairs. In addition more complaints may be captured since their Complaints team have received complaints and follow-up enquiries on job direct.

## 2.4 STAGE 3 COMPLAINTS

COMPARISON OF STAGE 3 COMPLAINTS							
	Total	Upheld	Partially Upheld	Not Upheld	Withdrawn, Referred on or Closed	Completed in Time	Average Days to Complete
2006 / 2007	116	28 24.10%	23 19.80%	61 52.60%	4 3.40%	87 75.00%	19
2007/2008	87	16 18.4%	26 29.9%	44 50.6%	1 1.1%	64 73.6%	16
2008/2009	120	22 18.3%	24 20.0%	73 60.8%	1 0.8%	84 70.0%	20

Figure 2.13

- 2.4.1 The average days taken to complete stage 3 investigations is equal to the corporate target of 20 days (Figure2.13). However with only 70% completed in time this needs to improve. Case management is closely monitored.
- 2.4.2 Although the escalation rate of complaints remains fairly constant year on year, and the percentage of complaints not upheld at stage 3 in 2009 rose to 60%, every effort must be made to ensure that complaints are resolved at an early stage, as 46 complaints still had some element upheld. Compensation paid at stage 3 over the past three years is shown in Figure2.14 below.

	Number of stage 3 cases warranting compensation	Total value of Compensation
2006/07	20	£4,260
2007/08	9	£1,374
2008/09	14	£3390

Figure2.14

**Summary of Key Issues in Stage 3 Complaints Upheld.**

- 2.4.3 Homeless Services delayed in conducting an assessment and providing temporary accommodation for a pregnant woman who was staying with friends. The home visit policy has been reviewed.
- 2.4.4 A disabled resident had difficulties in consistently obtaining large print correspondence from some Council services. The Council is reviewing the possibility of a system to flag up individual communication needs.
- 2.4.5 In two instances documents previously refused under the Freedom of Information Act 2000 were later provided.
- 2.4.6 It was identified that the procedure for verifying car-free developments when issuing Parking Permits required further improvement to avoid permits being issued in error.
- 2.4.7 Policy for granting Licenses for community activities in local parks has been reviewed to accommodate individual traders following a complaint from a fitness trainer.
- 2.4.8 Recycling Issues and locations of bins, placing of signs in communal areas of Housing blocks, and delays in completing repairs caused delay and inconvenience to residents and have been dealt with on an individual basis.
- 2.4.9 A new procedure was introduced to track recorded and special delivery post after receipt in the post room was introduced to ensure safe delivery to the relevant officer after the loss of two documents.
- 2.4.10 In two cases relatively low level antisocial behaviour should have been managed better.
- 2.4.11 All stage 3 complaints are followed up to ensure that corrective action is taken.

## 2.5 COMPLAINTS SERVICE USER PROFILES

2.5.1 The service can be accessed by phone, minicom, fax, post, email, web-form and in person. A breakdown of access points is provided in Figure2.7 below.

BREAKDOWN OF HOW COMPLAINTS RECEIVED								
How Received	2007 / 2008				2008 / 2009			
	Stage 1	Stage 2	Stage 3	Total	Stage 1	Stage 2	Stage 3	Total
Email	551 25.6%	86 25.8%	28 32.2%	<b>665</b> 25.9%	529 22.7%	118 34.3%	45 37.5%	<b>692</b> 24.7%
Web Form	329 15.3%	14 4.2%	0 0.0%	<b>343</b> 13.3%	362 15.5%	13 3.8%	3 2.5%	<b>378</b> 13.5%
Complaint Form or Letter	491 22.8%	151 45.3%	54 62.1%	<b>696</b> 27.1%	464 19.9%	114 33.1%	64 53.3%	<b>642</b> 23.0%
Fax	13 0.6%	5 1.5%	0 0.0%	<b>18</b> 0.7%	11 0.5%	5 1.5%	1 0.8%	<b>17</b> 0.6%
Telephone	754 35.0%	75 22.5%	4 4.6%	<b>833</b> 32.4%	952 40.8%	90 26.2%	7 5.8%	<b>1049</b> 37.5%
In Person	14 0.7%	2 0.6%	1 1.1%	<b>17</b> 0.7%	15 0.6%	4 1.2%	0 0.0%	<b>19</b> 0.7%
<b>Total</b>	2152	333	87	<b>2572</b>	2333	344	120	<b>2797</b>

Figure2.15

2.5.3 Web form and email retain a significant proportion of the access routes at 39%. The use of the phone (37%) and post (23%) are also still significant access routes.

