



ADJUDICATION AND REVIEW COMMITTEE

4 December 2019

Subject Heading:	Update on Corporate Complaints and Statutory Complaints for Quarter 2
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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.

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. It also includes quarterly statistics for Statutory complaints; information follows.

RECOMMENDATIONS

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

1. The Corporate Complaints Performance Statistics for Quarter 2 (July – September 2019).
2. The Statutory Complaints Performance Statistics for Quarter 2 (July – September 2019)
3. Decisions made by both the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) 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.

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

Corporate Complaints Performance Statistics

The 2nd quarter performance statistics for all complaints under the procedure is attached as **Appendix 1**.

In short, the council received 562 Stage 1 complaints during the period July to September 2019. 92% of them (519) were responded to within the required timescale of ten days.

The council received 111 requests for escalation to Stage 2 of the process, 69% (77) of them dealt with within 25 days, in line with current timescales.

This equates to an escalation request rate of 20% however, this is reduced to 9% when considering the number of cases that were not escalated to Stage 2. This is an increase from the previous 5% in Quarter 1. The request for escalation rate is exactly the same as in Quarter 2 2018/19.

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

	July	August	September
Stage 1 percentage to time	96%	93%	89%

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Stage 2 percentage to time	92%	63%	63%
Cumulative percentage Stages 1 & 2	95%	88%	84%

Unfortunately, there has been a dip in performance across this quarter, most markedly in Stage 2 complaints. Given previous discussions relating to increasing numbers of Stage 2 complaints, with the need for more in-depth investigations, the team have been struggling. This is being addressed, with the appointment of one permanent member of staff, who took up post mid-October, and a secondment opportunity for another.

Statutory Complaints Performance Statistics

Quarter 2 Statutory complaints statistics are shown at Appendix 2.

The number of statutory complaints received in 2019-20 by Adult Social Care in Q2 totalled 10 and Children's Services totalled 23, however of the 23 received, four were withdrawn, and one is on hold, resulting in 18 for the quarter. There has been a slight decrease in the number of complaints of two from Q1 (20) for Children's Services, while there has been a decrease of nine in Adult Social Care complaints from Q1 (19).

For Adults, of those complaints responded to in Q2 (10), seven were Adult Social Care, whilst three involved third parties (external providers). Of the Adult Social Care complaints, 43% were responded to within the 20 day timescale. Of the three external provider complaints only one was responded to within the 25 day timescale. The two not responded to within 25 days, included some safeguarding issues that required resolution, leading to delay in responding. Of those complaints responded for Children's in Q2 (12), 67% were responded to within the 20 day timescale, one complaint is on hold and one is ongoing.

There were three Stage 2 requests for Children's Services, with two ongoing (from the previous quarter) and one potential Stage 2 not progressing, following resolution with the complainant. There were two Stage 3 Review Panels in Q2.

Adult Social Care complaints in Q2 continued to largely be concerning invoices/fees charged relating to disputes around times charged for care. This is an ongoing issue and continues to be a high priority within the Adult Social Care action plan. Children's Services complaints continued to be around interventions by Children's Services, and in relation to support around accommodation.

Ombudsmen Decisions

During Quarter 2 there were 26 decisions by Local Government and Housing Ombudsmen, as follows:

- 7 x Closed after initial enquiries: No further action
(*Environment (4); Planning; Public Protection; Housing*)
- 5 x Closed after initial enquiries: Out of jurisdiction
(*Environment; Planning; Housing (2); Business Rates*)
- 6 x Closed: Premature

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(Adult Services; Children's Services; Environment; Housing (2); Council Tax & Benefits)

4 x Not Upheld: No Maladministration

(Adult Services (2); Children's Services (1); Environment)

1 x Upheld: Maladministration, injustice with no penalty **S**

(Environment)

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

(Adults Services)

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

See table below for comparison of significant (S) decisions made for Quarter 2 in 2018 and 2019:

Significant decisions (where maladministration and injustice found)				
	Quarter 2 2018		Quarter 2 2019	
Maladministration, injustice with penalty	2	Adult Services; Learning & Achievement	2	Adult Services
Maladministration, injustice, no penalty	1	Adult Services	1	Environment

Quarter 2 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 three appendices:

Appendix 1 – Quarter 1 Complaints statistics

Appendix 2 – Quarter 1 Statutory Complaints statistics

Appendix 3 – Ombudsman Activity Report for Quarter 1