



Haverling

LONDON BOROUGH

ADJUDICATION AND REVIEW COMMITTEE AGENDA

7.00 pm	Wednesday 22 August 2018	Town Hall
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Members 8: Quorum 4

COUNCILLORS:

**Conservative Group
(4)**

Ray Best (Vice-
Chair)
Timothy Ryan (Vice-
Chair)
Maggie Themistocli
(Chairman)
Joshua Chapman

**Residents' Group
(1)**

Ray Morgon

**Upminster &
Cranham
Residents' Group
(1)**

Gillian Ford

**Independent
Residents' Group
(1)**

Jeffrey Tucker

**Labour Group
(1)**

Denis O'Flynn

**For information about the meeting please contact:
Richard Cursons Tel: 01708 432430
e-mail:richard.cursons@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

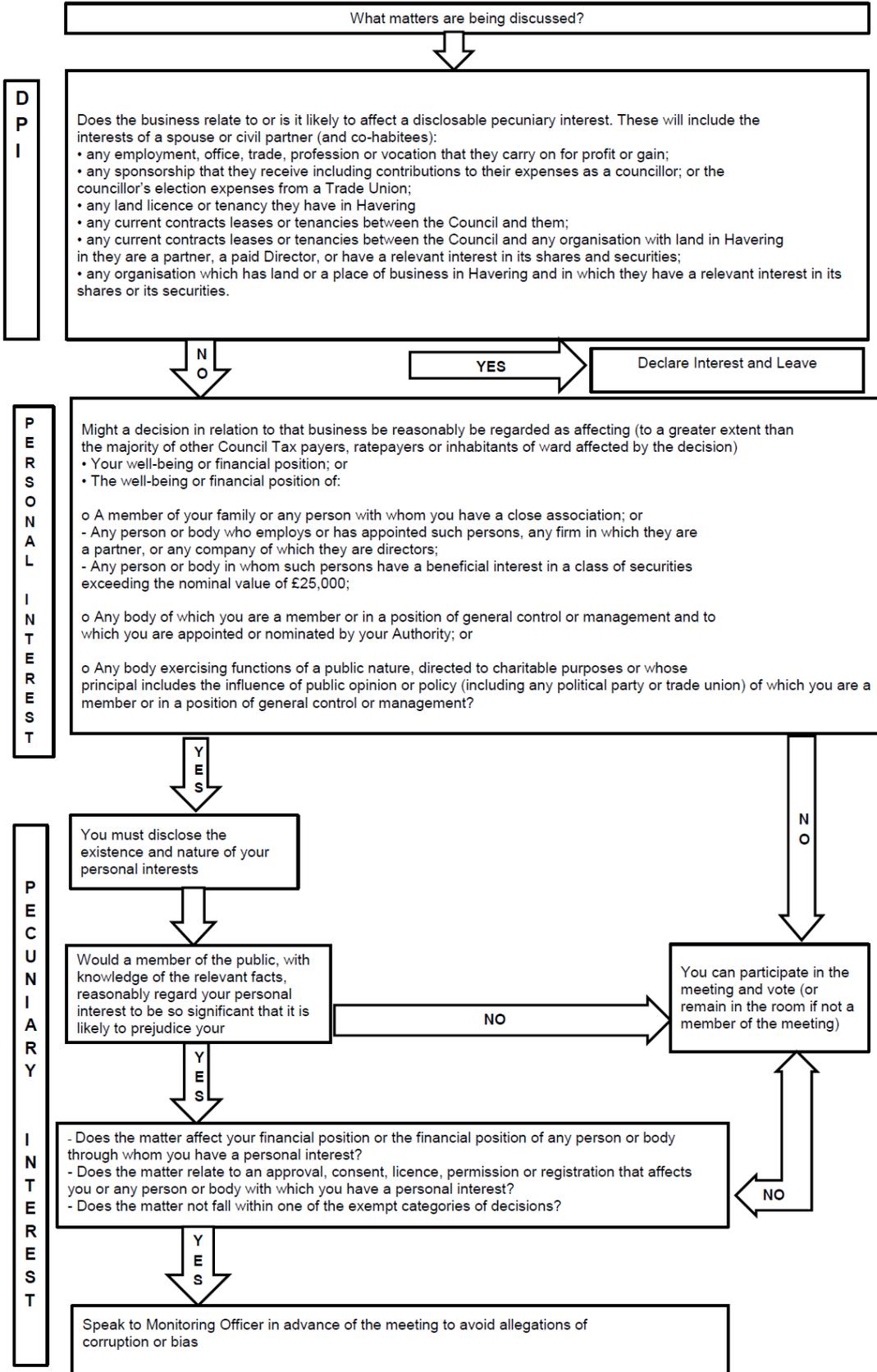
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(if any) – receive.

3 DECLARATIONS OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting of the Committee held on 20 February 2018 and to authorise the Chairman to sign them.

5 UPDATE ON CORPORATE COMPLAINTS (Pages 7 - 24)

6 UPDATE ON PERFORMANCE WITH MEMBER ENQUIRIES (Pages 25 - 32)

7 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN'S ANNUAL REVIEW LETTER 2017/18 (Pages 33 - 46)

Andrew Beesley
Head of Democratic Services

**MINUTES OF A MEETING OF THE
ADJUDICATION AND REVIEW COMMITTEE
Town Hall
20 February 2018 (7.00 - 8.30 pm)**

Present:

COUNCILLORS

Conservative Group Roger Westwood (Vice-Chair) and Joshua Chapman

Residents' Group +Ray Morgon

**East Havering
Residents' Group** Alex Donald and Gillian Ford

UKIP Group David Johnson

**Independent Residents
Group** Michael Deon Burton

Apologies were received for the absence of Councillors Garry Pain and Meg Davis.

+Substitute members: Councillor Ray Morgon (for Councillor Barbara Matthews)

All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

14 DECLARATIONS OF INTERESTS

There were no declarations made at the meeting.

15 MINUTES

The minutes of the meeting held on 23 November 2017 were agreed as a correct record and signed by the Chairman.

16 UPDATE ON CORPORATE COMPLAINTS

The Committee considered a report which provided an update on complaint handling performance across all Council services.

The Council received 362 Stage 1 complaints during the period October to December 2017. 91% of them (330) were responded to within 15 days. A slight decrease compared to Quarter 2 performance of 92%

The council received 76 requests for escalation to Stage 2 of the process, 90% (68) of them dealt with within 20 days. A slight dip in performance compared to Quarter 2 performance of 96%. This was due to a number of complex complaints which covered a long time span and the depth to which the investigations were taken.

This equated to an escalation request rate of 21% however, this was reduced to 5.5% when considering the number of cases that were not escalated to Stage 2.

Appended to the report was a breakdown of cases that had been audited during quarter 3. The aim was to audit approximately ten percent of the total number of complaints received. Members noted that following an improvement in quarter 2 there had been a slip across all services during the period October to December 2017.

Also appended were details of decisions that had been taken by Local Government and Housing Ombudsmen. During quarter 3 twenty decisions had been taken.

There was consensus amongst Members that whilst the statistics were useful there needed to be more information in the narrative that explained what was working well and what was not working so well. It was felt that overview and scrutiny be used to assist with this.

The Committee **RESOLVED** to note as follows:

- The Corporate Complaints Performance Statistics for Quarter 3
- The results following the Quarter 3 Audit of complaints
- Decisions made by both the Local Government and Housing Ombudsmen throughout the quarter.

17 **UPDATE ON PERFORMANCE ON MEMBER ENQUIRIES**

The Committee considered a report that provided an update on Member Enquiries handling performance across all the Council's services.

The 3rd quarter performance statistics for all Member Enquiries was appended to the report.

Members made 727 enquiries of Services during the period October to December 2017. 98% of them (714) were responded to within time; compared to the previous Quarter when 926 enquiries were received and 904 responded to within time.

For the same period in the previous year, 2016, 768 were received and 744 (97%) were dealt with in time.

Members again re-iterated the point made at the last meeting of the Committee that it was felt that the number of Members/MP Enquiries data presented was not an accurate reflection as often Members approached officers directly which by-passed the CRM process. It was agreed that generic email addresses for services could be given to Members after the forthcoming local elections thus making it easier for officers to provide more accurate data in future.

The Committee **RESOLVED** to note the Member Enquiries Statistics for Quarter 3.

18 **ADULT SOCIAL CARE COMPLAINTS ANNUAL REPORT**

The Committee considered a report that provided an update on Adult Social Care complaints

Appended to the report for Members consideration was a breakdown of complaints, enquiries, compliments and Members correspondence.

Adult Social Care had seen an increase in the number of complaints in 2016/17 of 30% from 93 in 2015/16 to 121 in 2016/17, although there had been a decrease in the number of service users from 7,684 in 2015/16 to 7,519 in 2016/17. Complaints escalating to the Ombudsman, although decreased overall from 10 in 2015/16 to 8 in 2016/17, four decisions were for maladministration injustice with no penalty, which related to charging disputes.

Increases in formal and informal complaints were reflected across all teams and particularly within the community teams who had the most notable increases. The community teams, Adult Community Team (ACT) North and ACT South, went through a major relocation programme during 2016/17, moving into locality areas in partnership with North East London Foundation Trust (NELFT). This had impacted on the level of service, which was the main reason for complaint.

External provider complaints for home care and residential/nursing homes, increased slightly in 2016/17 by 19% and 11% respectively. Home care commissioned hours increased from 654,024 in 2015/16 to 711,679 in 2016/17 with the number of hours relating to home care complaints accounting for 1% of total care provided. For those within residential/nursing placements, the number of complaints accounted for 1% of the total number (1,098) using these provisions.

Members were advised that in the case of charging disputes these were now being eradicated due to more robust specific case notes being taken at the beginning of service provision which in turn lead to less disputes.

Members agreed that the appended Complaints Action plan was useful.

Members **noted** the contents of the report and the continued work in resolving and learning from complaints and the challenges faced by the service with increasing demands.

Members also **noted** the actions identified to improve services and the continued monitoring by the Service and the Complaints & Information Team to ensure these were implemented evidencing service improvements and with a view to reduce similar complaints.

Members also **noted** the positive feedback to services by way of compliments received and highlighting good practice.

19 **CHILDREN'S SERVICES COMPLAINTS ANNUAL REPORT**

The Committee considered a report that detailed the Children's Services Complaints Annual report for 2016/17. Appended to the report was information about the numbers and types of complaints handled by the Children's Service during 2016/17, as well as Members' correspondence.

Complaints increased from 74 in 2015/16 to 92 in 2016/17, with 15 of these complaints coming directly from young people, using the Mind Of my Own (MOMO) app. One Stage 1 complaint progressed to Stage 2 with no complaints progressing to Stage 3. Enquiries that fell outside the statutory process had more than doubled in 2016/17.

Members **noted** the contents of the attached report and the continued efforts made by the service to learn from complaints and enable young people to engage with the complaints process.

Members also **noted** the recommendations identified from complaints and continued monitoring of these to ensure that actions are implemented to evidence service improvements.

Members also **noted** the positive feedback to services received through compliments, highlighting good practice.

20 **EDUCATION SERVICES COMPLAINTS ANNUAL REPORT**

The Committee considered a report that provided an update on the Education Services complaints received during 2016/17.

Members noted that Maintained Schools and Academies had their own complaints procedure which were dealt with through their Governing Bodies and were not included within the report. Schools admissions and exclusions were dealt with through a statutory appeals process and were also not included in the report.

There had been one Ombudsman enquiry in 2016/17, which did not progress to investigation this had decreased from 3 in 2015/16. The number of complaints also decreased from 31 in 2015/16 to 18 in 2016/17.

The main reasons for complaint were related to quality and reliability, late delivery or slow service and availability of the service. This referred to delays in completing EHC Plans and implementing provision, placements at special units and general concerns about schools in particular penalty charges for non-attendance.

Of the complaints received 13 were upheld and 5 being partially upheld.

Members **noted** the content of the report for information.

Chairman

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**ADJUDICATION AND REVIEW
COMMITTEE**

22 August 2018

Subject Heading:	Update on Corporate Complaints
SLT Lead:	Andrew Blake-Herbert
Report Author and contact details:	Carol Ager carol.ager@havering.gov.uk 01708 434389
Policy context:	Corporate Complaint Policy and Procedure 1st April 2015
Financial summary:	There are no financial implications to this report.

The subject matter of this report deals with the following Council Objectives

- Havering will be clean and its environment will be cared for
- People will be safe, in their homes and in the community
- Residents will be proud to live in Havering

SUMMARY

This report updates Members of Adjudication and Review on complaint handling performance, across all Council services.

