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|---|-----------------------------|---|-------------------|-------------------------------|
| COMMITTEE: Overview and Scrutiny | DATE: 7 June 2011 | CLASSIFICATION: UNRESTRICTED | REPORT NO. | AGENDA ITEM NO. 9.1 |
| REPORT OF: KEVAN COLLINS CHIEF EXECUTIVE | | TITLE: CORPORATE COMPLAINTS AND SOCIAL CARE COMPLAINTS ANNUAL REPORT 2010 2011 | | |
| ORIGINATING OFFICER(S): 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 2010 to 31 March 2011 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.

2. Recommendations

It is recommended that the Overview and Scrutiny committee –

- 2.1. Consider and comment on the content of the Complaints Annual Report 2010-2011, appended to this briefing note.
- 2.2 Consider the higher complaints volume areas and how issues arising from the report could inform the Overview and Scrutiny work programme.

3. Background

- 3.1 The work of the Corporate Complaints Team and the complaints procedures it deals with are set out in the Introduction to the Annual Report.
- 3.2 The Annual Report addresses the matters set out in paragraph 1.1 above. The following are key matters to note from the report –
- 3.2.1 Under the Corporate Complaints procedure there are significant improvements in response times at each of the three stages.
- 3.2.2 The statutory Adults Social Care Complaints procedure has considerable focus on early resolution and community outreach, as well as placing the complainant at the heart of the process.
- 3.2.3 Children's Social Care Complaints continue to be dealt with under the three stage statutory process.

3.2.4 The Local Government Ombudsman has over past years commented positively in the Annual Letter to the Council about our focus on local resolution, and prompt responses. The 2010/11 Annual Letter is not yet received and will be presented with the half year update report, in October 2011..

3.2.5 The Complaints Service is for the third year accredited with the Customer Service Excellence Award.

4. Comments of the Chief Finance Officer

4.1. The report provides a summary of the complaints received by the Council in the period 1 April 2010 to 31 March 2011 through the Corporate Complaints Procedure and those received and determined by the Local Government Ombudsman. This report is also statutory requirement under the Children Act 1989.

4.2. There are no significant financial implications arising from the recommendations in this report and 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.

5. Concurrent report of the Assistant Chief Executive (Legal)

5.1. The Council operates executive arrangements under the Local Government Act 2000. Pursuant to those arrangements the Council is required to have an Overview and Scrutiny Committee with the functions of: scrutinising and reviewing the Council's exercise of its executive and non-executive functions; and making reports and recommendations in relation to the same. The Council's Constitution makes provision consistent with the statutory requirements. The consideration of a complaints report may be considered as falling within the committee's review function.

5.2. The Council has statutory duties in respect of the handling of social care complaints as set out in the report. The proper handling of complaints and the consideration of information arising from a those complaints may also be consistent with good administration in the discharge of the Council's functions. It may contribute to improving the quality of services that the Council offers and hence to the Council's duty as a best value authority under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". Proper complaints handling and review may also contribute to the avoidance of maladministration within the meaning of the Local Government Act 1974.

6. ONE TOWER HAMLETS CONSIDERATIONS.

6.1. The Annual Report provides a breakdown of the ethnicity of complainants and other aspects such as gender, age, faith, sexuality and disability are consider against each individual complaints and data collated. The Complaint Procedures were subject to an Equalities Impact Assessment during this period and actions included in the 2011/12 team plan to improve access and increase the collection of equalities monitoring data..

- 6.2. There is a Social Care complaints leaflet available in five community languages and all complaints literature is widely distributed through out 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.
 - 6.3. 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.
 - 6.4. 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.
- 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 leading to findings of maladministration, and compensation claims.

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

| Background Paper | Name and telephone number of holder and address where open to inspection |
|------------------|---|
| None | N/A |

Complaints Annual Report

2010-2011

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- 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 2010 to 31 March 2011, the outcomes and the standard of performance in dealing with them.
- 1.2 The Corporate Complaints Team moved from the Customer Access division in January 2011 to Legal Services. The team comprises 5.6 full time equivalent 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 some Adults Social Care complaints and stage 2 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 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 ADULTS SOCIAL CARE PROCEDURES

- 1.6.1 The Local Authority Social Services and National Health Services Complaints (England) Regulations 2009, in respect of the Health and Social Care (Community Health and Standards) Act 2003 sets out the process for considering Adult Social Care and Health complaints. The key principles require Local Authorities to:-
- consider Adults 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 other bodies such as PCTs and other partners.
- 1.6.2 The revised statutory complaint procedures 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.

1.7 CHILDREN'S SOCIAL CARE PROCEDURES

- 1.7.1 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, or their carers.
- 1.7.2 The Children's Complaints Procedure has three stages.

Stage 1 Complaints – Initial

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

Stage 2 Complaints – Formal

Investigations should be completed within 25 working days. However this can be extended to 65 working days in negotiation with the complainant due to the complexity of complaints.

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

The report is passed to the Head of Service and an internal adjudication meeting is held before the report and outcomes are shared with the service user.

Stage 3 Complaints – Independent Review Panel.

An Independent Review Panel can review the case in the presence of the complainant and Service Head, and where appropriate make recommendations to the relevant Director.

1.8 THE LOCAL GOVERNMENT OMBUDSMAN

1.8.1 The Local Government Ombudsman is an independent watchdog to oversee the administration of Local Authorities, and considers complaints (usually) after the complainant has exhausted the internal complaints procedure, or Adults and Children's Complaints Procedures, as appropriate, and covers Education matters.

1.9 ENQUIRIES, COMMENTS AND COMPLIMENTS

1.9.1 In order to fully capture 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, see table 1.1 below.

| | 2008/09 | 2009/10 | 2010/11 |
|-------------|---------|---------|---------|
| Comments | 7 | 6 | 7 |
| Compliments | 36 | 65 | 72 |
| Enquiries | 485 | 589 | 1202 |

Figure 1.1

1.9.2 Volumes of compliments and comments recorded are increasing slowly. Although progress is slow, capturing compliments centrally will lead to useful data on good practice.

2 CORPORATE COMPLAINT STATISTICS AND ANALYSIS 2010 TO 2011

2.1 VOLUME OF COMPLAINTS

| Volume of Corporate Complaints | | | | |
|--------------------------------|-------------|-------------|-------------|------------|
| Year | 2009/10 | 2010/11 | Variance | |
| Stage 1 | 2292 | 2227 | -65 | -3% |
| Stage 2 | 361 | 312 | -49 | -14% |
| Stage 3 | 184 | 129 | -55 | -30% |
| Total Complaints | 2837 | 2668 | -169 | -6% |

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 lower than in the previous year, and the proportion escalated to stages 2 and 3 has decreased.

2.1.3 In 2007/08 there were 87 stage 3 complaints, with 120 stage 3 complaints in 2008/09, and 184 in 2009/10. A further analysis of these records follows at section 2.4.

| Escalation Rates by Directorate 2010/11 | | | | | | |
|---|-------------|------------|------------------------|------------|------------------------|---|
| Directorate | Stage 1 | Stage 2 | | Stage 3 | | Comments |
| | | Stage 2 | Escalated from Stage 1 | Stage 3 | Escalated from Stage 1 | |
| Adults Health & Wellbeing | 3 | 0 | 0% | 0 | 0% | |
| Chief Executive's | 38 | 6 | 16% | 15 | 39% | |
| Children Schools and Families | 33 | 12 | *36% | 1 | 3% | *Some matters are only considered at stage 2 or 3 |
| CLC | 684 | 85 | 12% | 41 | 6% | |
| Development & Renewal | 196 | 45 | 23% | 22 | 11% | |
| Resources | 305 | 36 | 12% | 13 | 4% | |
| Tower Hamlets Homes | 968 | 128 | 13% | 37 | 4% | |
| Corporate Total | 2227 | 312 | 14% | 129 | 6% | |

Figure 2.2

2.1.4 Figure 2.2 indicates an increase in the rate of escalation, and this is being monitored for each service area.

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

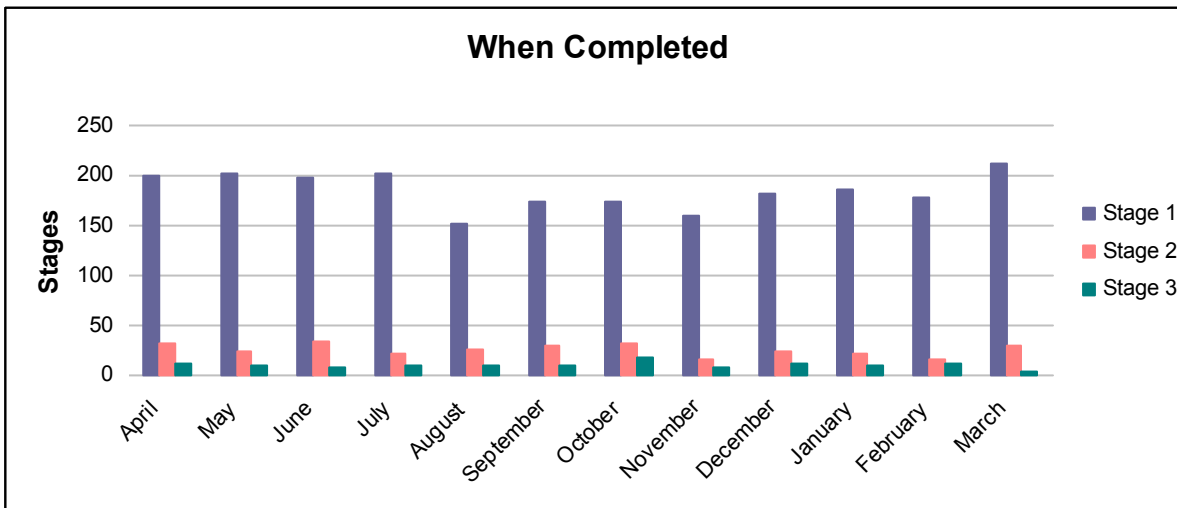


Figure 2.3

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 Performance management through a variety of measures, including the use of weekly lists of complaints due and outstanding distributed to the Corporate Management Team, and monthly directorate performance figures, have effectively driven up response times. (see Section 2.2 overleaf)

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.