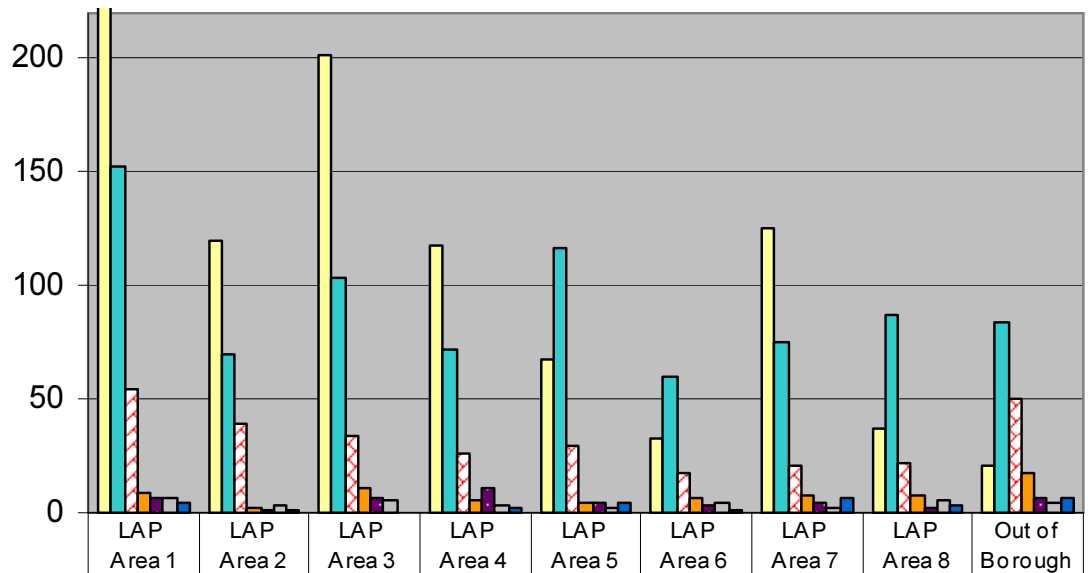
### 2.5.3 EQUAL ACCESS TO THE SERVICE

BREAKDOWN OF COMPLAINTS BY ETHNICITY							
Ethnicity	2007 / 2008			Borough Population Projection	2008 / 2009		
	Stage 1	Stage 2	Stage 3		Stage 1	Stage 2	Stage 3
<b>Asian Total</b>	<b>309</b>	<b>43</b>	<b>8</b>		<b>485</b>	<b>60</b>	<b>21</b>
% (where ethnicity known)	<b>35.1%</b>	<b>28.5%</b>	<b>21.6%</b>	<b>36.6%</b>	<b>42.2%</b>	<b>32.1%</b>	<b>35.6%</b>
Bangladeshi	285	41	6		409	52	18
Chinese	5	1	1		9	2	2
Indian	6	0	0		13	2	0
Pakistani	1	0	0		2	1	1
Vietnamese	0	1	1		0	0	
Asian Other	12				52	3	0
<b>Black Total</b>	<b>46</b>	<b>8</b>	<b>2</b>		<b>83</b>	<b>13</b>	<b>8</b>
	<b>5.2%</b>	<b>5.3%</b>	<b>5.4%</b>	<b>6.0%</b>	<b>7.2%</b>	<b>7.0%</b>	<b>13.6%</b>
African	9	2	1		22	3	1
Caribbean	24	4	1		36	4	2
English	1	0	0		3	2	2
Somali	4	0	0		11	3	2
Black Other	8	2	0		11	1	1
<b>Mixed Heritage</b>	<b>19</b>	<b>6</b>	<b>0</b>		<b>18</b>	<b>5</b>	<b>1</b>
	<b>2.2%</b>	<b>4.0%</b>	<b>0.0%</b>		<b>1.6%</b>	<b>2.7%</b>	<b>1.7%</b>
<b>Other ethnic background</b>	9	1	0		25	8	0
	<b>1.0%</b>	<b>0.7%</b>	<b>0.0%</b>		<b>2.2%</b>	<b>4.3%</b>	<b>0.0%</b>
<b>White</b>	<b>497</b>	<b>93</b>	<b>27</b>		<b>537</b>	<b>101</b>	<b>29</b>
	<b>56.5%</b>	<b>61.6%</b>	<b>73.0%</b>	<b>51.0%</b>	<b>46.8%</b>	<b>54.0%</b>	<b>49.2%</b>
English	382	56	1		383	66	18
Irish	14	1	0		14	4	2
Scottish	7	0	0		13	4	1
Welsh	12	4	0		9	1	0
White Other	82	32	26		118	26	8
Sub total (where ethnicity known)	<b>880</b>	<b>151</b>	<b>37</b>		<b>1148</b>	<b>187</b>	<b>59</b>
<b>Not Known</b>	<b>1206</b>	<b>178</b>	<b>48</b>		<b>1059</b>	<b>144</b>	<b>53</b>
<b>Declined</b>	<b>66</b>	<b>15</b>	<b>2</b>		<b>126</b>	<b>13</b>	<b>8</b>
<b>Total</b>	<b>2152</b>	<b>344</b>	<b>87</b>		<b>2333</b>	<b>344</b>	<b>120</b>

Figure2.16

2.5.4 The team continue to make every effort to collate equalities information from service users (Figure2.16). There is a slightly change in representation, with small increases in access from Asian and black service user.

### Stage 1 Complaints by Directorate and LAP Areas

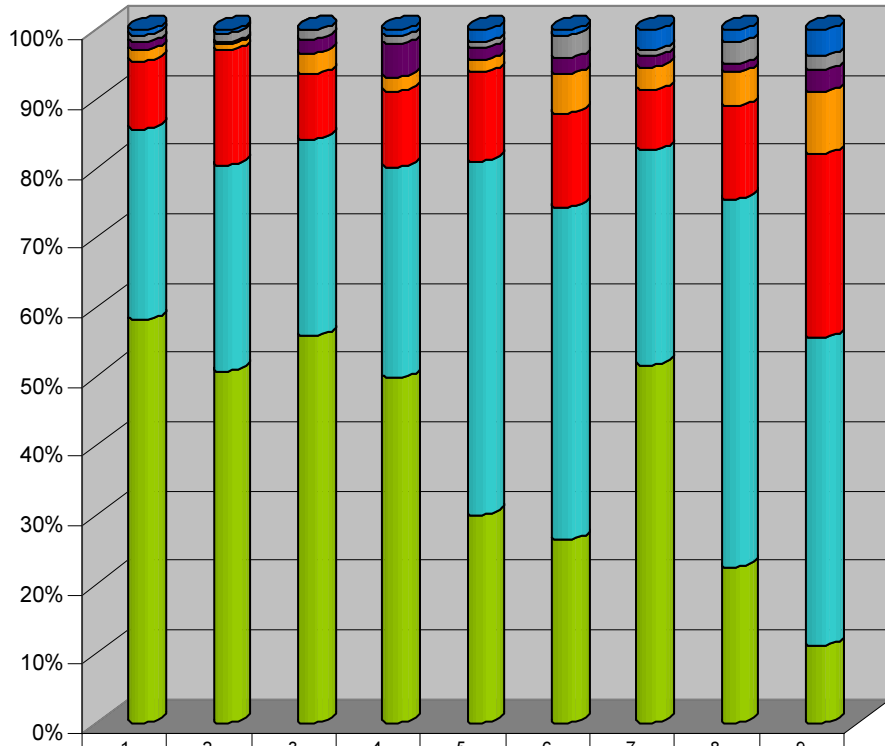


	LAP Area 1	LAP Area 2	LAP Area 3	LAP Area 4	LAP Area 5	LAP Area 6	LAP Area 7	LAP Area 8	Out of Borough
Tower Hamlets Homes	320	120	202	118	68	33	125	37	21
Communities Localities & Culture	152	70	103	72	116	60	75	87	84
Resources	54	39	34	26	29	17	21	22	50
Adult Health and Wellbeing	9	2	11	5	4	7	8	8	17
Development & Renewal	6	1	7	11	4	3	4	2	6
Chief Executive's	6	3	5	3	2	4	2	5	4
Children's Services	4	1	0	2	4	1	7	3	7

Figure 2.17

2.5.5 Figure 2.17 above shows the volume of complaints by LAP for stage 1, under each directorate. Figure 2.18 below demonstrates the proportion per directorate for each LAP area, giving an indication of the pressing issues.