The Corporate Complaint Policy and Procedure was introduced on 1st April 2015. As part of the Policy, it was agreed that turnaround times be increased from 10 days to 15 days. It was further agreed that the percentage of cases responded to within time be increased from 90% to 95%. The purpose of the changes was to enable a full and proper investigation into a complaint, therefore ensuring the council response was right first time, most of the time; to ensure a higher quality response; that the Policy & Procedure was fully complied with and importantly, that Services learned from their complaints.

Statistics are reported to Committee on a quarterly basis.

This report attaches written information for Members to consider on complaint statistics for Quarter 1, indicating numbers received and performance on timeliness and quality.

RECOMMENDATIONS

That the Committee consider and discuss any further action required on the following:

1. The Corporate Complaints Performance Statistics for Quarter 1 (April – June 2017).
2. The proposed change to response timescales for both Stage 1 and Stage 2 complaints.
3. Decisions made by both the Local Government and Housing Ombudsmen throughout the quarter.

REPORT DETAIL

The Corporate Complaints Policy and Procedure has been in place since 1st April 2015. This report summarises the performance under the Council's complaints handling process, and identifies Services response turnaround times, together with those areas in need of additional attention.

Corporate Complaints Performance Statistics

The 1st quarter performance statistics for all complaints under the procedure is attached as **Appendix 1**.

In short, the council received 452 Stage 1 complaints during the period April to June 2018. 94% of them (427) were responded to within 15 days.

The council received 92 requests for escalation to Stage 2 of the process, 73% (67) of them dealt with within 20 days.

This equates to an escalation request rate of 20% however, this is reduced to 5% when considering the number of cases that were not escalated to Stage 2.

The following table provides an easy view of complaints completed at Stages 1 and 2.

	April	May	June
Stage 1 percentage to time	95%	96%	93%
Stage 2 percentage to time	73%	59%	89%
Cumulative percentage Stages 1 & 2	90%	90%	92%

Adjudication and Review Committee – 22nd August 2018

In recent months, it has become apparent that complaints received at Stage 2 of the process are far more complex than previously. This is reflected in the Stage 2 performance stats shown above and in the attached Appendix 1.

Many Stage 2 complaints require a robust investigation, which by their nature, cannot be completed within 20 days.

The purpose of the 15 day timescale given in April 2015 for Stage 1 complaints was to enable a full and comprehensive investigation to be carried out. In many cases, the full investigation is not being undertaken until the customer requests escalation to Stage 2 of the complaints process. While Stage 1 performance remains at reasonable levels, the Stage 2 process is clearly struggling.

As a result, it is therefore recommended that turnaround times for Stage 1 complaints be reduced from 15 days to 10 days, whilst increasing the Stage 2 target to 25 days.

Performance targets will remain at 95% for both stages.

Any revisions will be made to the Corporate Complaint Policy and Procedure and be signed off as an Executive Decision, with an effective date of 1st October 2018.

Ombudsmen Decisions

During Quarter 1 there were 14 decisions by Local Government and Housing Ombudsmen, as follows:

- 8 x Closed after initial enquiries: No further action
(Adult Services; Children's Services; Environment (3); Public Protection; Housing; Council Tax & Benefits)
- 2 x Closed after initial enquiries: Out of jurisdiction
(Environment; Council Tax & Benefits)
- 1 x Closed: Premature
(Housing)
- 1 x Not upheld: No maladministration
(Housing)
- 1 x Upheld: No further action
(Environment)
- 1 x Upheld: Maladministration, injustice with penalty **S**
(Adult Services)

There were no Housing Ombudsman decisions during the period.

See table below for comparison of significant (S) decisions made for Quarter 1 in 2017 and 2018:

Significant decisions (where maladministration and injustice found)				
	Quarter 1 2017		Quarter 1 2018	
Maladministration, injustice with penalty	3	Adult Services Housing Services x 2	1	Adult Services
Maladministration, injustice, no penalty	0		0	

Quarter 1 Ombudsman decisions are shown in more detail on attached Appendix 2.

IMPLICATIONS AND RISKS

There are no financial, legal, human resource or equality implications or risks from this report.

BACKGROUND PAPERS

The Corporate Complaints Policy and Procedure is published on the internet and as it has been mentioned previously, may provide background to the information in this report.

Attached are two appendices:

Appendix 1 – Quarter 1 Complaints statistics

Appendix 2 – Ombudsman Activity Report for Quarter 1

The Council defines a complaint as any expression of dissatisfaction about the Council's provision of, or failure to provide, a service for which it has responsibility and when it has not put right any service failure in a reasonable timescale.

In line with the Corporate Complaints Policy and Procedure, the timescales in which we have to respond to a complaint are 15 days for a Stage 1, 20 days for a Stage 2 and 31 calendar days for a Stage 3 (Adjudication and Review). The target to achieve for both Stages 1 and 2 is 95% to time

The information on the following pages shows:

The number of complaints logged at Stage 1 and Stage 2 against the service area and the response times
 A graphic of Stage 1 and Stage 2 by topic showing those logged, closed or still open
 The specifics of complaints that are outside the corporate target and remain open that need attention
 The method of contact by our customers
 The cumulative total of complaints from the previous quarter and the build up to this quarter
 The complaint outcomes
 The reasons for complaints
 Stage 3 complaints and the outcome
 Cumulative complaint figures for both Stage 1 and Stage 2 complaints from April 2018 until March 2019

Performance for April (in short) is therefore:

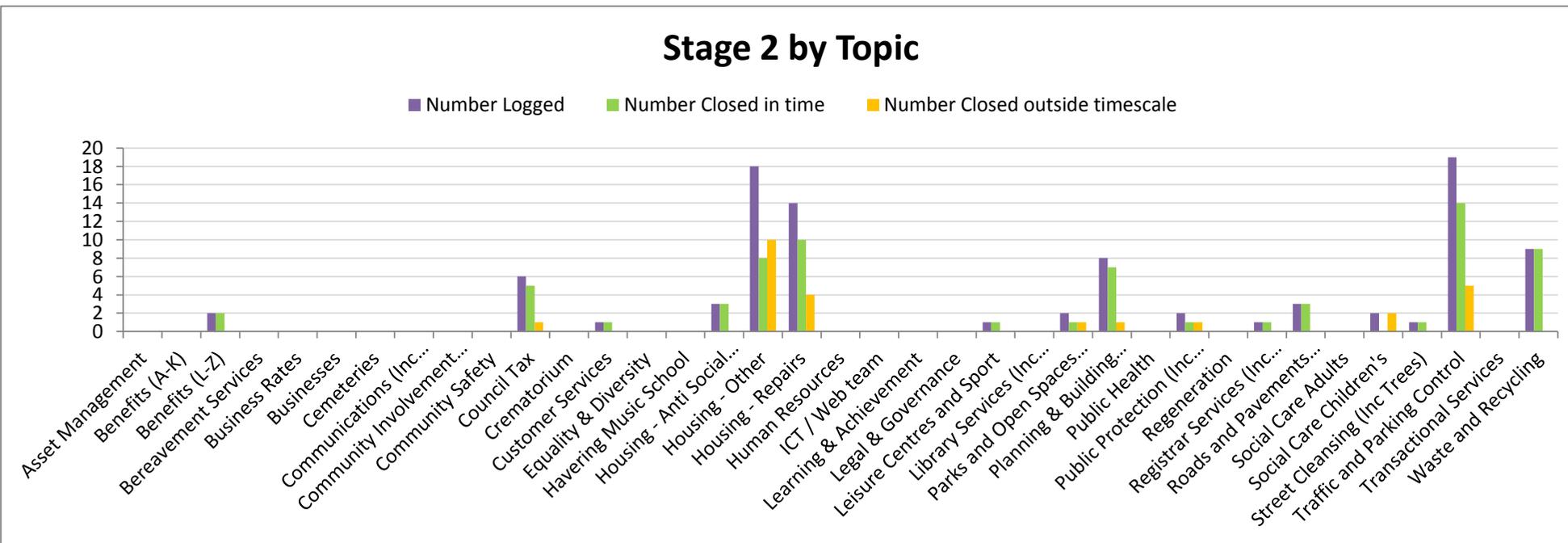
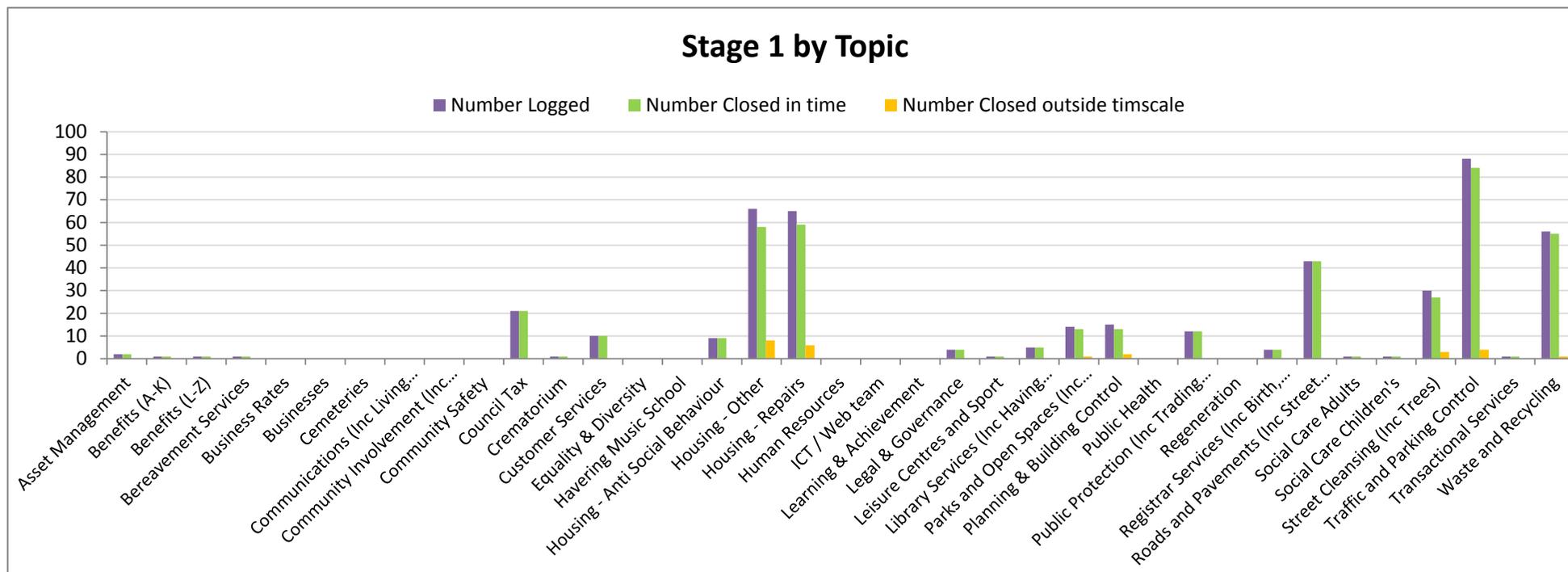
Stage 1 percentage to time overall	94% (427/452)
Stage 2 percentage to time	73% (67/92)
Stage 3 percentage to time	No cases
Stage 1 & 2 cumulative score	91% (494/544)