CORPORATE COMPLAINTS BY DIRECTORATE, PERFORMANCE AND RESOLUTION.

| Stage 1 | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn /Referred On | | Closed In Time | | Ave Days to Close |
|---------------------------------|-------------|-----|-------------|------------|------------------|------------|------------|------------|-------------------------|-----------|----------------|------------|-------------------|
| | | | | | | | | | | | | | |
| Adults Health & Wellbeing | 3 | 0% | 0 | 0% | 2 | 67% | 1 | 33% | 0 | 0% | 3 | 100% | 7 |
| Chief Executive's | 38 | 2% | 21 | 55% | 8 | 21% | 9 | 24% | 0 | 0% | 35 | 92% | 7 |
| Children Schools and Families | 33 | 1% | 8 | 24% | 8 | 24% | 15 | 45% | 2 | 6% | 26 | 79% | 8 |
| CLC | 684 | 31% | 374 | 55% | 110 | 16% | 181 | 26% | 19 | 3% | 645 | 94% | 7 |
| Development & Renewal | 196 | 9% | 133 | 68% | 24 | 12% | 22 | 11% | 17 | 9% | 143 | 73% | 9 |
| Resources | 305 | 14% | 123 | 40% | 107 | 35% | 65 | 21% | 10 | 3% | 291 | 95% | 6 |
| Tower Hamlets Homes | 968 | 43% | 461 | 48% | 18 | 2% | 472 | 49% | 17 | 2% | 955 | 99% | 8 |
| Total Stage 1 Complaints | 2227 | | 1120 | 50% | 277 | 12% | 765 | 34% | 65 | 3% | 2098 | 94% | 8 |
| Stage 2 | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn /Referred On | | Closed In Time | | Ave Days to Close |
| | | | | | | | | | | | | | |
| Adults Health & Wellbeing | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 |
| Chief Executive's | 6 | 2% | 2 | 33% | 2 | 33% | 1 | 17% | 1 | 17% | 6 | 100% | 9 |
| Children Schools and Families | 12 | 4% | 4 | 33% | 4 | 33% | 4 | 33% | 0 | 0% | 9 | 75% | 22 |
| CLC | 85 | 27% | 50 | 59% | 15 | 18% | 14 | 16% | 6 | 7% | 79 | 93% | 14 |
| Development & Renewal | 45 | 14% | 28 | 62% | 9 | 20% | 7 | 16% | 1 | 2% | 33 | 73% | 16 |
| Resources | 36 | 12% | 21 | 58% | 9 | 25% | 3 | 8% | 3 | 8% | 36 | 100% | 10 |
| Tower Hamlets Homes | 128 | 41% | 58 | 45% | 9 | 7% | 56 | 44% | 5 | 4% | 122 | 95% | 17 |
| Total Stage 2 Complaints | 312 | | 163 | 52% | 48 | 15% | 85 | 27% | 16 | 5% | 285 | 91% | 16 |
| Stage 3 | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn / Referred On | | Closed In Time | | Ave Days to Close |
| | | | | | | | | | | | | | |
| Adults Health & Wellbeing | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 |
| Chief Executive's | 15 | 12% | 10 | 67% | 1 | 7% | 2 | 13% | 2 | 13% | 11 | 73% | 16 |
| Children Schools and Families | 1 | 1% | 1 | 100% | 0 | 0% | 0 | 0% | 0 | 0% | 1 | 100% | 6 |
| CLC | 41 | 32% | 29 | 71% | 5 | 12% | 6 | 15% | 1 | 2% | 34 | 83% | 16 |
| Development & Renewal | 22 | 17% | 17 | 77% | 3 | 14% | 2 | 9% | 0 | 0% | 19 | 86% | 18 |
| Resources | 13 | 10% | 9 | 69% | 3 | 23% | 1 | 8% | 0 | 0% | 10 | 77% | 18 |
| Tower Hamlets Homes | 37 | 29% | 12 | 32% | 9 | 24% | 15 | 41% | 1 | 3% | 34 | 92% | 17 |
| Total Stage 3 Complaints | 129 | | 78 | 60% | 21 | 16% | 26 | 20% | 4 | 3% | 109 | 84% | 17 |

Figure 2.4

2.2.1 Figure 2.4 provides an overview of the complaints by directorate at each stage.

2.2.2 The annual figures for the percentage of complaints completed on time has continued to rise significantly at stage 1, achieving 94 (92% in 2009/10; 83% 2008/09).

2.2.3 Similarly, at stage 2, an excellent 91% were completed in the standard time frame, equalling the previous years performance. Volumes of stage 3 complaints peaked in 2009/10 (184 cases), against 120 in 2008/09, and 87 in 2007/08. The increase in 2009/10 will be explained further in section 2.4.

2.2.4 As stated earlier, most Social Care complaints come under statutory procedures and are detailed in sections 3 and 4. Schools 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 stage 1 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 1 April 2010.

Adults Health and Wellbeing

Stage 1 Adults Health & Wellbeing by issue

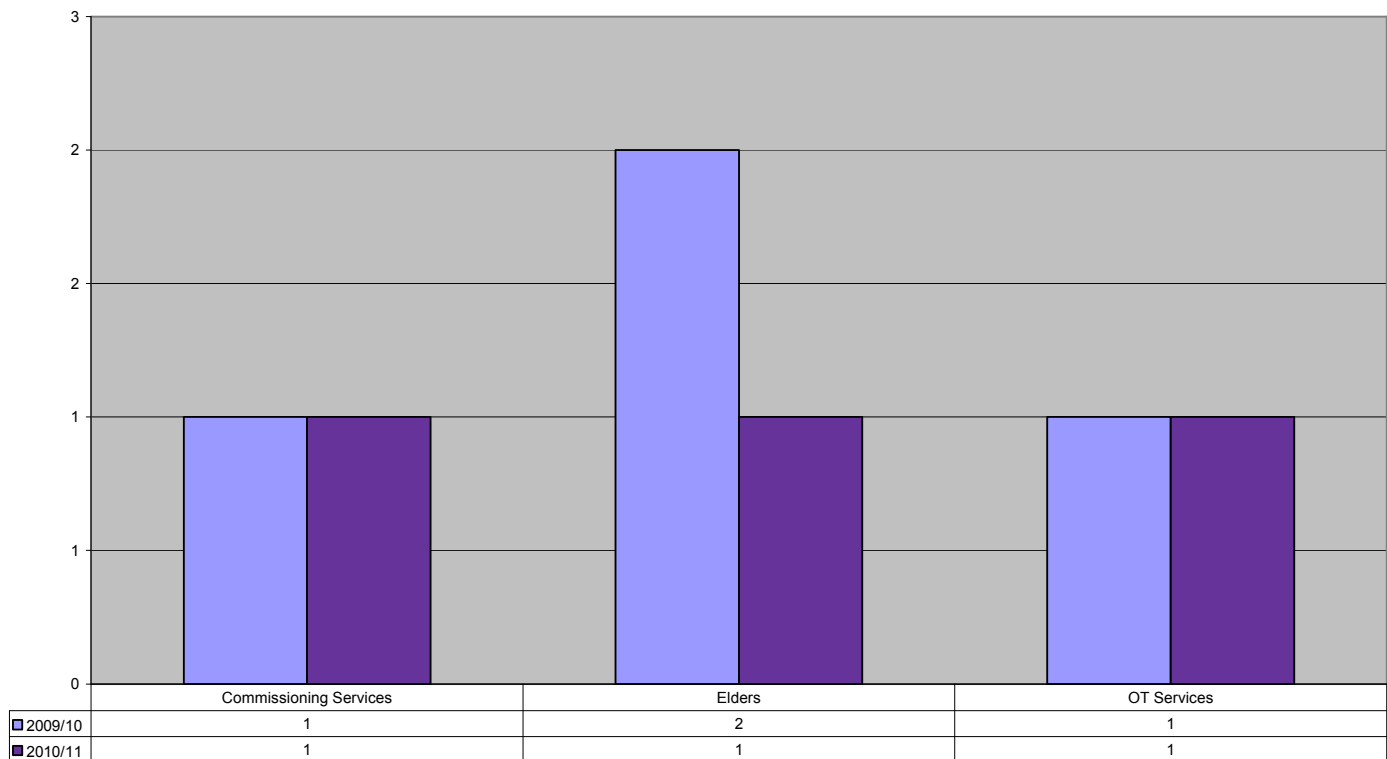


Figure 2.5

2.3.2 Corporate Complaints against Adults Health and Wellbeing relate to non-statutory processes and are few in number.

Chief Executive's

Stage 1 Chief Executive's Complaints by issue

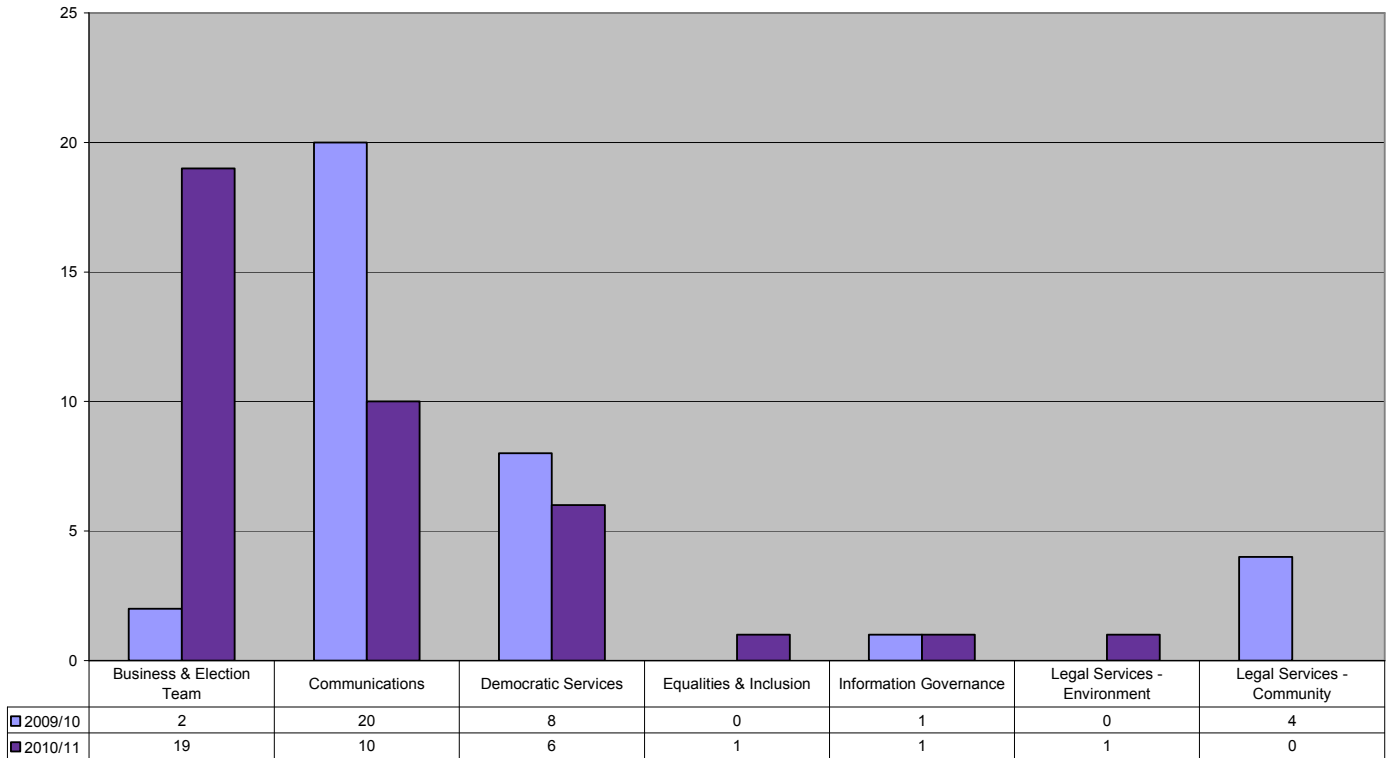


Figure 2.6

2.3.3 Although the volume of complaints in the Chief Executive's directorate is low in all sections, a number of complaints were received regarding Elections, and the volumes, although low, reflect that there were two elections during the year.