**Stage 1 Compliers by Directorate and LAP Areas**



	1	2	3	4	5	6	7	8	9
Children's Services	4	1	0	2	4	1	7	3	7
Chief Executive's	6	3	5	3	2	4	2	5	4
Development & Renewal	6	1	7	11	4	3	4	2	6
Adult Health and Wellbeing	9	2	11	5	4	7	8	8	17
Resources	54	39	34	26	29	17	21	22	50
Communities Localities & Culture	152	70	103	72	116	60	75	87	84
Tower Hamlets Homes	320	120	202	118	68	33	125	37	21

Figure 2.18

**3 Adults Social Care Complaints registered**  
**3.1 Complaints Closed**

TOTAL ADULTS' SOCIAL CARE COMPLAINTS			
Stage	2007/2008	2008/2009	Percentage Variance
Stage 1	105	47	-55.24%
Stage 2	16	10	-37.50%
Stage 3	4	3	-25.00%
<b>Total Complaints</b>	<b>125</b>	<b>60</b>	<b>-52.00%</b>

Figure3.1

3.1.1 Figure 3.1 above shows that the number of Stage 1 complaints decreased by 55% in 2008/09 and the number of Stage 2 complaints decreased by 37%, reversing the increases in volumes seen in 2007/08.

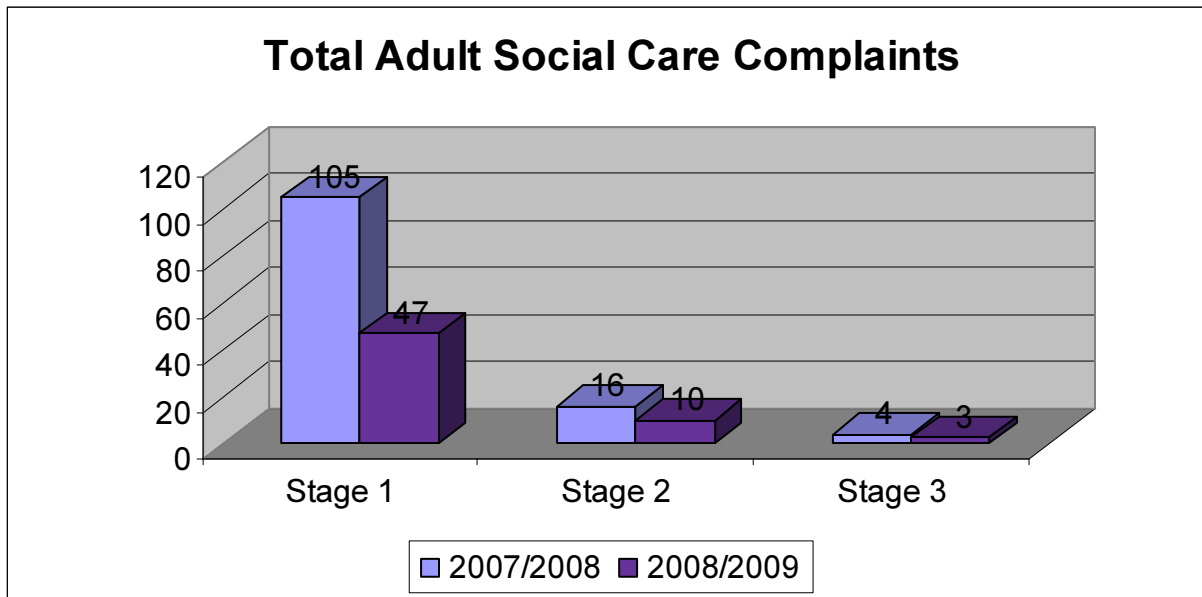


Figure 3.2

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

### 3.2 Response Times

STAGE 1 COMPLAINTS - RESPONSE TIMES FOR ADULTS' SOCIAL CARE COMPLAINTS					
	TOTAL	Answered within 10 working days	Answered within 20 working days	Answered outside timescale	Average response time (days)
2007/2008	105	84	17	4	7.9
		80.0%	96.2%	3.8%	
2008/2009	44	39	5	3	8.6
		83.0%	93.6%	6.4%	

Figure 3.3

3.2.1 A target of 80% completed in time is set for Stage 1 responses answered within 10 working days and this was met in 2007/08 and exceeded in 2008/09. Timescales can be increased to 20 working days with the agreement of the complainant to allow for local resolution. (see Figure 3.3)

STAGE 2 COMPLAINTS - RESPONSE TIMES FOR ADULTS' SOCIAL CARE COMPLAINTS					
	TOTAL	Answered within 25 working days	Answered within 65 working days	Answered outside timescale	Average response time (days)
2007/2008	16	7 43.8%	8 93.8%	1 6.3%	31.9
2008/2009	10	1 10.0%	4 50.0%	5 50.0%	61.3

Figure 3.4

3.2.2 Although fewer stage 2 complaints were completed in 2008/09, the response times were less favourable. Investigations are closely monitored by the complaints team and investigators keep in close contact with the complainant.

### 3.3 Division and Section

3.3.1 Figure 3.5 below sets out the volumes of complaints by Division and Section. Significant decreases in complaints for Disability and Health, and Elders can be seen, adjusting from the previous increases resulting from the application of the Fair Access to Care Regulations.

COMPARISON OF ADULTS' SOCIAL CARE COMPLAINTS BY SECTION									
SECTION	Stage 1			Stage 2			Stage 3		
	2007/2008	2008/2009	Variance	2007/2008	2008/2009	Variance	2007/2008	2008/2009	Variance
Disability and Health	24	14	-42%	4	3	-25%	2	0	-100%
	23.30%	29.79%		25.00%	30.00%		50.00%	0.00%	
Elders	66	17	-74%	9	3	-67%	0	0	-
	64.1%	36.2%		56.3%	30.0%		0.0%	0.0%	
Homeless Service	1	0	-100%	0	0	-	0	0	-
	1.0%	0.0%		0.0%	0.0%		0.0%	0.0%	
Learning Disabilities	4	3	-25%	1	2	100%	1	1	-
	4%	6%		6%	20%		25%	33%	
Mental Health	0	0	-	1	0	-100%	0	1	100%
	0%	0%		6%	0%		0%	33%	
OT Services	5	9	80%	1	2	100%	1	1	-
	4.9%	19.1%		6.3%	20.0%		25.0%	33.3%	
Resources	3	4	33%	0	0	-	0	0	-
	2.9%	8.5%		0.0%	0.0%		0.0%	0.0%	
<b>Total</b>	<b>103</b>	<b>47</b>	<b>-54%</b>	<b>16</b>	<b>10</b>	<b>-38%</b>	<b>4</b>	<b>3</b>	<b>-25%</b>
	<b>100%</b>	<b>100%</b>		<b>100%</b>	<b>100%</b>		<b>100%</b>	<b>100%</b>	

Figure 3.5



### 3.4 Reason For Complaints

3.4.1 This is further reflected in Figure 3.6 where the number of stage 1 complaints challenging assessment decisions fell from 82 in 2007/08 to 24 in 2008/09.