Senior Leadership Complaints team
 13th August 2018

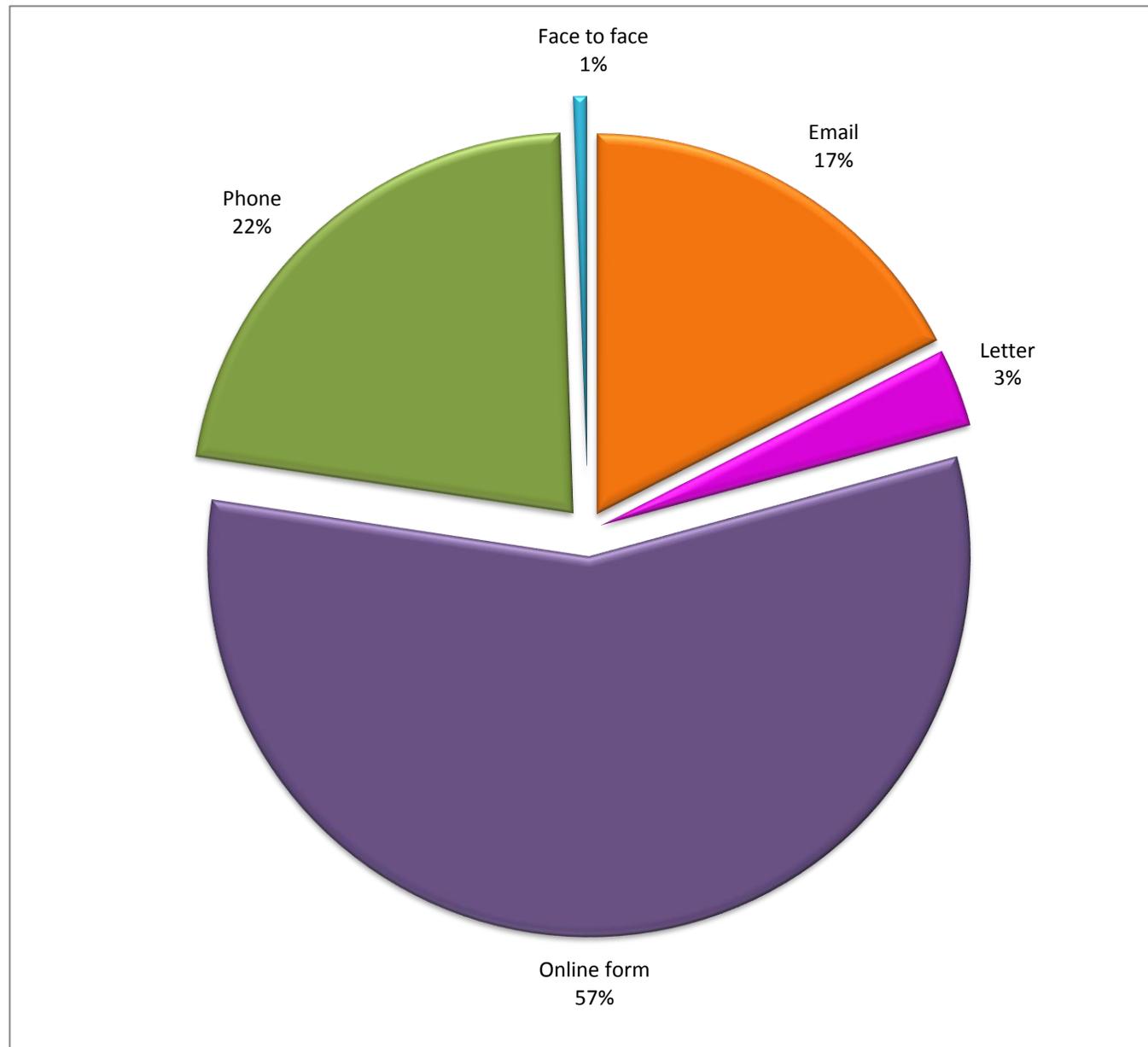
Corporate Complaints Report - Quarter 1 April to June 2018

Appendix 1

	Stage 1				Stage 2				
	Number Logged	Closed in 15 days	Closed in 15 days (%)	Closed days over 15	Number Logged	Closed in 20 days	Closed in 20 days (%)	Closed days over 20	
Asset Management	2	2	100%						
Benefits (A-K)	1	1	100%						
Benefits (L-Z)	1	1	100%						
Bereavement Services	1	1	100%		2	2	100%		
Business Rates									
Businesses									
Cemeteries									
Communications (Inc Living Magazine)									
Community Involvement (Inc Volunteers)									
Community Safety									
Council Tax	21	21	100%		6	5	83%		1
Crematorium	1	1	100%						
Customer Services	10	10	100%		1	1	100%		
Equality & Diversity									
Havering Music School									
Housing - Anti Social Behaviour	9	9	100%		3	3	100%		
Housing - Other	66	58	88%	8	18	8	44%		10
Housing - Repairs	65	59	91%	6	14	10	71%		4
Human Resources									
ICT / Web team									
Learning & Achievement									
Legal & Governance	4	4	100%						
Leisure Centres and Sport	1	1	100%		1	1	100%		
Library Services (Inc Having Museum)	5	5	100%						
Parks and Open Spaces (Inc allotments)	14	13	93%	1	2	1	50%		1
Planning & Building Control	15	13	87%	2	8	7	88%		1
Public Health									
Public Protection (Inc Trading Standards, Environmental Health & Noise Nuisance)	12	12	100%		2	1	50%		1
Regeneration									
Registrar Services (Inc Birth, Death and Marriages)	4	4	100%		1	1	100%		
Roads and Pavements (Inc Street Lighting)	43	43	100%		3	3	100%		
Social Care Adults	1	1	100%						
Social Care Children's	1	1	100%		2		0%		2
Street Cleansing (Inc Trees)	30	27	90%	3	1	1	100%		
Traffic and Parking Control	88	84	95%	4	19	14	74%		5
Transactional Services	1	1	100%						
Waste and Recycling	56	55	98%	1	9	9	100%		
Total	452	427	94%	25	92	67	73%		25



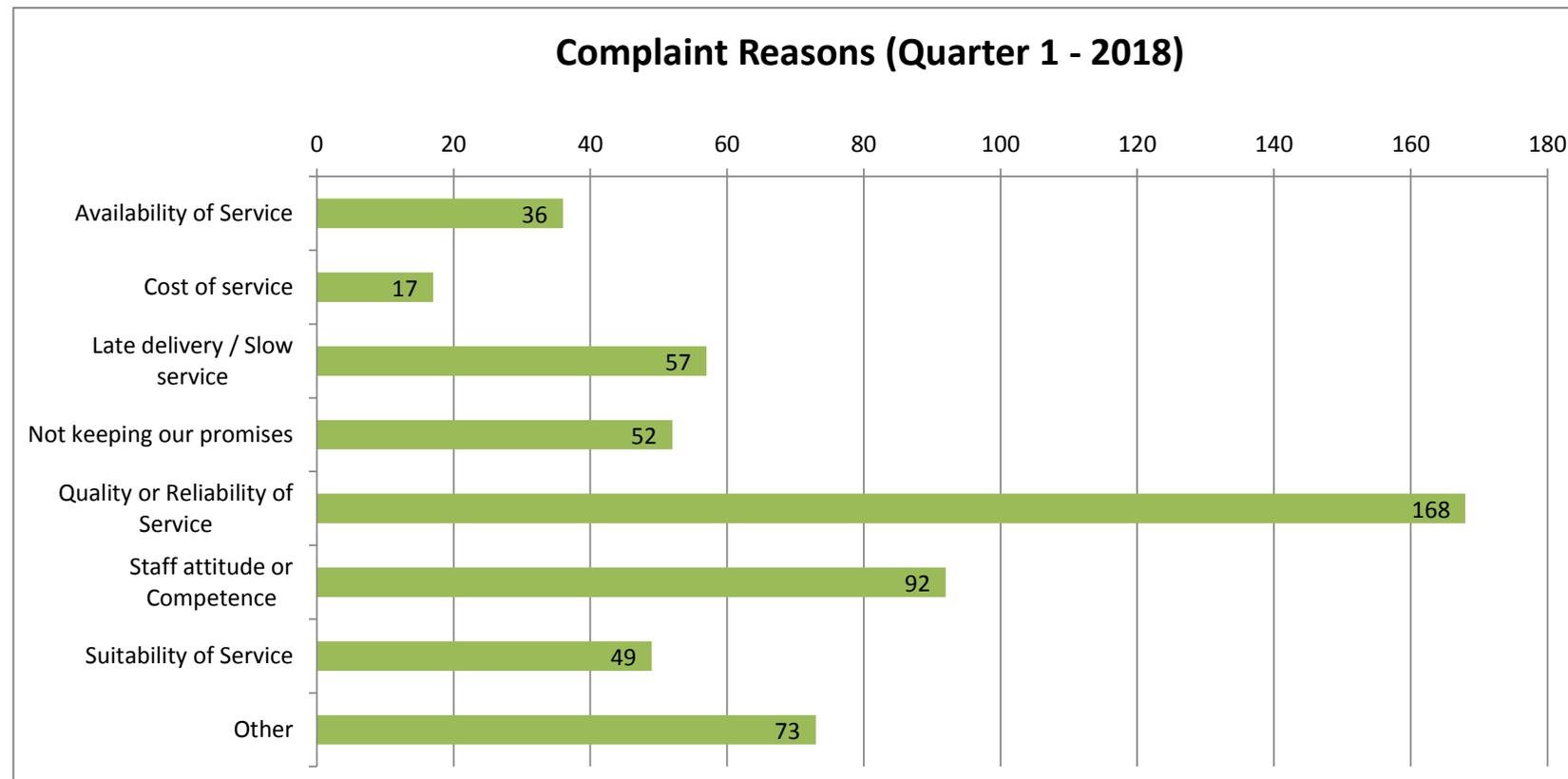
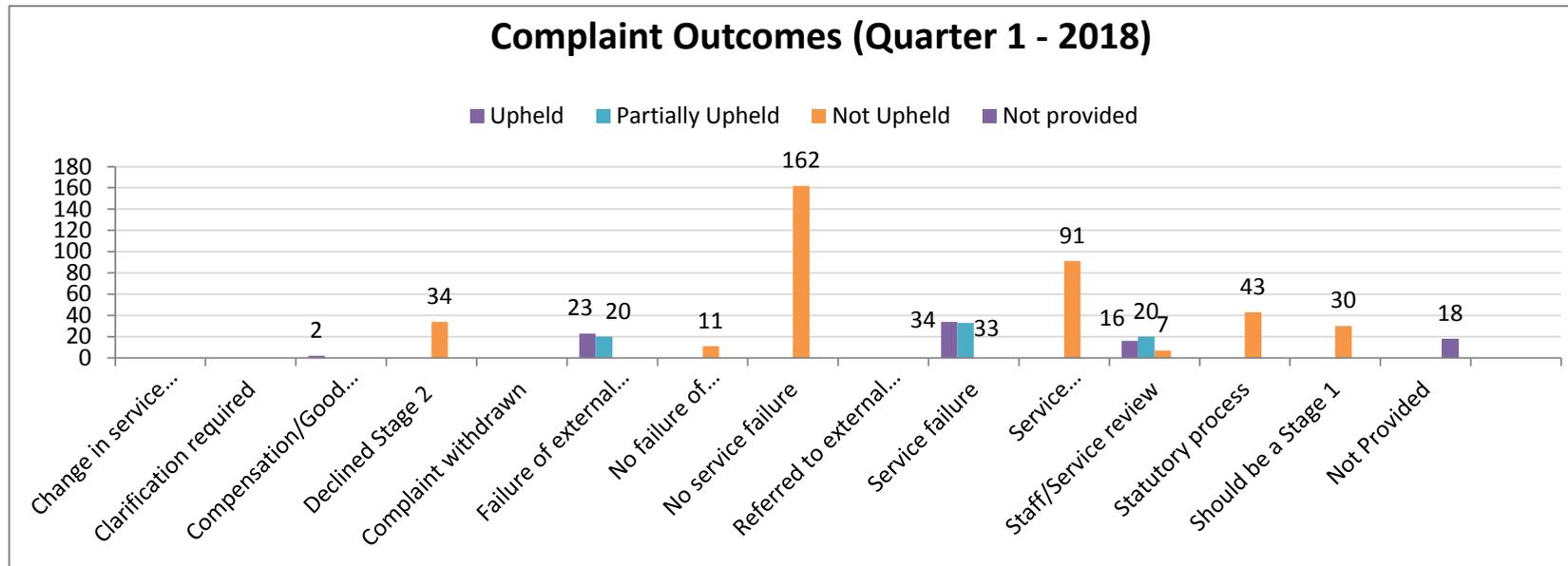
Quarter 1 Contact Type