Children's Services

2.3.4 Children's Services complaints are also low in number, see figure 2.7 below.

Stage 1 Children Schools and Families Complaints by Issue

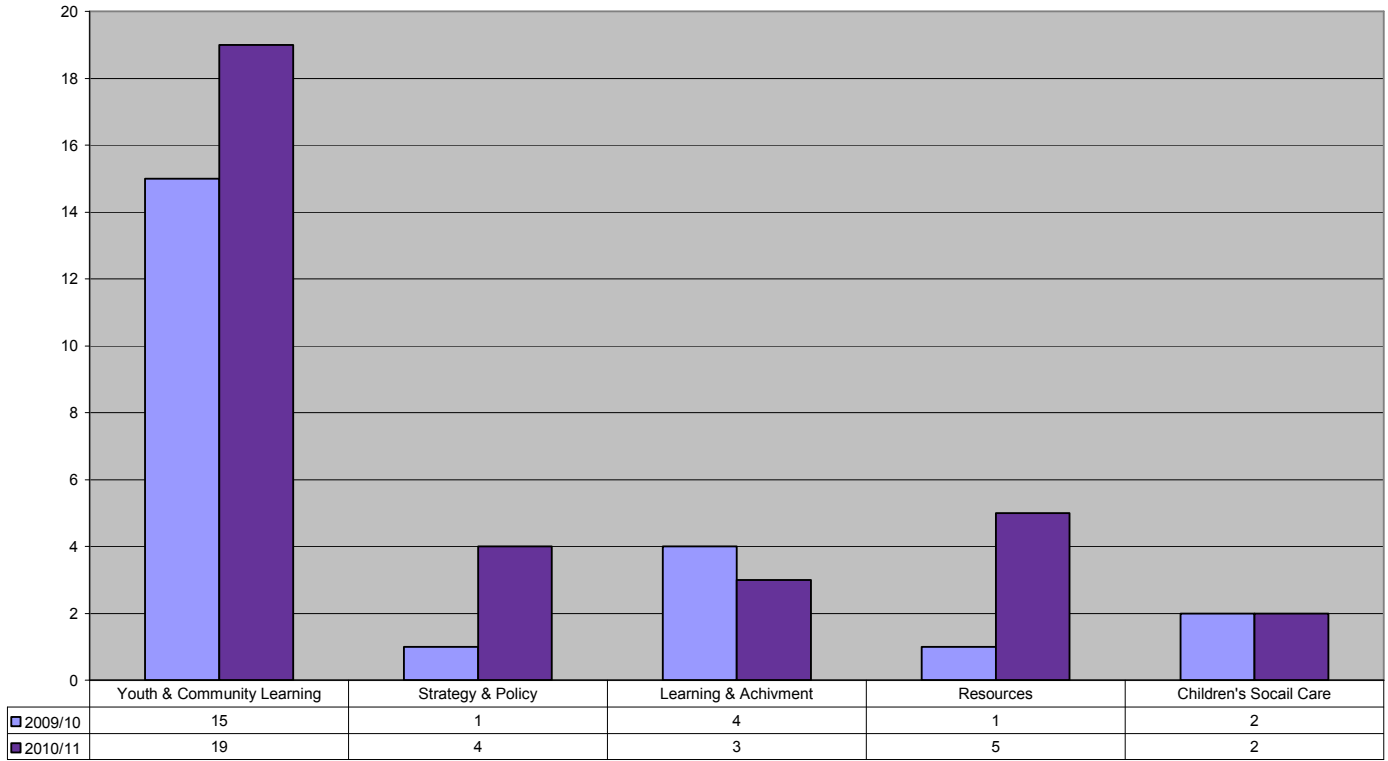


Figure 2.7

Stage 1 CLC Complaints by Issue

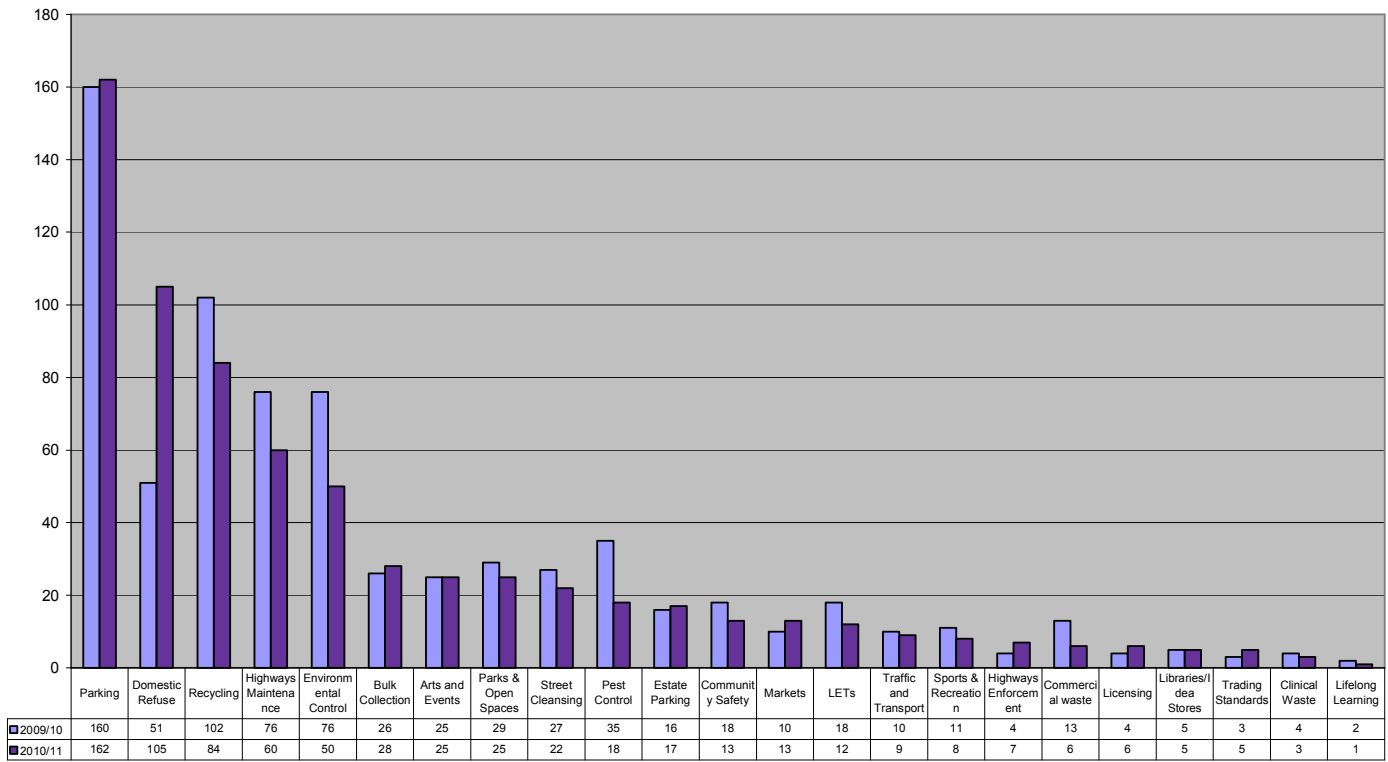


Figure 2.8

2.3.5 Complaints in Communities Localities and Culture (Figure 2.8) are spread across a range of services. Following a rise in complaints in 2008/09, performance issues have been addressed and volumes have fallen in both of the last two years. The volume of complaints regarding recycling has fallen considerably, as have environmental control and highways maintenance.

In November 2010 the Domestic refuse collection rounds were rescheduled to improve efficiencies and the bedding in period unfortunately gave rise to an increase in missed collections. This was compounded by the adverse weather experienced during December 2010, as a number of roads and Estates could not be accessed for collections. Since the start of 2011, missed collections have decreased month on month and the Clean and Green Division was launched in April 2011, with Streetcare Officers now out in the Borough and responsible for monitoring refuse collection

Development and Renewal

Stage 1 Development & Renewal Complaints by Issue

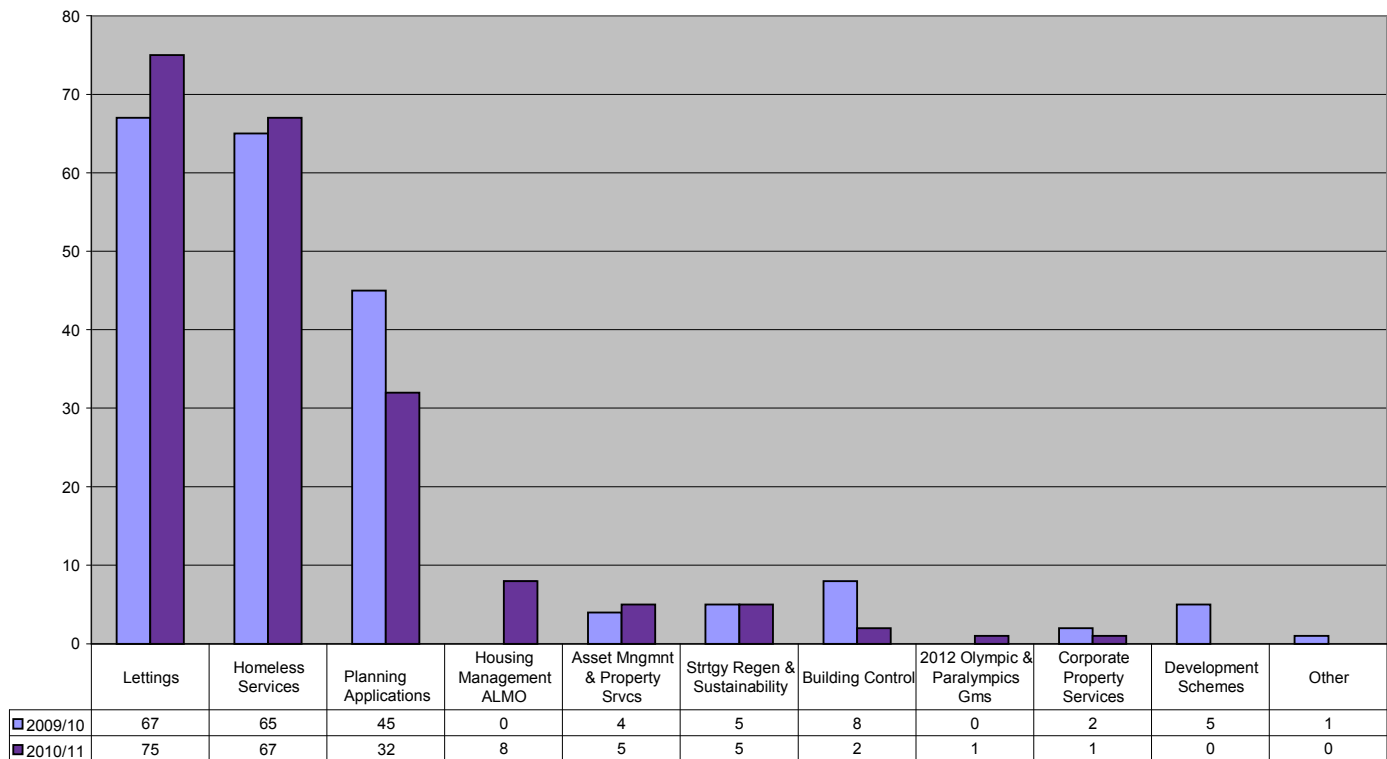


Figure 2.9

2.3.6 Complaints regarding Planning Applications have fallen, and Homeless Services and Lettings remain at a similar level to 2009/10.