COMPARISON OF ADULTS' SOCIAL CARE COMPLAINTS BY REASON FOR COMPLAINT									
	Stage 1			Stage 2			Stage 3		
	2007/2008	2008/2009	Variance	2007/2008	2008/2009	Variance	2007/2008	2008/2009	Variance
Appropriateness of service	1	1	-	0	0	-	0	0	-
	1.0%	2.1%		0.0%	0.0%		0.0%	0.0%	
Attitude of staff	2	4	100%	0	1	100%	0	0	-
	1.9%	8.5%		0.0%	10.0%		0.0%	0.0%	
Challenge assessment decision	82	24	-71%	12	6	-50%	2	1	-50%
	78.1%	51.1%		75.0%	60.0%		50.0%	33.3%	
Competence of service	9	6	-33%	3	1	-67%	1	1	-
	8.6%	12.8%		18.8%	10.0%		25.0%	33.3%	
Delays in service provision	3	6	100%	0	2	100%	0	1	100%
	2.9%	12.8%		0.0%	20.0%		0.0%	33.3%	
Discriminatory practice	0	1	100%	0	0	-	0	0	-
	0.0%	2.1%		0.0%	0.0%		0.0%	0.0%	
Failure to provide a service	6	3	-50%	1	0	-100%	1	0	-100%
	5.7%	6.4%		6.3%	0.0%		25.0%	0.0%	
Lack for information	1	1	-	0	0	-	0	0	-
	1.0%	2.1%		0.0%	0.0%		0.0%	0.0%	
Other reason	1	1	-	0	0	-	0	0	-
	1.0%	2.1%		0.0%	0.0%		0.0%	0.0%	
<b>Total</b>	<b>105</b>	<b>47</b>	<b>-55%</b>	<b>16</b>	<b>10</b>	<b>-38%</b>	<b>4</b>	<b>3</b>	<b>-25%</b>
	100.0%	100.0%		100.0%	100.0%		100.0%	100.0%	

Figure 3.6

### 3.5 Access and Profiles

3.5.1 People making Social Care complaints rely more on telephone (51%) and post (38%) than those using the corporate complaints procedures. This is probably in recognition of the nature of the issues.

BREAKDOWN OF ADULTS' SOCIAL CARE COMPLAINTS HOW RECEIVED								
How Received	2007 / 2008				2008 / 2009			
	Stage 1	Stage 2	Stage 3	Total	Stage 1	Stage 2	Stage 3	Total
Email	5 4.8%	1 6.3%	0 0.0%	6 4.8%	4 8.5%	1 10.0%	0 0.0%	5 8.3%
Web Form	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Complaint Form or Letter	32 30.5%	5 31.3%	4 100.0%	41 32.8%	16 34.0%	4 40.0%	3 100.0%	23 38.3%
Fax	1 1.0%	0 0.0%	0 0.0%	1 0.8%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
Telephone	66 62.9%	9 56.3%	0 0.0%	75 60.0%	26 55.3%	5 50.0%	0 0.0%	31 51.7%
In Person	1 1.0%	1 6.3%	0 0.0%	2 1.6%	1 2.1%	0 0.0%	0 0.0%	1 1.7%
<b>Total</b>	105	16	4	125	47	10	3	60

Figure 3.7

3.5.2 Figure 3.8 below indicates that there is a slight overrepresentation of Asian and Black service users making complaints. However, issues of discrimination have not been high, as seen in Figure 3.7 above.

Adults' Health and Wellbeing Social Care by Ethnicity 2008 - 2009					
	No. of service users in 2008-09	Percentage of service users by ethnicity	Stage 1 complaints	Percentage of complainants by ethnicity	Variance
Asian	1496	23.6%	14	29.8%	6.2%
Black	661	10.4%	8	17.0%	6.6%
White	3944	62.1%	21	44.7%	-17.5%
Mixed Race	65	1.0%	0	0.0%	-1.0%
Other	155	2.4%	1	2.1%	-0.3%
Not Stated	25	0.4%	3	6.4%	6.0%
<b>Totals</b>	<b>6,346</b>	<b>100%</b>	<b>47</b>	<b>100%</b>	

Figure 3.8

### 3.6 Summary of key issues in upheld cases

3.6.1 The Service Head offered an apology and a policy meeting was convened following a complaint regarding unannounced visits by Homecare staff.

3.6.2 A case was reviewed following the closure of the complainants file by Hospital Social Workers.

3.6.3 A new assessment was arranged by the Physical Disability team.

3.6.4 Following a complaint about the withdrawal of domiciliary support, it was identified that a carer's assessment should have been offered to the service user's partner.

3.6.5 An apology was offered from the Service Head as a result of this complaint which criticised the Occupational Therapy assessment process.

3.6.6 An ex-gratia payment of £200 was made to the complainant following concerns raised about the removal of care services despite the complainant believing that the service user was deemed under 'substantial' rather than 'critical' risk.

## 4 Children's Social Care

### 4.1 Complaints Closed

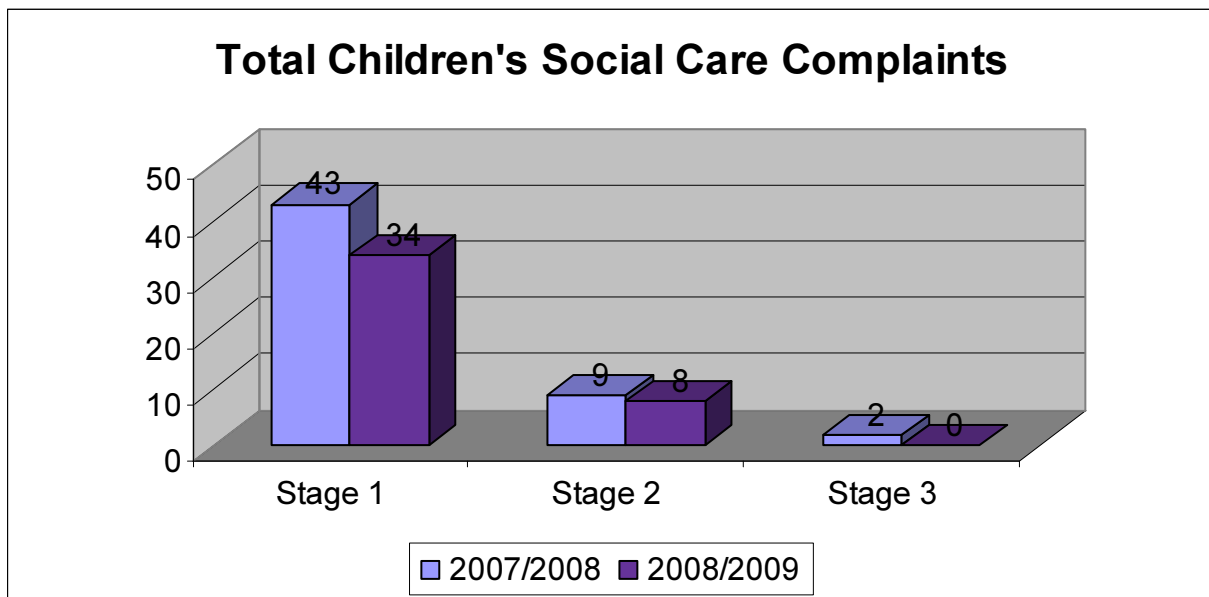


Figure 4.1

<b>TOTAL CHILDREN'S SOCIAL CARE COMPLAINTS</b>			
<b>Stage</b>	<b>2007/2008</b>	<b>2008/2009</b>	<b>Percentage Variance</b>
Stage 1	43	34	-20.93%
Stage 2	9	8	-11.11%
Stage 3	2	0	-100.00%
<b>Total Complaints</b>	<b>54</b>	<b>42</b>	<b>-22.22%</b>

