



ADJUDICATION AND REVIEW COMMITTEE

21 May 2019

Subject Heading:	Update on Corporate Complaints and Statutory Complaints for Year End 2018/19, including Quarter 4
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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	<input type="checkbox"/>
People will be safe, in their homes and in the community	<input type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

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. Some changes to the Corporate timescales were made, effective 1st October 2018. Turnaround was set to 10 working days for Stage 1 complaints and 25 working days for Stage 2 complaints. Services should aim to respond to 95% of cases within time.

As the changes to the timescales were effective half way through the reporting year, it is suggested that a like-for-like comparison cannot easily be made.

This report also includes Quarter 4 statistics for Statutory complaints; information follows.

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Statistics are reported to Committee on a quarterly basis.

This report attaches written information for Members to consider on complaint statistics for Quarter 4 and Year End 2018/19, indicating numbers received and performance on timeliness and quality.

It also includes Quarter 4 statistics for statutory complaints.

RECOMMENDATIONS

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

1. The Corporate Complaints Performance Statistics for Quarter 4 (January – March 2019).
2. The Statutory Complaints Performance Statistics for Quarter 4 (January – March 2019).
3. Decisions made by both the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO) throughout the quarter, which are also included in the Year End report.
4. The Corporate Complaints Performance Statistics for Year End 2018/19.

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.

Statutory complaints, those related to the care of children and adults, are subject to a separate Statutory Complaint Policy with different timescales.

A project is underway to source a suitable replacement system for the administration of Corporate Complaints (non-Statutory) and Member Enquiries. This is initially planned as a temporary solution until a replacement for CRM is determined. The scope of the project has been identified and current work practices confirmed by the service areas. The procurement process will take place via the G Cloud Framework and a set of supplier questions are being compiled in order to shortlist and offer a demonstration and possible tender submission.

Corporate Complaints Performance Statistics

Quarter 4

The 4th quarter performance statistics for all complaints under the procedure is attached as **Appendix 1**.

In short, the council received 499 Stage 1 complaints during the period January to March 2019. 78% of them (390) were responded to within 10 days, which is the revised timescale, effective October 2018.

In addition, the council received 115 requests for escalation to Stage 2 of the process, 81% (93) of them dealt with within 25 days, in line with the revised timescale, effective October 2018.

This equates to an escalation request rate of 23% however, this is reduced to 15% when considering the number of cases that were not escalated to Stage 2. When compared to the previous quarter, the request for escalation rate is higher than the previous 17%, and the number of cases actually taken through the Stage 2 process is also higher than the previous 9%.

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

	January	February	March
Stage 1 percentage to time	73%	69%	93%
Stage 2 percentage to time	83%	61%	93%
Cumulative percentage Stages 1 & 2	75%	68%	93%

Results for Quarter 4 are mixed. It has been discussed at this meeting previously. How the changes to the corporate timescales, along with Service resourcing issues, have had a negative impact on performance.

Whilst performance at both stages of the process slipped during the early part of the quarter, it is pleasing to see a marked improvement during March.

Statutory Complaints Performance Statistics

Quarter 4 statutory complaints statistics for Children's Social Care and Adult Social Care are shown at Appendix 2.

There has been an increase of 19% in Adult Social Care statutory complaints, from 22 in Quarter 3 to 27 in Quarter 4, of which five are ongoing. Children's Services statutory complaints increased by 30%, from 19 in Quarter 3 to 27 in Quarter 4.

Response times have improved slightly from 49% in Quarter 3 to 63% (34 of 54) being responded to within the 20 day timescale, however there is still a need to improve response times.

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The main reasons for complaints dealt with by Adult Social Care were disputes over client contribution and service issues with home care and care home providers. A number of complaints were received relating to the transfer of homecare service required during December 2018 due to Allied Healthcare capacity issues.

The main reasons for complaints dealt with by Children's Services related to standard of service (such as slow service and faulty equipment), staff attitudes and issues with payments.