Resources

2.3.7 In the Resources directorate, services with a high rate of direct customer contact have the highest volume of complaints (see figure 2.10 overleaf).

The early stages of bedding in the Council's new telephony gave rise to a number of complaints. Further improvements have been made to the voice recognition system to help Customers get through to the correct person first time. Complaints have been reduced in the Contact Centre and One Stop Shops as a result of more training with staff on Customer Care and improvements to processes e.g. production of paperwork and on line permit renewals.

The Council has also invested in the redesign of the two largest One Stop Shops, resulting in a better customer experience.

Despite the rise in new Benefits claims handled by the Council during the period 2010/11 the rate of complaint remains the same as the previous period.

Stage 1 Resources Complaints by Issue

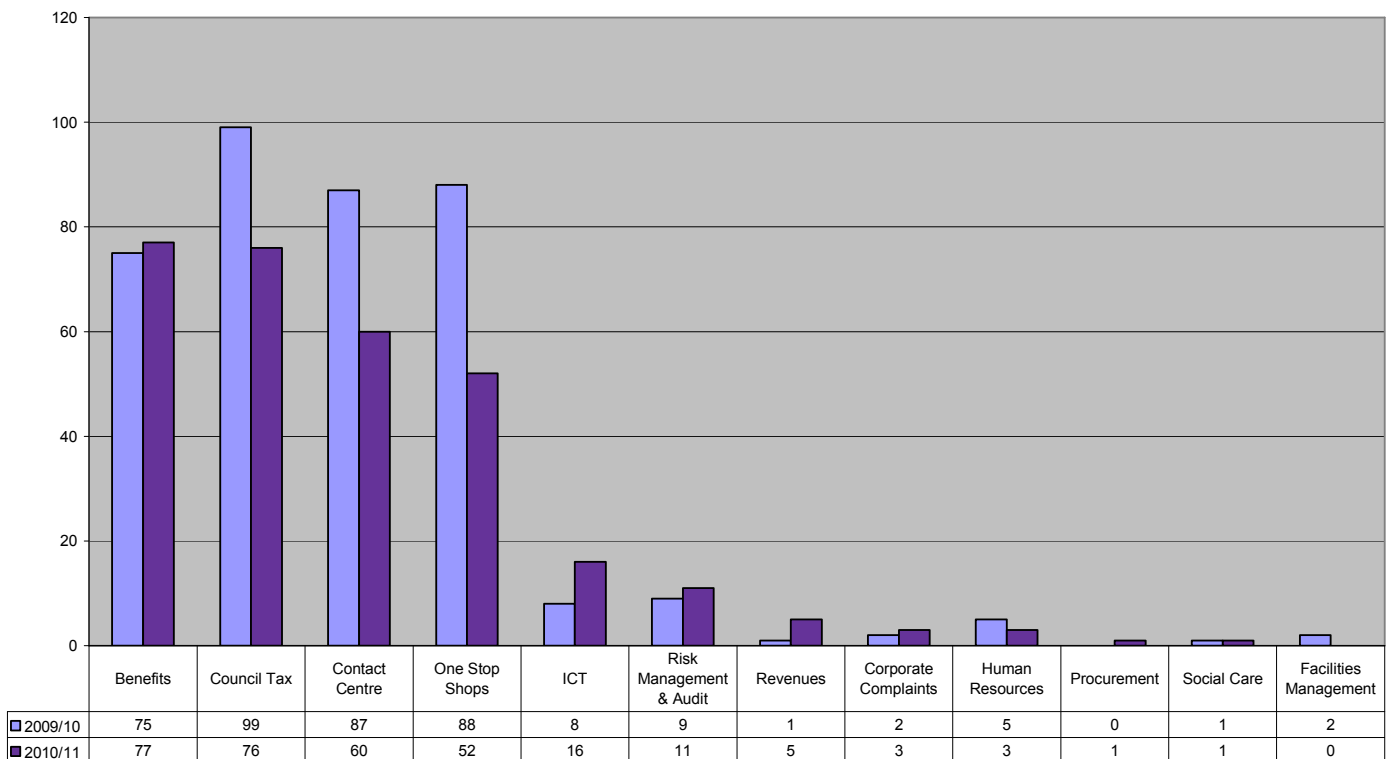


Figure 2.10

Tower Hamlets Homes

Stage 1 Tower Hamlets Homes Complaints by Issue

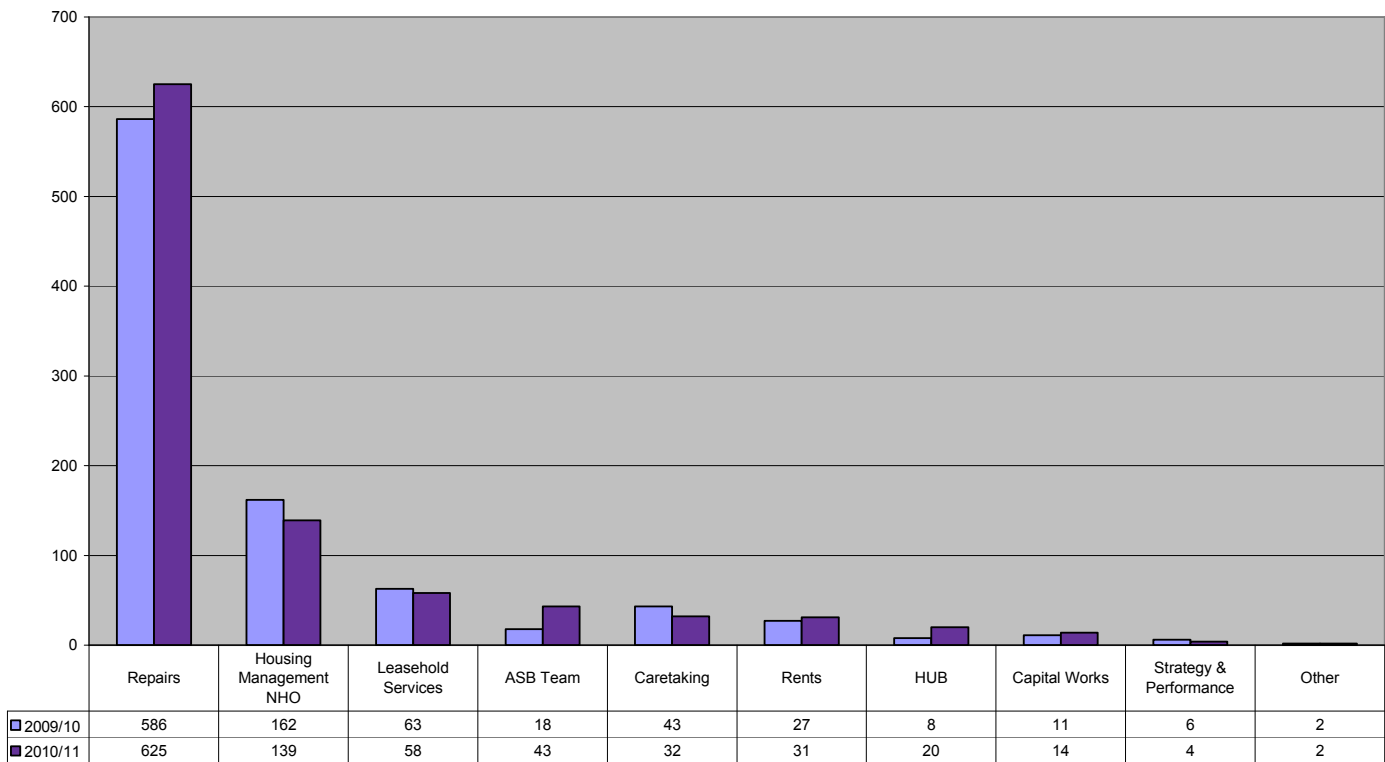


Figure 2.11

2.3.8 Housing related complaints have fallen overall, and this is noticeable in a number of key areas, with repair issues still comprising the highest volume. Historically, seasonal variance has seen a rise in repairs complaints throughout winter. The severity of last winter resulted in a large increase of calls and extra demand on the resources of contractors. Correspondingly, during this period our then repairs contractors were working their notice, with a new contactor commencing work on 1st April. The combination of these resulted in underperformance and subsequently THH saw an increase in official complaints.

STAGE 3 COMPLAINTS

| Stage 3 Complaints Response Times | | | | | | |
|-----------------------------------|----------------|-------------------|-----|----------------------------|-----|-------------------------------|
| Financial Year | Total Answered | Completed in Time | | Answered outside timescale | | Average response times (days) |
| 2009/10 | 184 | 137 | 74% | 47 | 26% | 17.82 |
| 2010/11 | 129 | 109 | 84% | 20 | 16% | 16.78 |

Figure 2.12

2.4.1 The volume of complaints reaching stage 3 also the escalation rates from stage 1 to stage 3 has fallen from 8% in 2009/10 to 6% in 2010/11. The percentage completed in time has risen to 84%.

| Comparison of Stage 3 Complaints | | | | | | | | | |
|----------------------------------|-------|------------|-----|------------------|-----|--------|-----|--------------------------|----|
| | Total | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn or Referred On | |
| 01/04/2009 31/03/2010 | 184 | 113 | 61% | 41 | 22% | 27 | 15% | 3 | 2% |
| 01/04/2010 31/03/2011 | 129 | 78 | 60% | 21 | 16% | 26 | 20% | 4 | 35 |

Figure2.13

2.4.2 There are a number of issues that are only considered at the final stage of the corporate complaints procedure, and in this sense the procedure is used as a final appeal. Stage 3 Estate Parking complaints are in essence a final stage appeal against vehicle removal. Challenges to Freedom of Information requests are also considered at stage 3.

2.4.3 When considering the proportion of complaints upheld, (or upheld in some part) there is little movement between the years. Figure 2.14 below takes a closed look at where the greatest increases fell by service, as well as the greatest decreases. The fall in estate parking complaints accounts for the overall change in volume (and indeed was the reason for the increase in the previous year).