Figure 4.2

- 4.1 There has been a decrease in Stage 1 complaints this year (21%), as shown in Figures 4.1 & 4.2 and the number of Stage 2 complaints also decreased. The lower rate of Stage 2 complaints suggests that there is effective resolution of complaints at Stage 1 of the process.
- 4.2 There were no review panels in Children's Social Care this year which suggests that complainants were satisfied with the way their complaints were investigated at Stage 2.

### 4.3 Complaint Response Times

<b>STAGE 1 COMPLAINTS - RESPONSE TIMES FOR CHILDREN'S SOCIAL CARE COMPLAINTS</b>					
	<b>TOTAL</b>	<b>Answered within 10 working days</b>	<b>Answered within 20 working days</b>	<b>Answered outside timescale</b>	<b>Average response time (days)</b>
2007/2008	43	25 58.1%	9 79.1%	0 -	16.7
2008/2009	34	17 50.0%	14 91.2%	3 8.8%	18.6

Figure 4.3

- 4.4.7 The above table (figure 3.4) shows that only 17 (50% of Stage 1 complaints in Children's Social Care were answered within the 10 working day time scales. It also shows that 8 complaints (19%) were answered outside of the timescales. There is a need to improve performance in answering Stage 1 complaints within Children's Social Care.
- 4.4.8 However, it is positive that 91% of complaints were answered within the 20 working days timescales. It should also be noted that complaints in Children's Social Care are often complex and may require the Team Manager meeting with the young person, appointing an advocate etc in order to resolve complaints.
- 4.4.9 The Complaints Team has a role in monitoring complaints and ensuring that they are responded to in a timely manner and send early reminders for over-due complaints and a weekly list of overdue complaints to Heads of Service and Directors.

<b>STAGE 2 COMPLAINTS - RESPONSE TIMES FOR CHILDREN'S SOCIAL CARE COMPLAINTS</b>					
		<b>Answered within 25 working days</b>	<b>Answered within 65 working days</b>	<b>Answered outside timescale</b>	<b>Average response time (days)</b>
2007/2008	9	1 11.11%	5 66.7%	3 33.3%	58.7
2008/2009	8	1 12.50%	3 50.0%	4 50.0%	77.8

**Figure 4.4**

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

4.4.11 Figure 3.5 shows that one complaint was answered within the 25 day statutory time scales for the year 2008/09 and 3 complaints (50%) were answered within the 65 day time scale. 4 complaints were answered outside the time scales.

4.4.12 Children's Social care complaints are often complex and involve interviewing staff and service users. However, the Complaints Team continue to strive to improve this performance.

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

4.5.1 Fieldwork services have received the highest number of complaints at Stage 1 and Stage 2 as is expected (see Figure 3.8). This is due to the potentially contentious nature of the service and the large number of service users. Nevertheless the number have decreased slightly in 2008/09.

COMPARISON OF CHILDREN'S SOCIAL CARE COMPLAINTS BY SECTION									
	Stage 1			Stage 2			Stage 3		
SECTION	2007/08	2008/09	Variance	2007/08	2008/09	Variance	2007/08	2008/09	Variance
Child Protection & Reviewing	1	0	-100%	0	0	-	0	0	-
	2.33%	0.00%		0.00%	0.00%		0.00%		
Children Looked After	8	7	-13%	0	2	100%	0	0	-
	18.60%	20.59%		0.00%	25.00%		0.00%		
Children's Resources	4	3	-25%	1	3	200%	0	0	-
	9.30%	8.82%		11.11%	37.50%		0.00%		
Fieldwork Services	26	23	-12%	7	3	-57%	2	0	-100%
	60.47%	67.65%		77.78%	37.50%		100.00%		
Integrated Services	4	1	-75%	1	0	-100%	0	0	-
	9.30%	2.94%		11.11%	0.00%		0.00%		
<b>Total</b>	<b>43</b>	<b>34</b>	<b>-21%</b>	<b>9</b>	<b>8</b>	<b>-11%</b>	<b>2</b>	<b>0</b>	<b>-100%</b>
	<b>100%</b>	<b>100%</b>		<b>100%</b>	<b>100%</b>		<b>100%</b>		

Figure 4.5

4.5.2 Figure 4.5 indicates that the highest number of complaints in Children's Social Care remains "challenging assessments decisions".

COMPARISON OF CHILDREN'S SOCIAL CARE COMPLAINTS BY REASON FOR COMPLAINT									
	Stage 1			Stage 2			Stage 3		
	2007/08	2008/09	Variance	2007/08	2008/09	Variance	2007/2008	2008/09	Variance
Appropriateness of service	1	0	-100%	0	0	-	0	0	-
	2.3%	0.0%		0.0%	0.0%		0.0%	-	
Attitude of staff	10	3	-70%	0	1	100%	0	0	-
	23.3%	8.8%		0.0%	12.5%		0.0%	-	
Breach of Confidentiality	0	2	100%	1	0	-100%	0	0	-
	0.0%	5.9%		11.1%	0.0%		0.0%	-	
Challenge assessment decision	13	24	85%	3	7	133%	2	0	-100%
	30.2%	70.6%		33.3%	87.5%		100.0%	-	
Competence of service	7	1	-86%	4	0	-100%	0	0	-
	16.3%	2.9%		44.4%	0.0%		0.0%	-	
Delays in service provision	4	2	-50%	0	0	-	0	0	-
	9.3%	5.9%		0.0%	0.0%		0.0%	-	
Failure to provide a service	5	1	-80%	0	0	-	0	0	-
	11.6%	2.9%		0.0%	0.0%		0.0%	-	
Lack for information	3	1	-67%	1	0	-100%	0	0	-
	7.0%	2.9%		11.1%	0.0%		0.0%	-	
<b>Total</b>	<b>43</b>	<b>34</b>	<b>-21%</b>	<b>9</b>	<b>8</b>	<b>-11%</b>	<b>2</b>	<b>0</b>	<b>-100%</b>
	100.0%	100.0%		100.0%	100.0%		100.0%	-	

Figure 4.8

#### 4.6 Breakdown of Complaints by Ethnicity.

Children's Services Social Care by Ethnicity 2008 - 2009					
	No. of service users in 2008-09	Percentage of service users by ethnicity	Stage 1 complaints	Percentage of complainants by ethnicity	Variance
Asian	1711	45.5%	12	35.3%	-10.2%
Black	425	11.3%	10	29.4%	18.1%
White	850	22.6%	10	29.4%	6.8%
Mixed Race	361	9.6%	1	2.9%	-6.7%
Other	104	2.8%	0	0.0%	-2.8%
Not Stated	311	8.3%	1	2.9%	-5.3%
<b>Totals</b>	<b>3,762</b>	<b>100%</b>	<b>34</b>	<b>100%</b>	

Figure 4.9

4.6.1 Figure 4.7 shows the number of those receiving a service by ethnicity and the volumes of complaints for each group. There is a higher proportion of complaints per head of the service user population for white clients and to a lesser degree black service users. Nevertheless this is a very small representation of the service user group.

