



## ADJUDICATION AND REVIEW COMMITTEE

5 March 2020

**Subject Heading:**

Update on Corporate Complaints and  
Statutory Complaints for Quarter 3

**SLT Lead:**

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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	[ ]
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 complaint handling performance, across all Council services.

The Corporate Complaint Policy and Procedure was introduced on 1<sup>st</sup> April 2015. Some changes to the Corporate timescales were made, effective 1<sup>st</sup> 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.

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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 3 (October – December 2019).
2. The Statutory Complaints Performance Statistics for Quarter 3 (October – December 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 3<sup>rd</sup> quarter performance statistics for all complaints under the procedure is attached as **Appendix 1**.

In short, the council received 567 Stage 1 complaints during the period October to December 2019. 86% of them (486) were responded to within the required timescale of ten days, which represents a slight drop in performance from 92% in Quarter 2.

The council received 98 requests for escalation to Stage 2 of the process, 80% (78) of them dealt with within 25 days, in line with current timescales, which represents a pleasing increase in performance from 69% in Quarter 2.

This equates to an escalation request rate of 17% 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.

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	<b>October</b>	<b>November</b>	<b>December</b>
Stage 1 percentage to time	87%	81%	88%
Stage 2 percentage to time	76%	76%	81%
Cumulative percentage Stages 1 & 2	85%	80%	87%
Cumulative percentage Stages 1 & 2 for Q3 2018/19	75%	82%	78%

The cumulative performance across Stages 1 and 2 for the quarter is 85%, compared to 78% for the same period in the previous year. At that time, the Council received 480 complaints, 376 of which were completed within timescales. To conclude, performance this year has improved while Services have been handling higher numbers of complaints.

### **Statutory Complaints Performance Statistics**

Quarter 3 Statutory complaints statistics are shown at Appendix 2.

The number of statutory complaints received in 2019-20 by Adult Social Care in Quarter 3 totalled 27 and Children's Services totalled 12. Of the 27 Adult Social Care complaints, eight were withdrawn due to either consent not being received or further information not being provided. Of the 12 Children's complaints, three were withdrawn. There has been a decrease in the number of complaints of six from Quarter 2 (18) for Children's Services, while there has been an increase of 15 in Adult Social Care complaints from Q2 (12).

For Adults, of those complaints responded to in Quarter 3 (27), 25 were Adult Social Care, whilst two were third parties (external providers). Of the Adult Social Care complaints, 92% were responded to within the 20 day timescale. Of the two not responded to within timescale, one involved an external contractor, the other due to telephone conference arrangements. Of the two external provider complaints both were responded to within the 25 day timescale. Of those complaints responded for Children's in Quarter 3 (12), 83% were responded to within the 20 day timescale.

There were five Stage 2 requests for Children's Services, with two not progressing, one ongoing and one on hold. There was one Stage 3 Review Panel request in Quarter 3.

Adult Social Care complaints in Quarter 3 were largely about home care in relation to late calls, or not being happy about the care being provided. There were also complaints 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

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about interventions by Children’s Services, and in relation to support around Special Guardianship.

### **Ombudsmen Decisions**

During Quarter 3 there were 14 decisions by Local Government and Social Care Ombudsman, with a further determination by the Housing Ombudsman, as follows:

5 x Closed after initial enquiries: No further action  
(*Environment (2); Planning (2)*)

3 x Closed after initial enquiries: Out of jurisdiction  
(*Council Tax; Environment (2)*)

2 x Closed: Premature  
(*Adult Services; Children’s Services*)

3 x Not Upheld: No Maladministration  
(*Adult Services; Housing (2)*)

1 x Upheld: Maladministration, no injustice **S**  
(*Adults Services*)

1 x Housing Ombudsman: Upheld: Maladministration, injustice with penalty **S**  
(*Adults Services*)

See table below for comparison of significant (S) decisions made for Quarter 3 in 2018 and 2019:

<b>Significant decisions (where maladministration and injustice found)</b>				
	Quarter 3 2018		Quarter 3 2019	
Maladministration, no injustice	0		1	Adult Services
Maladministration, injustice with penalty	1	Planning and Building Control	1	Housing Services
Maladministration, injustice, no penalty	0		0	

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

### **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.

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Attached are three appendices:

Appendix 1 – Quarter 1 Complaints statistics

Appendix 2 – Quarter 1 Statutory Complaints statistics

Appendix 3 – Ombudsman Activity Report for Quarter 3