Corporate Complaints Report - Quarter 1 April to June 2018

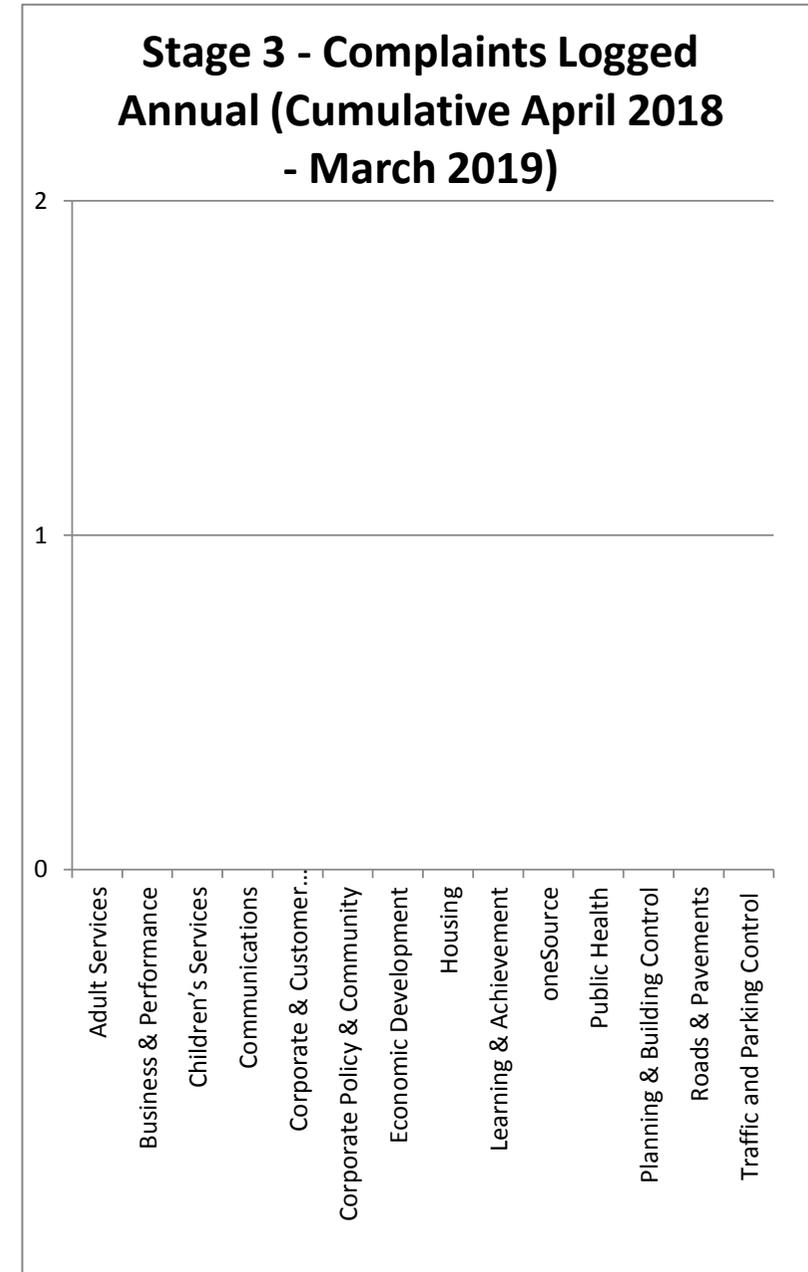
	Carry Over	April				May				June				Total
	Cumulative (Apr - Jun)	Stage 1 logged	In 15 days (%)	Stage 2 Logged	In 20 days (%)	Stage 1 logged	In 15 days (%)	Stage 2 Logged	In 20 days (%)	Stage 1 logged	In 15 days (%)	Stage 2 Logged	In 20 days (%)	Cumulative*
Asset Management						1	100%			1	100%			2
Benefits (A-K)						1	100%							1
Benefits (L-Z)		1	100%									2	100%	1
Bereavement Services						1	100%							1
Business Rates														0
Businesses														0
Cemeteries														0
Communications (Inc Living														0
Community Involvement (Inc														0
Community Safety														0
Council Tax		5	100%	1	100%	13	100%	2	100%	3	100%	3	67%	21
Crematorium						1	100%							1
Customer Services		3	100%			4	100%	1	100%	3	100%			10
Equality & Diversity														0
Havering Music School														0
Housing - Anti Social Behaviour		2	100%			4	100%	2	100%	3	100%	1	100%	9
Housing - Other		19	84%	5	80%	20	90%	9	33%	27	89%	4	50%	66
Housing - Repairs		27	96%	10	80%	23	87%	3	33%	15	87%	1	100%	65
Human Resources														0
ICT / Web team														0
Learning & Achievement														0
Legal & Governance		2	100%							2	100%			4
Leisure Centres and Sport		1	100%					1	100%					1
Library Services (Inc Having		1	100%			2	100%			2	100%			5
Parks and Open Spaces (Inc		5	80%	2	50%	6	100%			3	100%			14
Planning & Building Control		4	75%	2	50%	9	89%	3	100%	2	100%	3	100%	15
Public Health														0
Public Protection (Inc Trading		2	100%	2	50%	4	100%			6	100%			12
Regeneration														0
Registrar Services (Inc Birth,						3	100%	1	100%	1	100%			4
Roads and Pavements (Inc Street		16	100%	2	100%	22	100%			5	100%	1	100%	43
Social Care Adults						1	100%						100%	1
Social Care Children's				1	0%			1	0%	1	100%		100%	1
Street Cleansing (Inc Trees)		8	100%	1	100%	9	89%			13	85%		100%	30
Traffic and Parking Control		23	96%	6	67%	40	98%	8	63%	25	92%	5	100%	88
Transactional Services		1	100%											1
Waste and Recycling		14	100%	1	100%	17	100%	1	100%	25	96%	7	100%	56
Stage 1 Logged (Total)	0	134				181				137				452
Completed in 15 days (%)			95%				96%				93%			
Stage 2 logged (Total)				33				32				27		92
Completed in 20 days (%)					73%				59%				89%	

* Annual cumulative count does not include Stage 2 as these complaints will have been counted as Stage 1 at some point during the year.



Detailed Summary of Stage 3 Complaints recorded for Quarter 1 2018

	Cumulative (April-Dec)	Apr-18	May-18	Jun-18	Total	Achieved within 31 Calendar
NONE		0	0	0	0	
Total Logged	0	0	0	1	0	



Stage 3 - Cumulative Complaint Outcomes

No Member Review Panel hearings during the Quarter

- Awaiting Member Review Panel
- Discontinued
- Not Upheld
- Partially Upheld
- Still Open With Complainant
- Still Open with Service
- Upheld

Cumulative complaint figures April 18 - March 19

	Cumulative numbers logged April 17 - March 18 (Stage 1&2)	% of total	April '18	May '18	June '18	July '18	August '18	September '18	October '18	November '18	December '18	January '19	February '19	March '19
Asset Management	2	0.37%	0	1	1									
Benefits (A-K)	1	0.18%	0	1	0									
Benefits (L-Z)	3	0.55%	1	0	2									
Bereavement Services	1	0.18%	0	1	0									
Business Rates	0	0.00%	0	0	0									
Businesses	0	0.00%	0	0	0									
Cemeteries	0	0.00%	0	0	0									
Communications (Inc Living	0	0.00%	0	0	0									
Community Involvement (Inc	0	0.00%	0	0	0									
Community Safety	0	0.00%	0	0	0									
Council Tax	27	4.96%	6	15	6									
Crematorium	1	0.18%	0	1	0									
Customer Services	11	2.02%	3	5	3									
Equality & Diversity	0	0.00%	0	0	0									
Havering Music School	0	0.00%	0	0	0									
Housing - Anti Social Behaviour	12	2.21%	2	6	4									
Housing - Other	84	15.44%	24	29	31									
Housing - Repairs	79	14.52%	37	26	16									
Human Resources	0	0.00%	0	0	0									
ICT / Web team	0	0.00%	0	0	0									
Learning & Achievement	0	0.00%	0	0	0									
Legal & Governance	4	0.74%	2	0	2									
Leisure Centres and Sport	2	0.37%	1	1	0									
Library Services (Inc Having	5	0.92%	1	2	2									
Parks and Open Spaces (Inc	16	2.94%	7	6	3									
Planning & Building Control	23	4.23%	6	12	5									
Public Health	0	0.00%	0	0	0									
Public Protection (Inc Trading	14	2.57%	4	4	6									
Regeneration	0	0.00%	0	0	0									
Registrar Services (Inc Birth, Death	5	0.92%	0	4	1									
Roads and Pavements (Inc Street	46	8.46%	18	22	6									
Social Care Adults	1	0.18%	0	1	0									
Social Care Children's	3	0.55%	1	1	1									
Street Cleansing (Inc Trees)	31	5.70%	9	9	13									
Traffic and Parking Control	107	19.67%	29	48	30									
Transactional Services	1	0.18%	1	0	0									
Waste and Recycling	65	11.95%	15	18	32									
Total Complaints logged	544		167	213	164	0	0	0	0	0	0	0	0	0
Overall % of complaints 1&2 completed within time				91%		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

Complaint Reasons

	Availability of service	Late Delivery/Slow Service	Not keeping our promises	Quality or reliability of service	Cost of Service	Staff attitude or competence	Suitability of Service	Other	Total
Asset Management						1		1	2
Benefits (A-K)				1					1
Benefits (L-Z)	1	2							3
Bereavement Services							1		1
Business Rates									0
Cemeteries									0
Communications (Inc Living Magazine)									0
Council Tax	2	2	1	9	3	5	2	3	27
Crematorium						1			1
Customer Services	1	2		2		4		2	11
Community Safety									0
Housing - Anti Social Behaviour	1		4	3	1	1	1		11
Housing - Other	5	5	14	19		13	3	25	84
Housing - Repairs	3	13	5	28	1	10	4	16	80
Learning & Achievement									0
Legal & Governance		1		1		2			4
Leisure Centres and Sport				1			1		2
Library Services (Inc Having Museum)				3		1		1	5
Parks and Open Spaces (Inc allotments)	2	1	2	6	2		3		16
Planning & Building Control		5	5	8		1	2	2	23
Public Health									0
Public Protection (Inc Trading Standards, Environmental Health & Noise Nuisance)	2			4		5	1	2	14
Registrar Services (Inc Birth, Death and Marriages)			1	1		2		1	5
Roads and Pavements (Inc Street Lighting)	6	2	4	18		3	11	2	46
Social Care Adults						1			1
Social Care Children's				1		1	1		3
Street Cleansing (Inc Trees)	3	5	2	11		5	2	3	31
Traffic and Parking Control	6	7	4	38	6	30	10	6	107
Transactional Services	1								1
Waste and Recycling	3	12	10	14	4	6	7	9	65
Total:	36	57	52	168	17	92	49	73	544

This table shows the breakdown of complaint reasons for each service area for Stages 1, 2 and 3.

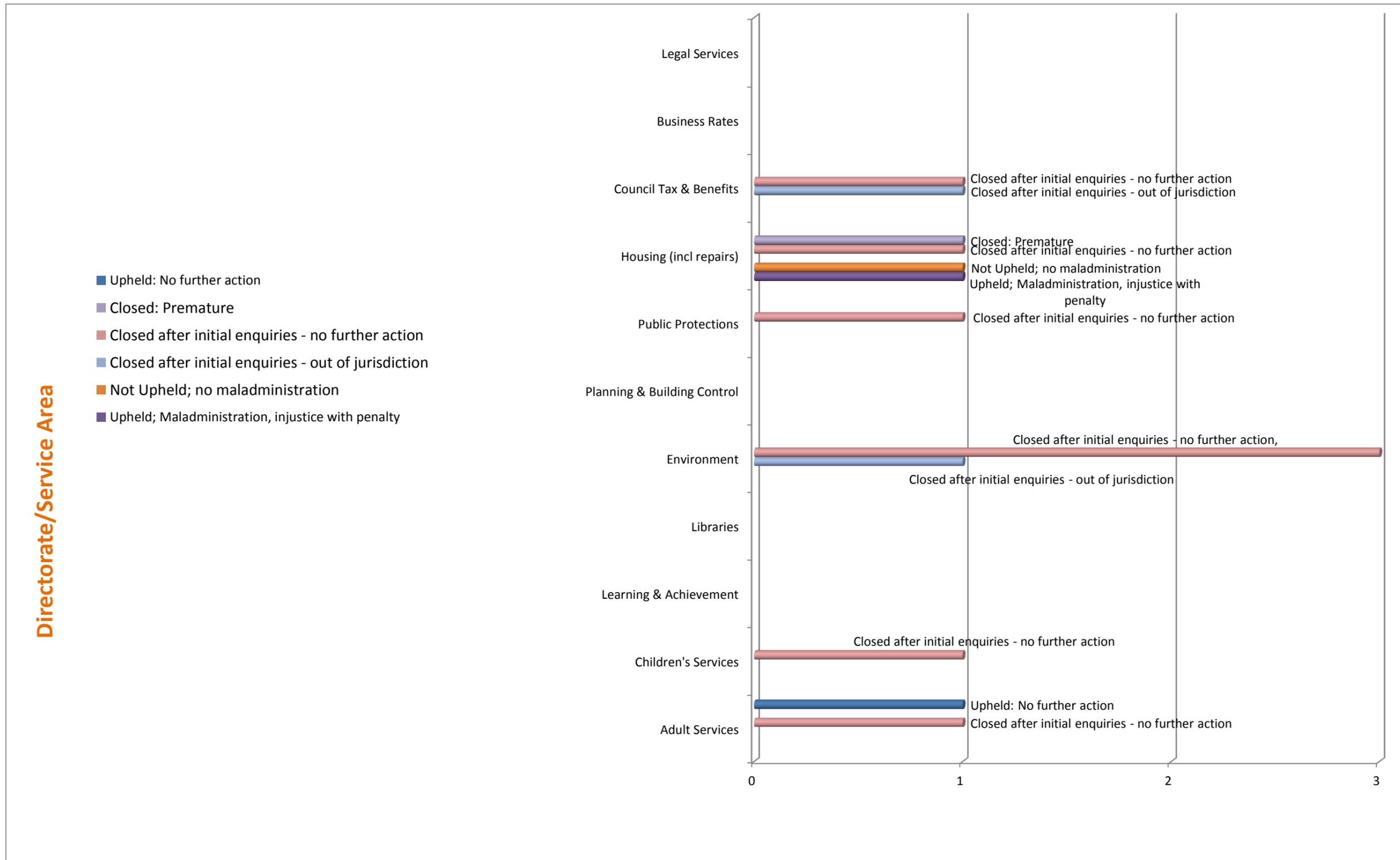
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Complaints determined:

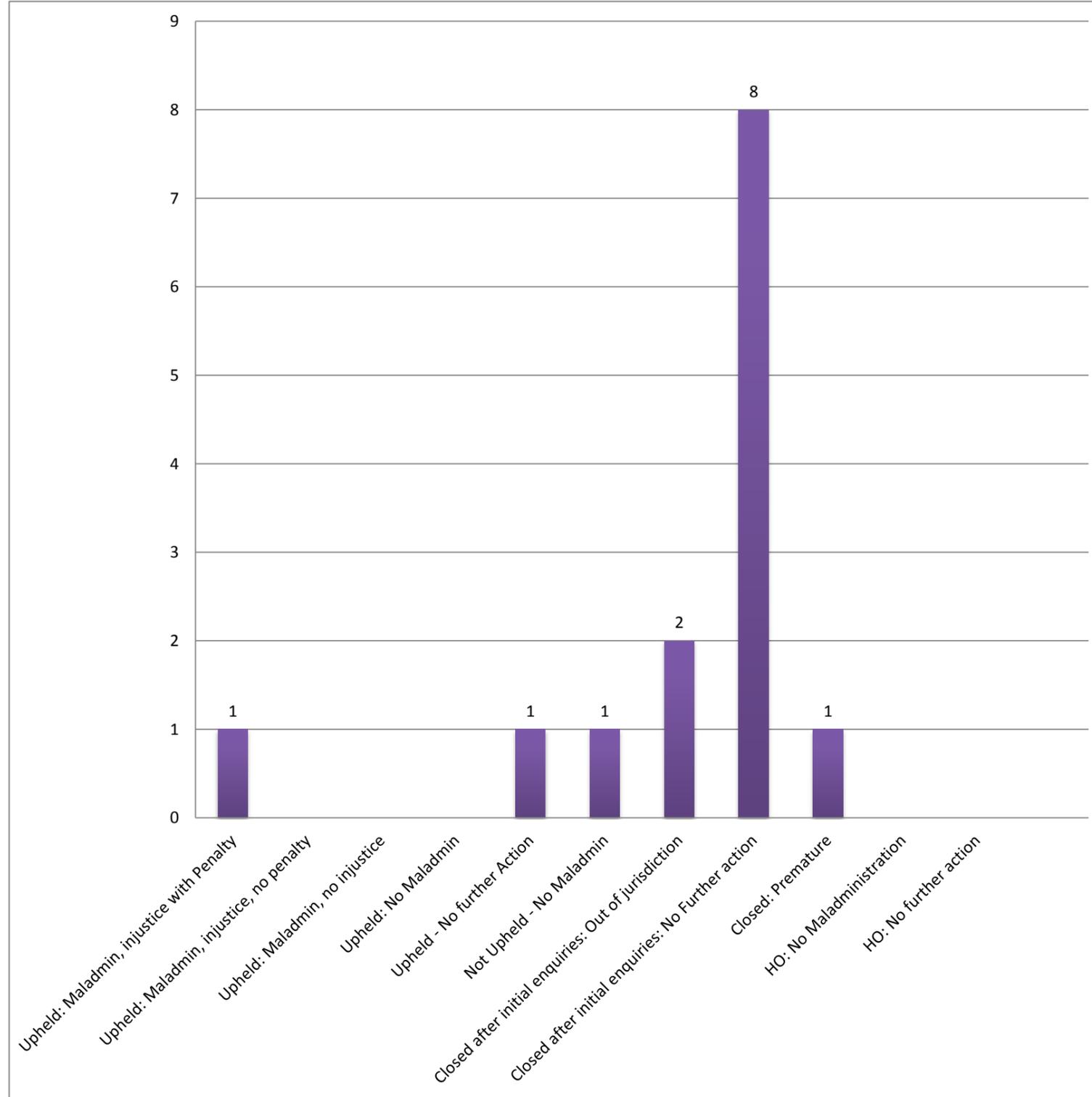
		Report Issued: Upheld; maladministration and injustice	Report issued: Upheld; maladministration, no injustice	Report issued: Not upheld; no maladministration	Upheld; Maladministration, injustice with penalty	Upheld: Maladministration, injustice, no penalty	Upheld ; Maladministration, no injustice	Upheld: No further action	Not Upheld; no maladministration	Closed after initial enquiries - out of jurisdiction	Closed after initial enquiries - no further action	Closed: Premature	HO: No maladministration	HO: No further action	HO: Resolved locally - No further action	Not upheld: No further action
Adult Social Care	Adult Services										1					
Children's Services	Children's Services Learning & Achievement										1					
Chief Operating Officer	Libraries															
Page 21 Neighbourhoods	Environment Planning & Building Control							1		1	3					
	Public Protections										1					
	Housing (incl repairs)				1				1		1	1				
oneSource	Council Tax & Benefits									1	1					
	Business Rates															
	Legal Services															
Total :		0	0	0	1	0	0	1	1	2	8	1	0	0	0	0

1
1
0
0
5
0
1
4
2
0
0
14

Decisions



Outcomes



Significant decisions from Local Government or Housing Ombudsmen

1. Mr X

Mr X complained on behalf of his mother that the council did not carry out a financial assessment before charging her for care she received. The ombudsman found some evidence of fault by the council and considered the offer to waive charges incurred by Mr X's mother for attending a day centre adequately addressed the injustice caused to her.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

**ADJUDICATION AND REVIEW
COMMITTEE**

22 August 2018

Subject Heading:	Update on performance on Member Enquiries
SLT Lead:	Andrew Blake-Herbert
Report Author and contact details:	Carol Ager carol.ager@havering.gov.uk 01708 434389
Financial summary:	There are no financial implications to this report.

The subject matter of this report deals with the following Council Objectives

- | | |
|--|-----|
| Havering will be clean and its environment will be cared for | [] |
| People will be safe, in their homes and in the community | [] |
| Residents will be proud to live in Havering | [X] |

SUMMARY

This report updates Members of Adjudication and Review on Member Enquiries handling performance, across all Council services.

The Corporate Complaint Policy and Procedure was introduced on 1st April 2015. At that time it was agreed that turnaround times on Member Enquires be increased from 10 days to 15 days. It was further agreed that the percentage of cases responded to within time be increased from 90% to 95%. The purpose of the changes was to ensure Member Enquiries were handled in the same manner as Corporate Complaints, enabling a fulsome reply to Members and therefore ensuring a higher quality response.

Statistics are reported to Committee on a quarterly basis. Since April 2015, there have been notable improvements in the handling of Member Enquiries.

This report attaches written information for Members to consider on Member Enquiries statistics for Quarter 1, indicating numbers received and performance.

RECOMMENDATIONS

That the Committee consider and discuss any further action required on the Member Enquiries Statistics for Quarter 1 (April – June 2018).

REPORT DETAIL

Member Enquiries Performance Statistics

The 1st quarter performance statistics for all Member Enquiries is attached as **Appendix 1**.

In short, Members made 857 enquiries of Services during the period April to June 2018. 95% of them (811) were responded to within time.

The following table provides an easy view of Member Enquiries completed for each month, with a comparison between 2017/18 and 2018/19 years.

	April		May		June		Total	
	2017/18	2018/18	2017/18	2018/19	2017/18	2018/19	2017/18	2018/19
Total No. of Enquiries	212	334	235	235	255	288	702	857
No. completed in time	201	323	228	223	243	265	672	811
% completed in time	95%	97%	97%	95%	95%	92%	96%	95%

IMPLICATIONS AND RISKS

There are no financial, legal, human resource or equality implications or risks from this report.

BACKGROUND PAPERS

Appendix 1 – Quarter 1 Member enquiries statistics

Members / MP Enquiries Quarter 1 Report (April - June 2018)

This report shows the volume of Member and MP Enquiries received for the 1st Quarter, April to June 2018

Information on the following pages show:

The number of Member/MP enquiries logged and closed within 15 working days by service area

A graphic showing Member/MP enquiries logged and closed within 15 working days by service area

The method of contact by Members/MPs

The cumulative total of Member/MP enquiries from the previous quarters and the build up to this quarter's performance

The comparison with last year's volume

The volume of Members' enquiries raised by individual Members/MPs

Performance for Quarter 1 (in short) is therefore:

857 enquiries logged

95% closed on time (811)

Page 27

Senior Leadership Support Team

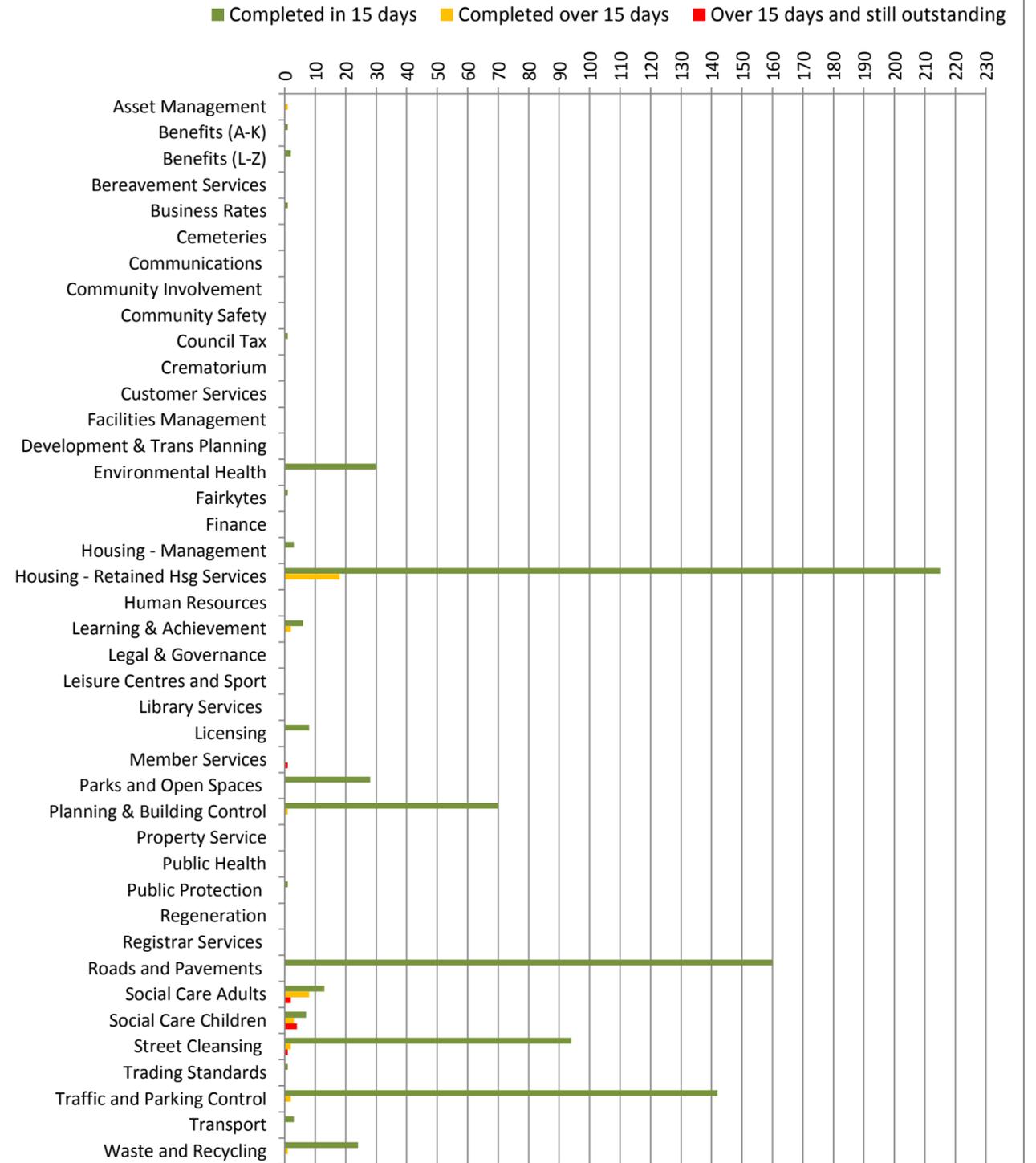
10th August 2018

Members / MP Enquiries Quarter 1 Report (April - June 2018)