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

#### 4.7 How Complaints Were Made.

BREAKDOWN OF CHILDREN'S SOCIAL CARE HOW COMPLAINTS RECEIVED								
How Received	2007 / 2008				2008 / 2009			
	Stage 1	Stage 2	Stage 3	Total	Stage 1	Stage 2	Stage 3	Total
Email	3 7.0%	0 0.0%	0 0.0%	3 5.6%	5 14.7%	0 0.0%	0 #DIV/0!	5 11.9%
Web Form	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 #DIV/0!	0 0.0%
Complaint Form /Letter	20 46.5%	7 77.8%	2 100.0%	29 53.7%	17 50.0%	4 50.0%	0 #DIV/0!	21 50.0%
Fax	0 0.0%	0 0.0%	0 0.0%	0 0.0%	1 2.9%	1 12.5%	0 #DIV/0!	2 4.8%
Telephone	20 46.5%	1 11.1%	0 0.0%	21 38.9%	10 29.4%	2 25.0%	0 #DIV/0!	12 28.6%
In Person	0 0.0%	1 11.1%	0 0.0%	1 1.9%	1 2.9%	1 12.5%	0 #DIV/0!	2 4.8%
<b>Total</b>	<b>43</b>	<b>9</b>	<b>2</b>	<b>54</b>	<b>34</b>	<b>8</b>	<b>0</b>	<b>42</b>

Figure 4.8

4.7.1 The above table (figure 4.8) shows that the majority of complainants prefer to make complaints by telephone, and it is noticeable that the trend of email and web form usage recorded for corporate complaints is not repeated for social care complaints.

#### 4.8 Summary of key issues in upheld complaints.

4.8.1 Changes in practice and service delivery were actioned following a complaint regarding the failure to act on reports of neglect made by Nursery staff.

4.8.2 A review of the individual Care Plan and the overall transition process from Children's to Adults Learning Difficulties Services was carried out, and the importance of notifying in writing any changes in service provision was identified.

4.8.3 A policy guidance review was implemented following this complaint about the lack of explanation of the fostering process.



4.8.4 A £200 ex-gratia payment was made for 'time and trouble taken' to a complainant as a result of issues raised about a Social Worker causing unnecessary delays to a Nursery placement.

4.8.5 A planning meeting to discuss the effectiveness of interfacing between Children's and Adults' services was arranged, following this complaint that a physically impaired parent had her care package cut.

## 5 LOCAL GOVERNMENT OMBUDSMAN (LGO) COMPLAINTS

5.1 In 2008/09 the Ombudsman has changed that way statistics are presented to Local Authorities. Having set up a central contact service effective from 1 April 2008, informal enquiries and premature complaints are no longer recorded in the same way. These may be included in future years when comparative data is available but are not available for 2008/09. Set out below are details of the complaints closed by the Ombudsman in 2008/09, their findings and the Council's response times to enquiries.

5.2 Complaints determined by the Ombudsman.

Determination	2006/07	2007/08	2008/09
Maladministration causing injustice	0	0	0
Local Settlement	24	16	21
No maladministration	24	37	29
Ombudsman's discretion	15	12	17
Out of jurisdiction	19	23	15
<b>Total</b>	<b>82</b>	<b>88</b>	<b>82</b>