Biggest Changes by Service Issues of Stage 3 Complaints

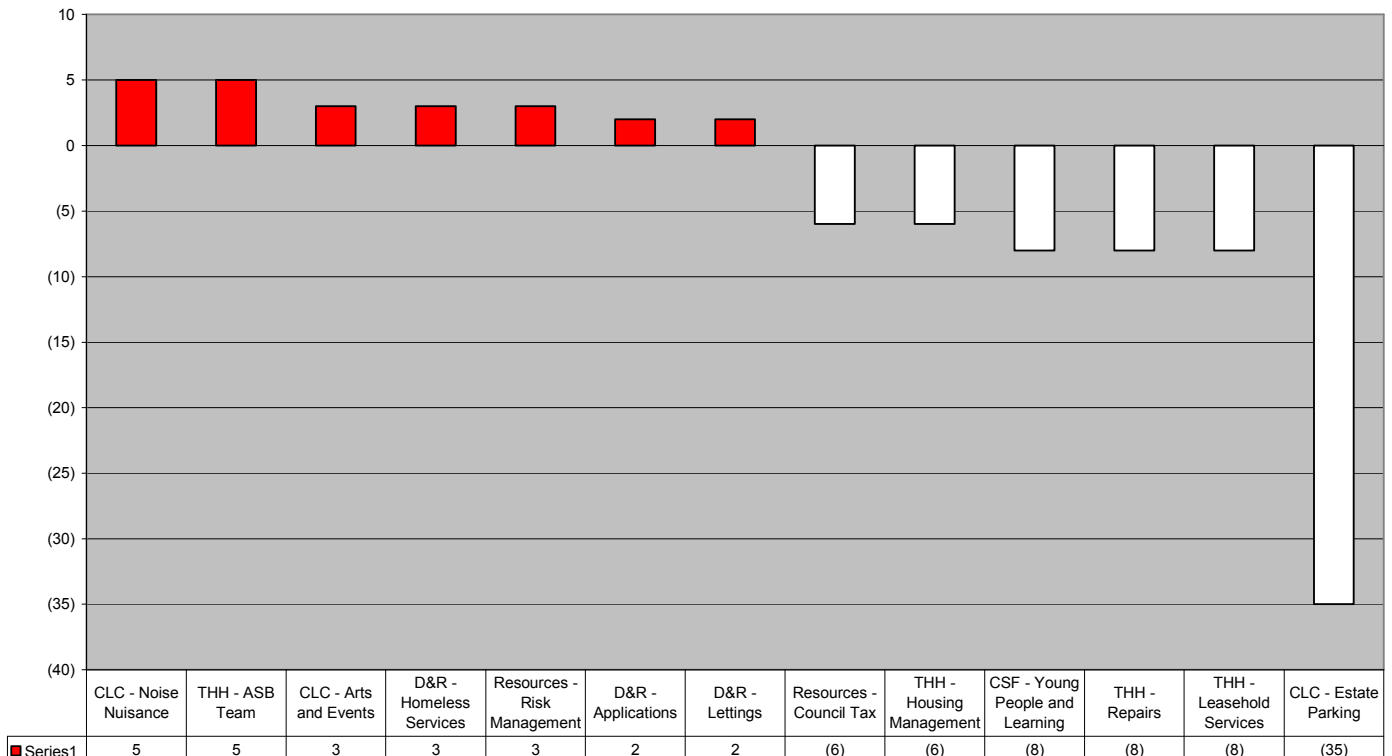


Figure 2.14

2.4.4 A summary of compensation paid past three years is shown in below.

| | Number of stage 3 cases warranting compensation | Total value of Compensation |
|---------|---|-----------------------------|
| 2010/11 | 15 | £4,455 |
| 2009/10 | 30 | £5,345 |
| 2008/09 | 14 | £3,390 |

Figure2.15

2.4.5 Of the £4,455 compensation paid in 2010/11, £510 was in refunds for estate parking fees, £3,050 for repairs (6 cases with the largest payment being £2,000), £250 for delay in handling ASB and £500 for a delay in correctly assessing and providing temporary accommodation in a homeless case.

2.4.6 Summary of Key Issues in Stage 3 Complaints Upheld.

In two Freedom of Information Reviews, information previously refused was provided.

Three issues of noise nuisance and Antisocial Behaviour were addressed and the process for progressing Noise Abatement notices was revised.

The collection schedule for Domestic Waste collection was revised to ensure collection at a property and three Estate Parking Appeals resulted in the fees being refunded.

One Homeless Applicant was offered £500 in compensation as an offer of accommodation was delayed. Another applicant was not offered assistance with storing his belongings, although the impact of this is still being assessed.

A delay occurred in verifying key information that would have avoided any misunderstanding when assessing eligibility for Cash Incentive Scheme.

In a number of cases there was delay in progressing repairs to domestic properties, communal areas and lifts. The contract administrator was changed as a result of a complaint regarding major works and this enabled the project to continue satisfactorily.

2.5 COMPLAINTS SERVICE USER PROFILES

2.5.1 The service can be accessed by email, in person, minicom, phone, post, and web-form. A breakdown of access methods is provided in Figure 2.16 below.

| Breakdown of how complaints are received | | | | |
|---|----------------|-----|----------------|-----|
| Stage 1 | 2009/10 | | 2010/11 | |
| Phone | 912 | 40% | 966 | 43% |
| In Person | 10 | 0% | 11 | 0% |
| Post | 353 | 15% | 270 | 12% |
| Email | 755 | 33% | 816 | 37% |
| Web | 262 | 11% | 164 | 7% |
| Total Complaints | 2292 | | 2227 | |
| Stage 2 | 2009/10 | | 2010/11 | |
| Phone | 103 | 29% | 62 | 20% |
| In Person | 6 | 2% | 3 | 1% |
| Post | 106 | 29% | 65 | 21% |
| Email | 138 | 38% | 177 | 57% |
| Web | 8 | 2% | 5 | 2% |
| Total Complaints | 361 | | 312 | |
| Stage 3 | 2009/10 | | 2010/11 | |
| Phone | 10 | 5% | 2 | 2% |
| In Person | 2 | 1% | 1 | 1% |
| Post | 94 | 51% | 46 | 36% |
| Email | 75 | 41% | 79 | 61% |
| Web | 3 | 2% | 1 | 1% |
| Total Complaints | 184 | | 129 | |

Figure 2.16

2.5.2 Web form and email submissions increased to 44% of the total volume, with phone contact remaining at 43% and, although still a significant access route, postal contact falling to 12%. At the later stages of the procedure, there is more contact in writing, predominately by email 61%, and 36% by post.

2.5.3 The team try to collect equalities data to follow trends and analyse the impact of services on sectors of the community. Collection rates vary and although they are increasing year on year for most strands, the percentage known is not yet high enough to allow meaningful analysis for some strands (e.g. Religion and Sexual Orientation).

| % of data known for each equalities strand | 2008/09 | 2009/10 | 2010/11 |
|--|---------|---------|---------|
| Age | 36% | 41% | 46% |
| Disability | 40% | 44% | 47% |
| Ethnicity | 55% | 61% | 65% |
| Gender | 99% | 100% | 100% |
| Religion | 22% | 32% | 32% |
| Sexual Orientation | 13% | 23% | 28% |

Figure 2.17

| Stage 1 Complaints by Ethnicity | | | | | |
|---------------------------------|-------------|-----|--------------------|-------------|--------|
| | 2009/10 | | Borough Projection | 2010/11 | |
| Asian | 466 | 20% | 36.6% | 625 | 28.06% |
| Black | 90 | 4% | 6% | 111 | 4.98% |
| Mixed /Dual Heritage | 28 | 1% | | 15 | 0.67% |
| White | 683 | 30% | 51% | 698 | 31.34% |
| Other | 16 | 1% | | 8 | 0.36% |
| Declined | 175 | 8% | | 129 | 5.79% |
| Not Known | 834 | 36% | | 641 | 28.78% |
| Total Stage 1 Complaints | 2292 | | | 2227 | |

Figure2.18

2.5.4 Overall the volume of complaints where ethnicity is known does not vary significantly from the projected Borough population.

| Complaints by Gender 2010/11 | | | | | | |
|------------------------------|-------------|-------|------------|-------|------------|-------|
| | Stage 1 | | Stage 2 | | Stage 3 | |
| Female | 1054 | 47.3% | 120 | 38.5% | 46 | 35.7% |
| Male | 1173 | 52.7% | 192 | 61.5% | 83 | 64.3% |
| Totals | 2227 | | 312 | | 129 | |

Figure 2.19

2.5.5 It is noticeable that the proportion of male complainants taking matters through to the final stages of the complaints procedure is greater than for women.

2.5.6 .

| Stage 1 Complaints by Disability | | | | |
|---|----------------|-----|----------------|--------|
| | 2009/10 | | 2010/11 | |
| Yes | 244 | 11% | 213 | 9.56% |
| No | 764 | 33% | 825 | 37.05% |
| Declined | 192 | 8% | 177 | 7.95% |
| Not Known | 1092 | 48% | 1012 | 45.44% |
| Total Stage 1 Complaints | 2292 | | 2227 | |

Figure 2.20

| Stage 1 Complaints by Age | | | | |
|----------------------------------|----------------|-------|----------------|-------|
| | 2009/10 | | 2010/11 | |
| 12 - 19 | 16 | 0.7% | 9 | 0.4% |
| 20 - 25 | 78 | 3.4% | 76 | 3.4% |
| 23 - 35 | 0 | 0% | 5 | 0.2% |
| 26 - 34 | 231 | 10.1% | 263 | 11.8% |
| 35 - 43 | 235 | 10.3% | 252 | 11.3% |
| 36 - 45 | 0 | 0% | 1 | 0.0% |
| 44 - 52 | 153 | 6.7% | 171 | 7.7% |
| 53 - 59 | 90 | 3.9% | 93 | 4.2% |
| 56 - 64 | 0 | 0% | 1 | 0.0% |
| 60 - 64 | 48 | 2.1% | 56 | 2.5% |
| 65+ | 114 | 5.0% | 91 | 4.1% |
| Declined | 164 | 7.2% | 201 | 9.0% |
| Not Known | 1163 | 50.7% | 1008 | 45.3% |
| Total Stage 1 Complaints | 2292 | | 2227 | |

Figure 2.21

| Stage 1 Complaints by Religion | | | | |
|---------------------------------|-------------|-------|-------------|-------|
| | 2009/10 | | 2010/11 | |
| Buddhist | 5 | 0.2% | 5 | 0.2% |
| Christian | 279 | 12.2% | 204 | 9.2% |
| Hindu | 13 | 0.6% | 2 | 0.1% |
| Jewish | 11 | 0.5% | 8 | 0.4% |
| Muslim | 387 | 16.9% | 410 | 18.4% |
| Sikh | 2 | 0.1% | 6 | 0.3% |
| No Religion | 101 | 4.4% | 74 | 3.3% |
| Declined | 293 | 12.8% | 243 | 10.9% |
| Not Known | 1201 | 52.4% | 1275 | 57.3% |
| Total Stage 1 Complaints | 2292 | | 2227 | |

