

**MINUTES OF A MEETING OF THE
ADJUDICATION AND REVIEW COMMITTEE
Town Hall
5 September 2019 (7.00 - 8.45 pm)**

Present:

COUNCILLORS

Conservative Group Joshua Chapman, Timothy Ryan (Vice-Chair) and
Matt Sutton (Chairman)

Residents' Group Ray Morgon

Labour Group

**Upminster & Cranham
Residents' Group** Linda Van den Hende

**Independent Residents
Group**

Apologies were received for the absence of Councillors Ray Best and Denis O'Flynn.

All decisions were taken with no votes against.

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

6 DECLARATIONS OF INTERESTS

There were no declarations of interest.

7 MINUTES

The minutes of the meeting held on 21 May 2019 were agreed as a correct record and signed by the Chairman.

8 UPDATE ON CORPORATE COMPLAINTS

The report before Members updated on complaint handling performance across all Council services.

During the period April to June 2019 there had been 490 stage 1 complaints. 96% of them (469) had been responded to within the required timescale of ten days.

The council received 84 requests for escalation to Stage 2 of the process, 89% (75) of them dealt with within 25 days, in line with current timescales.

This equated to an escalation request rate of 17% however, this was reduced to 5% when considering the number of cases that were not escalated to Stage 2. When compared to the same period in the previous year, 2018/19, the request for escalation rate is lower than the previous 20%. The percentage of cases actually taken through the Stage 2 process was the same as the previous year.

The report also outlined Ombudsman activity.

During Quarter 1 there were 19 decisions by Local Government and Housing Ombudsmen, as follows:

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

There had been one Housing Ombudsman decision during the period, which found no maladministration.

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

- The Corporate Complaints Performance Statistics for Quarter 1
- The results following the Quarter 1 Audit of complaints
- Decisions made by both the Local Government and Housing Ombudsmen throughout the quarter.

9 **LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO)
ANNUAL REVIEW LETTER 2018/19**

The report before Members provided details relating to the Local Government and Social Care Ombudsman's Annual Review letter.

This year, the LGSCO received 95 complaints and enquiries about Havering Council, against 94 the previous year.

In the year, the LGSCO made 90 decisions on complaints made against Havering Council, compared to 101 the previous year. Of those 90, detailed investigations were carried out into 14 cases. Nine of them were Upheld and five Not Upheld, which gave an Uphold Rate of 64%. This compared to 63% in similar authorities.

While the Uphold Rate appears high, compared to the previous year's 44%, it should be noted that there were a higher number of detailed investigations in 2017/18 (23) with ten being Upheld.

For the first time this year, the Ombudsman's office has published compliance statistics, where the Council is recognised for complying with Recommendations made by the Ombudsman in their Decisions.

It was pleasing to note that in the nine cases Upheld by the LGSCO, all recommendations were met within the timescales set out by the investigators.

Appended to the Annual Review letter was the Ombudsman's activity report for 2018/19.

Members **NOTED** the contents of the Ombudsman's Annual Review letter and activity report.

10 **PRESENTATION ON THE COUNCIL'S CORPORATE COMPLAINT POLICY AND PROCEDURE/UPDATE ON SERVICE AREA COMPLAINTS**

The Committee received a presentation on the Council's Corporate Complaint Policy and Procedure.

The report highlighted the following:

- What was a complaint
- Stage 2 process
- Stage 3 process (MRP)
- What options were available once the Council's procedure had finished (Ombudsman etc)

Members also received a brief presentation on housing and homelessness complaints.

The Committee **noted** the presentations

11 **ADULT SOCIAL CARE ANNUAL COMPLAINTS REPORT 2018/19**

The Director of Adult Services presented the Adult Social Care Complaints Annual Report to the Committee. The report detailed the complaints enquiries and compliments received during the period April 2018 to March 2019.

There was a statutory requirement to publish the report annually.

Adult Social Care complaints have decreased slightly. Ombudsman enquiries had stayed at the same level. Out of the nine received in the relevant period two were found to be maladministration injustice.

The highest number of complaints received related to external home care. These included complaints on standards of service which was linked to financial issues and disputes on charges. There had also been an increase in complaints relating to attitude and behaviour of staff.

The number of complaints upheld in 2017-18 was 13 with 16 partially upheld, 38 not being upheld and 12 being withdrawn.

Areas identified for improvement during the year were around completeness of assessments, information to providers on the treatment of direct payments used for respite and financial information still highlighted as an area for improvement. Some of these may be picked up through the new Adult Social Care system Liquid Logic when implemented.

Overall response times to complaints still needed to improve although there has been some improvement.

Compliments had increased from 49 in 2017/18 to 52 in 2018/19

Member enquiries had increased to 114 in 2018-19 from 68 in 2017-18 with 75% being responded to within timescale.

The Committee **noted** the report.

12 **CHILDREN'S SERVICES ANNUAL COMPLAINTS REPORT 2018/19**

The Committee received the Children's Services Complaints Annual Report for 2018-19. The report provided information about the numbers and types of complaints handled by the Children's Service during 2018-19, as well as Members' correspondence.

The report was a requirement under the Children Act 1989 and Representations Procedure (England) Regulations 2006.

Members noted that the number of Stage 1 complaints increased by 15% from 90 to 106 in 2018-19. The complaints made directly by Young People

decreased from 18 in 2017-18 to 9 in 2018-19, the decrease were attributed to the improved working and communication with young people and the opening of the Cocoon Centre. It was stated that the Director and Assistant Director operated a surgery for Young People. Other partner agencies such as Department of Works and Pensions, Housing Services and Social Workers attended to the centre and give advice and deal with issues.

The report outlined that six Stage 1 cases were escalated to Stage 2; there were no Stage 3 Reviews during 2018-19.

The Committee was informed that the Triage/MASH & Assessment Team received the highest number of complaints during 2018-19, which have almost doubled from 2017-18; followed by Intervention & Support Services. These were reflective of the type of complaints received from parents around the unwelcomed intervention or decisions made regarding their children.

Member enquiries have decreased from 63 in 2017-18 to 47 in 2018-19 with 78% being responded to within timescale.

The report detailed that the number of compliments was still quite low but had increased from 10 to 19 in 2018-19, with Children and Adults with Disabilities and Learning & Achievement receiving the highest number. Staff would need to be reminded to send compliments to the Complaints & Information Team to be logged.

The Committee noted that Children's Services continue to deliver services in line with their vision for children and young people, with the aim to learning and making improvements. The Assistant Director stated that this was reflected in the recent OFSTED inspection in which inspectors found improvements across all service areas. The report by OFSTED identified that opportunities for workforce learning are well established and this has been pivotal in driving improvements.

Members were informed that Education complaints are reported corporately. However, enquiries relating to schools, academies or colleges have dropped from 42 in 2017-18 to 25 in 2018-19. These complaints are referred to the relevant educational establishment to be taken through the school's 2018-19.

The Committee **noted** the report.

Chairman