Figure 5.1

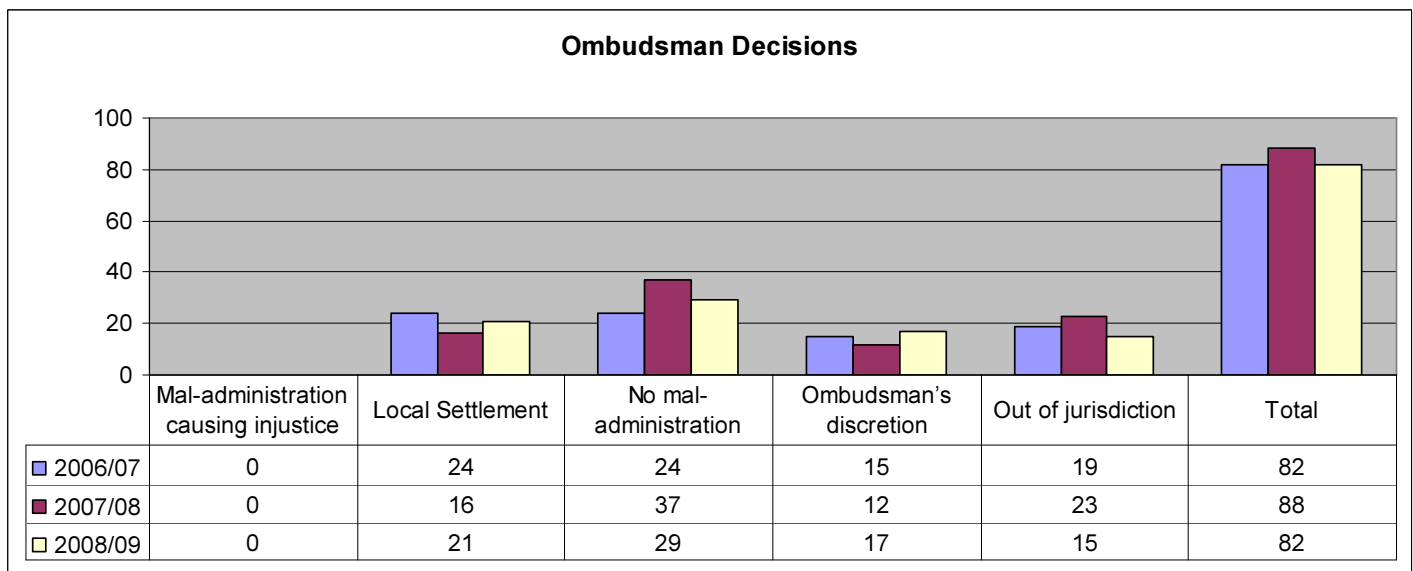


Figure 5.2

5.2.1 The Ombudsman determined (or closed) 82 complaints in 2008/09, see Figures 5.1 and 5.2 above.

## Volume of Ombudsman Complaints Closed 2008/09

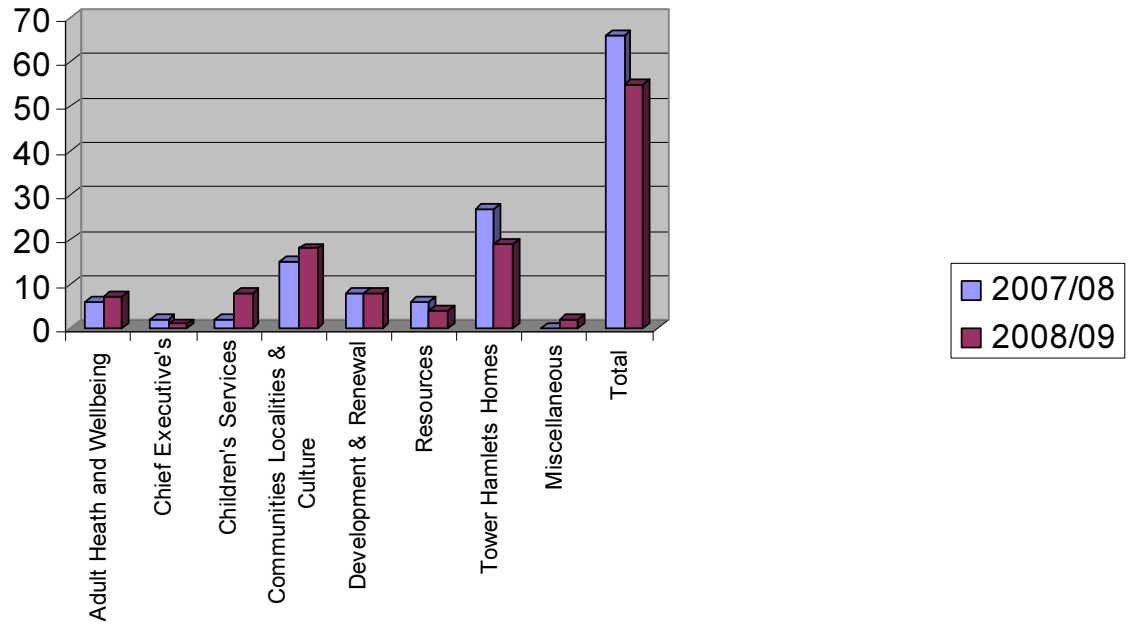


Figure 5.3

5.2.3 Set out in Figure 5.3. above is the volume of complaints closed by directorate, indicating any variance year on year.

5.2.4 The Council has sought the early resolution of complaints where there is either some indication of fault or where a gesture of goodwill may be appropriate to promote a positive relationship. At 26% of the total complaints closed this compares favourably with the average across all Councils (27.4%).

5.2.5 Figures 5.5 and 5.6 overleaf show the numbers of local settlements by directorate, and by directorate and division respectively.

### Ombudsmen Local Settlements by Directorate

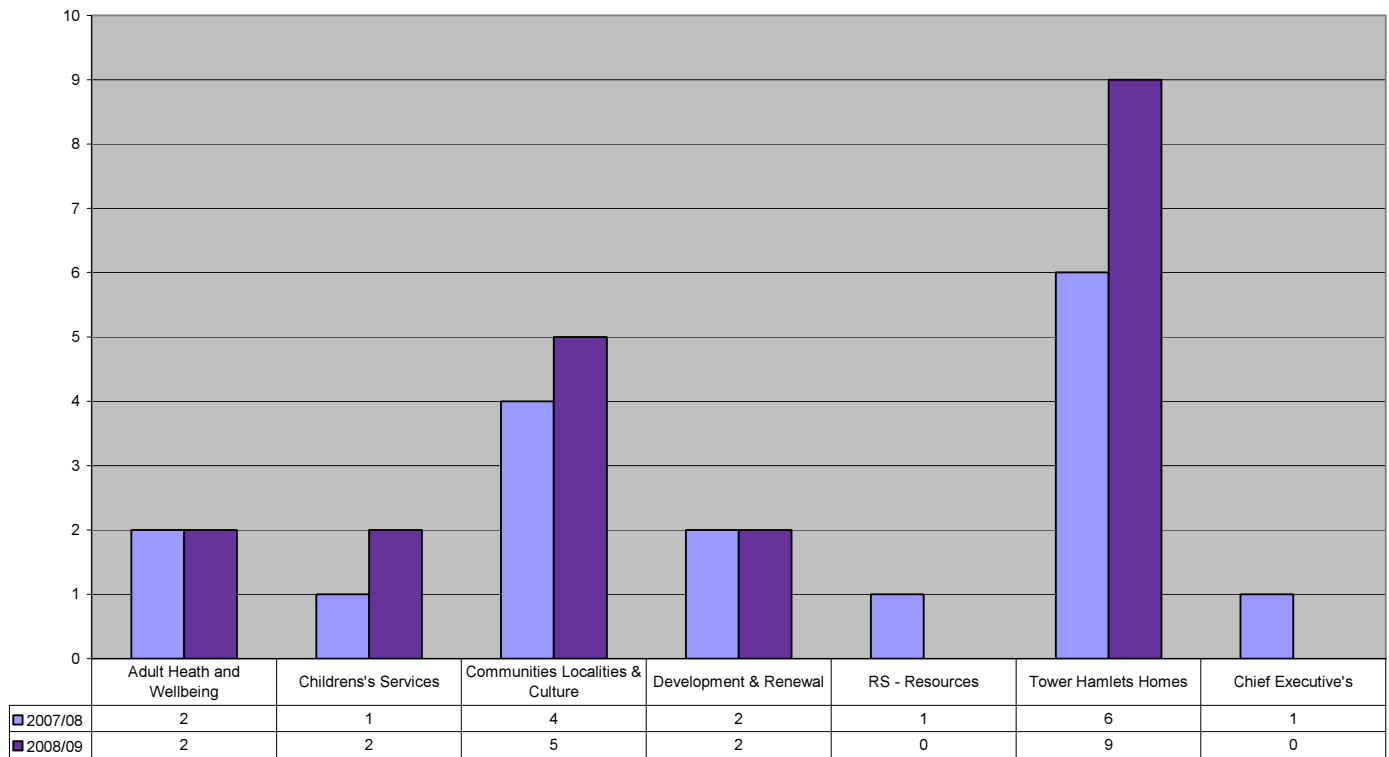
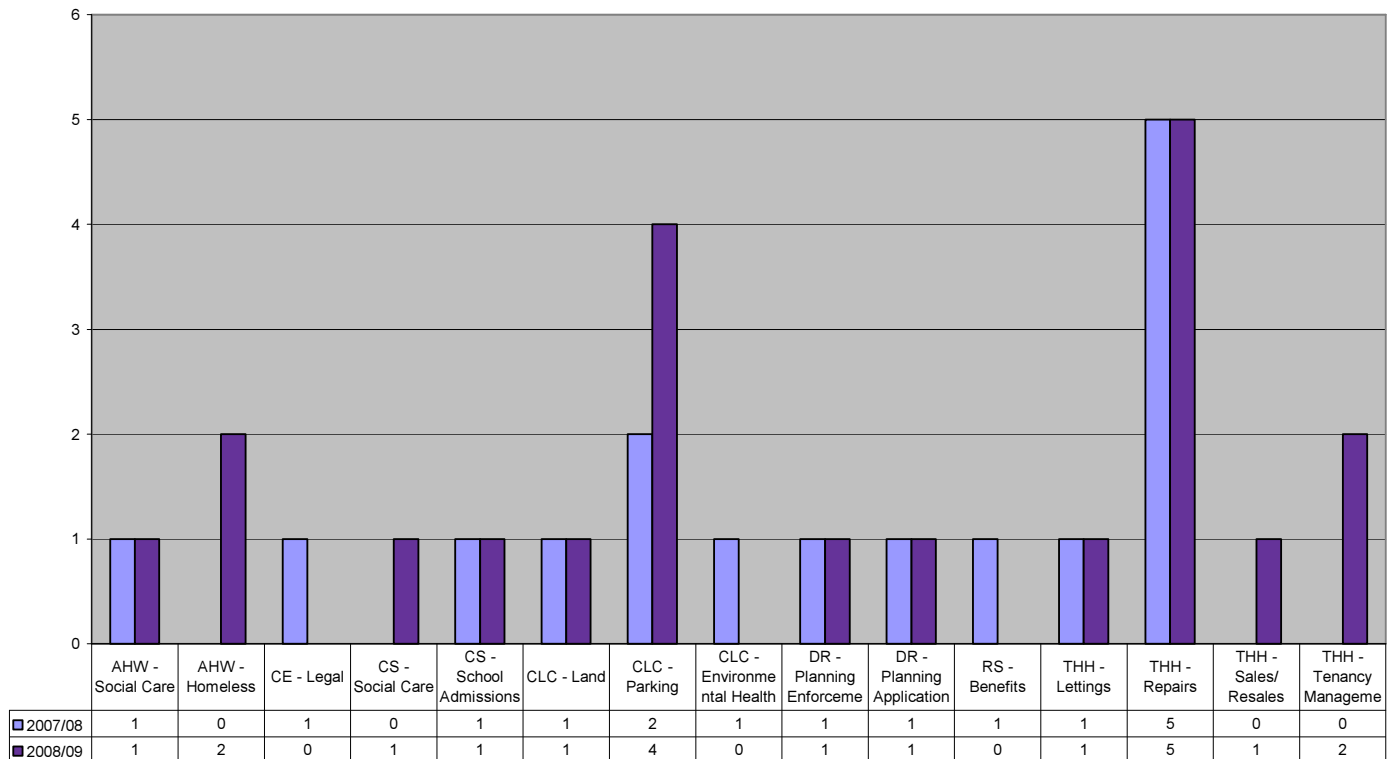