Figure 2.22

Stage 1 Complaints by LAP Areas

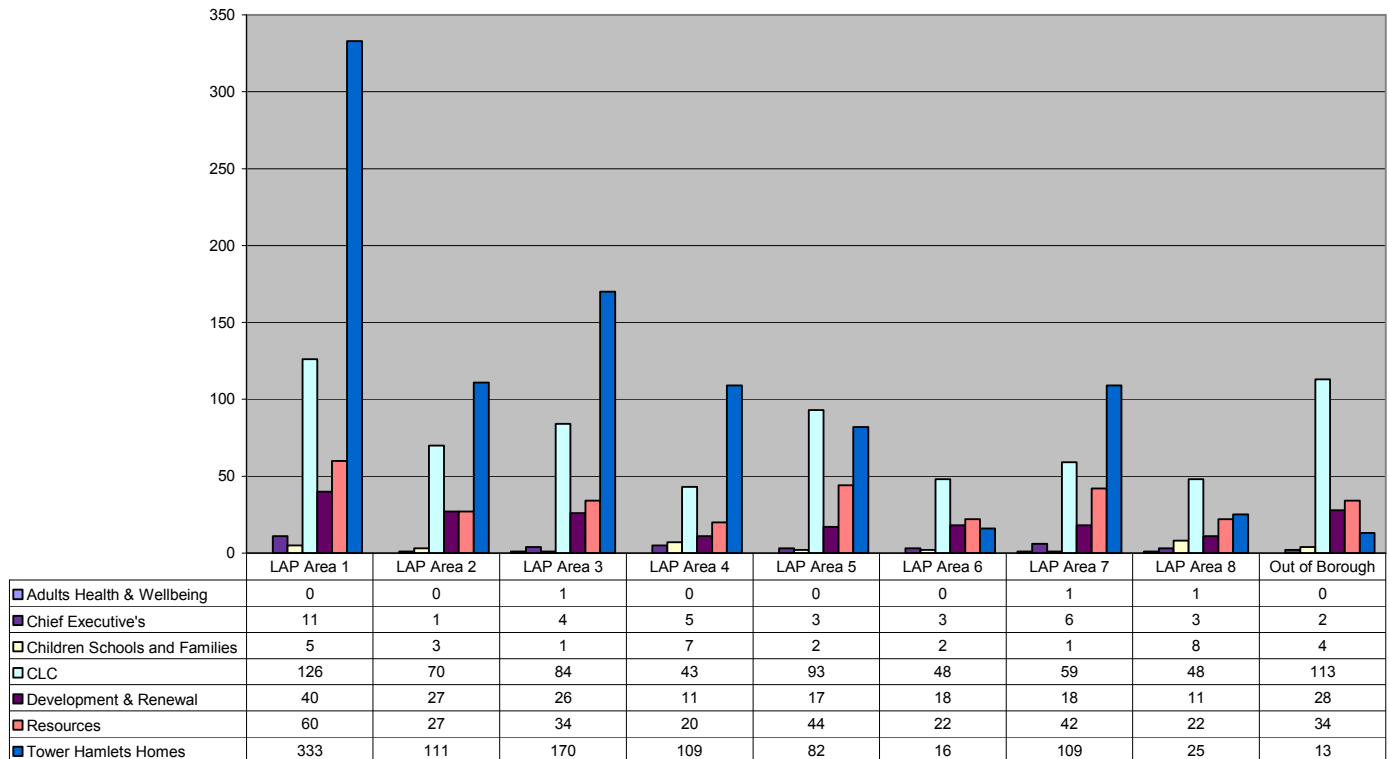


Figure 2.23

2.5.8 Figure 2.23 above shows the volume of complaints by LAP for stage 1, under each directorate. More detailed breakdowns can be provided by LAP on request, and complaints data is also provided to Members through the performance digest.

3 Adults Social Care Complaints

3.1 New Procedure

- 3.1.1 From 1 April 2009, the Council adopted an interim procedure for handling Adult Social Care Complaints to meet the changes set out in section 1.7 of this document. From September to December 2009, the Complaints Team and Adults Health and Wellbeing Quality Team conducted a review of its impact, effectiveness and ease of access and the procedure has since been ratified and a communication strategy agreed. Alongside data held on complaints considered since implementing the new procedure, a workshop was held for user and advocacy groups; individual complainants were asked for feedback; as were staff, to inform the review.
- 3.1.2 User groups, advocacy and support groups provided important insights to access issues and the complaints team is maintaining regular contact to ensure that there is an effective dialogue to maximise access and confidence.
- 3.1.3 The legislation sets out a requirement to cooperate and coordinate responses for issues that may overlap with Health services. In a successful joint venture with the PCT, joint publicity materials have been produced and distributed throughout the borough.
- 3.1.4 Some matters will always be raised direct with the service and resolved without recourse to a formal complaint procedure. In order to capture important data from these interactions, we have produced a proforma for services to hold their records. Use of this method of recording has increased over the year and data is intended to be used in future reports.
- 3.1.5 The new procedure allows one stage of investigation only, although the form this takes is agreed in the light of the issues raised. Over the year, 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.
- 3.1.6 Table 3.1 below compares the year on year volumes and although a rise in complaints is shown, the volumes in 2009/10 were exceptionally low. The change in focus to early resolution also encourages staff immediately involved an impetus to work through issues in advance of any formal complaint being received.

| Volume of Adult Social Care Complaints | | | | | |
|--|-----------|--|-----------|-----------|------------|
| | 2009/10 | | 2010/11 | | Variance |
| | 23 | | 37 | 14 | 61% |
| Total Complaints | 23 | | 37 | 14 | 61% |

Figure 3.1

| Adults Social Care Complaints - By Performance | | | | | | | | | | | | |
|--|--------|------------------------|-----|------------------------|-----|------------------------|-----|------------------------|----|------------------------|----|--------------------------|
| Complaints Answered | Totals | Within 10 working days | | Within 20 working days | | Within 30 Working Days | | Within 40 Working Days | | Within 50 Working Days | | Average Days to Complete |
| | | | | | | | | | | | | |
| 2009/10 | 23 | 11 | 48% | 9 | 39% | 2 | 9% | 0 | 0% | 1 | 4% | 13 |
| 2010/11 | 37 | 15 | 41% | 14 | 38% | 5 | 14% | 3 | 8% | 0 | 0% | 15 |

Figure 3.2

3.1.7 The new procedure also does not set timescales for completion, and this is agreed at the onset of each case. In order to provide monitoring information we are capturing data of complaints closed within 10 working day brackets. Table 3.2 indicates that 29 complaints were completed in less than 20 working days (79%). In 2010/11, all complaints were completed within 40 working days.

| Adults Social Care Complaints by Division | | | | | | | | | | | | | | |
|---|-----------|-----------|------------|-----------|-------------|-----------|------------|----------|------------------|-----------|------------|----------|--------------------------|--|
| | 2009/10 | | Variance | | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn or Referred On | |
| Commissioning Services | 1 | 1 | 100% | 2 | 5% | 1 | 50% | 1 | 50% | 0 | 0% | 0 | 0% | |
| Disability and Health | 1 | 9 | 900% | 10 | 27% | 6 | 60% | 2 | 20% | 2 | 20% | 0 | 0% | |
| Elders | 9 | 6 | 67% | 15 | 41% | 9 | 60% | 1 | 7% | 4 | 27% | 1 | 7% | |
| Learning Disabilities | 2 | 0 | 0% | 2 | 5% | 1 | 50% | 0 | 0% | 1 | 50% | 0 | 0% | |
| OT Services | 7 | -1 | -14% | 6 | 16% | 1 | 17% | 3 | 50% | 2 | 33% | 0 | 0% | |
| Resources | 3 | -1 | -33% | 2 | 5% | 0 | 0% | 1 | 50% | 1 | 50% | 0 | 0% | |
| Totals | 23 | 14 | 61% | 37 | 100% | 18 | 49% | 8 | 22% | 10 | 27% | 1 | 3% | |

Figure 33

3.2 Reason For Complaints

3.2.1 The number of complaints challenging assessment decisions rose in 2010/11. Complaints concerning delay or service failure rose and this requires close attention to ensure that

assessed needs are being met. The key issues addressed are summarised in section 3.4 below.

| Adults Social Care Complaints by Reason | | | | | | | | | | | | | | |
|---|-----------|-----------|------------|-----------|-------------|-----------|------------|------------|------------|------------------|------------|----------|-----------|--------------------------|
| | 2009/10 | | | Variance | | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn or Referred On |
| | | | | | | | | | | | | | | |
| Challenge Assessment Decision | 8 | 5 | 63% | 13 | 35% | 8 | 62% | 2 | 15% | 3 | 23% | 0 | 0% | |
| Conduct / Competence | 10 | 0 | 0% | 10 | 27% | 4 | 40% | 3 | 30% | 3 | 30% | 0 | 0% | |
| Diss. of Policy/ Procedure | 1 | -1 | 100% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | |
| Records / Info Held | 1 | -1 | 100% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | |
| Service Delay / Failure | 3 | 10 | 333% | 13 | 35% | 5 | 38% | 3 | 23% | 4 | 31% | 1 | 8% | |
| Service Quality | 0 | 1 | 0% | 1 | 3% | 1 | 100% | 0 | 0% | 0 | 0% | 0 | 0% | |
| Totals | 23 | 14 | 61% | 37 | 100% | 18 | 49% | 8 | 22% | 10 | 27% | 1 | 3% | |

Figure 3.4

3.3 Access and Profiles

3.3.1 People making Social Care complaints by telephone has fallen from 54% to 14%, although it appears to be that initial phone calls are backed up by email or letter.

| Breakdown of how Adults Social Care Complaints are received | | | | |
|---|-----------|-----|-----------|-----|
| How Received | 2008/09 | | 2009/10 | |
| Email | 5 | 9% | 8 | 29% |
| Fax | 0 | 0% | 1 | 4% |
| In Person | 1 | 2% | 3 | 11% |
| Phone | 31 | 54% | 4 | 14% |
| Post | 20 | 35% | 12 | 43% |
| Total Complaints | 57 | | 28 | |

Figure 3.5

3.3.2 Figure 3.6 below indicates that there is a slight under-representation of Asian service users making complaints. However, there were no issues of discrimination reported.

| Adults Social Care Complaints - By Ethnicity | | | | |
|---|---------------------------|-----|---------------------------|-----|
| | Complaints 2009/10 | | Complaints 2010/11 | |
| Asian | 3 | 13% | 6 | 16% |
| Black | 2 | 9% | 6 | 16% |
| Not Known | 4 | 17% | 5 | 14% |
| White | 14 | 61% | 20 | 54% |
| Totals | 23 | | 37 | |

Figure 3.6

3.4 Summary of key issues in upheld cases

Compensation was offered after entry was forced into a service user's home due to concerns regarding his safety, when further checks could have provided reassurance.

Problems with withdrawal of service and progressing direct payment led to a payment of £1,750 compensation.

In a further three cases care was increased or continued for a longer period following a complaint, to facilitate re-enablement.

Additional training was requested to enable home care workers to deal appropriately with difficult situations.