Children's Services Stage 2 complaints were unusually high in Quarter 4, with four Stage 2 requests. Of these two were withdrawn as outcomes were agreed and resolved with the complainants, however two which were received in January are ongoing.

Year End 2018/19

The Year End performance statistics for all corporate complaints under the procedure is attached as **Appendix 4**.

Between April 2018 and March 2019, the council received 1842 Stage 1 complaints. 82% of them (1515) were responded to within timescale, which changed from 15 to 10 working days halfway through the year.

In addition, throughout the year, 374 requests were received for escalation to Stage 2 of the process, 81% (304) of them dealt with within timescale, which changed from 20 to 25 working days on 1st October 2018.

This equates to an escalation request rate of 20% compared to 17% the previous year.

The following table provides an easy view of complaints completed at Stages 1 and 2 for this year, compared against the previous year, 2017/18.

	2017/18	2018/19
Stage 1 percentage to time	93%	82%
Stage 2 percentage to time	91%	81%
Cumulative percentage Stages 1 & 2	93%	82%
Stage 3 percentage to time	100%	0%

There was one request to escalate a complaint to Stage 3 of the process. This equates to an escalation request rate of 0.27%.

Year-end statutory complaints have not been detailed within this report, as they will be reported separately under the Adults and Children's Annual reports at a later date.

Stage 3 complaints – considered by Member Review Panel

One case has been escalated to Stage 3, and was presented to Member Review Panel in July 2018. This was a Planning and Building Control complaint relating to the way the council had dealt with a planning application, and whether the Planning Manager had been biased in their decision making process. The Panel were satisfied the complaint had been handled appropriately and the case was not upheld, although the Panel did make a number of recommended actions for the Service to carry out.

Ombudsmen Decisions

Quarter 4

During Quarter 4 there were 20 decisions by Local Government and Social Care Ombudsman (LGSCO), as follows:

- 5 x Closed after initial enquiries: No further action
(*Adults (1); Children’s (1); Environment (1)*)
- 2 x Closed after initial enquiries: Out of jurisdiction
(*Environment (1); Housing (1)*)
- 5 x Closed: Premature
(*Children’s Services (3); Environment (1); Housing (1)*)
- 3 x Not Upheld: No maladministration
(*Housing (2); Planning and Building Control (1)*)
- 3 x Upheld: Maladministration, injustice with penalty **S**
(*Adults (1); Council Tax and Benefits (1); Housing (1)*)

Housing Ombudsman (HO) decisions during the period:

- 1 x No Maladministration
- 1 x Maladministration with Penalty **S**

See table below for comparison of significant (**S**) decisions made for Quarter 4 in 2017 and 2018:

Significant decisions (where maladministration and injustice found)				
	Quarter 4 2017		Quarter 4 2018	
Maladministration, injustice with penalty	1	Children’s services	3	Adults; Council Tax and Benefits; Housing
Maladministration, injustice, no penalty	1	Legal Services	0	
HO: Maladministration with penalty	0		1	Housing

Quarter 4 Ombudsman decisions are shown in more detail on attached **Appendix 3**.

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Year end

During the year there were 64 decisions by Local Government and Housing Ombudsmen, as follows:

Closed after initial enquiries: No further action	25
Closed after initial enquiries: Out of jurisdiction	10
Not upheld: No maladministration	6
Premature complaint	12
Upheld: No further action	1
Upheld: Maladministration, injustice with penalty	7
Upheld: Maladministration, injustice, no penalty	1
Housing Ombudsman: No Maladministration	1
Housing Ombudsman: Maladministration with penalty	1

These decisions have previously been reported at each Quarterly meeting. Please see attached **Appendix 5**, detailing Ombudsman and Housing Ombudsman decisions received during the year.

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 five appendices:

- Appendix 1 – Quarter 4 Corporate Complaints statistics
- Appendix 2 – Quarter 4 Statutory Complaints statistics
- Appendix 3 – Ombudsman Activity Report for Quarter 4
- Appendix 4 – Year end Corporate Complaints statistics
- Appendix 5 – Ombudsman Activity Report for Year end