



## ADJUDICATION AND REVIEW COMMITTEE

24 June 2021

|   |   |
|---|---|
| <b>Subject Heading:</b>                   | Update on Corporate Complaints 2020/21<br>Year End  |
| <b>SLT Lead:</b>                          | Andrew Blake-Herbert  |
| <b>Report Author and contact details:</b> | Carol Ager <a href="mailto:carol.ager@havering.gov.uk">carol.ager@havering.gov.uk</a><br>01708 434389 |
| <b>Policy context:</b>                    | Corporate Complaint Policy and<br>Procedure 1st April 2015  |
| <b>Financial summary:</b>                 | There are no financial implications to this<br>report.  |

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

|                               |     |
|-------------------------------|-----|
| Communities making Havering   | [X] |
| Places making Havering        | [X] |
| Opportunities making Havering | [X] |
| Connections making 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.

## Adjudication and Review Committee – 26<sup>th</sup> June 2021

This report attaches written information for Members to consider on complaint statistics for the year 2020-2021, 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 reporting year April 2020 to March 2021.
2. Decisions made by both the Local Government and Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) throughout the year.

### 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 and data relating to those complaints is not included within this report.

It should be noted, the reporting year 2020-21 has been impacted by the effect on Council services of the COVID-19 pandemic. At the end of March 2020, the Council suspended its Corporate Complaint Policy and Procedure, following similar action by the Local Government and Social Care Ombudsman. This was agreed under the special (urgent) decision making process during the first lockdown.

The Council resumed corporate complaint activity at the end of June 2020. As a result, this report provides data for nine months of the year. Where a comparison is made with the previous year's data, this will be for the period July 2019 to March 2020.

During the suspension of the Complaint Policy and Procedure for the first quarter of the reporting year, customers with immediate, urgent concerns were directed to the relevant service areas for assistance, rather than have the matter dealt with via the complaints process.

### **Corporate Complaints Performance Statistics**

The 2020-2021 performance statistics for all complaints under the procedure is attached as **Appendix 1**.

## Adjudication and Review Committee – 26<sup>th</sup> June 2021

In short, the council received 1587 Stage 1 complaints during the period July 2020 to March 2021. 77% of them (1215) were responded to within the required timescale of ten days.

The council received 318 requests for escalation to Stage 2 of the process, 68% (216) 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 8.7% when considering the number of cases that were not escalated to Stage 2. This is a slight increase from 8.1% in the same period last year.

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

|                                    | <b>2020-21</b> | <b>2019-20</b> |
|------------------------------------|----------------|----------------|
| Stage 1 percentage to time         | 77%            | 89%            |
| Stage 2 percentage to time         | 68%            | 70%            |
| Cumulative percentage Stages 1 & 2 | 75%            | 86%            |

Performance across both stages of the complaints process is not at an acceptable level. However, it should be noted, due to the unprecedented situation the Council has gone through in the last year, complaint performance has understandably been affected. With resources across many service areas having been re-directed to essential Covid-19 support teams, complaint teams have found it extremely difficult to secure information to inform investigations.

### **Ombudsmen Decisions**

During the year, there were 52 decisions by Local Government and Social Care Ombudsman(LGSCO) and the Housing Ombudsman, as follows:

#### **Local Government and Social Care Ombudsman**

5 x Closed: Premature

*(Housing (3); Children's (2))*

16 x Closed after initial enquiries: No further action

*(Adult Services; Children's Services; Planning (4); Housing (4); Environment (6))*

7 x Closed after initial enquiries: Out of jurisdiction

*(Adult Services; Planning, Environment (2); Housing (2); Council Tax)*

5 x Not Upheld: No Maladministration

*(Planning (2); Environment: Adult Services; Children's Services)*

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

*(Environment; Housing)*

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

*(Adult Services (3); Children's Services (2); Housing (2); Environment)*

## Adjudication and Review Committee – 26<sup>th</sup> June 2021

### Housing Ombudsman

There were nine Housing Ombudsman decisions during the period as follows:

5 x Resolved locally: No further action

2 x No Maladministration

2 x Maladministration with penalty (**S**)

See table below for comparison of significant (**S**) decisions made during the year in 2019 and 2020:

| <b>Significant decisions (where maladministration and injustice found)</b> |   |                         |                     |                         |                     |
|--|---|-------------------------|---------------------|-------------------------|---------------------|
| <b>Ombudsman</b>   | <b>Decision</b>                           | <b>Year end 2020-21</b> |                     | <b>Year end 2019-20</b> |                     |
| LGSCO  | Maladministration, injustice with penalty | 3                       | Adult Services      | 3                       | Adult Services      |
|  |   | 2                       | Children's Services | 2                       | Children's Services |
|  |   | 2                       | Housing             | 3                       | Housing             |
|  |   | 1                       | Environment         | 1                       | Benefits            |
|  |   |                         |                     |                         |                     |
| LGSCO  | Maladministration, injustice, no penalty  | 1                       | Housing             |                         |                     |
|  |   | 1                       | Environment         | 2                       | Environment         |
|  |   |                         |                     |                         |                     |
| Housing  | Maladministration with penalty            | 2                       | Housing             | 0                       | Housing             |

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 – Year end 2020-21 Complaints statistics

Appendix 2 – Ombudsman Activity Report for year ending 31<sup>st</sup> March 2021