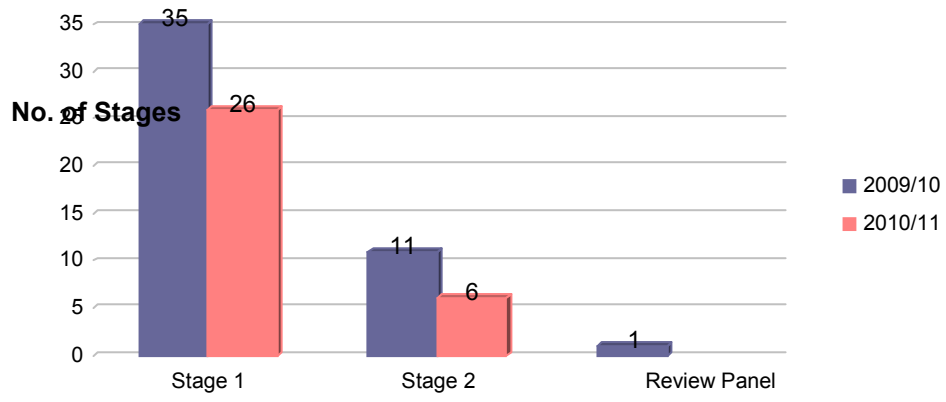
4 Children's Social Care Complaints

4.1 Complaint Volumes

4.1.1 Children's Social Care retains a three stage procedure, and complaint volumes fell in 2010/11.

| Volume of Children's Social Care Complaints | | | | |
|--|----------------|----------------|-----------------|-------------|
| Year | 2009/10 | 2010/11 | Variance | |
| Stage 1 | 35 | 26 | -9 | -26% |
| Stage 2 | 11 | 6 | -5 | -45% |
| Review Panel | 1 | | -1 | -100% |
| Total Complaints | 47 | 32 | -13 | -28% |

Figure 4.1



4.2 Complaint Response Times

| Stage 1 Children's Social Care Complaints - By Performance | | | | | | | | |
|--|-------|---------------------------------|-----|---------------------------------|-----|----------------------------|-----|-------------------------------|
| | Total | Answered within 10 working days | | Answered within 20 working days | | Answered outside timescale | | Average response times (days) |
| 2009/10 | 35 | 21 | 60% | 31 | 89% | 4 | 11% | 8 |
| 2010/11 | 26 | 16 | 62% | 23 | 88% | 3 | 12% | 7 |

Figure 4.2

4.2.1 The above table (figure 4.2) shows that 62% of Stage 1 complaints in Children's Social Care were answered within the 10 working day time scale, and 88% completed in the extended times scale. Three complaints were answered outside of the timescales. However the overall response rate improved to an average of 7 working days.

4.2.2 The Complaints Team aims to respond to 15% of stage 2 complaints with 25 working days and to 80% within 65 working days. Figure 4.3 shows that on 33% of complaints were completed within the 65 working day deadline..

| Stage 2 Children Schools and Families Social Care Complaints - By Performance | | | | | | | | |
|---|-------|---------------------------------|----|---------------------------------|-----|----------------------------|-----|-------------------------------|
| | Total | Answered within 25 working days | | Answered within 65 working days | | Answered outside timescale | | Average response times (days) |
| 2009/10 | 11 | 1 | 8% | 7 | 58% | 4 | 33% | 63 |
| 2010/11 | 6 | 0 | 0% | 2 | 33% | 4 | 67% | 71 |

Figure 4.3

4.2.3. It should be noted that complaints in Children's Social Care are often complex and the regulations require the local authority to appoint and independent person to oversee the investigation. However, the Complaints Team continue to strive to improve this performance and work closely with the Children's Rights Officer to ensure effective liaison with the young person.

4.3 Reason for Complaint

| Stage 1 Children's Social Care Complaints by Section | | | | | | | | | | | | | | |
|--|---------|----|----------|----|---------|---|------------|---|------------------|---|--------|---|--------------------------|--|
| | 2009/10 | | Variance | | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn or Referred On | |
| | | | | | | | | | | | | | | |
| Children Looked After & Leaving Care | 5 | 4 | 80% | 9 | 35% | 3 | 33% | 4 | 44% | 2 | 22% | 0 | 0% | |
| Children's EDT | 1 | -1 | -100% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | |
| Children's Resources | 5 | 1 | 20% | 6 | 23% | 3 | 50% | 1 | 17% | 1 | 17% | 1 | 17% | |
| Fieldwork Services | 21 | - | -52% | 10 | 38% | 8 | 80% | 1 | 10% | 1 | 10% | 0 | 0% | |
| Integrated .Services Children Disability | 3 | -2 | -67% | 1 | 4% | 0 | 0% | 1 | 100% | 0 | 0% | 0 | 0% | |

| Stage 2 Children's Social Care Complaints by Section | | | | | | | | | | | | | | |
|--|---------|---|----------|---|---------|---|------------|---|------------------|---|--------|---|--------------------------|--|
| | 2009/10 | | Variance | | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn or Referred On | |
| | | | | | | | | | | | | | | |
| Children Looked After & Leaving Care | 0 | 1 | | 1 | 17% | 0 | 0% | 0 | 0% | 1 | 100% | 0 | 0% | |
| Children's EDT | 1 | - | -100% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% | |
| Children's Resources | 2 | 0 | 0% | 2 | 33% | 0 | 0% | 2 | 100% | 0 | 0% | 0 | 0% | |
| Fieldwork Services | 8 | 5 | -63% | 3 | 50% | 0 | 0% | 2 | 67% | 1 | 33% | 0 | 0% | |

Figure 4.4

- 4.3.1 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.
- 4.3.2 Section 4.5 contains a summary of the key issues upheld.
- 4.3.3 Figure 4.5 indicates that the highest number of complaints in Children's Social Care remains "challenging assessments decisions" which may result in re-assessment, if it is found that there were issues in the original assessment process.

| Stage 1 Children's Social Care Complaints by Reason | | | | | | | | | | | | | | |
|---|-----------|-----------|-------------|-----------|-------------|-----------|-------------|----------|------------------|----------|------------|----------|--------------------------|--|
| | 2009/10 | | Variance | | 2010/11 | | Not Upheld | | Partially Upheld | | Upheld | | Withdrawn or Referred On | |
| | | | | | | | | | | | | | | |
| Alleged Discrimination | 0 | 1 | 0% | 1 | 4% | 1 | 100% | 0 | 0% | 0 | 0% | 0 | 0% | |
| Challenge Assessment Decision | 21 | 12 | -57% | 9 | 35% | 5 | 56% | 3 | 33% | 1 | 11% | 0 | 0% | |
| Conduct / Competence | 9 | -1 | -11% | 8 | 31% | 5 | 63% | 2 | 25% | 1 | 13% | 0 | 0% | |
| Service Delay / Failure | 5 | -1 | -20% | 4 | 15% | 2 | 50% | 0 | 0% | 1 | 25% | 1 | 25% | |
| Service Quality | 0 | 4 | 0% | 4 | 15% | 1 | 25% | 2 | 50% | 1 | 25% | 0 | 0% | |
| Total Stage 1 Complaints | 35 | -9 | -26% | 26 | 100% | 14 | 54% | 7 | 27% | 4 | 15% | 1 | 4% | |

Figure 4.5

4.4 Service User Profiles

| Stage 1 Children's Social Care Complaints - By Ethnicity | | | | |
|--|--------------------|-----|--------------------|-----|
| | Complaints 2009/10 | | Complaints 2010/11 | |
| | | | | |
| Asian | 10 | 29% | 3 | 12% |
| Black | 7 | 20% | 4 | 15% |
| Mixed /Dual Heritage | 3 | 9% | 0 | 0% |
| White | 13 | 37% | 17 | 65% |
| Other | 0 | 0% | 1 | 4% |
| Not Known | 2 | 6% | 1 | 4% |
| Total Stage 1 Complaints | 35 | | 26 | |

Figure 4.6

4.4.1 Figure 4.6 shows the number of those receiving a service by ethnicity and the volumes of complaints for each group. The volumes are low and there have been no indications that the complaints have been made following an experience of discrimination.

4.5 Summary of key issues in upheld complaints.

The adoption and pre-adoption training policies were updated following service user feedback. Also a decision was taken to introduce formal recording of family finding meetings which could be shared with all participants.

In two cases, arrangements for familial contact with a child looked after were improved, and in one case the return of a young person to the parental home identified areas of poor communication with the young person.

A number of other cases concerned communication and handling confidential information.

A longstanding dispute regarding the award of foster care allowance was resolved by agreement to re-assess the carers' finances.

5 LOCAL GOVERNMENT OMBUDSMAN (LGO) COMPLAINTS

5.1 Set out below are details of the complaints closed by the Ombudsman in 2009/10, their findings and the Council's response times to new enquiries.

5.2 Complaints Closed by the Ombudsman.

Ombudsman Decisions

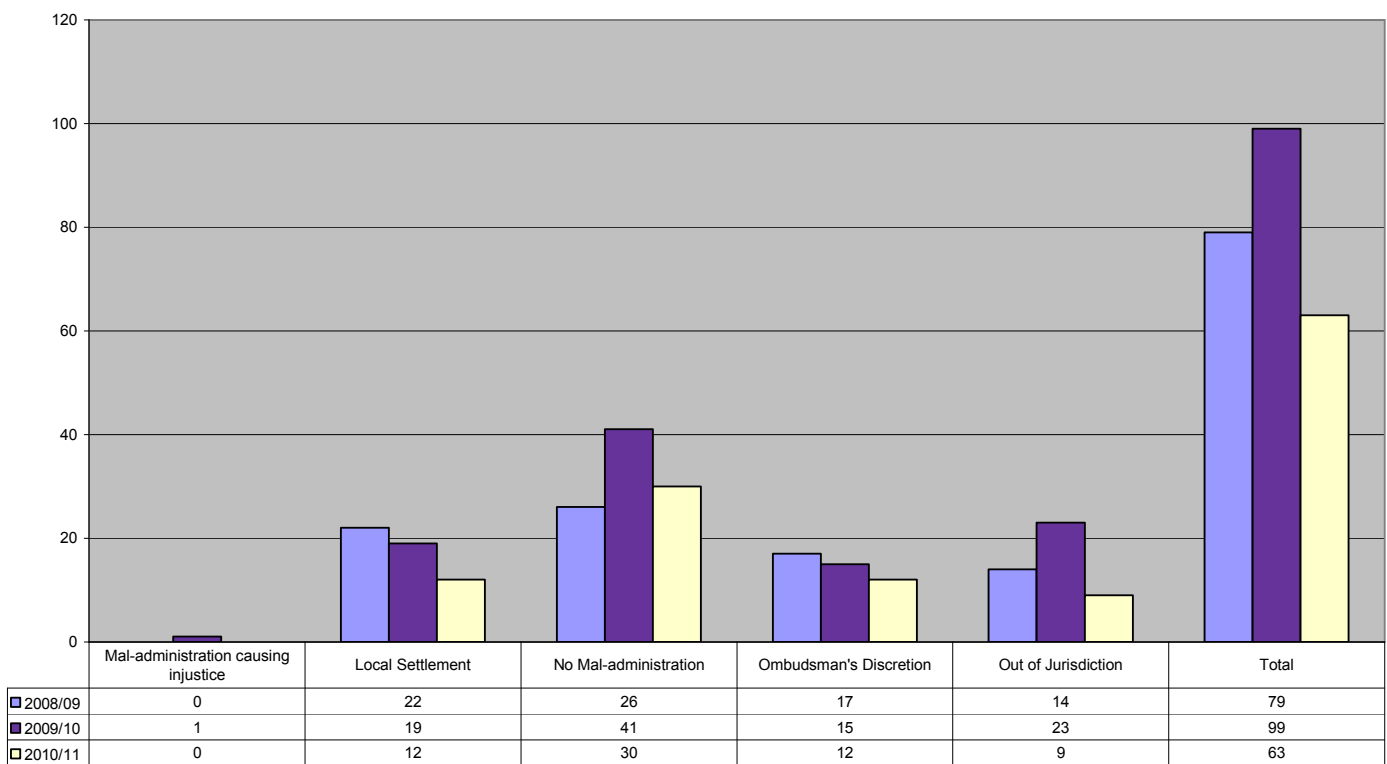


Figure 5.1

5.2.1 Set out in Figure 5.1 above is the volume of complaints closed by decision. No formal reports were issued this year. Local Settlements are agreed where there is some indication of fault, or where a compromise might promote a positive relationship, and fewer Local Settlements were agreed than in previous years. Details are reported at section 5.3.