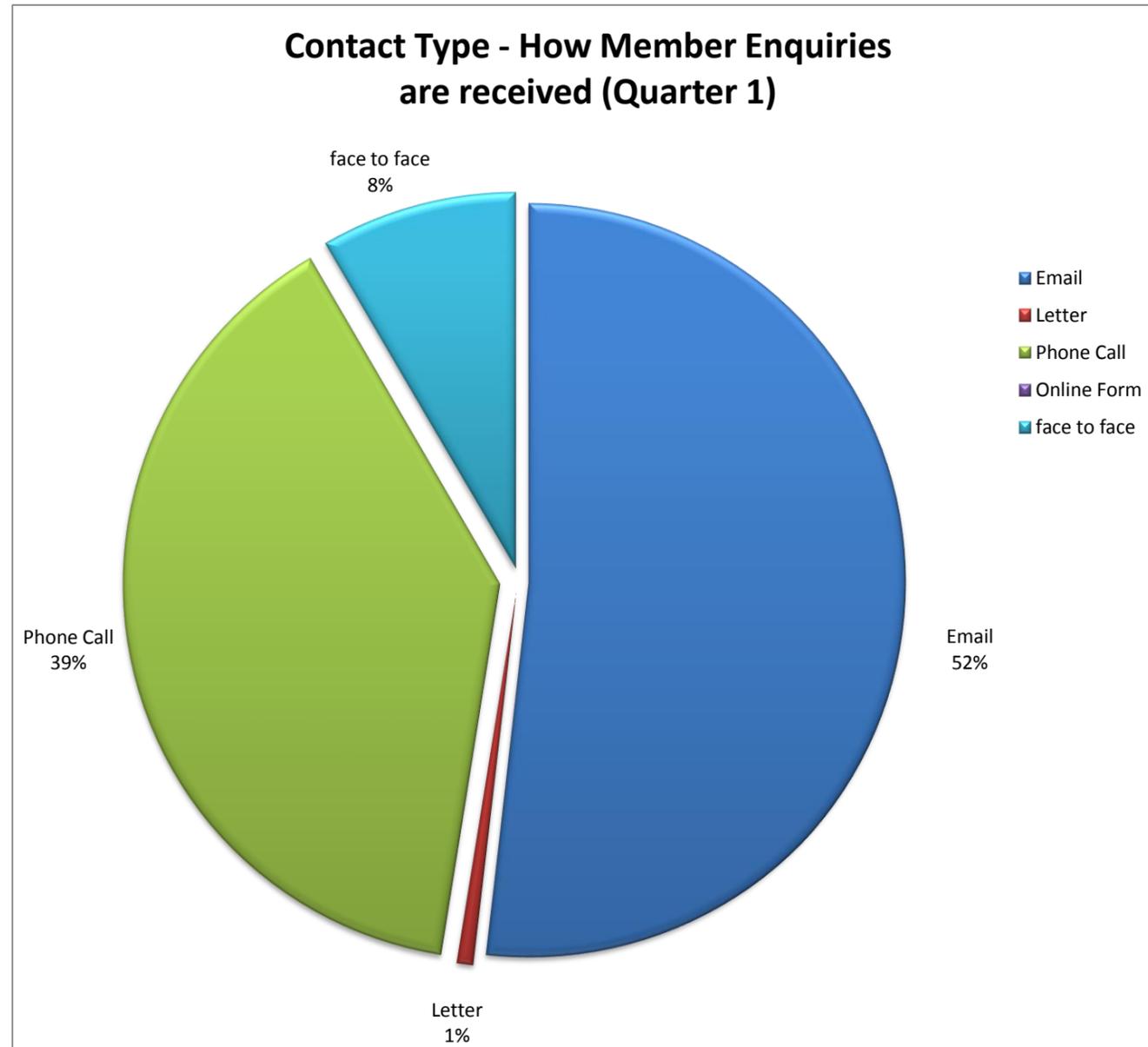
Member / MP Enquiries by Service – April - June 2018

	Number logged	Closed in 15 days	Closed in 15 days (%)	Closed over 15 days	Over 15 days and still open
Asset Management	1	0	0%	1	
Benefits (A-K)	1	1	100%		
Benefits (L-Z)	2	2	100%		
Bereavement Services					
Business Rates	1	1	100%		
Cemeteries					
Communications					
Community Involvement					
Community Safety					
Council Tax	1	1	100%		
Crematorium					
Customer Services					
Facilities Management					
Development & Trans Planning					
Environmental Health	30	30	100%		
Fairkytes	1	1	100%		
Finance					
Housing - Management	3	3	100%		
Housing - Retained Hsg Services	233	215	92%	18	
Human Resources					
Learning & Achievement	8	6	75%	2	
Legal & Governance					
Leisure Centres and Sport					
Library Services					
Licensing	8	8	100%		
Member Services	1	0	0%		1
Parks and Open Spaces	28	28	100%		
Planning & Building Control	71	70	99%	1	
Property Service					
Public Health					
Public Protection	1	1	100%		
Regeneration					
Registrar Services					
Roads and Pavements	160	160	100%		
Social Care Adults	23	13	57%	8	2
Social Care Children	14	7	50%	3	4
Street Cleansing	97	94	97%	2	1
Trading Standards	1	1	100%		
Traffic and Parking Control	144	142	99%	2	
Transport	3	3	100%		
Waste and Recycling	25	24	96%	1	
Total	857	811	95%	38	8

**Member / MP Enquiries by Service
Quarter 1 2018**



Members / MP Enquiries Quarter 1 Report (April - June 2018)

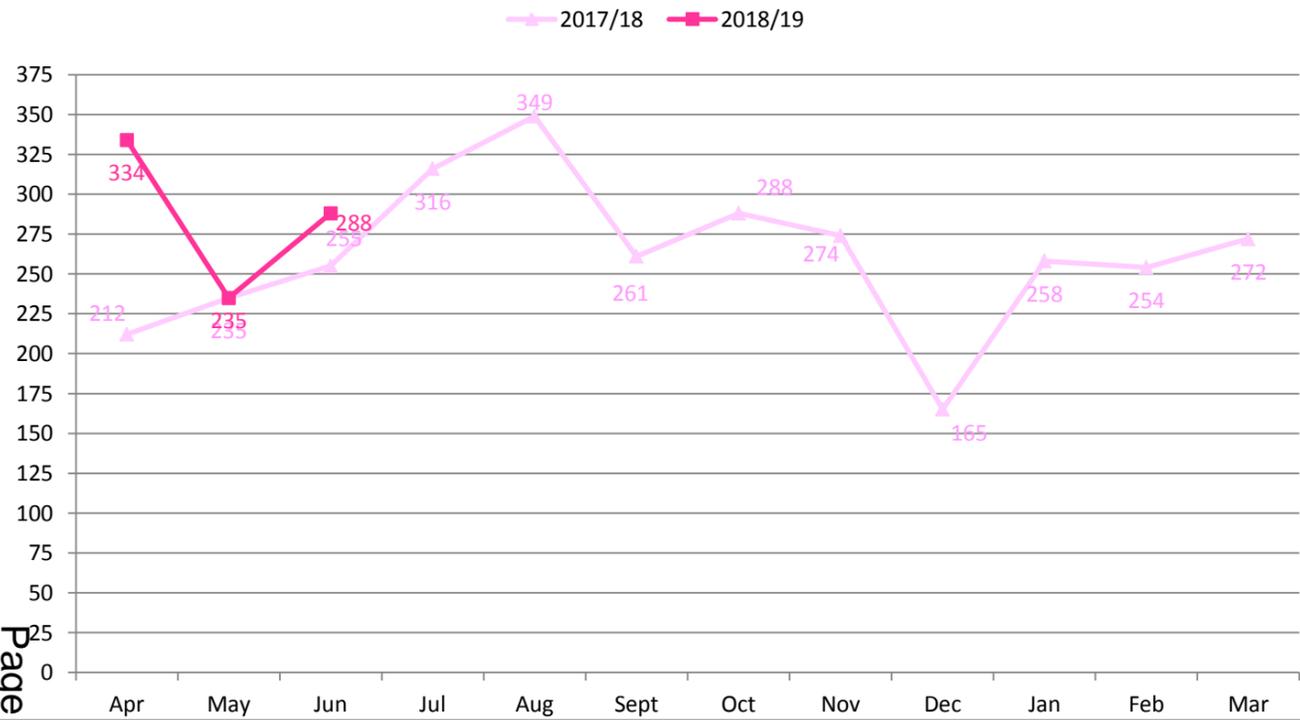


Members / MP Enquiries Quarter 1 Report (April - June 2018)

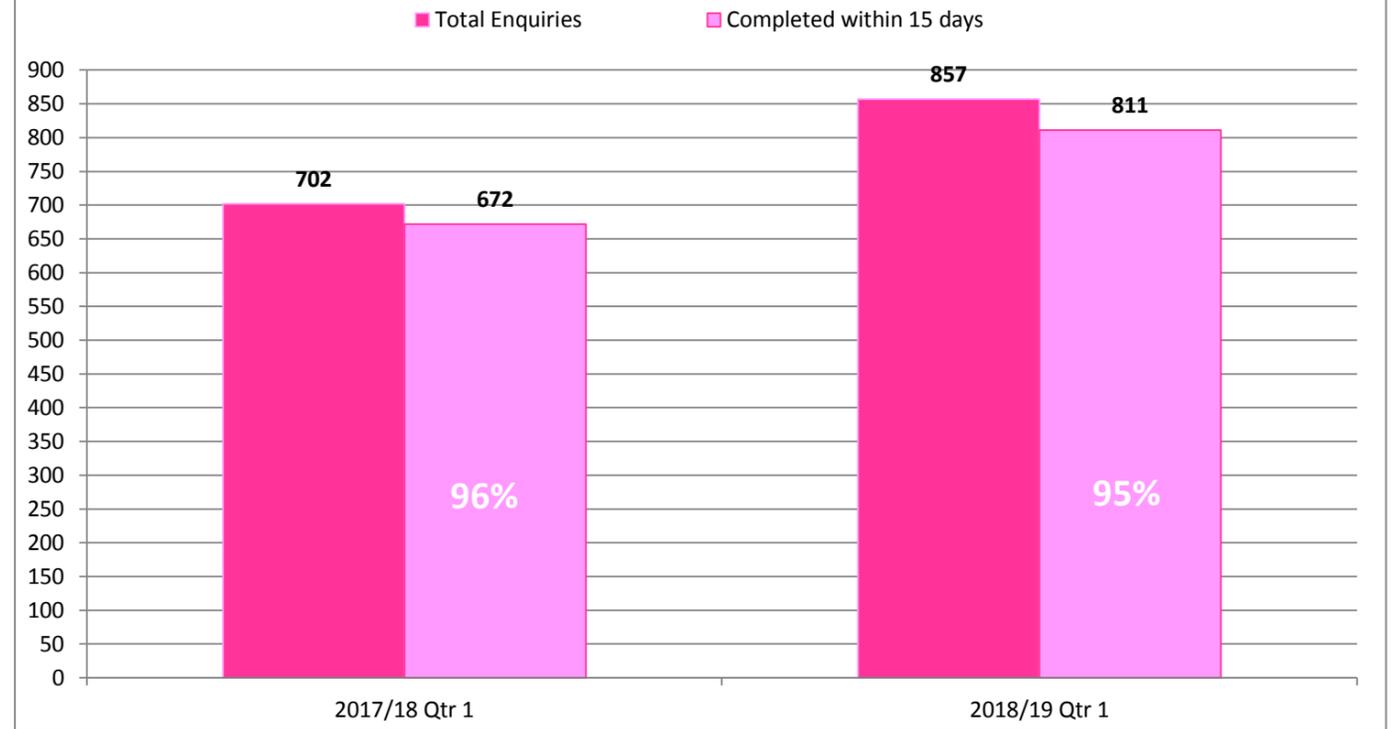
	Carry Over	Apr-18			May-18			Jun-18			Annual
	Cumulative	Number Logged	Closed in 15 days	Closed in 15 days (%)	Number Logged	Closed in 15 days	Closed in 15 days (%)	Number Logged	Closed in 15 days	Closed in 15 days (%)	Cumulative (Apr 17 - Mar 18)
Asset Management	0							1	0	0%	1
Benefits (A-K)	0	1	1	100%							1
Benefits (L-Z)	0	2	2	100%							2
Bereavement Services	0										0
Business Rates	0	1	1	100%							1
Cemeteries	0										0
Communications	0										0
Community Involvement	0										0
Community Safety	0										0
Council Tax	0				1	1	100%				1
Crematorium	0										0
Customer Services	0										0
Facilities Mangement	0										0
Develop. & Trans Planning	0										0
Environmental Health	0	12	12	100%	12	12	100%	6	6	100%	30
Fairkytes	0	1	1	100%							1
Finance	0										0
Housing - Management	0	1	1	100%	1	1	100%	1	1	100%	3
Housing - Retained Hsg Services	0	78	76	97%	68	64	94%	87	75	86%	233
Human Resources	0										0
Learning & Achievement	0	5	4	80%	3	2	67%				8
Legal & Governance	0										0
Leisure Centres and Sport	0										0
Library Services	0										0
Licensing	0	2	2	100%	4	4	100%	2	2	100%	8
Member Services	0	1	0	0%							
Parks and Open Spaces	0	10	10	100%	8	8	100%	10	10	100%	28
Planning & Building Control	0	29	28	97%	16	16	100%	26	26	100%	71
Property Services	0										0
Public Health	0										0
Public Protection	0	1	1	100%							1
Regeneration	0										0
Registrar Services	0										0
Roads and Pavements	0	72	72	100%	39	39	100%	49	49	100%	160
Social Care Adults	0	11	8	73%	4	0	0%	8	5	63%	23
Social Care Children's	0	5	3	60%	5	3	60%	4	1	25%	14
Street Cleansing	0	30	30	100%	26	26	100%	41	38	93%	97
Trading Standards	0				1	1	100%				1
Traffic and Parking Control	0	58	58	100%	38	37	97%	48	47	98%	144
Transport	0	2	2	100%	1	1	100%				3
Waste and Recycling	0	12	11	92%	8	8	100%	5	5	100%	25
Total no. of enquiries logged	0	334			235			288			857
Total completed in 15 days	0		323			223			265		811
Total completed in 15 days (%)			97%			95%			92%		95%
Target	95%		95%			95%			95%		95%