Figure 5.4 above and Figure 5.5 below

### Ombudsmen Local Settlements by Service Issue



### **5.3 Summary of Local Settlements**

Overall, £5,600 was paid in compensation across the 21 Local Settlements

#### Adults Health and Wellbeing

One Social Care complaint was settled by the payment of additional night hours over and above the agreed care package. Two Homeless people received compensation; one payment of £500 for the loss of a file which resulted in a delay in providing temporary accommodation - in another case the policy on home visits was reviewed when a delay was identified in completing a home visit.

#### Children's Services

A Children's Social Care complaint regarding information provided to parents of a looked after child resulted in compensation for four issues amounting to £800.

A School Admissions complaint was resolved by a place being provided through the waiting list.

#### Communities Localities and Culture

Parking Services were commended for seeking ongoing and lasting solutions to an issue regarding taxis waiting outside residential properties. One complainant identified that information on parking permit charges were different on the website to the actual charges and was afforded a discount.

Development and Renewal were prompted to issue payment for a previous Local Settlement.

#### Tower Hamlets Homes

Due to problems with the lift in a block due for demolition, just prior to it being given decant status, a disabled resident was awarded £550 compensation. THH made a goodwill gesture to refund £100 paid for a parking permit for resident who had not declared her disability on application.

A resident wishing to purchase an additional part of her building was reimbursed her legal fees of £3250 due to the delay she experienced. Other Housing complaints were resolved by works being completed and documents being provided to residents.

5.3 There were no findings of maladministration with injustice, and have not been any since 2005/06.

### **5.4 Response times**

5.4.1 The Ombudsman maintains statistics of the time taken for the first response from the initial enquiry, which are published nationally. Tower Hamlets is one of only four London Boroughs to achieve an average response time of less than 21 days.

Response Times		
	No of First Enquiries	Average no of days to respond
2006/07	46	18.9
2007/08	50	16.2
2008//09	50	19.3

Figure 5.6

5.4.2 The Ombudsman congratulated the Council on its response rate in the 2007/08 Annual Letter to the Council, and the prompt turn-around times have continued.

2008/09	number of initial enquiries	ave days to respond	% in time
Adult Heath and Wellbeing	7	17.6	100%
Chief Executive's	0	0	
Resources	2	20	100%
Children's Services	6	20.8	67%
Communities Localities & Culture	11	19.4	73%
Development & Renewal	6	16.3	83%
Tower Hamlets Homes	17	18.7	94%
Total	49	19.3	86%

Figure 5.7

5.4.3 The Local Government Ombudsman's Annual Review is appended for information.

## 6 RISK ASSESSMENT

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

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

## 7 IMPROVEMENT INITIATIVES

### 7.1 British Standards Institute

The Council achieved British Standards Institute Accreditation for Complaints Handling [CMS 86:2000] in March 2005 and the revised higher ISO 10002 accreditation in 2007. In the year 2008/09, as part of the Customer Access Division, the Complaints Service achieved accreditation to the Customer Service Excellence standard.

### 7.2 Staff Training and Development.

The Complaints Team has commission training from an external provider for general complaints handling and resolution, and specifically for Social Care complaints. This will

continue throughout 2009/10. The training is aimed at Service Managers and Team Managers and covers all aspects of complaint handling. The training has received positive feedback.

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

### **7.3 Monitoring Complaints.**

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

### **7.4 Publicity.**

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

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

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

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

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

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

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