5.2.2 Figures 5.2 below and 5.3 overleaf show local settlements by directorate, and by directorate and division respectively. It is rare for a service to experience more than one settlement, indicating that errors are usually one off rather than systemic faults.

5.2.3 Tower Hamlets Homes have seen a strong improvement in the number of complaints settled.

Ombudsmen Local Settlements by Directorate

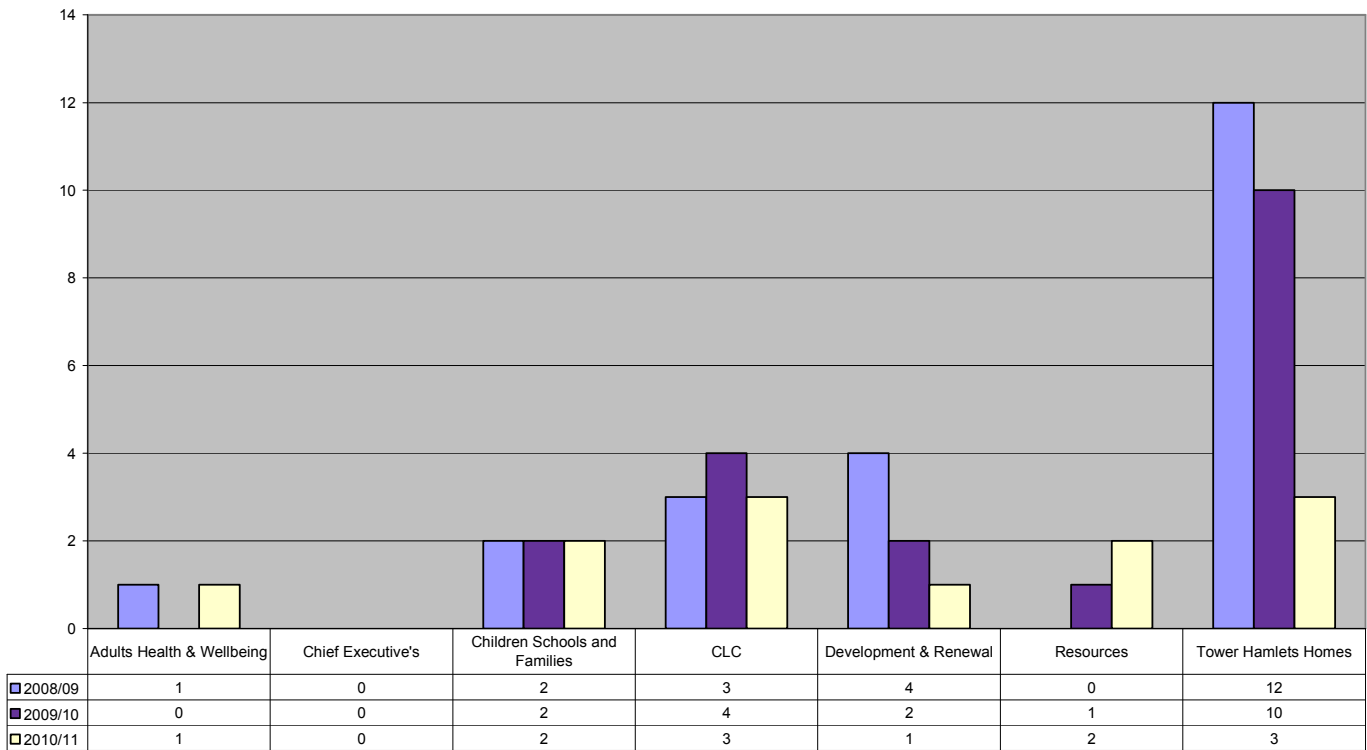


Figure 5.2

Ombudsmen Local Settlements by Service Issue

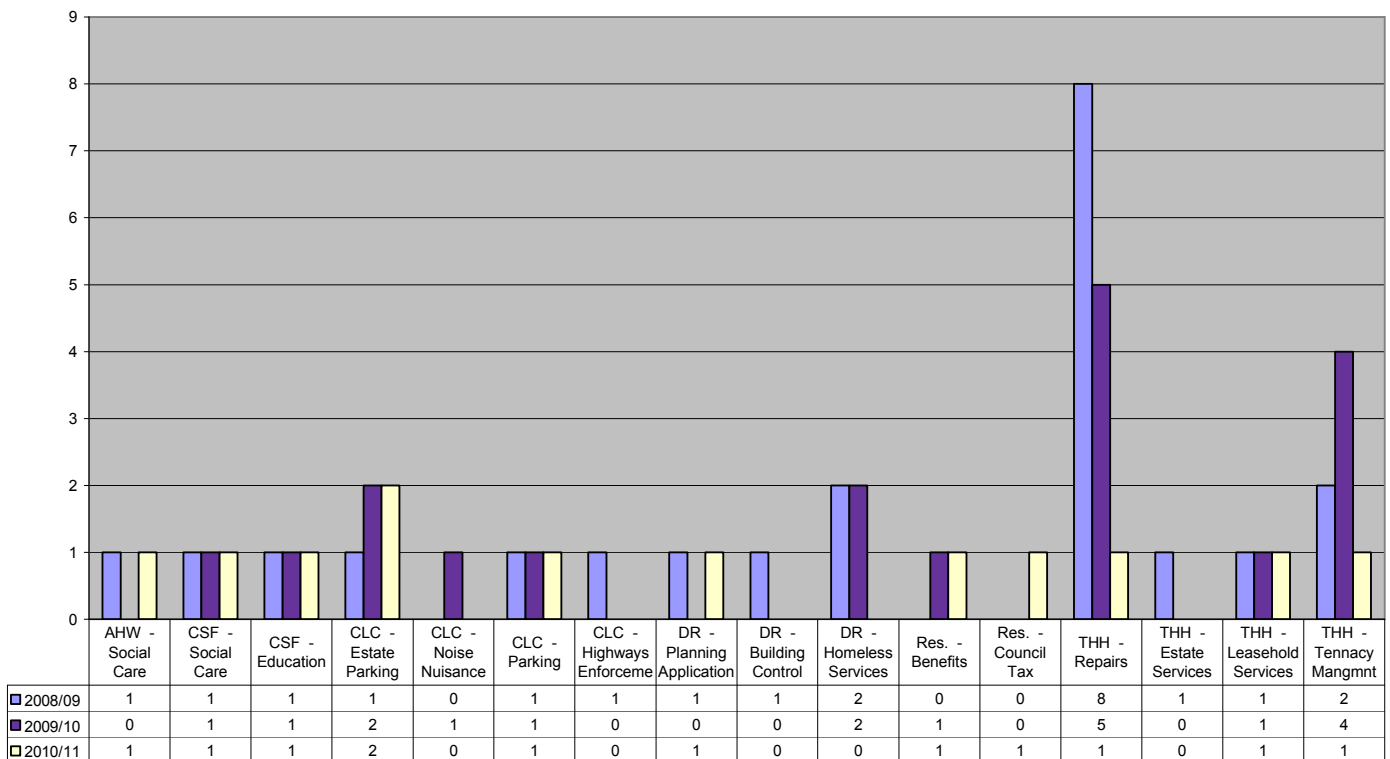


Figure 5.3

5.2.4 Summary of Local Settlements and Finding of Maladministration

A total of £2,550 was paid in compensation during 2010/11 across 9 of the 12 Local Settlements. In 2009/10, £5,650 was paid over 18 Local Settlements, and in 2008/09, £5,600 was paid in compensation across 21 Local Settlements.

A child was re-instated on the school role after errors were identified in the school's administration of the removal.

In a complex Right to Buy case £500 was paid due to incorrect assessment of eligibility, and delay to progress the application.

Parking Penalty Charge Notice stationary has been updated to improve the wording regarding appeals and payment.

In one cases of ASB action was taken to progress the cases and compensation of £300 offered for delay.

In two other Housing cases, one resident was awarded £100 for time and trouble because of the delay in obtaining a refund of Service Charges, and another £150 for time and trouble as their correspondence was not addressed satisfactorily.

For Estate Parking Appeals, two complainants were refunded the removal fee.

5.3 Response times

5.3.1 The Ombudsman maintains statistics of the time taken for the first response from the initial enquiry, which are published nationally. Tower Hamlets is consistently one of the better performing London Boroughs, responding well under the Ombudsman's 28 day target.

| Response Times | | |
|----------------|-----------------------|-------------------------------|
| | No of First Enquiries | Average no of days to respond |
| 2007/08 | 50 | 16.2 |
| 2008/09 | 50 | 19.3 |
| 2009/10 | 56 | 19.6 |
| 2010/11 | 38 | 19.1 |

Figure 5.4

5.3.2 The prompt turn-around time is usually reflected in all directorates, although there have been a few more delayed cases this year and performance can improve in some directorates.

5.3.3 The Local Government Ombudsman's Annual Review will follow.

6 RISK ASSESSMENT

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

| Project / Issue | Pen Picture | Value £m's | Risks / Comments |
|------------------------|---|---|--|
| Complaints handling | The complaints procedures are explained in sections 2, 3 and 4 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. |
| Probability | Impact | Recommended Mitigating Action | Risk Owner |
| 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 Quality Standards Accreditation

Having previously achieved British Standards Institute Accreditation for Complaints Handling [CMS 86:2000] in March 2005 and the revised higher ISO 10002 accreditation in 2007, the Complaints Service has held accreditation to the Customer Service Excellence standard since 2009.

7.2 Staff Training and Development.

The Complaints Team 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. To this end the team is engaging with community groups to promote access and have joint publicity with NHS partners for social care.

7.5 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 Team 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.

7.6 Equalities Monitoring

Issues and concerns on equalities issues are explored on an individual case basis, in revising policy and in 2010/11 the service conducted further Equalities Impact Assessments and has a detailed plan to improve access.