Members / MP Enquiries Quarter 1 Report (April - June 2018)

Member/MP Enquiries Logged - Monthly (April 2018 - March 2019)



Member/MP Enquiries (Qtr 1 2017/18 & 2018/19)



Members / MP Enquiries Quarter 1 Report (April - June 2018)

Appendix 1

Annual rolling total of Member Enquiries by Councillor & MP

	Cumulative	Apr-18	May-18	Jun-18	TOTAL
Clarence Barrett		4	1	10	15
Robert Benham		2	2	0	4
Ray Best		0	2	3	5
Carole Beth		0	0	2	2
Michael Deon Burton		8	5	4	17
Joshua Chapman		15	8	13	36
John Crowder		6	3	0	9
Phillipa Crowder		3	5	5	13
Keith Darvill		0	3	1	4
Osman Dervish		2	6	3	11
Nic Dodin		4	1	4	9
David Durant		4	1	4	9
Tony Durdin		0	0	0	0
Brian Eagling		4	1	1	6
Gillian Ford		8	11	15	34
Jason Frost		9	9	7	25
Marion Goode		0	0	1	1
Linda Hawthorn		8	1	10	19
Judith Holt		0	1	4	5
Tele Lawal		0	2	5	7
Paul McGeary		0	0	0	0
Paul Middleton		0	0	5	5
Sally Miller		0	0	4	4
Robby Misir		1	2	0	3
Ray Morgon		19	19	26	64
Barry Muggelstone		6	6	2	14
John Mylod		0	2	5	7
Stephanie Nunn		11	4	6	21
Denis O'Flynn		4	7	5	16
Gerry O'Sullivan		0	0	0	0
Ronald Ower		11	6	3	20
Dilip Patel		2	5	5	12
Sub Total	0	131	113	153	397

	Cumulative	Apr-18	May-18	Jun-18	TOTAL
Nisha Patel		0	0	2	2
Bob Perry		1	1	2	4
Viddy Persaud		1	17	8	26
Roger Ramsey		40	16	8	64
Timothy Ryan		0	0	0	0
Jan Sargent		0	0	1	1
Carol Smith		1	1	4	6
Christine Smith		0	0	1	1
Natasha Summers		0	0	1	1
Matt Sutton		0	0	0	0
Maggie Themistocli		0	0	0	0
Jeffery Tucker		6	6	9	21
John Tyler		0	0	1	1
Christine Vickery		0	0	2	2
Melvin Wallace		7	6	3	16
Ciaran White		0	0	0	0
Damian White		28	17	30	75
Michael White		0	0	0	0
Reg Whitney		1	0	0	1
Christopher Wilkins		7	0	3	10
Graham Williamson		1	8	4	13
Darren Wise		6	2	3	11
Outgoing councillors		18	4	0	22
					0
Jon Cruddas MP		7	8	13	28
Julia Lopez MP		19	18	18	55
Andrew Rosindell MP		60	16	20	96
Blanks / Out of Borough/other		0	2	2	4
SubTotal	-	203	122	135	460
Grand Total	-	334	235	288	857

**ADJUDICATION AND REVIEW
COMMITTEE**

22 August 2018

Subject Heading:	Local Government and Social Care Ombudsman (LGSCO) Annual Review letter 2017/18
SLT Lead:	Andrew Blake-Herbert
Report Author and contact details:	Carol Ager carol.ager@havering.gov.uk 01708 434389
Policy context:	Corporate Complaint Policy and Procedure 1st April 2015
Financial summary:	There are no financial implications to this report.

The subject matter of this report deals with the following Council Objectives

Havering will be clean and its environment will be cared for	[]
People will be safe, in their homes and in the community	[]
Residents will be proud to live in Havering	[X]

SUMMARY

This report provides Members of Adjudication and Review details relating to the Local Government and Social Care Ombudsman’s Annual Review letter.

In October 2015 responsibility for reporting and liaising with the LGSCO was moved to the CEO Complaints team within the Senior Leadership Support office. The Senior Complaint and Investigation Manager became the Link Officer for all Ombudsman transactions, assuming the responsibility from Democratic Services.

The purpose of the change was to ensure a smooth transition from Stage 2 complaints through Stage 3 and to the Ombudsman. Case officers, having carried out a Stage 2 investigation and potentially prepared papers for a Stage 3 Member Panel, will be familiar with the complaint and able to assist with Ombudsman enquiries.

LGSCO and Housing Ombudsman decisions are reported to Committee on a quarterly basis.

Attached to this report is a copy of the Local Government and Social Care Ombudsman report for 2017/18, detailing the number of decisions made by them against the council.

RECOMMENDATIONS

That the Committee consider and discuss the following:

1. The Annual Review letter from Local Government and Social Care Ombudsman for 2017/18
2. The council's Ombudsman Activity report and any differences between the council's records and those contained within LGSCO Annual letter
3. Suggested way forward to ensure transparency of LGSCO decisions to staff, Members and the general public.

REPORT DETAIL

The Annual Review letter from Local Government and Social Care Ombudsman for 2017/18

Generally speaking, the council has improved results in the Ombudsman's 2017/18 Annual Review, when compared to 2016/17.

This year, the LGSCO received 94 complaints and enquiries about Havering Council, against 104 the previous year. Of those 94, there are reductions for almost all Service Areas, most noticeably for Council Tax and Benefits who had seven complaints logged against them this year; down from 16 in 2016/17

When considering the decisions made, and in particular the Detailed Investigations, 13 were Not Upheld compared to nine the previous year, (where more is better); while ten were Upheld, against 12 in 2016/17 (where less is better). The overall Uphold rate equates to 44%, down from 57%, again, less is better.

In his letter, the Ombudsman, Michael King, has emphasised the need for council's to evidence their learning from complaints. As a result, the LGSCO will be making some changes to the format of their Annual letter from next year, to encourage transparency in the work of the Ombudsman's office, and also to recognise the improvements councils have made following intervention.

The council's Ombudsman Activity report and any differences between the council's records and those contained within LGSCO Annual letter

The Ombudsman recognises that the numbers reported by them on their Annual Review letters do not necessarily tally with those recorded by councils. This is because the Ombudsman's office may close a complaint without making any enquiries of the council, for example, if it is apparent that the complainant has not exhausted the council's complaints process, they may be referred back to the authority in the first instance

During 2017/18 the council received 73 decisions by Local Government and Housing Ombudsmen, as follows:

30 x Closed after initial enquiries: No further action

*Adult Services; Customer Services; Environment (7);
Planning & Building Control (3); Public Protection; Housing (12);
Council Tax & Benefits; Legal (2)*

6 x Closed after initial enquiries: Out of jurisdiction

Adult Service (2); Customer Services; Environment; Housing (2)

12 x Closed: Premature

Adult Services; Environment; Housing (8); Council Tax & Benefits (2)

13 x Not upheld: No maladministration

*Adult Services; Environment; Planning & Building Control (3);
Public Protection; Housing (5); Council Tax & Benefits; Legal*

1 x Upheld: No further action

Children's Services

5 x Upheld: Maladministration, injustice with penalty **S**

Adult Services; Children's Services; Housing (3)

5 x Upheld: Maladministration, injustice, no penalty

Environment (2); Housing (2); Legal

There was one Housing Ombudsman decision: Maladministration, injustice with penalty.

While the statistics recorded by the council may not fully align with those reported by LGSCO, data relating to decisions, described in this report as Significant, tend to agree.

The LGSCO Annual Report shows ten upheld decisions against the council, which agrees with the five Maladministration, Injustice with Penalty and five Maladministration, Injustice without Penalty decisions the council has recorded, and shown on the Ombudsman Activity Report at Appendix 2.

Suggested way forward to ensure transparency of LGSCO decisions to staff, Members and the general public.

Currently, LGSCO and Housing Ombudsman decisions are not published on the Havering website. The council could be perceived as not being open and transparent in their complaint handling. While this is not the intention, as Decisions

are reported regularly to this Committee, it is accepted that there is definite room for improvement.

It is therefore proposed that all Decisions be published on the London Borough of Havering website at the end of each month they are issued; with significant Decisions also being distributed to Members of this Committee via internal email. It is intended that the Decisions will be accessed via the Complaints pages.

This course of action will enable staff, Members and the general public to see where the Ombudsman has found fault, or not, with the services we provide; it will also demonstrate the improvements the council agrees be put in place, as learning outcomes.

IMPLICATIONS AND RISKS

There are no financial, legal, human resource or equality implications or risks from this report.

BACKGROUND PAPERS

Attached are two appendices:

Appendix 1 – Local Government and Social Care Ombudsman Annual Review
Letter

Appendix 2 – Ombudsman Activity Report for 2017/18

18 July 2018

By email

Andrew Blake-Herbert
Chief Executive
London Borough of Havering

Dear Andrew Blake-Herbert,

Annual Review letter 2018

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

Complaint statistics

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

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

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

Future development of annual review letters

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

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

Supporting local scrutiny

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

Learning from complaints to improve services

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

Complaint handling training

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

Yours sincerely,



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

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

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

Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
13	7	6	8	5	13	35	7	0	94

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Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
2	3	36	37	13	10	44%	101

Notes

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

Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
7	2

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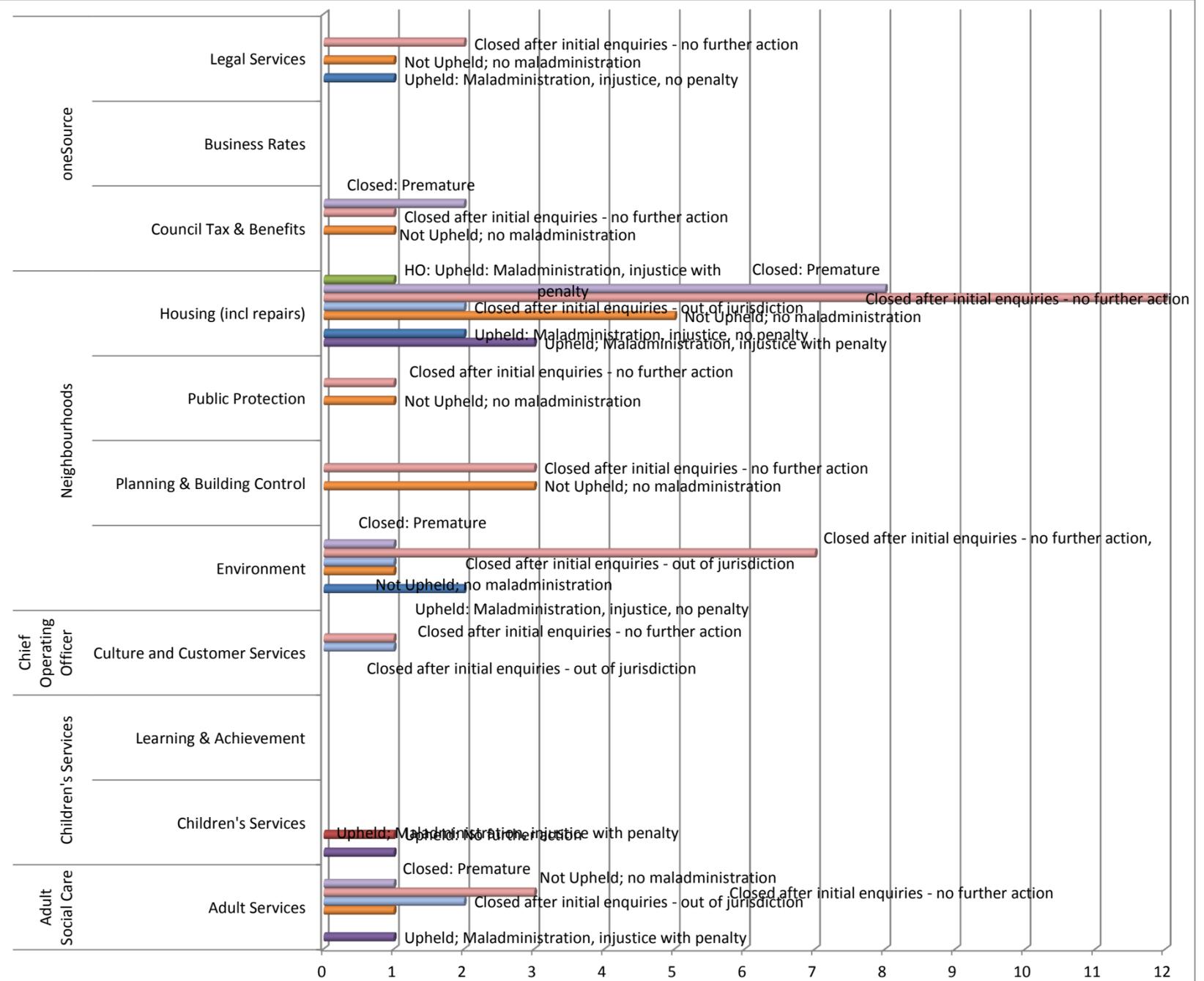
Complaints determined:

		Report issued: Upheld; maladministration and injustice	Report issued: Upheld; maladministration, no injustice	Report issued: Not upheld; no maladministration	Upheld; Maladministration, injustice with penalty	Upheld; Maladministration, injustice, no penalty	Upheld ; Maladministration, no injustice	Upheld: No further action	Not Upheld; no maladministration	Closed after initial enquiries - out of jurisdiction	Closed after initial enquiries - no further action	Closed: Premature	HO: Upheld; Maladministration, injustice with penalty	HO: No maladministration	HO: No further action	HO: Resolved locally - No further action	Not upheld: No further action	
Adult Social Care	Adult Services				1				1	2	3	1						8
Children's Services	Children's Services Learning & Achievement				1			1										2
	Culture and Customer Services									1	1							0
Chief Operating Officer																		2
Page 41 Neighbourhoods	Environment Planning & Building Control					2			1	1	7	1						12
	Public Protection								3		3							6
	Housing (incl repairs)				3	2			1		1							2
oneSource	Council Tax & Benefits								5	2	12	8	1					33
	Business Rates								1		1	2						4
	Legal Services					1			1		2							0
Total :		0	0	0	5	5	0	1	13	6	30	12	1	0	0	0	0	73

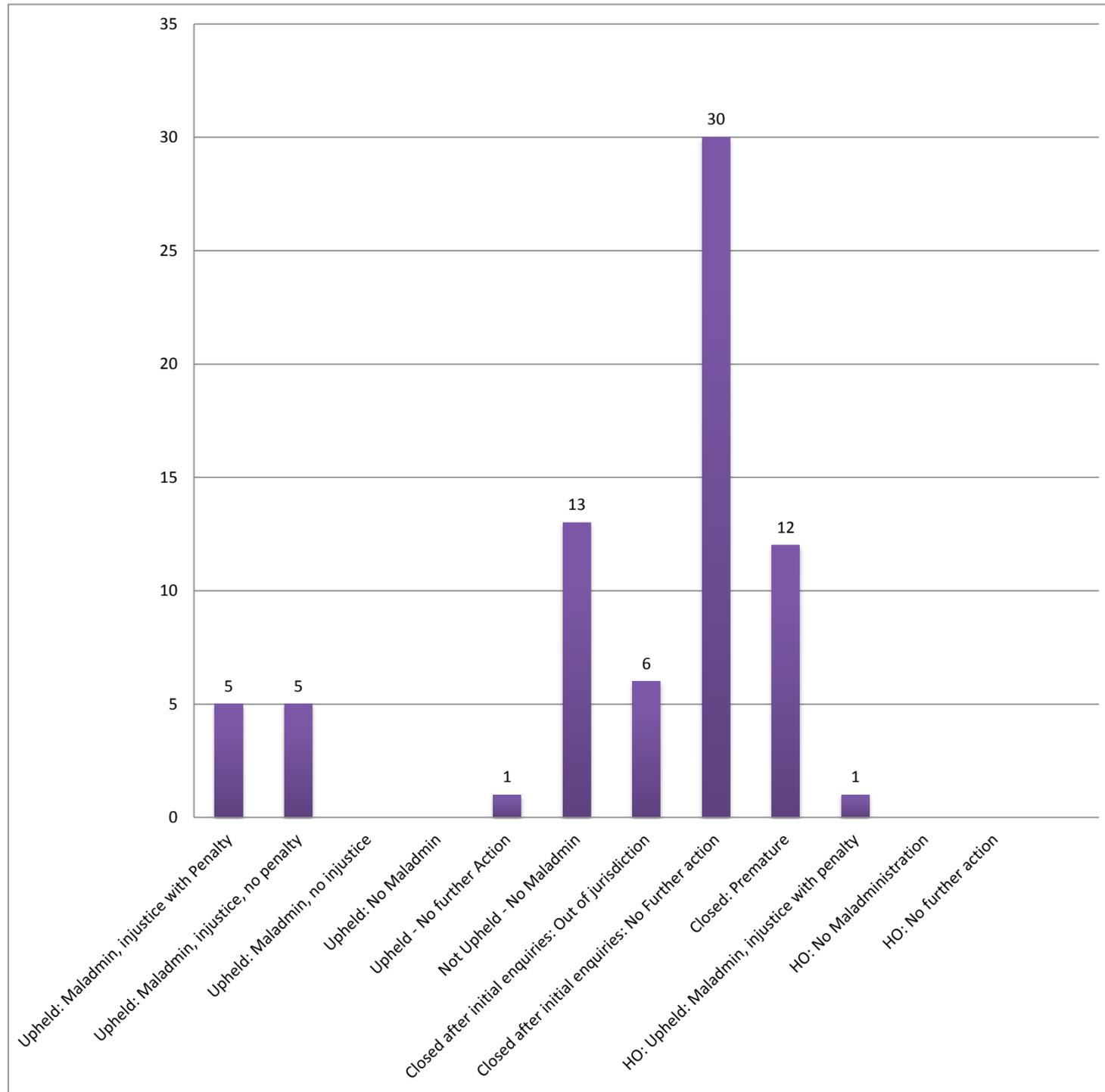
Decisions

Directorate/Service Area

- HO: Upheld: Maladministration, injustice with penalty
- Closed: Premature
- Closed after initial enquiries - no further action
- Closed after initial enquiries - out of jurisdiction
- Not Upheld; no maladministration
- Upheld: No further action
- Upheld: Maladministration, injustice, no penalty
- Upheld; Maladministration, injustice with penalty



Outcomes



Significant decisions from Local Government or Housing Ombudsmen

Quarter 1

1. Mrs X

Mrs X complained the Council had failed to properly consider her housing situation and assist her in moving to a suitable property.

the Ombudsman found there was fault by the Council caused by the delay in carrying out a suitability review; its failure to provide alternative interim accommodation; and the imposition of conditions on its statutory duty to assist her in moving to a suitable property.

The Council was asked to apologise to Mrs X for the failings identified, as well as pay Mrs X £3000 in recognition of the distress caused. The sum was to be offset against Mrs X's outstanding rent arrears.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

2. Miss A

Miss A complained the Council was at fault in its handling of her request for assistance with her housing situation.

The Ombudsman found some evidence of fault by the Council and recommended it apologise and pay £100 in recognition of the injustice caused to her.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

3. Mr K

Mr K claimed the Council did not deal properly with the charges for his mother's care as it did not tell her or Mr K what the cost would be. The Council was instructed to waive any charges which exceeded £115 per week. Action was also required to ensure the Council complied with its statutory responsibilities

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

4. Mr A

Mr A complained that the council's administrative error in processing a cheque payment for a Penalty Charge Notice caused avoidable inconvenience. A goodwill payment of £100 was offered, in line with Ombudsman guidelines.

Ombudsman decision: Upheld, Maladministration no penalty

Quarter 2

1. Miss X

Miss X made a complaint about how the Council had addressed repairs at her home, including rear fence/wall, low hot water pressure, a gas leak and the front door. She also complained about the standard of workmanship and the Council's complaint handling process.

The Housing Ombudsman ordered the Council to make a compensation payment to Miss X of £400. Some of which was offset against Miss X's outstanding rent arrears. In addition, it was recommended that the Council reviews its Tenants' Handbook to ensure that the target timescales for repairs are clear and consistent.

Housing Ombudsman decision: Upheld - Maladministration, Injustice with penalty

Quarter 3

1. Miss J

The customer complained that the council had offered her a property that was not suitable for her needs; failed to inform her about its discharge of duty decision and unreasonably refused to help when she made an approach for housing assistance.

The council offered to reinstate Miss J's right to request a review of its decision. In addition, it agreed to carry out the review within 28 days rather than the statutory 56 days and to assist her with the Homelessness Prevention fund to find alternative accommodation.

Ombudsman decision: Upheld - Maladministration, Injustice, No penalty

2. Mr A

Mr A complained the council had failed to consult with residents living adjacent to an area subject to parking restrictions made under a Public Space Protection Order; also about the way his complaint about the matter had been handled.

The LGO found there was some fault in its communication with Mr A, but the injustice caused was not significant enough to warrant further investigation of the complaint.

Ombudsman decision: Upheld - Maladministration, Injustice, No penalty

3. Ms E

Ms E is a council tenant; she complained the council failed to repair the boiler in her home, in a timely manner. She also complained that the boiler was faulty and should have been replaced.

The Housing Ombudsman found the Council's responses adequately addressed the concerns raised by Ms E and its goodwill offer of £25 appropriately reflected the inconvenience caused by its failure. It is not obliged to replace it when ongoing maintenance issues arise.

Ombudsman decision: Upheld - Maladministration, Injustice, No penalty

4. Ms B

Ms B complained the council had not done enough to support her with re-housing since March 2015. The Ombudsman found there were errors in the service provided by the council when responding to contacts from the complainant after March 2015, when she first approached it for help as she had been threatened with homelessness.

The council agreed, within 20 days of the Ombudsman Decision, to offer an apology to Ms B and to pay her £500 in recognition of the distress caused. Following the Decision, an offer of accommodation was made to Ms B.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

Quarter 4**1. Mrs X**

Mrs X had complained her daughter (G) had been without some of the identified therapies from her Education and Health Care plan for many months because of failure by the Council to fulfil its duty to ensure that provision. This was a repeated failure despite previous findings by the Ombudsmen in 2014. The CCG had failed to follow the SEN Regulations and consider private providers when it was not possible to use its usual commissioning partners. The Local Government and Parliamentary Health Service Ombudsman found both the Council and the CCG had failed to ensure they have robust joint working arrangements to avoid confusion and delay in such cases.

The Council agreed to a range of remedies including apologising to Mrs X for the failure to ensure G's therapies, specifically physiotherapy and occupational therapy, were provided in line with her EHC Plan and for the distress this caused Mrs X and the harm the lack of provision has caused G; as well as for the shortcomings in its SEN processes that allowed the lack of provision to continue for an unacceptably long period in spite of her repeated requests for the matters to be resolved;

In addition, payments were to be made to Mrs X as follows:

for the distress caused by the failures set out above and the need to bring these matters a second time to the Ombudsmen after a decision in 2014;

- £2,000
- £770 for the loss of physiotherapy oversight as set out in the EHC Plan, to provide G with additional physiotherapy or use for G's educational benefit as Mrs X sees fit;
- £1,330 for the loss of occupational therapy including sensory integration as set out in the EHC Plan, to provide G with additional occupational therapy or use for G's educational benefit as Mrs X sees fit;
- A payment in lieu of physiotherapy for the spring term 2018 and £660 for additional therapies agreed in 2015.

The Council also agreed to:

- review its SEN processes and provide the Ombudsmen with evidence it has taken steps to ensure it reviews, monitors and delivers the educational provision within EHC Plans;
- review its joint working processes with the CCG and local NHS Trusts and draft, with input from these health bodies, a clear protocol for this process that can be published as part of the Local Offer, to provide transparency for parents and the wider public about the way joint working will take place.

Further recommendation was made for the Council to provide training to all SEN staff to ensure they fully understand the legal requirements of the Council to ensure that all educational provision set out in Part F of EHC Plans is in place and being delivered in line with EHC Plan. The Ombudsmen gave a timetable in which these actions should take place; progress is being made, and the case is being monitored to ensure compliance. The Ombudsman is being kept informed of progress.

Ombudsman decision: Upheld - Maladministration, Injustice with penalty

2. Ms A

Ms A complained that the Council had unreasonably refused to refund the additional costs her aunt, Ms F, incurred when selling her property which arose from an
The Ombudsman found, while there may have been maladministration and injustice at some point during the 90 years, due to the length of time passed since the original recording error was made, and

Ombudsman decision: Upheld - Maladministration, Injustice, no penalty